

Community Action of Orleans & Genesee

Employee Handbook



www.caoginc.org

Community Action of Orleans & Genesee

Employee Handbook

March 2014



Prepared by
HR One
220 West Manlius Street • P.O. Box 118
East Syracuse, New York 13057
Telephone: 315.463.0004
www.peopletopayroll.com

COMMUNITY ACTION OF ORLEANS & GENESEE EMPLOYEE HANDBOOK

TABLE OF CONTENTS

100	INTRODUCTION	100-1
101	Agency Governance	100-1
102	Mission Statement of the Agency	100-1
103	Vision for Community Action	100-1
104	Values & Principles for Community Action:	100-1
105	Purpose of Employee Handbook	100-2
106	Employee Handbook Revisions	100-2
107	Definitions	100-3
200	EMPLOYMENT CLASSIFICATIONS	200-1
201	Full-Time Employees	200-1
202	Part-Time Employees	200-1
203	Temporary Employees	200-1
204	Exempt Employees	200-1
205	Non-Exempt Employees	200-1
300	EMPLOYMENT POLICIES	300-1
301	Employment-at-Will	300-1
302	Hiring Policies	300-1
303	Orientation Period	300-1
304	Performance Appraisals	300-2
305	Promotions and Transfers	300-3
306	Separation from Employment	300-3
307	Application / Retention Policy	300-4
400	PERSONNEL ADMINISTRATION	400-1
401	Personnel Records	400-1
500	COMPLIANCE POLICIES	500-1
501	Equal Employment Opportunity and Fair Treatment	500-1
502	The Americans with Disabilities Act (ADA)	500-2
503	Anti-Harassment and Sexual Harassment	500-2
504	Continuation of Insurance Benefits (COBRA)	500-4
505	Health Insurance Portability and Accountability Act (HIPAA)	500-5
506	Corporate Compliance Plan	500-5

600	OPERATIONAL POLICIES	600-1
601	Hours of Operation	600-1
602	Work Schedules	600-1
603	Meal and Break Periods	600-1
604	Lactation Breaks	600-2
605	Emergency Closings	600-2
606	Time Records	600-3
607	Sign In/Out Procedures	600-4
608	Business Expenses	600-4
700	ABSENCE FROM WORK POLICIES	700-1
701	Tardiness	700-1
702	Attendance	700-1
703	Jury Duty	700-2
704	Military and Reserve Leaves	700-3
705	Military Spousal Leave	700-4
706	Bereavement Leave	700-4
707	Family and Medical Leave Act (FMLA)	700-5
708	Leaves of Absence	700-10
709	Time Off to Donate Blood & Bone Marrow	700-12
710	Time Off to Vote	700-13
800	COMPENSATION	800-1
801	Pay Rates and Pay Increases	800-1
802	Overtime	800-1
803	Payroll Period and Payday	800-2
804	Payroll Deductions	800-2
805	Pay Advances	800-2
900	EMPLOYEE BENEFITS	900-1
901	Benefits Administration	900-1
902	Health Insurance	900-2
903	Dental Insurance	900-2
904	Section 125 Plan	900-2
905	Life Insurance	900-3
906	Retirement Plan	900-4
907	Vacation Leave	900-4
908	Reserved for future use	900-6
909	Sick Leave	900-6
910	Holidays	900-8
911	Disability Coverage	900-9
912	Workers' Compensation	900-10
913	Unemployment Insurance	900-10
914	Social Security/Medicare	900-10
915	Requested Educational Assistance	900-11
916	Employee Assistance Program (EAP)	900-11
917	Compensatory Time for Exempt Employees	900-12

1000	PERSONAL CONDUCT	1000-1
1001	Personal Appearance	1000-1
1002	Misrepresentation and Fraud	1000-2
1003	Confidentiality	1000-2
1004	Political/Lobbying Activities	1000-3
1005	Substance Free Workplace	1000-4
1006	Outside Employment	1000-5
1007	Driver's License and Vehicle Use Policy	1000-5
1008	Corrective Discipline	1000-7
1009	Fraternization	1000-8
1010	Ethics	1000-8
1100	AGENCY PREMISES AND WORK AREAS	1100-1
1101	Agency Property	1100-1
1102	Personal Belongings	1100-1
1103	Maintenance of Work Area	1100-2
1104	Parking	1100-2
1105	Use of All Tobacco Products	1100-2
1106	Charitable Solicitation and Distribution	1100-3
1107	Workplace Searches	1100-3
1200	SAFETY	1200-1
1201	Safety Program	1200-1
1202	OSHA	1200-2
1203	Hazard Communication Program	1200-2
1204	Emergency / Disaster Plan	1200-2
1300	SECURITY	1300-1
1301	Building Security	1300-1
1302	Visitors	1300-1
1303	Violence in the Workplace	1300-1
1400	COMMUNICATION PROCEDURES	1400-1
1401	Complaint Resolution Procedure	1400-1
1402	Bulletin Board	1400-2
1403	Communications Systems	1400-2
1404	Social Media	1400-9
1405	Adverse Situations and Correspondence	1400-10
1406	Employee Suggestions	1400-10
1407	Public and Media Relations	1400-10

100 INTRODUCTION

101 *Agency Governance*

Community Action of Orleans & Genesee is a private non-profit agency governed by an elected volunteer Board of Directors. The role of the Board is to govern and direct the affairs of the Agency as defined in the Articles of Incorporation and the By-laws, which includes oversight of all functions and programs. According to federal regulation the Head Start program must have parents participate in governance through elected Policy Council, which shares program governance responsibility with the Board of Directors. In addition, other Agency programs may have advisory committees to assist the Board of Directors in planning, evaluation and regulatory compliance.

102 *Mission Statement of the Agency*

To Provide Services, with Dignity and Respect, That Help People Become Self-Sufficient.

103 *Vision for Community Action*

Genesee and Orleans Counties are places where everyone has the opportunity to become self-sufficient.

104 *Values & Principles for Community Action:*

- *Compassion* --- We have the ability to understand needs and treat people with dignity and respect.
- *Respect* --- We will attempt to understand a person's views without judging and behave accordingly.
- *Fairness* --- We will deal with people with understanding, honesty, and consistency.
- *Trust* --- We will be true and loyal to ourselves, to others, and to our Mission.
- *Integrity/Honesty* --- We will say what we mean and mean what we say and be consistent.
- *Hope* --- We will encourage people to be optimistic while pursuing their goals and dreams.
- *Continuous Improvement* --- We will continually work toward improvement in all that we think, say, and do with regard to our people, programs, and services.

105 Purpose of Employee Handbook

Purpose - The purpose of this employee handbook is to communicate Community Action's personnel policies to employees. The employee handbook provides an overview of the Agency's policies that relate to rules, regulations, procedures, practices, compensation, and benefits that affect employment and guide daily operations. The employee handbook provides general guidelines regarding Community Action's policies. It is not meant to include the specific details of every Agency policy.

Previous Employee Handbook - Unless otherwise stated, this employee handbook supersedes and replaces any employee handbook previously issued by the Agency.

Questions - Any questions regarding any provision in this employee handbook should be directed to the employee's Director.

106 Employee Handbook Revisions

Summary - The Agency continually strives to improve and update its policies. New policies may therefore be added or current policies may be modified or revoked at any time with or without cause, with the exception of the employment-at-will policy. Community Action will notify employees of any policy changes. The Agency also reserves the right to interpret all information presented in this employee handbook and to make exceptions to these policies at its sole discretion.

The employee handbook is reviewed at least annually. Handbook changes are made as needed.

Policy Updates - An employee is responsible for updating the employee's handbook with any policy additions or revisions that are disseminated by the Agency.

Government Regulations – In the event that a federal, state, or local regulation conflicts with any provision contained in this employee handbook, the regulation shall prevail and the provision deemed amended to the extent necessary to comply with said regulation.

107 **Definitions**

For the purpose of this employee handbook, the following terms are defined as follows:

Community Action of Orleans & Genesee - Community Action of Orleans & Genesee may be referred to as Community Action or the Agency.

Employee - An individual who is employed by the Agency as a full-time, part-time, or temporary employee. An independent contractor or an individual who works for a temporary employment agency is not considered an employee.

Director - An individual who has been designated by the Agency to assign, direct, and review/oversee the work of a designated group of supervisors and employees of a particular program (s).

Executive Director – The individual who has been designated by the Board of Directors to oversee the entire Agency.

Board of Directors – The volunteer, governing body of the Agency.

Anniversary Date - The date of an employee's first day of employment with Community Action as a full or part-time employee. Rehires should refer to section 302.

Immediate Family Member - An immediate family member is defined as the employee's spouse, child, parent, grandparent, grandchild, brother, sister, in laws, domestic partner, and any other member of the employee's household.

200 EMPLOYMENT CLASSIFICATIONS

Summary - The Agency classifies each employee as full-time, part-time, or temporary at the time of hire. Each employee is also designated as exempt or non-exempt from federal and state minimum wage and overtime regulations. If an employee's employment classification and/or exempt/non-exempt status changes during employment, the Agency will notify the employee in writing.

For the purpose of this employee handbook, the following terms are defined as follows:

201 *Full-Time Employees*

A full-time employee is an employee who is regularly scheduled to work 35 hours or more per week.

202 *Part-Time Employees*

A part-time employee is an employee who is regularly scheduled to work less than 35 hours per week.

203 *Temporary Employees*

A temporary employee is an employee who is hired to temporarily supplement the workforce. A temporary employee may work either full- or part-time hours based on business needs. A temporary employee's employment assignment is for a limited duration. Employment beyond any initially stated period does not imply a change in employment classification nor does the Agency guarantee employment for any set period of time.

204 *Exempt Employees*

An exempt employee is an employee who qualifies for an exemption from federal and state minimum wage and overtime provisions as either an executive, professional, or administrative employee or an outside salesperson. In accordance with such regulations, an exempt employee is not eligible for overtime compensation.

205 *Non-Exempt Employees*

A non-exempt employee is an employee who is subject to federal and state minimum wage and overtime provisions. A non-exempt employee is paid at the applicable federal or state minimum wage or higher, and is eligible for overtime compensation.

300 EMPLOYMENT POLICIES

301 *Employment-at-Will*

Summary - Community Action follows the practice of employment-at-will. This employee handbook neither creates a contract, implied or express, nor offers a warranty of benefits. The Agency does not promise or guarantee employment for any specified period of time. Either an employee or the Agency may end the employment relationship at any time for any reason with or without cause or notice.

302 *Hiring Policies*

Former Employees – A former employee may be considered for re-employment with Community Action based on the reason for the previous separation and the Agency's current business needs. If rehired, the individual is considered a new employee as of the date of re-employment and a new orientation period must be completed. With the exception of the 403(b) plan, there is no credit for prior service. Prior service under the 403(b) plan is restored in accordance with government regulations and the terms of the plan.

A former employee may be considered for service on the board of directors or policy council, one year following separation from employment with Community Action.

Relatives - A member of an employee's immediate family shall be considered for employment if the individual possesses the minimum qualifications required for the position applied for. However, in order to avoid an actual or perceived conflict of interest, the Agency prohibits the hiring of an individual if the individual would be directly or indirectly supervised by an immediate family member. This policy is also considered when transferring or promoting an employee. Refer to section 107 for the definition of immediate family member.

303 *Orientation Period*

Summary - All new employees participate in an orientation period that is conducted by the employee's supervisor, Director, Fiscal Department, and the Executive Director. The purpose of the orientation period is to welcome new employees to Community Action and to familiarize them with the Agency and their new jobs. The orientation period includes, but is not limited to, a tour of the facility, introduction to coworkers, distribution and review of the employee handbook, review of the orientation manual that contains specific job training procedures and requirements, and enrollment in Agency-sponsored benefits, if applicable. In addition, the employee's supervisor will schedule on-the-job training and review the performance requirements of the job.

Length - The orientation period generally extends for the first 90 days of employment with the Agency. The Agency reserves the right to extend the orientation period at its sole discretion.

Performance Appraisal - Throughout the orientation period, the employee's supervisor monitors and evaluates the employee's job performance, work habits, attendance, cooperation, and potential for development in the position. Any problems or deficiencies are normally addressed with the employee. A written performance appraisal is generally conducted at the completion of the orientation period.

Employment Contract - The orientation period is not a contract of employment for any set period of time nor does completion of the orientation period change an employee's status as an at will employee.

Transfers and Promotions - An employee who is transferred or promoted to another position within the Agency may be required to complete an orientation period for this new position. The employee remains eligible for all applicable Agency-sponsored benefits during the orientation period. If an employee does not perform satisfactorily in the new position, the employee may be returned to his or her original job, if a vacancy exists, or be terminated, at the Agency's discretion.

304 Performance Appraisals

Summary - Community Action has implemented a performance appraisal program to evaluate each employee's job performance on a regular basis. The purpose of the performance appraisal is to recognize an employee's achievement of stated performance standards and goals, identify and correct performance problems, and encourage career development and growth. The performance appraisal takes into consideration the quality and quantity of the employee's work, job knowledge, initiative, attendance, teamwork, conduct, and other criteria that properly reflects the employee's job performance. An employee's performance appraisal is normally considered in decisions affecting transfer, promotion, compensation, layoff, and disciplinary action.

Frequency - An employee generally receives a written evaluation of the employee's job performance annually. Formal performance appraisals may occur more or less frequently at the discretion of the employee's supervisor. Informal performance discussions occur on a regular basis. An employee may receive a written evaluation at the completion of the orientation period.

Leaves of Absence - The annual performance appraisal is based on 12 months of active service. If an employee's service with the Agency is interrupted by a leave of absence, the performance appraisal may be delayed by the length of the leave of absence.

Promotions and Transfers - A written performance appraisal is generally conducted at the time an employee is promoted or transferred to a new position, at the end of the 90-day orientation period and again annually thereafter according to the program cycle.

305 Promotions and Transfers

Summary - Community Action encourages the career development and growth of its employees by considering employees for promotions and transfers to other positions for which they are qualified within the Agency.

Job Vacancies - When there is a job vacancy, management considers current employees who possess the minimum qualifications required for the position. An employee who is interested in applying for a job vacancy should notify the contact named on the job posting. The Agency reserves the right to recruit external applicants for any job vacancy at any time.

Postings -All job openings will be posted internally for a minimum of five (5) business days and/or externally, depending on the position. The department director will make the final determination regarding advertising externally. All exempt positions and positions identified by the affirmative action plan as in need of diversity will be advertised for externally. All Agency job openings will be posted on the employee bulletin board in each location.

Eligibility Requirements - To apply for a promotion or transfer, an employee must meet the following eligibility requirements:

- Possession of the minimum qualifications of the position as indicated on the job posting notice; and
- A satisfactory work record.

Exceptions to the above requirements may be considered on a case-by-case basis. The exceptions may include, but are not limited to: a Head Start parent seeing an internal posting and applying for the position, an employee notifying a relative or friend regarding an internal posting.

306 Separation from Employment

Notice of Resignation - An employee who intends to resign or retire from employment with Community Action is asked to submit a written notice to the employee's supervisor at least two workweeks before the date of resignation/retirement is to be effective. Supervisory staff are asked to give a minimum of four workweeks written notice. The notice period may be waived at the discretion of the Agency.

Use of Benefits during Notice Period - An employee shall generally not receive authorization to use accumulated vacation leave during the notice period. The employee's director must approve any vacation use during the notice period. To receive paid sick leave, an employee may be required to provide a physician's verification of the illness.

Exit Interviews - Exit interviews are generally conducted by the Payroll & Benefits Administrator in order to discuss employee benefits, COBRA eligibility, return of Agency property, and the Agency's policy regarding employment references. During the exit interview, the employee is encouraged to give suggestions, concerns, and constructive recommendations about the Agency and its policies.

Return of Agency Property - All Agency property in the employee's possession, such as, but not limited to, keys, the employee handbook, customer files, equipment, computer hardware, computer files and computer disks, must be returned to the employee's supervisor in good working order prior to or on the employee's last day of work.

Accumulated Benefits - An employee who resigns, retires, is laid off, or is separated from employment due to poor job performance is eligible to receive compensation for accumulated vacation leave upon separation from the Agency. To be eligible to receive this payment, an employee who resigns or retires must give and complete the required written notice of resignation period. **An employee who is terminated for misconduct is not eligible to receive compensation for accumulated vacation leave. Any employee who is separated from employment with the Agency is not eligible to receive compensation for accumulated sick leave.**

Final Paycheck – An employee's final paycheck for all hours worked will be mailed to the address of record on the next regularly scheduled payday after the employee's last day of work. The final paycheck includes payment for accumulated vacation leave, if applicable.

307 *Application / Retention Policy*

Summary -Community Action will only accept employment applications for job openings when a position has been posted internally and/or externally. A new application must be submitted for each job opening.

400 PERSONNEL ADMINISTRATION

401 *Personnel Records*

Summary - Employees are responsible for completing any employment-related forms that are required by government regulations and/or necessary for efficient Agency operations. Community Action maintains confidential personnel files containing each employee's original employment records.

Records Maintained - The employee records maintained by the Agency include, but are not limited to: the employment application, federal and state tax withholding forms, insurance enrollment/waiver forms, job required licenses and certificates, training records, performance appraisals, compensation records, and disciplinary notices.

Medical Information - Employee medical information is confidential and is maintained in a separate, locked file cabinet apart from employee personnel files, except where regulations specifically require otherwise.

Immigration Forms - An employee must complete an *Immigration and Naturalization Service I-9 Form* on the first day of work. *I-9 Forms* are confidential and are maintained in a separate, locked file cabinet apart from employee personnel files.

Control of Personnel Files - All personnel records are maintained and controlled by the Fiscal Department.

Review of Personnel Files - A current employee may review the contents of the employee's personnel file by submitting a written request to a Director. An authorized member of management must be present when the personnel file is reviewed. A supervisor may only review an employee's personnel file if there is a business reason to review the record.

Changes in Status - An employee is responsible for providing written notification to the Fiscal Department and the employee's immediate supervisor of a change in name, address, telephone number, emergency contact, insurance beneficiary, insurance coverage election, tax withholding status, or marital/dependent status. This list is not all-inclusive. Community Action is not responsible for any errors resulting from an employee's failure to update the employee's personnel record.

Outside Requests for Information - All requests for information from outside the Agency regarding current and former employees must be referred to the Fiscal Department. Requests for employment references must be submitted in writing and include the signed consent of the current or former employee. Requests for any additional information must also include a signed hold harmless agreement. Exceptions to this policy are made only if the Agency is required to provide the information to comply with a government regulation or in response to a judicial proceeding, such as a subpoena.

501 *Equal Employment Opportunity and Fair Treatment*

Policy Statement - Community Action is an Equal Opportunity Employer. The Agency does not discriminate on the basis of a person's race, religion, creed, color, sex, age, national origin, marital or familial status, pregnancy, military status, veteran status, arrest/conviction record, disability, sexual orientation, predisposing genetic characteristics or carrier status, domestic violence victim status, or any other protected class or status. This policy applies to all terms and conditions of employment including, but not limited to, recruiting, hiring, placement, promotion, termination, layoff, transfer, leave of absence, compensation, benefits, training, and social and recreational programs.

New York State Human Rights and Labor Regulations - In compliance with New York State human rights and labor regulations, Community Action will not discriminate or retaliate against an employee for any of the following: requesting or taking lactation breaks; donating blood or bone marrow; requesting or taking time off from work to vote; displaying an American flag on the employee's person or in the employee's work area; being a victim of a crime *and* requesting time off from work to appear in court as a witness, to consult with a district attorney, or to obtain an order of protection.

Diversity and Fair Treatment – Community Action recognizes the rich diversity of its employees and the varying cultures, backgrounds, and experiences they each bring to the workplace. The Agency is committed to maintaining and promoting a work environment where employees' and customers' similarities and differences are respected and valued. An employee is expected to treat coworkers, customers, vendors, suppliers, and other non-employees that the employee comes in contact with on the job with fairness, dignity, and respect. The Agency prohibits an employee from engaging in any form of discrimination, harassment, bullying, or other offensive behavior targeted towards another individual based on any of the protected classes or groups listed above.

Employee and Non-Employee Responsibilities - The Agency expects employees to act professionally at all times and to treat others with fairness, dignity, and respect. Discriminating, harassing, offensive, or intimidating behavior of any kind by an employee, vendor, supplier, visitor, customer, or any other non-employee is not tolerated.

Reporting Policy Violations - An employee who believes that the actions or words of a supervisor, coworker, vendor, supplier, visitor, customer, or any other non-employee has violated this policy should report the behavior to a Director or the Executive Director immediately.

Investigation of Complaint - All complaints are investigated promptly, discreetly, and thoroughly and in as impartial a manner as possible. An investigation generally entails talking with the parties involved as well as any witnesses. An employee is required to cooperate in an investigation.

Retaliation - The Agency will not take any adverse employment action against an employee who files a complaint in good faith or who participates in an investigation. In addition, Community Action prohibits an employee from retaliating against a coworker for filing a complaint or participating in an investigation.

Disciplinary Action - Any employee or supervisor who violates this policy will be subject to disciplinary action, up to and including termination.

Remedial Action - Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, as determined by management.

Affirmative Action Program - In compliance with government regulations, Community Action maintains a written Affirmative Action Program. This program details the Agency's affirmative action policies and its commitment to providing an equal employment opportunity to all applicants and employees.

Review of Affirmative Action Program - Portions of the Affirmative Action Program are available to applicants and employees upon request. An employee who is interested in reviewing the Affirmative Action Program may contact a Director.

502 *The Americans with Disabilities Act (ADA)*

Policy Statement - The Agency complies with the Americans with Disabilities Act (ADA) by providing an equal employment opportunity to all qualified persons with disabilities. In addition, the Agency prohibits discrimination or harassment based on an individual's disability or a person's relationship or association with a disabled individual.

Reasonable Accommodation – The Agency does not discriminate against qualified individuals with disabilities who, with or without reasonable accommodation, can perform the essential functions of the employment position held or desired. The Agency will provide a reasonable accommodation to applicants and qualified employees with disabilities, unless it imposes an undue hardship on the Agency. An employee who needs an accommodation to perform the essential functions of the employee's job should contact a Director.

503 *Anti-Harassment and Sexual Harassment*

Policy Statement - Community Action is committed to maintaining a professional work environment where employees and non-employees are free from any form of harassment, including sexual harassment and harassment based on any of the protected classes or groups listed in the Equal Employment Opportunity policy. The Agency takes all necessary measures to prevent harassment in the workplace or, in the event it occurs, to stop the conduct immediately.

Definition of Workplace - For the purpose of this policy, the workplace includes the office, work sites, customer locations, social functions sponsored by Community Action both on and off Agency premises, business meetings, business-related travel, or any work location while representing the Agency.

Sexual Harassment Definition - The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature to an individual of the same or opposite gender when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

- When submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions (e.g., promotion, termination, pay increase) affecting that individual; or
- 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.

Prohibited Behavior - Unprofessional, inappropriate, or offensive conduct, whether committed by a supervisor, coworker, vendor, supplier, visitor, customer, or any other non-employee, is prohibited, even if the conduct is welcome by the recipient(s). Prohibited conduct includes, but is not limited to:

- Insulting, lewd, or sexually oriented comments, jokes, innuendoes, or stories. This includes verbal harassment as well as written, voice mail, and e-mail messages;
- Demeaning, insulting, or sexually suggestive comments used to describe an individual or the individual's appearance or body;
- Leering, ogling, obscene gestures, or whistling;
- Unwelcome sexual flirtations, advances, or propositions;
- Unwelcome physical contact, including touching, groping, grabbing, hugging, massaging, fondling, or intentionally rubbing up against a person's body;
- Viewing, displaying, storing, or transmitting sexually oriented or pornographic materials; and
- A supervisor threatening or implying that a subordinate's acceptance or refusal of the supervisor's sexual advances will affect the subordinate's terms or conditions of employment (e.g., promotion, demotion, pay increase, termination).

Supervisory Responsibility - In the event that a supervisor is a witness to, or is notified of, any instance of sexual harassment or inappropriate conduct, the supervisor is required to take immediate action to stop the conduct and notify a Director.

Reporting Policy Violations – An employee who believes that he or she is the victim of harassment is required to report this behavior to a Director or Executive Director immediately.

Investigation of Complaint - All complaints of sexual harassment are investigated promptly, discreetly, and thoroughly and in as impartial a manner as possible. An investigation generally involves talking with the parties involved as well as any witnesses. An employee is required to cooperate in an investigation.

Retaliation - The Agency will not take any adverse employment action against an employee who files a complaint in good faith or who participates in an investigation. In addition, Community Action prohibits an employee from retaliating against a coworker for filing a complaint or participating in an investigation.

Disciplinary Action - Any employee or supervisor who violates this policy will be subject to disciplinary action, up to and including termination.

Remedial Action - Any vendor, supplier, visitor, customer, or other non-employee who sexually harasses an employee will be subject to remedial action, as determined by management.

504 **Continuation of Insurance Benefits (COBRA)**

Policy Statement - The Consolidated Omnibus Budget Reconciliation Act, or COBRA,/New York State insurance regulation gives employees and covered dependents the opportunity to continue their group health coverage (e.g., medical, prescription, dental, vision, health care flexible spending account) at group rates when it would otherwise be lost due to certain qualifying events, such as separation from employment, divorce, or death.

Eligibility - An individual is a “qualified beneficiary” who is eligible for COBRA continuation coverage if the individual is covered under a group health plan on the day before a qualifying event as either a covered employee, the spouse of a covered employee, or a dependent child of a covered employee. A child who is born to, or placed for adoption with, the covered employee during a period of COBRA coverage is also a qualified beneficiary.

Cost - A qualified beneficiary who elects COBRA is responsible for the entire cost of the insurance premiums. The Agency may also charge a 2% administrative fee.

Maximum Continuation Period for Group Medical Insurance - Each qualified beneficiary has the option of electing medical insurance continuation coverage for up to 36 months, regardless of the qualifying event.

Maximum Continuation Period for Group Dental Insurance - Each qualified beneficiary has the option of electing dental insurance continuation coverage for up to 18 or 36 months, depending on the specific qualifying event.

Additional Information - Qualified beneficiaries receive detailed information about their right to COBRA continuation coverage at the time they enroll in the group health plan(s) and at the time of a qualifying event.

Change in Status - A covered employee or qualified beneficiary must provide written notice to the Plan Administrator when there is a legal separation, divorce, the employee becomes covered by Medicare, or a child's loss of dependent status. The Plan Administrator must also be notified of a second qualifying event or a social security disability determination which could extend the continuation coverage period. Notification must generally be provided to the Plan Administrator no later than 60 days from either the date of the qualifying event/disability determination or the date the qualified beneficiary would lose coverage due to such event. The Agency is not responsible for errors in coverage that result due to an employee's failure to provide timely notification to the Plan Administrator of such an event.

Questions - Full details regarding COBRA are available in the plan's Summary Plan Description (SPD) or by contacting the Plan Administrator.

505 Health Insurance Portability and Accountability Act (HIPAA)

Policy Statement - Community Action complies with all regulations pertaining to the Health Insurance Portability and Accountability Act (HIPAA), both in its role as an employer and as a plan sponsor. The Agency provides benefits to eligible employees through a fully-insured medical insurance plan. The Agency does not receive Protected Health Information (PHI) about participants in the plan.

Plan Sponsor Responsibilities - As a plan sponsor, the Agency ensures that the insurance carriers and third party administrators it contracts with are in compliance with the HIPAA regulations.

Medical Certificate - A written certificate indicating prior medical insurance coverage is provided to a participant in the Agency's medical insurance plan at the time medical coverage is lost, when a COBRA notice is sent, and at any time a request is received within 24 months of losing coverage.

Retaliation - The Agency will not retaliate against any employee for exercising the employee's rights under the HIPAA regulations.

Confidential Communications - An employee may request that all medical-related communications with the Agency be handled in a certain way or at a certain location by notifying the Payroll and Benefits Administrator. All reasonable requests will be accommodated.

506 Corporate Compliance Plan

Policy Statement - It has been and continues to be the policy of Community Action of Orleans and Genesee (Community Action) to comply with all applicable federal, state, and local laws and regulations, and payer requirements. It is also the Agency's policy to adhere to the Code of Ethics and all other policies that have been adopted by the Board of Directors, the Executive Director, and the Compliance Committee.

Compliance Plan – The Agency has developed a detailed Corporate Compliance Plan, a copy of which has been distributed to all employees and is available on the Agency website. All employees are required to read and comply with the plan, including an affirmative requirement to report any suspected wrongful actions. Reports may be made anonymously without fear of retaliation or retribution. Failure to report known noncompliance or making reports which are not in good faith will be grounds for disciplinary action, up to and including termination.

Refer to the plan for detailed requirements and information. Employees are also encouraged to contact the Compliance Officer with questions.

600 OPERATIONAL POLICIES

601 *Hours of Operation*

Regular Hours - The Albion Administrative Office is normally open for business Monday through Friday from 8:30 a.m. to 4:30 p.m. Some Agency services are available to the community twenty-four hours a day, seven days a week.

Department Hours - The regular workdays and hours of each department may vary from the Agency's normal business hours, depending upon the particular needs and requirements of that department.

602 *Work Schedules*

Normal Work Schedules - An employee's work schedule is established by the employee's supervisor in accordance with the needs and requirements of the department.

Changes in Work Schedules - Community Action reserves the right to revise an employee's normal work schedule at any time. This includes the employee's starting and ending times, the total number of hours worked per day and/or per week, and the days worked. Employees are notified of any changes in work schedules.

603 *Meal and Break Periods*

Meal Periods - An employee who works more than six hours in a given day receives at least a 30 minute unpaid meal period between the hours of 11:00 a.m. and 2:00 p.m. An employee who begins work before 11:00 a.m. and continues working later than 7:00 p.m. receives an additional unpaid meal period of 30 minutes between 5:00 p.m. and 7:00 p.m.

Break Periods - Employees who work more than four (4) hours in a given workday are allowed one paid break of up to ten (10) minutes. Employees who work more than six (6) hours in a given workday are allowed two paid breaks of up to ten (10) minutes each. Breaks are generally taken in the middle of the employee's work shift.

The purpose of the break period is to allow employees to attend to their personal needs such as going to the rest room, going for a walk, smoking, or making a personal phone call.

Scheduling of Meal and Break Periods - Meal and break periods are scheduled by the employee's supervisor in accordance with the needs and requirements of the department.

Forfeiture of Meal Periods - An employee who works more than six hours in a given day is required to take the scheduled meal period. The employee is not allowed to work through the meal period to make up lost work time or to leave work early.

Extension of Meal and Break Periods - Employees should be punctual in starting and ending all meal and break periods. An employee may not extend a meal or break period beyond the time allowed. An employee who chooses not to take an allowed break may not take an extended meal period, arrive at work later than the normal starting time, leave work before the normal quitting time, or receive extra compensation for the time worked. Unused break periods cannot be accumulated for use at a later date.

Changes in Meal and Break Periods - The Agency reserves the right to change the frequency, length, and time period of established meal and break periods due to business needs.

604 Lactation Breaks

A female employee will be granted time off to express milk during the workday for up to three years after the birth of a child. The Agency will make a reasonable effort to provide the employee with a private room or other location in close proximity to the work area. An employee must use her authorized break and/or meal period to express milk, whenever possible. The Agency will allow an employee to extend her authorized break or meal period or will grant an additional break period, if needed, to express milk. Any break period of less than 30 minutes will be paid.

605 Emergency Closings

Summary - It is Community Action's policy to remain open during all normally scheduled work hours. Employees are expected to report to work during inclement weather conditions unless otherwise notified by the Agency. In the event that inclement weather, power failure, or other emergencies require the Agency to open late, close early, or shut down for an entire workday, employees will be notified.

Compensation – Should the Executive Director deem it necessary to close the Agency or one particular site or department within the Agency due to extreme weather conditions, all affected employees will charge this time to emergency leave (not to exceed a total of five days each fiscal year). Record emergency leave under "Miscellaneous" on your attendance record. Announcements regarding closings will be made via "phone tree" and on public radio. Employees will be required to use vacation time when the Agency or department is open yet the employee is unable to make it into work.

Compensation for Employees On Scheduled Leave - An employee who is out of work on sick or vacation personal leave during an emergency closing will be charged such leave as scheduled.

606 *Time Records*

Summary - Federal and state regulations require Community Action to maintain accurate records of employee work hours. Accurate time records allow the Agency to calculate each employee's compensation for time worked and authorized paid leave taken in a given workweek. Time worked is all time actually spent on the job performing assigned duties.

Procedures – It is the employee's responsibility to maintain accurate records with regard to time worked. There are two separate requirements for recording attendance:

1. Employees must swipe their time card in when they arrive at work, swipe out for the meal period, swipe back in after the meal break, and swipe out at the end of the workday. This will automatically record the employees work time. Employees who work out of the office and are unable to swipe out and back in from the thirty minute meal period, the time will automatically be deducted from the total hours worked per day. Employees should notify their supervisor if they worked through their meal period.
2. Employees that are at work locations that do not have time card swiping capabilities must enter their time on the computer using timestamp. When an employee logs onto timestamp, it inputs their time automatically.
3. Exempt employees must use the online timesheet to modify their normal work hours to reflect actual hours worked. At the end of the pay period, exempt employees must use the online timesheet to approve their hours of work.

Performing Work Before/After Scheduled Work Hours - A non-exempt employee is not allowed to begin work prior to the employee's scheduled starting time or to remain on the job after the scheduled ending time without prior authorization from the employee's supervisor. Any employee arriving at work early or leaving late should not count the time as work hours unless the employee performs work that benefits the Agency during that time.

Errors – An employee who believes there is an error with their time record should bring it to their supervisor's attention immediately. Errors must be reported in writing to the Fiscal Department by the supervisor.

Falsification of Time Records- Altering, falsifying, or tampering with an employee's own time record or a coworker's time record is prohibited and may result in disciplinary action, up to and including termination of employment for both employees.

Time Cards – Employee's who receive a time card are responsible for that badge. If the card is lost, misplaced, or stolen Community Action will replace it once. After that, the employee is responsible for the cost of replacing the card.

607 **Sign In/Out Procedures**

Procedures - Sign out sheets are located at each site and are utilized to sign in and out of the building. Employees who leave the work site on Agency business *must* sign out (including time) so that staff are apprised of your whereabouts and anticipated time of return. (For employees working in the field, their Supervisor must be advised of any time away from the job site.)

608 **Business Expenses**

Summary – The Agency reimburses employees for pre-authorized business expenses that are incurred in the performance of their jobs. These expenses include, but are not limited to, mileage, highway tolls, parking fees, meals, and lodging. An employee is expected to limit all business expenses to reasonable amounts. Business expenses must be authorized in advance by a Director. Refer to the Fiscal Policies Manual for additional detail on business and travel expenses.

Mileage - An employee who uses the employee's own vehicle to conduct authorized Agency business is reimbursed at the Agency-approved mileage rate. The employee is also reimbursed for any business-related tolls and parking fees. A completed and signed mileage reimbursement form must be submitted to the fiscal department by the 5th day of the month following the approved travel. Mileage reimbursement is normally included in the second paycheck of the month. (Refer also to policy 1007 – driver's license and vehicle use policy).

Per Diem – An employee is reimbursed for the cost of meals and gratuities incurred for authorized business travel as a per diem. Receipts are not required for these expenses. The expenses will be paid at the federal per diem rates published by the Internal Revenue Service. Meals provided at a conference are deducted from the per diem amount.

Advances – Travel advances may be requested for out of town travel expenses. Meals and gratuities will be advanced at the per diem amounts, based on the expected times of departure and return. Refer to the Travel Advance Request Form for details. Travel advance requests should be submitted at least two weeks prior to the approved travel to allow sufficient processing time.

Business Travel - An employee is reimbursed for all properly documented out-of-town travel expenses for authorized business travel. This includes airfare, lodging, tolls, taxi fare, and/or rental cars. Proper documentation of these expenses includes an actual receipt and/or ticket stub. A confirmation printed from a website, an email confirmation, or credit card receipts are not sufficient documentation.

A completed and signed *Travel Expense Report Form* must be submitted to the Fiscal Department for reimbursement within 2 weeks of return from business travel.

Seminars and Training - An employee shall be reimbursed for attending seminars and training courses that are authorized in advance and are directly related to the employee's job.

Civic and Community Organization Membership - The Agency may reimburse an employee for membership in a civic or community organization if such membership promotes the Agency's business interests and reputation.

Professional and Trade Association Membership - Membership in a professional or trade association may be reimbursed by the Agency if it promotes the Agency's goals and is directly related to the employee's job.

Authorization - An employee must receive prior approval from a Director or the Executive Director before incurring any business expense that was not previously listed. The Agency reserves the right to deny reimbursement for any business-related expense that was not pre-authorized.

Agency Credit Cards - Agency credit cards are available to expedite travel arrangements or program purchases when it is inconvenient or impossible to secure a check from the Fiscal Department or use a purchase order. Credit cards may be assigned to certain employees as needed, with the approval of the Executive Director. Refer to the Agency Credit Card Policy in the Fiscal Policies Manual for detailed policies and procedures.

Falsification of Expenses - Falsification of business expenses may result in disciplinary action, up to and including termination.

700 ABSENCE FROM WORK POLICIES

Policy Statement - In order to maintain a productive work environment, employees are expected to work all scheduled work hours and to keep unscheduled absences to a minimum. Poor attendance, tardiness, and early departures place a burden on the Agency, other employees, and customers.

701 *Tardiness*

Notification of Tardiness - An employee is expected to be at the employee's assigned work area ready to begin work at the time the employee's workday begins. An employee who is going to be late arriving at work must personally notify the employee's supervisor at least 30 minutes before the employee's scheduled starting time. The reason for tardiness and the expected time of arrival must be indicated to the supervisor.

Disciplinary Action - Violations of this policy may result in disciplinary action, up to and including termination. In addition, any employee who has a record of tardiness or who develops a pattern of tardiness, even if excused, may be subject to disciplinary action, up to and including termination.

702 *Attendance*

Unscheduled Absences - An employee who is unable to report to work due to illness, a family emergency, or other unscheduled reason must personally contact the employee's supervisor at least 30 minutes before the employee's starting time. The employee must speak directly with the employee's supervisor, indicating the reason for the absence and when he or she expects to return to work. Asking a relative, friend, or another person to call in on the employee's behalf is not permitted. If the employee calls in and leaves a message on the answering machine, the supervisor's voice mail, or with a coworker, the employee must leave a phone number where the employee can be reached.

If the employee's position requires a substitute, the employee must follow the established call in procedures.

Unexcused Absences - Notification of an absence to an employee's supervisor does not automatically mean the absence is authorized. Any time off from work that is without approval of an employee's supervisor is considered an unexcused absence. An unexcused absence is without pay and may result in disciplinary action, up to and including termination.

Daily Notification - If an employee is unable to report to work for more than one workday, the employee must notify the employee's supervisor each day of the absence. In the event the absence was pre-authorized, this requirement is waived.

Failure to Call in or Report to Work - An employee who does not report for work or notify the employee's supervisor of his or her absence for two consecutive workdays will be considered job abandonment.

Documentation of Absences - An employee who has frequent absences may be required to provide documentation of the reason for any future absences.

Leaving the Premises – An employee must obtain prior approval from the employee's supervisor or designee to leave Agency premises during working hours due to a non-work related reason. An employee who leaves Agency premises during the workday due to Agency business must notify the employee's supervisor in accordance with department policy.

Time Off Without Pay - An employee must use all accumulated vacation leave before requesting time off without pay. Time off without pay may be allowed with the pre-approval of the employee's supervisor, Director and Executive Director. Accumulated sick leave must also be used for all time off due to illness of the employee and the employee's immediate family before requesting time off without pay. Supervisors, at their discretion, may deny requests for unpaid time off.

Making up Lost Time - A non-exempt employee may be allowed to make up lost work time during the current workweek with the prior approval of the employee's supervisor. Approval is granted only if work is available and only at a time that is mutually convenient for the employee and the employee's supervisor. A non-exempt employee is generally not allowed to make up lost work time due to tardiness, unauthorized absence, or early departure.

Disciplinary Action – Violations of this policy may result in disciplinary action, up to and including termination. Further, any employee who falsifies the reason for absence, who has a record of excessive absenteeism, or who develops a pattern of absenteeism, even if excused, may be subject to disciplinary action, up to and including termination.

703 Jury Duty

Summary - Employees are encouraged to fulfill their civic responsibilities by participating in jury duty. An employee shall be granted the necessary time off to serve on jury duty.

Notification of Jury Duty - An employee must immediately notify the employee's supervisor of jury duty service and provide a copy of the court summons.

Compensation for Regular Full-Time Employees – A regular full-time employee is paid the employee's regular base pay rate for up to 5 days of jury duty service. Jury duty service beyond 5 days will be reviewed on a case-by-case basis.

Compensation for Part-Time Employees – A part-time employee who is required to report for jury duty on a day the employee is scheduled to work is paid a maximum of \$40 per day by the Agency, for the first three days of jury duty. Thereafter, a part-time employee is paid by the court.

Return to Work - An employee who is excused from court for the entire day must report to work for the employee's scheduled work hours. If an employee is released early from jury duty on a given day and there are two or more hours remaining in the employee's scheduled workday, the employee must report to work.

Rescheduling of Jury Duty - Community Action reserves the right to request that an employee seek permission from the court to have the jury duty rescheduled.

704 **Military and Reserve Leaves**

Policy Statement - Community Action recognizes the importance of military service and complies with all federal and state regulations relating to military leaves of absence, encampment, and temporary military duty. The Agency shall grant an employee time off to serve in the U.S. Armed Forces, including the military reserves, Army National Guard, and Air National Guard.

Notification - An employee is required to give advance notice to the employee's supervisor of the dates of military service unless unable to do so because of military necessity or if it is otherwise impossible or unreasonable to do so. An employee is asked to give as much notice as possible.

Benefits during Leave - An employee retains and accrues any Agency-sponsored benefits that are tied to seniority during a military leave. The employee is also allowed to participate in the medical insurance plan and other Agency-sponsored benefits that are not determined by seniority to the same extent as an employee who is granted a FMLA leave or leave of absence, so long as the employee meets the eligibility requirements of each benefit plan. During a military leave of 30 days or less, the Agency will make its normal contribution towards an employee's insurance benefits.

Return from Leave - An employee retains certain rights relating to reinstatement, seniority, status, length of service promotions, and compensation upon return from military duty, as long as the employee is not separated with a dishonorable or bad conduct discharge and the employee's cumulative military leave with the Agency does not exceed five years. Certain types of uniformed service do not count against an employee's five-year maximum, including service during war or call-ups during national emergencies, reserve drills, and annually scheduled active duty for training.

If an employee terminated coverage in Community Action's medical insurance plan or elected COBRA/New York State continuation coverage while on a military leave of absence, the employee will be reinstated in the group medical plan upon return to work without a waiting period or any pre-existing exclusions.

Compensation for Exempt Employees - In accordance with federal regulations, an exempt employee who is on military or reserve leave for any partial workweeks is paid the employee's regular salary for those workweeks. Any military pay received is deducted from the employee's salary. An exempt employee is not paid for any workweeks in which no work is performed for the Agency. An employee may request to use credited, unused vacation leave during any portions of the leave that are unpaid.

Compensation for Non-Exempt Employees - Military and reserve leave is without pay for a non-exempt employee. An employee may request to use credited, unused vacation leave during the leave.

Family and Medical Leave - An employee may be eligible for time off in accordance with the FMLA due to a covered family member's active or impending military duty or if a covered family member suffers a serious injury or illness while on active duty (See the *Family and Medical Leave* policy for additional information).

705 ***Military Spousal Leave***

Policy Statement - In accordance with New York State regulation, Community Action will grant an unpaid leave of absence of up to ten days to an employee whose spouse is on leave from the military under specified circumstances as described below.

Basic Leave Entitlements - An eligible employee may take an unpaid military spouse leave if the following conditions are met:

- The employee's spouse is a member of the U.S. Armed Forces, National Guard, or reserves;
- The spouse has been deployed during a period of military conflict to a combat theater or combat zone of operations; *and*
- The spouse is on a leave from the military.

Eligibility - An employee must work an average of 20 hours or more per week to be eligible for a military spousal leave. There is no minimum length of service requirement.

Definition of Spouse – For the purpose of this policy, a spouse includes a married spouse of the same or opposite sex.

Notification Requirements - If possible, an employee should give at least 30-calendar days' notice to the employee's supervisor prior to the requested start date of the leave. When a leave is unforeseen, an employee must give notice as soon as the need for leave is known. Permission or denial of the leave is normally communicated to the employee in writing within one week of the Agency receiving the request.

Benefits during Leave - For the purpose of this policy, the following applies to the employee's benefits during a spousal military leave:

- **Use of Paid Leave** - Credited, unused vacation leave may be used at the start of the leave. The use of paid leave benefits does not extend the leave of absence.
- **Insurance Benefits** - An employee's insurance benefits will continue at the same level during the leave of absence. The employee is responsible for his or her normal contributions toward insurance benefits.

706 ***Bereavement Leave***

Eligibility - Full-time employees are eligible for time off with pay in the event of an immediate family member's death, subject to supervisory approval of the time off. Part-time/temporary employees are not eligible for paid bereavement leave but may be allowed to take time off without pay if prior approval is granted by the employee's supervisor. Part-time employees may use accumulated vacation leave.

Allowance – Full-time employees are eligible for up to five consecutive workdays off with pay for bereavement leave.

Verification of Need for Leave - The Agency reserves the right to request verification of the need for bereavement leave.

Immediate Family Member - For the purpose of this policy, an immediate family member is defined as the employee's spouse (includes same or opposite sex spouse), domestic or same-sex partner, child, parent, grandparent, grandchild, brother, sister, in laws, domestic partner, and any other member of the employee's household. Immediate family member is defined as a relationship by reason of birth, marriage, adoption, or domestic partnership.

Domestic Partner – A domestic partner is someone an employee is currently living with, under the same roof, for at least one year, and is able to supply proof if requested.

Extended Family – Full-time employees are eligible for up to 2 consecutive days off to attend the funeral of an extended family member. For the purpose of this policy, an extended family member is defined as the employee's aunt, uncle, niece, and nephew.

Extension of Bereavement Leave - An employee may request in writing, using the Bereavement Leave Request Form, to use the employee's accumulated vacation leave to extend bereavement leave, with the prior approval of the employee's supervisor. If the employee has no paid leave available, unpaid leave may be granted.

Falsified Information – If an employee has taken bereavement leave under fraudulent terms, the bereavement leave will be without pay. The employee will be subject to disciplinary action up to and including termination.

707 Family and Medical Leave Act (FMLA)

Policy Statement - In compliance with the federal Family and Medical Leave Act (FMLA), Community Action will grant an eligible employee unpaid, job-protected leave for specified family, medical, and military reasons as described in this policy.

Eligibility - To be eligible for leave under the FMLA, an employee must meet the following requirements:

- Completion of at least 12 months of service with Community Action before the leave begins (the 12 months need not be consecutive);
- Worked at least 1,250 hours during the previous 12 months prior to the date the leave begins; and
- Work at, or report to, a work site where at least 50 employees are employed within 75 miles.

Basic FMLA Entitlements - An eligible employee shall be granted up to 12 weeks of unpaid, job-protected FMLA leave under any of the following circumstances:

- Incapacity due to pregnancy, prenatal medical care, or child birth (includes fathers who take leave for their spouses' prenatal care and appointments);
- To provide care for the employee's child after birth;
- Placement of a child with the employee for adoption or foster care;
- To provide care for the employee's spouse (includes same-sex spouse), child (includes son or daughter of the same-sex spouse), or parent who has a serious health condition; or

- A serious health condition that makes the employee unable to perform the employee's job.

Serious Health Condition - The FMLA defines a serious health condition as an illness, injury, impairment, or physical or mental condition that involves inpatient care in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Continuing treatment by a health care provider includes:

- A period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider;
- One visit to a health care provider and a regimen of continuing treatment;
- Incapacity due to pregnancy or prenatal care; or
- Incapacity due to a chronic health condition.

Other conditions may also meet the definition of continuing treatment.

Amount of Leave Available - An eligible employee will be granted up to a maximum of 12 workweeks of leave in any 12-month period for qualified family and medical reasons. A maximum of 26 workweeks of leave in any 12-month period is available to care for a covered family member's serious injury or illness suffered in the line of active military duty.

Shared Spousal Limitation

The FMLA "spousal limitation" specifically limits the total aggregate number of workweeks of leave to which an "eligible" husband and wife are both entitled to if they work for the same employer. This "spousal limitation" provides that a combined total of 12 workweeks of FMLA leave may be taken between the two for the birth or adoption or foster care placement of a child or to care for a sick parent. The "spousal limitation" does not apply to husbands and their wives, however, if the reason for leave is for a serious health condition of the employee or the employee's spouse or child.

Twelve-Month Period - The 12-month period is a rolling period measured backward from the date an employee uses any FMLA leave. Each time FMLA leave is taken, the Agency will compute the amount of FMLA leave that has been used in the last 12 months and subtract it from the 12 (or 26) weeks of available leave. The balance remaining is the maximum amount of FMLA leave still available.

Military Family Leave

Qualifying Exigency Leave - Eligible employees whose spouse (includes same-sex spouse), son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies are non-medical, non-routine activities. Examples of qualifying exigencies may include short-notice deployment (up to seven days), military events and related activities, childcare and school activities, financial and legal arrangements, non-medical counseling, rest and recuperation (up to fifteen days), and attending post-deployment activities (90-day period). Community Action and the employee can agree to consider any other event that may arise out of active duty or a call to active duty status as a qualified exigency.

Military Caregiver Leave - Eligible employees may take up to 26 workweeks (eligible airline flight crew employees are entitled to 156 days) of FMLA leave in a "single 12-month period" to care for a "covered service member" with a "serious injury or illness" if the employee is the

covered service member's spouse (includes same-sex spouse), parent, son, daughter, or next of kin.

A covered service member is:

(1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*;or

(2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*** Serious Injury or Illness for a Current Service member** - FMLA defines a serious injury or illness for a current service member as:

- (i) an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating; or
- (ii) An injury or illness that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces.

Serious Injury or Illness for a Covered Veteran - A serious injury or illness for a covered veteran means an injury or illness incurred that was incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the service member became a veteran, and is:

- (i) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or
- (ii) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
- (iii) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
- (iv) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans' Affairs Program of Comprehensive Assistance for Family Caregivers.

Notification Requirements - When the need for FMLA leave is foreseeable, an employee must submit a completed *FMLA Request Form* to a Director at least 30-calendar days prior to the requested start date of the leave. Failure to give the required notice with no reasonable excuse may result in the FMLA leave being delayed until 30 days from the date of notice.

If unable to provide 30 days advance notice, an employee must request leave as soon as he or she becomes aware of the need for leave. Such notice must normally comply with the Agency's call-in procedures (See the *Attendance* policy for additional information).

The employee must provide sufficient information to enable the Agency to determine if the leave may qualify for FMLA. This may include that the employee is unable to perform his or her job functions, that a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. The anticipated start date and duration of the leave must also be provided.

In addition, the employee must notify the Agency if the requested leave is for a reason for which FMLA has previously been taken or certified.

Community Action will determine if the employee is eligible for FMLA leave and will notify the employee within five business days of receiving the employee's *FMLA Request Form* or verbal leave request. If approved, the employee will be notified if the leave will be designated as FMLA-protected, any additional information required by the Agency, the employee's rights and responsibilities, and the amount of leave that will be counted against the employee's FMLA leave entitlement. If ineligible for FMLA leave, the reason for the denial will be provided.

Certification - Proper documentation may be required to support an employee's leave request. Medical certification from a health care provider is required for leave requests due to an employee's or family member's serious health condition or the birth of a child. Documentation from the appropriate agency is required to support a leave request due to the adoption or foster placement of a child. When required, the employee must provide the certification before the leave begins, or if the leave was unforeseeable, 15-calendar days from the date the Agency requests the certification. Failure to submit medical certification may jeopardize the employee's eligibility for an unpaid FMLA leave of absence and/or the ability to return to work.

Community Action reserves the right to request a second opinion by another health care provider at the Agency's expense. In the event a conflict occurs between the first and second opinion, the Agency may, again at its own expense, obtain a third opinion from a health care provider approved jointly by the Agency and the employee. This third opinion shall be final and binding.

Use of Leave - FMLA leave may be taken in a single, continuous period of time or block. An employee may also take leave on an intermittent or reduced schedule basis when necessary due to medical reasons or because of a qualifying exigency. An employee is responsible for making reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt business operations.

Status Reports - If the medical certification indicates a minimum duration for the period of incapacity, the Agency will generally not request recertification until such period has expired. If the medical certification indicates the condition is expected to last for an extended period, medical recertification must be provided every six months. The Agency reserves the right to request medical recertification more frequently if an employee requests a leave extension, circumstances have changed significantly, or the Agency receives information that casts doubt on the reason for the absence.

Workers' Compensation and Disability - Leaves taken under workers' compensation or disability may run concurrently with FMLA if an employee meets the FMLA eligibility criteria outlined above and the Agency appropriately designates the leave as FMLA.

Benefits during Leave - For the purpose of this policy, the following applies to employee benefits during a FMLA leave:

- **Use of Paid Leave** - An employee's available paid time off benefits (e.g., vacation/sick leave) must be used at the beginning of the leave, so long as the terms and conditions set

forth in the applicable time off policy are met. Once all of an employee's paid time off benefits have been exhausted, the remainder of the leave will be unpaid.

When FMLA leave is running concurrently with workers' compensation or disability, an employee's available paid time off benefits must be used at the beginning of the FMLA leave to cover any statutory waiting period that may be applicable. For the remainder of the leave, the employee may supplement his or her workers' compensation or disability benefits with any available paid time off benefits if mutually agreed to by the Agency and the employee and as allowed by state regulation. The combination of all benefits paid to the employee may not exceed the employee's regular weekly earnings.

In either case, the use of paid time off benefits does not extend the 12 or 26-week leave period.

- **Accrual of Paid Leave Benefits** - An employee will not lose any employment benefit that he or she accrued prior to the start of the FMLA leave. An employee continues to accrue vacation, and/or sick leave and receive holiday pay during any portion of a FMLA leave that is paid. For the purpose of this policy, paid leave is defined as leave during which the employee is using accumulated vacation and/or sick leave. After all such paid time off benefits are exhausted, the remaining portion of the FMLA leave is unpaid. An employee does not accrue vacation and/or sick leave or receive holiday pay during any portion of a FMLA leave that is unpaid.
- **Insurance Benefits** - An employee's group medical and dental insurance will continue at the same level, terms, and conditions as if the employee was working. All employee contributions, if any, must be paid on a timely basis in order to maintain the continuous coverage of benefits. Coverage shall cease for the duration of the leave if premium payments are not made within a 30-calendar day grace period of the due date. Premium payments and policy coverage are subject to change. If an employee does not return to work after an authorized FMLA leave has expired, the Agency may recover the insurance premiums it paid during such leave under certain circumstances.

Employment Restrictions - While on FMLA leave, an employee may not work for another employer during the same work hours that he or she is normally scheduled to work for Community Action.

Early Return or Extension of Leave - If an employee intends to return to work earlier than anticipated or extend the leave beyond the time originally requested, the Fiscal Department must be notified at least two business days from the date the employee became aware of the need to shorten/extend the leave.

Return-to-Work - At the conclusion of a FMLA leave, the following conditions apply:

- **Return Date** - If the employee's leave request indicated a specific return-to-work date, he or she should contact the Fiscal Department at least two weeks prior to this date. If the return-to-work date was not known at the time leave was granted, the Fiscal Department must be notified as soon as a return-to-work date has been established. Failure to return to work when scheduled may result in disciplinary action, up to and including termination due to misconduct;
- **Fitness-for-Duty Certification** - If the FMLA leave was due to the employee's own serious health condition, a fitness-for-duty certification from the employee's health care provider is required prior to returning to work. The certification must address the employee's ability to perform the essential functions of the job, indicate any work restrictions, and release the employee to return to work. In the event work restrictions are indicated, the Agency reserves

the right to evaluate if the restrictions can be reasonably accommodated (See the *Equal Employment Opportunity* policy); and

- **Job Restoration** - An employee shall be restored to the position held when the leave began or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, provided he or she returns to work within the time period allowed under the FMLA regulations.

708 **Leaves of Absence**

Summary – A leave of absence may be granted to an employee for various reasons, including, but not limited to: an employee who does not meet the eligibility requirements for an FMLA leave or who has exhausted his or her benefits under FMLA, non-FMLA leave of absence due to medical, family, or personal reasons. The granting and duration of each leave of absence is determined by the Agency, and is not guaranteed. In accordance with New York State regulation, Community Action will grant a leave of absence of up to ten days to an employee whose spouse is in the military under specified circumstances as described below. Any approved leave of absence is without pay unless an employee's paid leave benefits are used and/or the employee is receiving workers' compensation or disability payments.

Eligibility - To be eligible for a leave of absence, an employee must have completed at least 90-days of service. Additional factors, such as job performance, position, length of service with the Agency, reason for the leave, and the length of the leave requested may also be taken into consideration. An employee must work an average of 20 hours or more per week in order to be eligible for a leave of absence due to a military spouse being on leave. There is no minimum length of service requirement.

Length of Leave – The maximum length of a leave of absence is a total of 6 months within any 12 month period, including any leave time taken due to FMLA.

Workers' Compensation and Disability - An employee who is eligible for, or receiving workers' compensation or disability benefits, will be placed on workers' compensation/disability and a medical leave of absence concurrently. The employee is therefore responsible for complying with both the requirements of the workers' compensation/disability insurance and this leave of absence policy.

An employee who is unable to work for seven or more days due to a non-work related injury or illness is responsible for completing the New York State disability insurance form (Form DB-450), available through the Fiscal Office. An employee may also be required to complete additional forms as required by the insurance carrier and/or Workers' Compensation Board.

Notification Requirements - If the need for leave is foreseeable, an employee must give written notice to the Director of the Department at least 30-calendar days prior to the requested start date of the leave. When the leave of absence is unforeseen, an employee must give notice as soon as the need for a leave is known. A *Leave of Absence Request Form* must also be jointly completed by the Agency and the employee. Permission or denial of the leave is normally communicated to the employee in writing within one week after receiving the request. Failure to give 30-days notice of a foreseeable leave with no reasonable excuse may result in the leave being delayed until 30 days from the date of notice.

Medical Certification - A medical certification issued by a health care provider is required to support an employee's request for a medical leave of absence due to a serious health condition of the employee. When required, the employee must provide the certification before the leave

begins, or if the leave was unforeseeable, 15-calendar days from the date the certification was requested. Failure to submit the medical certification could jeopardize the employee's eligibility for a medical leave of absence and/or continued employment. Employees should sign a medical release form for the Health Care provider to release this information to the Agency.

The medical certification must include:

- The date the condition began;
- The probable duration of the medical condition;
- Pertinent medical facts; and
- An assertion that the employee is unable to perform the employee's job function.

Community Action reserves the right to request a second opinion by another health care provider at the Agency's expense. In the event a conflict occurs between the first and second opinion, the Agency will, again at its own expense, obtain a third opinion from a health care provider approved jointly by the Agency and the employee. This third opinion shall be final and binding.

Benefits during Leave of Absence - For the purpose of this policy, the following applies:

- **Use of Paid Leave** - All accumulated vacation and/or sick leave must be used at the start of the leave. For leaves taken due to the birth of a child, an employee's own serious health condition, or to care for the employee's spouse, child, or parent who has a serious health condition, the employee must also use any accumulated sick leave. The use of paid leave benefits does not extend the leave of absence. If an employee is receiving workers' compensation or disability payments, he or she may use accumulated vacation and/or sick leave to equal, but not exceed, the employee's daily base rate of pay. Sick leave can only be used in accordance with the sick leave policy, Section 909.
- **Accrual of Paid Leave Benefits** - An employee shall continue to accrue vacation, and sick leave and receive holiday pay during any portion of a leave that is paid. For the purpose of this policy, paid leave is defined as leave during which the employee is using accumulated vacation and/or sick leave. After all such paid leave is exhausted, the remaining portion of the leave is unpaid. An employee does not accrue vacation or sick leave or receive holiday pay during any portion of a leave that is unpaid.
- **Insurance Benefits** - The Agency does not contribute towards an employee's health insurance premiums during a medical, family or personal leave of absence.
- **COBRA Insurance Continuation** - At the beginning of a medical or personal leave of absence, an employee is offered COBRA insurance continuation. If COBRA is elected, the employee is responsible for up to 100% of the health insurance premiums, plus a 2% administrative fee during the entire leave of absence.
- **Flexible Spending Accounts** - Employee contributions towards a medical and/or dependent care flexible spending account shall continue to be deducted on a pre-tax basis from an employee's paycheck during any portion of a leave of absence that is paid by from the Agency. Employee contributions towards a medical and/or dependent care flexible spending account do not continue during any portion of a leave that is unpaid.

Status Reports - If an employee's request for a leave of absence does not indicate a specific return to work date or if an employee requests a leave extension, the employee must update the Fiscal Office as to the employee's status and intent to return to work on a weekly basis.

Extension of Leave - An employee who requests an extension of a leave of absence must notify the employee's supervisor at least two weeks prior to the end of the original return date. The Agency reserves the right to deny any leave extension request.

Employment Restrictions - While on an approved leave of absence, an employee may not be employed by another employer during the same work hours that the employee is normally scheduled to work for Community Action.

Return-to-Work - At the conclusion of the leave, the following conditions apply:

- **Return Date** - If an employee's leave request indicates a specific return-to-work date, the employee should contact his or her supervisor at least ten days prior to this date. If the ending date of the leave was not known at the time leave was granted, the employee must immediately notify the Agency when a return-to-work date has been established;
- **Medical Statement** - For a medical leave of absence, a health care provider's statement releasing the employee to return-to-work with or without work restrictions is required prior to returning to work. In the event that work restrictions are indicated, the Agency reserves the right to evaluate if the restrictions can be reasonably accommodated (See Policy 502 Americans with Disabilities Act); and
- **Job Restoration** – Community Action cannot guarantee jobs for employees who are on a leave of absence. The Agency shall attempt to return the employee to a position based on business needs and the availability of a position for which the employee is qualified.

709 Time Off to Donate Blood & Bone Marrow

Policy Statement - In accordance with New York State regulation, eligible employees are granted time off during regular work hours to donate blood and/or to undergo a medical procedure to donate bone marrow.

Eligibility - An employee who works an average of 20 or more hours per week is eligible for a leave of absence to donate blood or bone marrow.

Blood Donation - An employee will be granted an unpaid leave of absence of up to three hours each calendar year to donate blood at an off-site location of the employee's choosing. An employee may elect to use credited, unused vacation leave; otherwise the time off is without pay for non-exempt employees. Exempt employees who have no paid time off benefits available will not be docked for any partial-day absences.

Donating Bone Marrow - An employee will be granted an unpaid leave of absence to undergo a medical procedure to donate bone marrow. The combined length of the absence will be determined by the employee's health care provider, but may not exceed 24 work hours unless otherwise authorized by the employee's supervisor. An employee may elect to use credited, unused vacation leave; otherwise the time off is without pay for non-exempt employees.

Verification of Bone Marrow Leave – Community Action may require verification from the employee's health care provider of the purpose and length of a leave of absence to donate bone marrow.

Time Off Requests - An employee must request time off to donate blood and bone marrow in accordance with the procedures outlined in the Agency's attendance policy (See Policy 702 Attendance).

710 Time Off to Vote

Policy Statement - In accordance with New York State regulation, an employee who is a registered voter and who does not have sufficient time to vote either before or after the employee's scheduled work hours will be granted a leave of absence to vote.

Eligibility - An employee who does not have four consecutive nonworking hours to vote when the polls are open will be granted up to two hours off with pay during the workday to vote. Any additional time off taken beyond two hours is without pay for non-exempt employees unless credited, unused vacation leave is used. .

Time of Leave - Generally, the Agency will grant the leave of absence at either the start or the end of the employee's work shift.

Time Off Requests - An employee must submit a written time off request to the employee's supervisor at least 10 workdays prior to the election.

800 COMPENSATION

801 *Pay Rates and Pay Increases*

Pay Rates - Community Action's goal is to pay each employee fairly based upon financial capability, merit and, consistent with job responsibilities, and comparable to rates being paid for similar work in the community and industry.

Pay Notice - A new employee will receive written notification within 10 days of hire and annually by February 1st thereafter of the employee's rate of pay, method of pay (e.g., hourly, salary), eligibility for overtime, and other information as required by New York State labor regulation. The Agency will provide at least seven calendar days advance written notice to the employee of any changes to this information or the changes will be reflected on the employee's pay stub.

802 *Overtime*

Summary - To meet the business needs of the Agency, an employee may be required to work beyond the employee's normally scheduled work hours.

Authorization - A non-exempt employee must receive authorization from the employee's supervisor before working beyond the employee's scheduled work hours. An exempt employee may regularly be required to work beyond the employee's scheduled work hours and does not need supervisory approval before working additional hours.

Compensation for Non-Exempt Employees - A non-exempt employee who works beyond the employee's normally scheduled work hours receives the employee's base rate of pay for each additional hour worked, up to 40 hours during the workweek. Overtime compensation is provided for all hours worked in excess of 40 during a workweek. Overtime pay is calculated at 1 1/2 times the employee's regular rate of pay. Only actual hours physically worked are used in determining an employee's overtime hours. Paid holidays and vacation, sick, bereavement, jury duty, and military leave are not considered time worked for the purpose of determining overtime hours.

Compensation for Exempt Employees - In accordance with federal and state regulations, an exempt employee is not eligible to receive overtime or additional compensation for any hours worked in excess of the employee's normal workday or workweek, including any hours worked over 40 during the workweek.

Disciplinary Action - A non-exempt employee who works beyond the employee's normally scheduled work hours without authorization may be subject to disciplinary action, up to and including termination. An employee's failure to work overtime hours that have been requested by the employee's supervisor may result in disciplinary action, up to and including termination.

803 Payroll Period and Payday

Payday - Employees are paid biweekly on Friday for the hours worked during the previous period, which has ended the previous Friday. If a payday falls on a designated holiday, paychecks are normally distributed on the preceding workday.

Direct Deposit - An employee may elect to have all or part of the employee's paycheck deposited directly into the employee's checking and/or savings account at their designated financial institution each payday. An employee must submit a signed, written authorization for direct deposit to the Agency.

Authorized Check Release - An employee's supervisor or designee shall not release a paycheck to anyone other than the employee unless the employee has provided a signed, written authorization to the Agency.

Pay Stubs – Employees are encouraged to carefully review their pay stubs. Current and past pay stubs are available to employees online via the ADP time & attendance portal. Instructions for accessing the portal are available on the Community Action website. Pay stubs and the portal contain important information including vacation and sick days. Employees are responsible for knowing this information. Employees may request a hard-copy pay stub.

804 Payroll Deductions

Statutory and Voluntary Deductions - In compliance with government regulations, Community Action deducts the required portion of an employee's wages for federal, state, and social security/Medicare taxes. Voluntary payroll deductions are taken from an employee's paycheck when authorized in writing by the employee. All payroll deductions are indicated on the employee's pay stub.

Garnishments - If the Agency is required to deduct any garnishments from an employee's wages, the employee shall be notified as soon as possible.

Questions - Questions concerning paycheck deductions or how they were calculated should be directed to the Fiscal Department.

805 Pay Advances

Policy Statement - Community Action does not distribute paychecks earlier than the scheduled payday. In emergency situations the Agency may grant an employee an advance in pay with the written approval of both a Director and the Executive Director.

900 EMPLOYEE BENEFITS

901 *Benefits Administration*

Summary - Community Action is pleased to offer employees a comprehensive benefits package. Eligibility for benefits is dependent upon several factors, including employment classification and length of service.

Plan Document - Benefits are administered according to applicable government regulation, insurance carrier master policy, plan document, or Agency policy. In the event of a discrepancy between the information presented in this employee handbook and the applicable plan document, the plan document takes precedent. In addition, the Agency has the authority to determine eligibility for benefits and to interpret the terms of each plan.

Changes in Benefits - The Agency reserves the right to add, modify, or terminate benefits for all current, former, and retired employees at any time. Further, all Agency contributions are subject to change.

Plan Administrator – The Fiscal Department serves as the Plan Administrator of the Agency's benefits plans. The Plan Administrator is responsible for all communications and disclosures concerning Agency benefits and is available to answer questions concerning the benefit plans. Enrollment forms and a description of each of the insurance plans may be obtained from the Plan Administrator.

Enrollment Information - An employee must complete the appropriate insurance forms and payroll deduction authorizations in order to receive insurance benefits.

Loss of Coverage – If an employee loses medical coverage, not through Community Action, the employee must complete the appropriate paperwork and have it submitted to the carrier within 30 days of the qualifying event, or the employee must wait until open enrollment.

Waiver of Benefits - An employee who is eligible to participate in an insurance plan but who declines coverage must sign a waiver declining such coverage.

Change in Employment Classification - If an employee's employment classification changes (for example: part-time to full-time or full-time to part-time) resulting in a change in eligibility for benefits, the employee will be notified of any changes in Agency benefits and the effective date of such changes. This notification will include all legally mandated information regarding COBRA health insurance continuation. The employee will retain any accumulated vacation and sick leave credited under their previous employment classification, in accordance with the applicable policy.

The following is a brief description of the benefits available to eligible employees. This description is only an overview. The applicable plan document or government regulation provides a full description of the specific benefit.

902 Health Insurance

Eligibility – Full-time employees are eligible to participate in an Agency-sponsored group health insurance plan. Part-time and temporary employees are not eligible for health insurance coverage.

Coverage - Coverage begins on the first day of the month following 60 days of continuous full-time employment, provided all eligibility requirements of the insurance plan are met. Eligible employees may also enroll in the health insurance plan during open enrollment periods or at the time of a qualified change in status, as determined by the insurance carrier.

Premium Payment - Community Action contributes a portion towards the premium for individual or family health insurance coverage for each eligible employee. Employees are responsible for the remaining portion of the insurance premium.

903 Dental Insurance

Eligibility - Full-time employees are eligible to participate in an Agency-sponsored group dental insurance plan. Part-time and temporary employees are not eligible to participate in the dental insurance plan.

Coverage - Coverage begins on the first day of the month following 60 days of continuous full-time employment, provided all eligibility requirements of the insurance plan are met. Eligible employees may also enroll in the dental insurance plan at anytime. Late enrollment is subject to late entrant penalties.

Premium Payment - Employees are responsible for 100% of the premium for individual/family dental insurance coverage.

904 Section 125 Plan

Summary - Community Action offers eligible employees the opportunity to participate in an Agency-sponsored section 125 plan. The benefit of participating in the Section 125 plan is that an employee's contributions to the plan are deducted from the employee's paycheck before federal, state, and social security/Medicare taxes are calculated. This reduces the employee's taxable income and increases net wages.

Eligibility – Full-time employees are eligible to participate in the Section 125 plan. Part-time and temporary employees are not eligible for this benefit. Eligibility begins on the first day of the month following 60 days of continuous full-time employment.

Coverage – Eligible employees may enroll or cancel enrollment in the plan or change their FSA contribution level/change the benefits elected during the annual open enrollment period each December or at the time of a qualified change in status.

Pre-Tax Insurance Premiums - An employee may elect to pay the employee portion of the health/dental insurance premiums with pre-tax dollars.

Flexible Spending Accounts - An employee may elect to have a pre-determined amount deducted from the employee's paycheck on a pre-tax basis each payroll period to be placed in a medical and/or dependent care flexible spending account (FSA). Money set aside in an employee's medical savings account may be used to cover certain health, dental, and vision care expenses that are not reimbursable through the employee's insurance plan(s). Money set aside in an employee's dependent care savings account may be used to cover eligible day care, pre-school school expenses, and elder care for covered dependents. To receive reimbursement from an employee's FSA account, a claim for reimbursement and proof that the expense was incurred must be submitted to the Agency's contracted service provider. Employees should retain their receipts. If there is a question, employees should refer to the plan document.

905 Life Insurance

Eligibility - Community Action offers group term life insurance coverage to full-time employees. Part-time and temporary employees are not eligible to participate in the life insurance plan.

Coverage - Coverage begins on the first day of the month following 30 days of continuous full-time employment, provided all eligibility requirements of the insurance plan are met. The amount of the life insurance coverage is equal to the employee's annual earnings with a minimum benefit of \$15,000 and a maximum benefit of \$50,000.

Eligible employees may enroll in our group life insurance plan, which is designed to help you plan for your family's financial needs in the event of your death. **It is the employee's responsibility to inform the Fiscal Department of any changes, which affect beneficiary status.**

The employee also has the option to convert to an individual policy, should the employee leave the Agency's employment.

An Accidental Death & Dismemberment rider is included with the life insurance plan. Accidental death benefits are paid in addition to the basic coverage benefits. Dismemberment benefits are paid according to a prearranged schedule.

To enroll in this insurance plan, the employee must complete an insurance form and designate all beneficiaries.

For more information regarding life insurance/accidental death and dismemberment, please see the Fiscal Department.

Premium Payment - The Agency pays 100% of the life insurance premium for eligible employees.

Optional Coverage – Full-time employees may purchase an additional life insurance plan, for themselves, their spouse or child, at 100% of the employee's expense. The Fiscal Department has additional information as well as summary plan descriptions.

Coverage - Coverage begins on the first day of the month following 60 days of continuous full-time employment, provided all eligibility requirements of the insurance plan are met.

906 Retirement Plan

Tax Sheltered Annuity

Summary - Community Action administers a 403(b) tax-sheltered annuity plan that allows eligible employees to save towards their retirement. Several investment options are available.

Eligibility – Full-time and part-time employees are eligible to participate in the plan. Employees may enroll in the plan only on the first of each calendar quarter, except new employees, who may enroll on the first day of the month following hire.

Changes to an employee’s contribution level can be made on the first of each calendar quarter.

The Agency may match a portion of the employee’s contribution to the plan, depending on the Agency’s financial capabilities. New employees are eligible for Agency matching contributions (if any) on the first of the calendar quarter following completion of 9 months of employment.

Complete details of the plan may be found in the Summary Plan Description; copies and additional information may be obtained from the Fiscal Department.

907 Vacation Leave

Summary - Community Action’s vacation policy is designed to provide eligible employees with a period of rest and relaxation in recognition for services performed throughout the year.

Eligibility – Full-time and part-time employees are eligible for paid vacation leave in accordance with the vacation schedule below. Temporary employees are not eligible for paid vacation leave but may be allowed to take time off without pay, provided the employee receives prior approval from the employee's supervisor.

Allowance - Eligible employees receive paid vacation leave in accordance with the following vacation schedule:

Years of Employment	Vacation Hours Earned Per Paid Hours* Full-time Employees	Vacation Hours Earned Per Paid Hours* Part-time Employees
1	.05000	.03846
2	.06154	.03846
3	.06923	.03846
4	.07692	.03846
5	.08462	.03846
Thereafter	.09231	.03846

* Paid hours include hours worked and any paid benefit time. Exempt employees’ paid hours reflect the terms of employment and are established by Management.

For Example:

Full-time employee in the third year of employment works 70 hours per pay period according to his/her employment agreement. The employee earns $70 \times .06923 = 4.8461$ hours of vacation/pay period.

Earned vacation begins to accrue immediately upon commencing of employment and the "year of employment" is based on the employee's anniversary date. Vacation leave may not be taken until it is earned.

Vacation Leave Pay - A non-exempt employee is eligible to receive compensation at the employee's current base rate of pay for the vacation period based on the employee's normal work schedule. An exempt employee receives the employee's regular salary for the vacation period.

Scheduling - Vacation requests should be submitted to the employee's supervisor/director in writing at least two workweeks, but no more than one-year, in advance. Vacations are generally authorized in accordance with employee requests, taking operating requirements and length of employment into account. The Agency reserves the right to deny vacation requests or to designate when some or all of an employee's vacation leave is taken based upon program needs.

Use of Vacation Leave - An employee may take a maximum of two weeks of vacation leave consecutively. Use of earned vacation and sick hours is based upon, and shall not exceed, the daily number of hours of an employee's normal schedule. Employees will be informed, in writing, by their supervisor, of their normal schedule. This schedule may be subject to change, in which case, a new, written normal schedule will be issued.

The allowed use of vacation time will be limited to an employee's scheduled hours minus any other paid time (including hours worked, holiday, bereavement, sick time) in a pay period.

Example: An employee scheduled to work 70 hours in a pay period works 65 hours and took 7 hours of vacation, will only be allowed to use 5 hours of vacation time for a total of 70 hours paid. The 2 hours of unused vacation time remain in the employees available vacation balance.

Employees who are scheduled to work hours outside of their normal work schedule cannot use vacation nor sick hours if the employee does not or cannot work these additional hours.

Exempt employees may use vacation leave in 1 hour increments.

Non-exempt employees may use vacation leave in 15 minute increments.

Accumulation – A maximum of 25 vacation days may be carried from one calendar year to the next. Earned, but unused vacation time in excess of 25 days, based on the employee's normal work schedule, will be lost at the end of the calendar year.

Layoff - In the event of a lay-off, Agency employees will be paid for earned, unused vacation time up to the length of the layoff.

Vacation Use during Program Shutdown – Employees will be required to use earned, unused vacation time during designated program shutdown periods, up to the length of the shutdown period. Employees will be notified in advance of which days during the shutdown will be designated vacation days. Partial day balances will be allowed to be carried forward.

Holiday During Scheduled Vacation - If an Agency-observed holiday falls on an employee's normal workday and the employee is on paid vacation, the day is counted as a paid holiday and not a vacation day. No allowance is made for sickness occurring during a scheduled vacation.

Leave of Absence - Vacation leave accrues while an employee is on a paid leave of absence (including paid FMLA leave) but does not accrue while an employee is on an unpaid leave of absence.

Separation from Employment - An employee who resigns, retires, or is laid off is eligible to receive compensation for accumulated vacation leave upon separation from the Agency. To be eligible to receive this payment, an employee who resigns or retires must give and complete the required notice period as stated in Section 306. An employee who is terminated for misconduct is not eligible to receive compensation for accumulated vacation leave.

908 *Reserved for future use*

909 *Sick Leave*

Eligibility – Full-time and part-time employees are eligible for paid sick leave. Temporary employees are not eligible for paid sick leave.

Allowance - Employees are credited with paid sick leave calculated as follows:

Number of hours paid/pay period x .05 = number of hours of sick time earned per pay period.

Paid hours include hours worked, and holiday/sick/vacation time used (based on eligibility). Salaried employees' paid hours reflect the terms of employment and are established by Management.

For Example:

A full-time employee works 70 hours per pay period according to his/her employment agreement. The employee earns $70 \times .05 = 3.5$ hours of sick time per pay period.

Sick Leave Pay - A non-exempt employee is eligible for compensation at the employee's current base rate of pay, based on the employee's normal work schedule, for the period of sick leave taken. An exempt employee receives the employee's regular salary for the period of sick leave taken.

Accumulation - Sick days may be carried over from one calendar year to the next. Sick time pay will not be granted for unused days, and employees will not be paid for earned but unused days upon termination. Sick days may not be taken until they are earned.

Use of Sick Leave - Sick leave may be used for an employee's personal illness or injury, necessary doctor and dentist appointments, and to provide direct care to a parent, spouse, child, or household member who is ill or injured.

The allowed use of sick time will be limited to an employee's scheduled hours minus other paid time (including hours worked, holiday, bereavement) in a pay period. If vacation and sick time are both used in the same pay period, vacation time will be adjusted before sick time.

Example: An employee scheduled to work 70 hours in a pay period works 65 hours and took 7 hours of sick time, will only be allowed to use 5 hours of sick time for a total of 70 hours paid. The 2 hours of unused sick time remain in the employees available sick time balance.

Exempt employees may use sick leave in 1 hour increments.

Non-exempt employees may use sick leave in 15 minute increments.

If sick leave is used for a medical or dental appointment, the time off must be pre-approved by the employee's supervisor. The reason for this is so that the Agency is able to accommodate scheduling issues.

Sick leave is a benefit to be used for the above stated reasons only and is not intended to be an extension of vacation leave.

Medical Certification - An employee who misses three or more consecutive workdays due to illness may be required to provide a medical certification from the employee's health care provider. The medical certification must include approval for the employee to return-to-work with or without work restrictions. Medical certification may also be required for certain shorter absences, for example if an employee has developed a pattern of sick leave use, or if an employee has used an excessive amount of sick leave. If an employee is on an authorized leave of absence in accordance with the Family and Medical Leave Policy (Section 707), the medical certification provisions of the applicable policy shall apply. Failure to produce the medical certification may result in the employee receiving the time off without pay and/or jeopardize continued employment with the Agency.

Abuse of Sick Leave - An employee who abuses the use of sick leave or falsifies supporting medical documentation may be subject to disciplinary action, up to and including termination.

Leave of Absence - Sick leave accrues while an employee is on a paid leave of absence (including paid FMLA leave) but does not accrue while an employee is on an unpaid leave of absence.

Conversion of Unused Sick Leave at Retirement – Employees age 55 or greater, with at least 10 years of service at retirement, are eligible for a percentage of the value of unused sick time to be converted to health/dental insurance dollars. Employees, who retire or otherwise leave employment with Community Action prior to age 55, are not eligible for this benefit. Complete details of the plan may be obtained from the Fiscal Department.

Currently, the percentage applied to the value of unused sick time is 10% for retirees with 10 years of service, 15% for retirees with 15 years of service, and 20% for retirees with 20 or more years of service. This allowance may change depending on the Agency's financial capabilities. If the monies are used to pay a medical insurance premium, they are not taxable. Otherwise, the benefit payment may be taxable. Employees may want to consult with their financial advisor.

910 **Holidays**

Observed Holidays - The Agency observes the following holidays:

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Election Day
- Veterans' Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

In addition to the above holidays, one (1) floating holiday may be designated by the Executive Director each year.

Eligibility - Full-time employees are eligible for paid holidays upon hire or date of recall from a layoff. Part-time and temporary employees are not eligible to receive compensation for Agency-observed holidays.

Holiday Pay Requirements - An employee must work the entire scheduled workday before and after the holiday to receive holiday pay unless time off has been authorized in advance or an employee may be required to provide a physician's verification of the employee's illness.

Holiday Pay - A non-exempt employee is eligible for holiday pay at the employee's current base rate of pay, based on the employee's normal work schedule. An exempt employee receives the employee's regular salary for each holiday.

Leave of Absence - An employee who is on a paid leave of absence (including paid FMLA leave) is eligible to receive compensation for any Agency-observed holidays that occur during the leave. An employee who is on an unpaid leave of absence is not eligible for any paid holidays that occur during the leave.

Holiday Occurs during Vacation - If an Agency-observed holiday falls on an employee's normal workday and the employee is on paid vacation, the day is counted as a paid holiday and not a vacation day.

Holiday Observance - If a scheduled holiday falls on a Saturday, employees are normally given the preceding Friday off. If a scheduled holiday falls on a Sunday, the holiday is normally observed on Monday. The Agency will make an official announcement as to the date the holiday will be observed prior to the holiday.

Assigned to Work on a Holiday - A full-time employee who is required to work on a designated Agency holiday will be allowed to observe the holiday on another day or if scheduling does not allow for the time off, the employee will be paid for the day.

Holidays Not Designated by the Agency - An employee who is interested in observing a holiday or period of worship that is not included in the above list of Agency-observed holidays may request time off for such observance. Requests should be submitted in writing to the employee's supervisor at least two workweeks in advance. All requests for time off are subject to advance approval by the employee's supervisor. It is Community Action's policy to grant such time off if it does not unduly disrupt the Agency's business. Accumulated vacation leave may be used at the employee's option. An employee who has no accumulated paid leave available must take the time off without pay.

911 *Disability Coverage*

New York State Disability

Summary - New York State Disability benefits are available as a temporary benefit to eligible employees who are unable to work due to a non-work related injury or illness.

Eligibility - An employee who has worked for Community Action for four consecutive weeks or longer is generally covered by Community Action's disability plan. An employee with less than four weeks of service with Community Action may also be covered under certain circumstances. Minors who are currently attending school are not covered.

Coverage - Eligibility for benefits is determined by the insurance carrier. An eligible employee is covered for the period of disability specified by the employee's physician, starting with the eighth day of a non-work related disability and continuing up to a maximum of 26 weeks. An employee generally receives 50% of the employee's average weekly wages based on the previous eight weeks of employment, up to a maximum of \$170 per week. New York State disability benefits do not cover medical expenses.

An employee can elect to use accumulated sick leave or use accumulated sick leave in conjunction with disability benefits to bring the employee up to full pay.

Premium Payment - The Agency pays 100% of the NYS disability insurance premium for eligible employees.

Health and/or Dental Insurance – An employee who is collecting disability benefits must make arrangements with the Fiscal Office to pay their portion of the health and/or dental insurance premiums. Failure to make appropriate payments could result in the loss of your benefits.

Long-Term Disability

Eligibility -Full-time employees are eligible to participate in an Agency-sponsored long-term disability plan that provides income at the time of a qualifying injury or illness, on the first of the month following 30 days of continuous full-time employment. Part-time and temporary employees are not eligible for this benefit.

Coverage - Eligibility for long-term disability benefits is determined by the insurance carrier. An eligible employee generally receives a portion of the employee's average weekly wages, up to a pre-determined maximum per week. Benefits begin after 26 weeks of disability.

Premium Payment - The Agency pays 100% of the long-term disability insurance premium for eligible employees.

912 Workers' Compensation

Summary - Workers' Compensation benefits are provided to eligible employees who suffer a job-related injury or exposure to an occupational disease.

Eligibility - Employees are covered by Community Action's workers' compensation plan upon hire.

Coverage - The Workers' Compensation Board is responsible for determining an employee's eligibility for benefits. If deemed eligible, an employee is covered for the period of disability specified by the employee's physician and the Workers' Compensation Board. The amount of cash benefits an employee receives for lost work time is determined by the Workers' Compensation Board. An employee must serve a seven-day waiting period before cash benefits begin. If the employee is unable to work for more than 14 days, cash benefits during the first week are generally paid retroactively. An eligible employee also receives coverage for all medical care received that is related to the job-related injury or occupational disease.

Premium Payment - The cost of workers' compensation insurance is paid entirely by the Agency.

Health and/or Dental Insurance – An employee who is collecting workers compensation benefits must make arrangements with the Fiscal Office to pay their portion of the health and/or dental insurance premiums. Failure to make appropriate payments could result in the loss of your benefits.

913 Unemployment Insurance

Summary - Unemployment insurance benefits provide short-term financial assistance to individuals who are ready, willing, and able to work and who have lost their jobs due to no fault of their own.

Eligibility - Eligibility for unemployment insurance is determined by the state Department of Labor.

Cost - The cost of unemployment insurance coverage is paid entirely by the Agency.

914 Social Security/Medicare

Summary - Social Security benefits are available for retirement, survivor's benefits, and medical costs under qualifying conditions as determined by the Federal Social Security Administration Office.

Cost - The Agency matches employee contributions to social security / Medicare

915 Requested Educational Assistance

Summary - The Agency encourages the professional growth and development of employees through formal education. Courses must be job-related and provided by an accredited institution of learning. Approval is based on the resources available to the program.

Eligibility - Full-time employees are eligible for educational assistance upon completion of one year of service. Part-time and temporary employees are not eligible for educational assistance.

Authorization – An employee must submit a written request and a course description to the employee's supervisor at least two weeks prior to the registration deadline. Educational assistance is subject to the prior approval of the employee's director.

Allowance - If approved, the Agency covers a portion of tuition costs and books based on the successful completion of the course.

Reimbursement – A request for course pre-payment must be submitted to the Fiscal Department.

Unsatisfactory Completion of Course - An employee who does not complete or pass a pre-approved course is required to repay the Agency for the advanced payment of the course. Repayment may be made through payroll deductions.

Course Repayment - An employee must sign an agreement to repay Community Action for the educational assistance received in the event the employee voluntarily leaves employment and/or is terminated for misconduct within three years from the date of the course's completion.

916 Employee Assistance Program (EAP)

Summary - An Employee Assistance Program (EAP) is available for eligible employees and their family members to obtain confidential, professional counseling. This program is designed to help employees and their families deal with a variety of issues, including financial concerns, alcohol or drug problems, marital problems, and emotional difficulties. EAP information is on the bulletin board at each location and the Agency website.

Eligibility - Full-time/part-time employees, their spouses, and dependents are eligible to participate in the EAP. Temporary employees are not eligible to participate in the EAP.

Coverage - Coverage begins on the first day of the month following 30 days of continuous employment.

917 **Compensatory Time for Exempt Employees**

Eligibility - Exempt employees are eligible to earn compensatory (comp) time when an employee works beyond the employee's regular work schedule in a pay period.

Allowance – Eligible employees who have received prior approval from their director will earn one (1) hour of comp time for every hour **worked** (for comp time purposes only, holidays are considered time worked) more than five (5) hours beyond the employee's regular work schedule in a pay period. An employee can't use benefit time and earn comp time within a pay period. Comp time will be accumulated in half hour increments.

Example: An employee who is regularly scheduled to work 80 hours in a pay period, who actually works 87 hours in the pay period, will earn two (2) hours of comp time.

Deductions – If an employee works less than their regular work schedule, comp or benefit time will be deducted from the employee's bank.

Example: An employee who is regularly scheduled to work 80 hours in a pay period, who actually works 74 hours in the pay period, will have six hours deducted from either the employee's comp or benefit time bank.

Tracking – Employees will be required to record their actual hours worked per day on their time sheet. Earned comp time will be tracked and maintained by the fiscal department.

Accumulation – Compensatory time is not cumulative and cannot be carried over into the next calendar year. Any accumulated comp time is forfeited on the last day of the calendar year, unless there are special circumstances and the employee's director has approved the carry over for a specific period of time. An employee is not eligible to receive payment for any accumulated comp time that is forfeited at the end of the calendar year.

Separation from Employment - An employee is not eligible to receive compensation for accumulated comp time upon separation from the Agency.

1000 PERSONAL CONDUCT

1001 *Personal Appearance*

Policy Statement - The Agency requires each employee's dress and grooming to be appropriate to the work situation.

Standards – Employees must present themselves in a neat, clean, and professional manner that reflects a good image to the public. Good personal hygiene and grooming are also required. Employees who work in the office are required to wear business casual attire.

Employees are prohibited from wearing the following clothing because it does not present an appropriate image for the Agency: suggestive or low-cut clothing, halter tops, tank tops, muscle shirts, tops with straps less than 2 inches wide, tube tops, flip flops, ripped or stained clothing, clothing that is too tight or baggy, shorts or skorts or skirts that are shorter than one inch above the knee. This list is not all-inclusive.

Appropriate attire means that any areas that could be considered revealing should be covered!

Employees may be requested to cover any body art that the Agency or the public may find offensive and/or frightening. This may include, but is not limited to any piercings or tattoos: for example earrings or studs in an employee's nose, tongue, or eyebrow and/ or tattoos.

Acceptable personal appearance is a requirement for continued employment with the Agency. The Agency reserves the right to require employees to conform to Community Action's standards of personal presentation and appearance.

Appropriate work attire may vary with the employee's position or activity in the Agency. If an employee is unsure if their appearance is appropriate for their position, the employee should consult with their immediate supervisor or the Director of their department for guidance in this matter.

Employees who are dressed inappropriately for the workplace will be sent home to change without pay.

American Flag – In accordance with New York State labor regulation, the Agency will allow an employee to display an American flag on the employee's person as long as it does not substantially or materially interfere with the employee's job duties.

Identification Badges – Employees are required to wear Agency ID badges when employees are working off site on non-Agency property, except for the Weatherization Department.

Safety Clothing - Employees who work in certain positions may be required to wear safety clothing and/or personal protective equipment. Failure to comply with the above stated policy may lead to disciplinary action up to and including discharge. Employees should refer to the safety manual for additional guidance.

1002 Misrepresentation and Fraud

Policy Statement - The Agency prohibits misrepresentation and fraud. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Misrepresentation includes, but is not limited to: Falsification or intentional omissions on an employment application, report, invoice, or any work-related document or record; falsification of the reason for absence from work, injury received on the job, or claim for Agency benefits; intentionally giving false information to a customer concerning Agency services; and unauthorized or personal use of Agency letterhead or business forms.

Reporting - Any fraud or misrepresentation that is detected or suspected must be reported immediately to the Director of Finance and Administration, Executive Director or, alternatively, to the Chair of the Board Finance Committee, who coordinates all investigations.

Acting in Good Faith – Anyone filing a complaint concerning a violation or suspected violation of this policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of this policy. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality – Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Disciplinary Action – Violations of this policy may result in disciplinary action, up to and including termination of employment.

Whistleblower Protection – The Agency will consider any reprisal against a reporting individual an act of misconduct subject to disciplinary procedures. A “reporting individual” is one who, in good faith, reported a suspected act of fraud in accordance with this policy, or provided to a law enforcement officer any truthful information relating to the commission or possible commission of a Federal offense. This policy is intended to encourage and enable employees and others to raise serious concerns within the Agency prior to seeking resolution outside the Agency.

1003 Confidentiality

Policy Statement - All Agency, employee, and customer information must be treated with discretion and confidentiality. During employment and after separation from Community Action, there should be no discussion, photocopying, duplication, or revealing of Agency, employee, or customer information that is not generally known to the public in any form to anyone outside the Agency. Information obtained as a result of employment with Community Action and from contact with customers is considered proprietary and can only be used in the course of employment with Community Action. Confidential information should only be shared with other employees within the Agency who have a business need to receive such information.

Confidential Agency Information - All electronic or paper records and files maintained by the Agency are confidential. This includes, but is not limited to: Personnel and payroll records, and confidential information relating to customers, accounting records, salary information, business plans and strategies, negotiations and contracts.

Security of Confidential Information - An employee is responsible for properly securing and maintaining confidential and proprietary material in the employee's possession.

Removal of Confidential Information - Confidential information may not be removed from Agency premises without prior authorization from an employee's supervisor.

Disciplinary Action - Any unauthorized use, collection, copying, removal, divulging, or transfer of confidential information in any manner that is not in the best interest of the Agency may result in disciplinary action, up to and including termination and/or legal action.

1004 Political/Lobbying Activities

Policy Statement - Community Action employees must administer programs in a politically non-partisan manner. The use of program funds, the provision of services and the assignment of personnel must not result in the identification of the program with any partisan political activity. Employees may not use their official position, authority or influence within the Agency for the purpose of supporting or affecting the outcome of an election or nomination of party or public office. Employees who wish to express their views on public issues may do so as private citizens and not as representatives of Community Action.

Employees may engage in political activities during off-duty hours, including:

- Membership in or an officer of a political organization;
- Participating in political fundraising activities;
- Becoming a candidate in a non-partisan election (i.e. school board);
- Managing or participating in political campaigns, including, speaking at rallies or conventions, circulating petitions, driving voters to polling locations, letter writing, petitioning, group visits to congressional or legislative members, endorsing or opposing candidates in partisan elections;
- Serving as a delegate to a party convention;
- Acting as a watcher or officer at the polls.

Employees are prohibited from:

- Using official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
- Directly or indirectly coercing, commanding, or advising an employee to pay, lend, or contribute anything of value to a political party, committee, agency, organization, or person for a political purpose.

Employees may be prohibited from:

- Becoming a candidate for public office in a partisan election, regardless of whether the employee is on a leave of absence. Eligibility depends on the funding for the employee's position and restrictions imposed by the Hatch Act. Employees considering becoming a candidate must obtain approval from the Executive Director.

1005 Substance Free Workplace

Substance Free Workplace - It is Community Action's goal to provide a drug- and alcohol-free, healthy, and safe workplace. Employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

Prohibited Behavior - All employees are prohibited from possessing, using, selling, purchasing, storing, distributing, manufacturing, or having alcoholic beverages, illegal drugs, controlled substances, or narcotics present in the employee's system when reporting to work, during working hours, or at any time while conducting business-related activities. Illegal drug paraphernalia, such as pipes and needles, are prohibited on Agency premises, at work sites, and in Agency, leased, rental, and personal vehicles being used for Agency business.

Use of Prescription and Over-the-Counter Drugs - Prescription drugs must be in the possession of the individual to whom the prescription was written, taken in the dosage prescribed, and maintained in their original containers. The legal use of prescribed and over-the-counter drugs is permitted on the job only if it does not impair an employee's ability to perform the job safely and if it does not affect the safety or well being of other individuals in the workplace. Employees must inform their supervisors of any prescription or legal, nonprescription (i.e., over-the-counter) drugs they are currently taking that could in any way affect or impair the employee's ability to perform the job safely.

Head Start employees are required to follow the procedures for their program.

Reporting of Problems - An employee must report any problems in the workplace that occur as a result of alcohol or drugs to the employee's supervisor immediately. This includes an employee's own problems or those that are the result of others.

Drug-Free Workplace Act - Community Action complies with the Drug-Free Workplace Act. In accordance with the Act, employees must notify their supervisors of any criminal drug conviction occurring in the workplace within five days of the conviction.

Drug and Alcohol Testing Policy - The Agency has adopted a substance testing policy in compliance with the Omnibus Transportation Employee Testing Act of 1991. The purpose of this policy is to reduce accidents resulting from an employee's use of controlled substances and alcohol, thus reducing fatalities, injuries, and property damage. The policy applies to all employees, which includes all drivers who operate commercial motor vehicles requiring a commercial driver's license (CDL) to operate. Random, reasonable suspicion, post accident, and follow-up substance testing are conducted. Pre-employment substance testing is conducted for those positions that require a commercial driver's license (CDL). All employees receive a separate copy of this policy.

Disciplinary Action - Violations of this policy will result in disciplinary action, up to and including termination. The possession, use, sale, purchase, storing, distribution, or manufacture of illegal drugs shall also be brought to the attention of the appropriate law enforcement agency.

1006 Outside Employment

Policy Statement - The Agency generally permits outside employment as long as it does not interfere with the employee's job performance, pose an actual or potential conflict of interest, or compromise the interests of the Agency. Outside employment that does or may constitute a conflict of interest is prohibited.

Restrictions - An employee may not be employed by another employer or be self-employed if such work is in direct competition with Community Action. An employee is not permitted to perform any work for the Agency's customers during nonworking hours if these services are available from Community Action. Further, an employee is prohibited from soliciting or performing any work for another employer, for the employee's own personal business, or for any other personal gain during working hours for the Agency.

Notification of Outside Employment - An employee who is interested in obtaining outside employment must notify their supervisor in writing to ensure that the above guidelines are maintained.

Job Interference - Any second job held should not interfere with an employee's work hours at the Agency, including business travel and overtime hours. An employee must meet all scheduling requirements of the Agency and shall not receive authorization to report to work late or to leave work early in order to accommodate a second job.

Time Off to Work at Another Employer - An employee is not allowed to use paid sick leave or to take time off without pay to work at another employer.

1007 Driver's License and Vehicle Use Policy

Summary - Employees in certain positions may be required to drive Agency or personal vehicles to conduct business on behalf of the Agency. Employees who drive on Agency business must operate vehicles in a safe and responsible manner, and in compliance with all applicable traffic laws, including maintaining vehicle insurance, wearing seat belts at all times and following the Agency cell phone policy, Section 1404.

Driver's License - An employee who is required to drive on Agency business must possess a valid driver's license with a driving record free from major infractions at the time of hire and throughout employment. An employee who operates a vehicle that requires a commercial driver's license (CDL) must possess and maintain this license throughout employment.

Change in Status or Loss of Driver's License - An employee who is required to possess a driver's license or CDL license in order to perform job duties must immediately notify the employee's supervisor of any change in license status or driving record. The loss or suspension of a driver's or CDL license may affect the employee's employment with the Agency.

Approved Driver Status – Employees are required to provide authorization for the Agency to access their driving records for review by the Agency and its insurance carrier/agent.

Any employee who drives for Agency business must be pre-approved as an authorized Agency driver. Approval will be based upon review of the Motor Vehicle Record (MVR), using

the Agency's MVR grading criteria as a guide. Employees who are not approved as an authorized Agency driver may not drive for Agency business (including in their own vehicle).

Motor Vehicle Records will be checked periodically. Driving privileges may be suspended or terminated if an employee's record indicates an unacceptable number of accidents or violations. The loss of driving privileges may affect the employee's employment with the Agency.

Use of Agency Vehicles - Only authorized employees are allowed to drive Agency vehicles. Agency vehicles should be used for authorized Agency business only. Agency vehicles should not be used to transport unauthorized individuals or materials or to conduct personal or non-Agency related business.

Agency Vehicle Maintenance – Employees are responsible for maintaining Agency vehicles in a neat and clean condition at all times. Papers and garbage must be removed at the end of each trip. Vehicles should be maintained in a safe and secure condition when not in use. It is the employee's responsibility to notify their supervisor of any needed maintenance or repair work on an Agency vehicle.

Use of Personal Vehicles/Insurance - When operating a personal vehicle for Agency business, Personal Auto Liability insurance is the primary payer. The Agency's insurance covers any claims in excess of personal insurance coverage. You must carry liability coverage of at least \$100,000 per occurrence. Higher insurance limits are strongly recommended; consult with your insurance professional for guidance. Evidence of insurance coverage is to be provided to the fiscal department at each renewal of your policy, by a copy of your policy's Declaration page or a Certificate of Insurance. Evidence of insurance must be provided for any vehicle used for Agency business, including, for example, a parent's car, spouse's car, friend's car, etc. The Agency is not responsible for any physical damage to your vehicle. You should carry your own collision and comprehensive coverage. Only approved drivers operating properly insured vehicles may claim mileage for expense reimbursement.

Customer/Client Transportation – If a customer needs transportation, Agency vehicles should be used whenever possible. An employee must receive authorization from Agency management prior to providing transportation to a customer in a personal vehicle.

Traffic Violation - Employees who are approved as an authorized Agency driver are required to notify their Supervisor of any violation(s) by the next workday. An employee is responsible for paying any traffic tickets, parking tickets, or moving violations received while driving an Agency or personal vehicle for business use.

In the event of an Accident – An employee must take necessary steps to protect the lives of yourself and others and comply with police instructions. An employee must not assume or admit fault. Others will determine liability and negligence after a thorough investigation.

Accident Reporting – An employee must notify their supervisor immediately in the event of an accident, theft, or damage involving an Agency or personal vehicle being used for Agency business, regardless of the severity of the incident. The supervisor must notify an Agency Director immediately.

1008 *Corrective Discipline*

Policy Statement - All employees are expected to comply with the Agency's standards of behavior and performance for the benefit and safety of all employees and for efficient operations. Any employee who violates the policies, procedures, rules, or regulations outlined in this employee handbook or those established by the employee's supervisor shall be subject to appropriate disciplinary action. The purpose of disciplinary action is to notify the employee of the problem, encourage the employee to correct the problem, and discourage its recurrence.

Forms of Discipline - Disciplinary action may include verbal warnings, written warnings, suspension, termination of employment, or other disciplinary measures, depending on the circumstances. The Agency does not guarantee that one type of discipline shall precede another. Further, the Agency reserves the right to suspend an employee, with or without pay, while an investigation is conducted.

Communication of Violations - Open and candid communications with employees is an important aspect of Community Action's ongoing employee relations. When a rule, policy, or procedure is violated, the employee's supervisor or other designated manager generally reviews the nature of the violation with the employee. The employee's input is important to ensure that all of the facts have been considered. After such a review, corrective action is discussed with the employee.

Corrective Discipline Notice - An employee who receives a written warning is given the opportunity to agree or disagree with the warning and write a brief statement on the corrective discipline notice, if desired. Disagreeing with the corrective discipline doesn't change the warning. However, as a condition of employment, the employee is required to sign the corrective discipline notice to indicate that a discussion of the issue has taken place. Refusal to sign the corrective discipline notice may result in further disciplinary action, up to and including termination. An employee receives a copy of any written disciplinary notice issued by the Agency.

Prohibited Conduct - An employee may be subject to disciplinary action, up to and including termination, for violating any of the policies, procedures, rules, or regulations specifically outlined in this employee handbook or otherwise established by the Agency or the employee's supervisor. In addition, disciplinary action, up to and including termination, may be imposed if an employee engages in any form of prohibited conduct, including:

- Threatening, coercing, assaulting, or intimidating a coworker, supervisor, customer, client, or any non-employee;
- Insubordination or refusal to obey instructions given by authorized management;
- The use of foul, abusive or inappropriate language, including racial slurs and epithets;
- Improper performance of job duties or repeated failure to perform assigned duties and responsibilities;
- Illegal gambling while on duty; and

- Failure to adhere to the assigned work schedule.

The above list is illustrative only and is not intended to limit the Agency's right to impose discipline in other situations of inappropriate behavior.

1009 Fraternalization

Summary - In order to avoid an actual or perceived conflict of interest, the Agency prohibits dating or co-habitation between a supervisor and an employee if the employee directly or indirectly reports to that supervisor. This policy is considered when assigning, transferring, or promoting an employee.

Disciplinary Action – Violations of this policy may result in disciplinary action, up to and including termination.

1010 Ethics

Policy Statement – Community Action requires all employees to maintain the highest standards of professionalism and integrity in the performance of their job duties and while representing the Agency. All work must be performed in an ethical manner and in accordance with government regulations and Agency policy.

Prohibited Conduct - An employee must refrain from any illegal or dishonest activity. In addition, an employee is prohibited from engaging in any activity that could have the potential to conflict with the interests of the Agency, coworkers, or customers or that could be viewed unfavorably by customers or the public. Examples of prohibited conduct include, but are not limited to:

- Directly or indirectly soliciting a bribe, kickback, loan, gift, service, or entertainment from a current or prospective vendor, supplier, customer, or competitor for the employee's personal gain in return for being influenced in connection with Community Action business;
- Directly or indirectly giving a bribe, kickback, loan, gift, service, or entertainment to a current or prospective vendor, supplier, customer, or competitor in return for influencing that individual or organization in connection with Community Action business;
- Participating in the selection, award or administration of a contract involving Community Action if a direct or indirect financial interest or a personal business relationship with any vendor, supplier, customer, or competitor exists; and
- Investing in the stocks, bonds, or securities of a vendor, supplier, customer, or competitor if such transactions are based on any "inside information."

Employee Guidance - It is impossible for the Agency to list every example of conduct that may be unethical, unprofessional, or illegal. An employee should therefore use good judgment and seek guidance and assistance from the employee's supervisor, if needed.

Nominal Gifts - An employee must notify the employee's supervisor of any nominal gift, money, service, travel, entertainment, or other special consideration received from any current or prospective vendor, supplier, or customer. A determination of whether the employee will be allowed to accept the gift will be made on a case-by-case basis.

Code of Ethics

We, as Community Action professionals, dedicate ourselves to eliminating poverty in Orleans and Genesee Counties. We offer opportunity through education and training, employment, crisis intervention and support, and with respect for our customers, commit ourselves to the ethical values listed below.

Community Action of Orleans & Genesee (hereafter 'Community Action') as an organization should hold itself to the highest ethical standards because it is the right thing to do. We should also do so because our reputation influences our opportunities for growth. Donors, volunteers and community members support Community Action because they trust our organization to carry out its mission, to be good stewards of their resources, and to uphold rigorous standards of conduct.

We at Community Action must earn this trust every day. Organizations are made up of people, and it is up to all of our stakeholders – board members, executive leaders, staff, and volunteers – to be accountable to the core values of honesty, fairness, respect, responsibility and integrity. All employees are expected to act in a manner consistent with the Agency mission statement at all times.

Our Ethical Values:

Honesty: Honesty is our duty and desire to act in a truthful manner both in our communications and in our conduct.

Our vision:

- We earnestly seek to communicate and embody the truth.
- We provide accurate information in a timely manner.
- We make commitments and promises, implied or explicit, in good faith.
- We strive to create an environment in which others feel safe to tell the truth.

Our practice:

- We do not attempt to deceive others.
- The organization provides comprehensive and timely information to the public, the media, and all stakeholders and is responsive in a timely manner to reasonable requests for information.
- All information about the organization will fully and honestly reflect the policies and practices of the organization. All financial, organizational, and program reports will be complete and accurate.

Fairness and Equality: We make decisions and act impartially and objectively. Our conduct must be free from competing self interest, prejudice, and favoritism.

Our Vision:

- We demonstrate transparency in our decision-making process.
- We recognize and respect the diverse qualities, strengths and challenges of all people.
- We constantly reexamine our impartiality and objectivity, taking corrective action as appropriate.

- We provide equal access to information to those who are authorized to have that information.
- We make opportunities equally available to qualified candidates.
- We maintain an open, accepting and positive outlook toward others and their beliefs without being judgmental.

Our Practice: Conflict of Interest

- We will fully disclose any real or potential conflicts of interest.
- When we have a real or potential conflict of interest, we will not participate in the decision-making process.

Respect: Respect is our duty to show a high regard for ourselves, others, and the resources entrusted to us. Respect also leads to trust, confidence, and performance.

Our Vision:

- We avoid disrespect and behave in a professional manner.
- We listen to others' points of view, seeking to understand them.
- We approach directly those persons with whom we have a conflict or disagreement.

Our Practice:

- We negotiate in good faith.
- We do not exercise the power of our expertise or position to influence the decisions or actions of others in order to benefit personally.
- We do not act in an abusive manner toward others.
- All communications show respect for the Agency and the community.
- Respect and protect privileged information of all people by observing rules of confidentiality.

Responsible: Responsibility is our duty to take ownership for the decisions we make, or do not make, and the resulting consequences.

Our Vision:

- We make decisions and take actions based on the best interests of all those involved.
- We fulfill our commitments – we do what we say we will do.
- When we make errors or omissions, we hold ourselves accountable and make corrections promptly.
- We protect proprietary or confidential information.
- We seek to improve our programs, procedures and policies through periodic evaluation and communicate the results to appropriate stakeholders.
- We uphold this Code and hold each other accountable to it.

Our Practice: Regulations and Legal Requirements

- We inform ourselves and uphold the policies, rules, regulations and laws that govern our work, professional, and volunteer activities.
- We report unethical or illegal conduct to appropriate management and, if necessary, to those affected by the conduct.

Our Practice: Responsible Stewardship

- We manage our funds responsibly and prudently.
- We spend a reasonable percentage of our annual budget on programs in pursuance of our mission.
- We ensure that all spending practices and policies are fair, reasonable and appropriate to fulfill the mission of Community Action.

Integrity/Social Recognition: As representatives of Community Action, we encourage each other to demonstrate the highest standards of personal integrity, both inside and outside the Agency.

Our Vision:

- All staff, board members and volunteers of Community Action act with integrity in all their dealings as representatives of the organization.
- Community Action promotes a working environment that promotes all of the values listed above.

Our Practice:

- We will act in a way that engenders public trust.
- We serve in such a way that we do not realize undue personal gain from the performance of our professional duties.

Ethics Complaints

- It is the responsibility of all employees to comply with this Code and to report violations or suspected violations of this Code to the attention of Director of Finance and Administration or the Executive Director.
- The Director of Finance and Administration or the Executive Director will investigate the reported violation.
- Violations of this policy may result in disciplinary action, up to and including termination of employment.

1100 AGENCY PREMISES AND WORK AREAS

1101 *Agency Property*

Policy Statement - The purpose of Community Action's property is for the smooth and efficient operations of the Agency. All equipment must be used appropriately, handled carefully, and maintained in good condition. All operating and maintenance instructions must be followed. Supplies should be used efficiently and not wasted in order to save money and resources.

Employee Responsibility - An employee is responsible for any items issued by the Agency that are in the employee's possession and/or control, such as, but not limited to: equipment, keys, uniforms, ID badge, camera, jump drives, cell phone and this employee handbook.

Prohibited Uses of Agency Property - An employee should not deliberately destruct, deface, or misuse Agency property. In addition, the theft, unauthorized removal, or unauthorized possession of Agency property is prohibited.

Damage to Agency Property - An employee must report any damaged, defective, or malfunctioning Agency property to their supervisor immediately.

Personal Use of Agency Property – An employee may not use or borrow any Agency property for personal use without the prior approval of the Executive Director. For the purpose of this policy, Agency property includes, but is not limited to, equipment, tools, supplies, and vehicles. An employee who has received proper authorization to use Agency property for personal use may use such property for the employee's own benefit only and not for furtherance of any personal business or financial gain. Proper use and care must be taken with all Agency property and it must be returned in good working order.

Disciplinary Action – Violations of this policy may result in disciplinary action, up to and including termination. In addition, anyone who steals from the Agency will be prosecuted to the fullest extent of the law.

1102 *Personal Belongings*

Policy Statement - The Agency discourages an employee from bringing valuable, unnecessary, or inappropriate personal property to work. Personal property that is brought onto Agency premises is the responsibility of the employee and should be safeguarded.

Liability - Community Action is not responsible for the personal belongings of employees. The Agency will not repair, replace, or reimburse an employee for any damage to, or loss of, an employee's personal property. This includes personal items in Agency or personal vehicles.

1103 Maintenance of Work Area

Policy Statement – Community Action is dedicated to providing a safe, clean, neat, and pleasant work environment for employees, customers, and visitors.

Work Areas – Work areas are to be maintained in a clean and orderly fashion. Coats, boots, and other personal items should be stored in designated closets.

American Flag – In accordance with New York State labor regulation, the Agency allows an employee to display an American flag in the employee's work area as long as it does not substantially or materially interfere with the employee's job duties.

Housekeeping - It is the responsibility of all employees to keep the entire premises clean at all times. Employees can do their part by putting items in their proper location after each use, disposing of garbage in the appropriate receptacles, and washing and putting away dishes. Office paper, cardboard, newspapers, and other items that can be recycled should be placed in the designated containers. There is no guarantee that office areas will be cleaned by janitorial staff.

1104 Parking

Designated Parking - Employee should not park in designated handicapped, customer, reserved, or visitor parking areas. When at work sites, employees must follow the parking guidelines established by the Agency.

Damage to Vehicles - Community Action is not responsible for the security of, or damage to, employees' vehicles or their contents while parked on the premises or while on Agency business. The employee's supervisor must be notified immediately of any accident, theft, or damage to a vehicle that occurs while on Agency premises, regardless of the severity.

1105 Use of All Tobacco Products

Policy Statement - Because Community Action is committed to providing a healthy, comfortable, and productive work environment for all employees. The use of all tobacco products is prohibited in all Agency buildings, Agency vehicles, and at Agency functions. The use of all tobacco products is allowed in designated smoking areas outside the buildings, during authorized meal and break periods only.

Disciplinary Action - Violations of this policy may result in disciplinary action, up to and including termination.

1106 Charitable Solicitation and Distribution

Policy Statement – An employee may distribute literature or solicit coworkers on Agency premises for charitable causes in the community, provided it does not interfere with the normal operations of the department, reduce employee efficiency, annoy coworkers, or pose a threat to the Agency's security. Both the employee doing the soliciting/distribution and the employee to whom the solicitation/distribution is being directed must be on an authorized meal or break period. An employee is prohibited from soliciting customers at any time.

Voluntary Participation – All charitable solicitations are completely voluntary; employees are not required to participate in any charitable solicitation or function asked of them by the Agency or a coworker. Employees should be respectful of coworkers who choose not to participate in a charitable solicitation.

Non-Employees - In an effort to ensure a productive and harmonious work environment, the Agency prohibits non-employees from soliciting, posting, distributing literature, or selling merchandise on Agency premises at any time for any purpose.

Agency Premises - For the purpose of this policy, Agency premises is defined as the office/building/parking lot/grounds/work sites.

1107 Workplace Searches

Policy Statement – To maintain security and protect against theft, Community Action reserves the right to inspect all Agency and personal property brought onto Agency premises and work sites at any time if there is reasonable suspicion by management. This includes, but is not limited to, Agency and personal vehicles, packages, briefcases, purses, wallets, desks, lockers, and file cabinets.

Removal of Property - Community Action reserves the right to remove an employee's personal belongings from the premises if the Agency deems the personal belongings are in violation of Agency policy.

Disciplinary Action – Any employee who refuses to allow management to inspect the employee's Agency or personal property may be subject to disciplinary action, up to and including termination. In addition, an employee who steals from the Agency will be subject to disciplinary action, up to and including termination, as well as prosecution to the fullest extent of the law.

1200 SAFETY

1201 Safety Program

Policy Statement - Community Action is committed to providing a safe and healthy workplace for all employees. The prevention of workplace injuries and illnesses requires the help and cooperation of all employees. The objective of Community Action's safety program is to reduce the number of workplace injuries and illnesses to zero. Accidents can be prevented through the use of reasonable precautions and the practice of safe working habits.

Safety Program - The Agency has developed a safety program to address the health and safety of employees. All employees have access to a copy of this program and are required to read and abide by the program.

Communication and Information - The Agency provides workplace safety and health information to employees on a regular basis via supervisor-employee meetings, during new employee orientation, posting throughout the facility, annual refresher training, on the spot corrections and reinforcement by supervisors, published in the Agency safety manual, memos, and other written communications.

Employee Suggestions - Some of the best safety improvement ideas come from employees. Employees with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisors. Reports and concerns about workplace safety issues may be made anonymously if an employee chooses. All reports can be made without fear of reprisal.

General Safety Rules –

1. Report all work injuries and illnesses immediately.
2. Report all unsafe acts or unsafe conditions to your supervisor.
3. Use seat belts when on Agency business in any vehicles.
4. Firearms, weapons, or explosives are not permitted on Agency property.
5. Use, possession, sale or being under the influence of illegal drugs, misuse of prescription drugs and/or alcohol is not permitted on Agency property or while “on duty”.
6. Only authorized and trained employees may repair or adjust machinery and equipment. Lock and tag out procedures must be followed before removing any machine guards or working on power machinery and equipment. Replace all guards when the job is complete.
7. Only qualified and trained employees may work on or near exposed energized electrical parts or electrical equipment. Follow electrical safety rules when working with electrically powered machinery and equipment.
8. Only authorized and trained employees may dispense of or use chemicals. It is the employee's responsibility to know where MSDS records are located and that they are available for the employee's use and review.
9. Keep work areas clean and aisles clear. Do not block emergency equipment or exits.
10. Wear and use the prescribed Personal Protective Safety Equipment. This includes foot protection, head protection, hearing protection, gloves, etc.
11. Smoking is permitted only in the designated “Smoking Areas”.
12. NO open flames (ex. candle) in an Agency facility.

Disciplinary Action - An employee who violates safety standards, who causes hazardous or dangerous situations, or who fails to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

1202 OSHA

Summary - The Federal Occupational Safety and Health Act (OSHA) is designed to provide a safe work environment and to eliminate unsafe conditions. Every employee must follow all OSHA directives.

1203 Hazard Communication Program

Summary - Community Action considers hazard communication and the prevention of workplace injuries and illnesses to be of prime importance. The Agency has implemented a written hazard communication program to address the safe use of chemicals in the workplace. All covered employees have access to a copy of the hazard communication program.

1204 Emergency / Disaster Plan

Summary – Community Action has developed an Emergency / Disaster Plan to address the safety of all employees in the event of an emergency. All employees have access to a copy of the Emergency / Disaster Plan and are required to read and abide by it.

1300 SECURITY

1301 *Building Security*

Safety Precautions - In order to ensure employee safety, prevent theft, and reduce accidents, an employee must receive prior authorization from the employee's supervisor to enter or remain in the building before or after normal business hours. The employee must exercise reasonable care for his or her protection. All exterior doors must be locked and no unauthorized persons should be allowed to enter the building.

Securing Premises - The last person to leave the building at the end of the workday is responsible for locking all exterior doors and windows.

1302 *Visitors*

Normal Business Hours - All visitors must enter through the main entrance and report to a Community Action staff member. Visitors must be accompanied by an employee at all times while on Agency premises.

Non-Business Hours - For safety and security reasons, all visitors, including vendors, customers and personal visitors, are prohibited in the building before or after normal business hours.

Personal Visitors - Personal visitors are allowed on Agency premises for brief visits during authorized meal and break periods as long as such visits do not interfere with the Agency's operations, program regulations or interrupt other employees who are still working.

1303 *Violence in the Workplace*

Policy Statement - Community Action considers the safety of its employees, vendors, suppliers, customers, visitors, and the general public to be of paramount importance. The Agency has zero tolerance for any employee or individual on Agency property who threatens, intimidates, or infers violence against any person or property associated with the Agency. The Agency considers any threat of violence or potential violence as legitimate, and takes immediate appropriate action, including the involvement of law enforcement.

Notification of Threatening Behavior - An employee who witnesses or becomes aware of any threats or acts of violence should inform the employee's supervisor immediately. Any suspicious individuals or activity must be reported to the employee's supervisor immediately.

Prohibited Conduct - Provoking a fight, fighting, and horseplay are prohibited at all times while on Agency property or at any location while representing the Agency.

Firearms and Weapons - Employees are prohibited from possessing firearms or weapons of any kind while on Agency's premises; in Agency, leased, rental or personal vehicles while conducting business for Community Action; or at work sites, customer locations, or any other location during working hours or while representing the Agency.

Disciplinary Action – Violations of this policy will result in immediate disciplinary action, up to and including termination and/or legal action.

1400 COMMUNICATION PROCEDURES

1401 *Complaint Resolution Procedure*

Policy Statement – Community Action believes that open communication between employees and management is essential to a productive and successful work environment. Supervisors are available to address employee concerns through on-going communication procedures. Honest and open communication is encouraged and expected.

Complaint Procedure - The following complaint procedure has been established to address employee questions and concerns. The employee may enlist the counsel of the Agency's Equal Employment Officer if the complaint is discriminatory in nature at any step in the procedure.

Step One - An employee who has a work-related question or concern is encouraged to bring it to the attention of the employee's immediate supervisor as soon as possible. For concerns that have not been resolved through informal procedures, an employee is encouraged to utilize this formal complaint resolution procedure. The employee should take their concern to their immediate supervisor, within 5 working days of the occurrence, using the Complaint Form. The supervisor will review the employee's concerns, conduct an investigation, if appropriate, and provide a written response within 10 working days. If the concern involves the employee's supervisor, the employee should proceed directly to Step Two.

Step Two - If the employee is not satisfied with the supervisor's response at Step One or if the employee's question or concern involves the supervisor, the employee may submit his or her question or concern/complaint using the Complaint Form to their Director within 5 working days. The Director will review the supervisor's decision (if any) from Step One, conduct an investigation, if appropriate, and provide a written response to the employee within 10 working days.

Step Three - If the issue is not mutually resolved at Step Two, the employee may make a final appeal by petitioning the Executive Director, within 5 working days, using the Complaint Form. The Executive Director may meet with all interested parties as appropriate, and review all documentation from steps one and two. The Executive Director will set a date for a meeting, which the complainant's legal representative may attend. The decision of the Executive Director is final and binding and will be issued, in writing, to the employee within 15 working days. The Executive Director will notify the Personnel Committee of the Board of Directors of any employee complaints, and the decision issued, which are not resolved before this step.

In addition to legal representation, the employee is entitled to have any person(s) considered necessary to support their complaint, attend the meeting. However, the Executive Director shall determine the relevancy of the testimony offered and may, if found irrelevant, excuse the witness(es).

Complaint Form – The complaint form had been designed to follow and document the entire complaint resolution procedure. Blank forms are available from the EEO Officer, Supervisors, Directors, or the Executive Director.

Confidentiality - During the complaint procedure, information concerning an employee will be kept confidential to the extent possible. Members of management who investigate a complaint will discuss it only with those individuals who have a need to know or who must supply necessary information.

Employee Complaint matters are discussed only at closed sessions of the Personnel Committee and/or the Board of Directors.

Final Decisions - Final decisions on employee complaints are not precedent-setting or binding on future complaints unless stated as official Agency policy.

Refusal to Proceed with Complaint - The Agency may, at its discretion, refuse to proceed with any complaint it determines is improper or baseless under this policy.

Disciplinary Action - The Agency's complaint procedure does not alter the employment-at-will relationship in any way nor does it limit the Agency's right to proceed with any disciplinary action that is not in retaliation for the use of this procedure.

Retaliation - An employee shall not suffer any retaliation for bringing his or her concerns to management's attention.

1402 Bulletin Board

Summary – All Agency locations have a bulletin board to communicate Agency information and announcements. Employees should check the bulletin board on a regular basis.

Prohibited Activities - An employee is prohibited from defacing or removing any items posted on the Agency bulletin board.

Bulletin Board Postings - All Agency and personal material to be posted on the Agency bulletin board must be approved in advance by a Director.

1403 Communications Systems

This policy defines the boundaries of acceptable use of Community Action computing and communication resources, including computers, networks, electronic mail services, electronic information sources, telephones, voice mail systems, pagers, cellular telephones, fax machines, incoming/outgoing mail, and other communication resources.

All Agency communications systems and equipment are the sole property of Community Action of Orleans & Genesee. This includes the messages created, transmitted, and stored on all systems and equipment. They are to be used for the advancement of the Agency's mission. Computing and communication resources are provided for the use of staff, volunteers and other properly authorized users. When a user's affiliation with Community Action ends, Community Action will terminate access to computing and communications resources. Community Action may, at its discretion, permit the user to have the access to accounts and e-mail forwarded or redirected for a limited period of time.

Requirements and Prohibited Uses

Requirements for the Use of Community Action Computing and Communications Resources

1. Employees must comply with all applicable local, state, and federal laws and regulations, and with Community Action policies.
2. Employees must be truthful and accurate in personal and computer identification.
3. Employees must respect the rights and privacy of others, including intellectual property and personal property rights.
4. Employees must not compromise the integrity of electronic networks, must avoid restricted areas, and must refrain from activities that may damage the network, or transmitted or stored data.
5. Employees must maintain the security of accounts and are advised to protect and regularly change their account passwords. Individuals responsible for system administration are required to regularly change passwords to protect information and maintain security.

Prohibited Uses of Community Action Computing and Communications Resources

1. Unlawful communications, including slander, defamation, threats of violence, obscenity, child pornography, and harassing communications, are prohibited.
2. Verbal or written remarks that are discriminatory, offensive, demeaning, intimidating, or insulting are prohibited.
3. Writing, transferring, or storing obscene or sexually suggestive messages or graphical images is prohibited.
4. Use of Community Action computer resources for private business or commercial activities, fund-raising or advertising on behalf of non-Community Action organizations is prohibited.
5. Unauthorized transmitting of confidential or proprietary information or trade secrets is prohibited.
6. The unauthorized reselling of Community Action computer resources is prohibited.
7. Unauthorized use of Agency trademarks or logos and other protected trademarks and logos is prohibited.
8. Misrepresenting or forging the identity of the sender or the source of an electronic communication is prohibited.
9. Unauthorized acquisition, attempts to acquire, and use of passwords of others are prohibited.
10. Use of entertainment software, websites or devices, such as games and puzzles is prohibited.
11. Unauthorized use and attempts to use the computer accounts of others are prohibited.
12. Altering the content of a message originating from another person or computer with intent to deceive is prohibited.

13. Unauthorized modification of or deletion of another person or program's files, account(s), or documents is prohibited.
14. Use of Community Action computer resources or electronic information without authorization or beyond one's level of authorization is prohibited.
15. Interception or attempted interception of communications by parties not authorized or intended to receive them is prohibited.
16. Making Community Action computing resources available to individuals not affiliated with Community Action without approval of a Supervisor or Director is prohibited.
17. Intentionally or recklessly compromising the privacy or security of electronic information is prohibited.
18. Infringing upon the copyright, trademark, patent, or other intellectual property rights of others in computer programs or electronic information (including plagiarism and unauthorized use or reproduction) is prohibited. The unauthorized storing, copying or use of audio files, images, graphics, computer software, data sets, bibliographic records and other protected property is prohibited except as permitted by law.
19. Interference with or disruption of the computer or network accounts, services, or equipment of others is prohibited. The intentional propagation of computer "worms" and "viruses," the sending of electronic chain mail, denial of service attacks, and inappropriate "broadcasting" of messages to large numbers of individuals or hosts are prohibited.
20. Failure to comply with requests from appropriate Community Action officials to discontinue activities that threaten the operation or integrity of computers, systems or networks, or otherwise violate this policy is prohibited.
21. Revealing passwords or otherwise permitting the use by others (by intent or negligence) of personal accounts for computer and network access without authorization is prohibited.
22. Altering or attempting to alter files or systems without authorization is prohibited.
23. Unauthorized scanning of networks for security vulnerabilities is prohibited.
24. Attempting to alter any Community Action computing or networking components (including, but not limited to, bridges, routers, switches and hubs) without approval is prohibited.
25. Wiring, including attempts to create network connections, or any extension or retransmission of any computer or network services unless approved by a Director is prohibited.
26. Negligent or intentional conduct leading to disruption of electronic networks or information systems is prohibited.
27. Negligent or intentional conduct leading to the damage of Community Action electronic information, computing/networking equipment, and resources is prohibited.

Computer, Internet and Network Use

Internet Use

When using Internet, any user shall follow these guidelines:

- a. Agency provided Internet access generally shall be used for business purposes only. Employees may use Agency Internet access for personal purposes as authorized by their Supervisor.
- b. Employees understand and agree that they shall not have a right to privacy when using Internet on Agency provided equipment.
- c. Employees understand and agree that the Agency may severely limit access, including the use of controls that prevent access to sites deemed inappropriate by the Agency. The Agency has the right to monitor and control internet usage at its sole discretion.

Prohibited Practices

When using Internet, employees must follow these guidelines:

- a. Employees should not download software or images unless they are from a trusted source, and then only if authorized by a Director. Opening of unknown or suspicious programs or images can have serious consequences for the Agency in terms of viruses or computer worms. Employees should contact their Supervisor before they download any files from the internet.
- b. Employees should not provide their email address when registering at a web site unless the web site has a clear policy that they will protect email privacy.
- c. Employees may not use internet for gambling, hate, pornography, or other inappropriate or offensive purposes.

Minors

Community Action will only allow customers below age six to access the Internet under direct supervision on a computer that has filtering software. Access by minors of any age to inappropriate matter on the Internet and World Wide Web is prohibited. Community Action policies prohibit unauthorized access including "hacking" and other unlawful activities by customers of any age. Any minors actively seeking inappropriate material on the Internet or acting in an unlawful way will lose all access to the Internet at Community Action locations.

Community Action will require that all minors provide identification information prior to using a computer at one of the Agency sites. This information will be kept in a secure location and will not be available to anyone other than employees of Community Action. Any access to e-mail, chat rooms and other forms of direct electronic communications will be supervised by Agency staff and only allowable for minors age six and older. Community Action will take any steps deemed necessary to protect minors from harmful materials, up to and including restricting access to software, the Internet or other forms of communication.

Compliance

Community Action will monitor and report violations of all acceptable use policies. The Agency has the right to monitor internet usage at its sole discretion. Employees should report inappropriate internet usage to their Supervisor immediately. Employees that violate this policy will be disciplined and may be disciplined up to and including termination of employment.

Electronic Mail and Electronic Communications

Employees shall use email in accordance with general communications policies of the Agency. Agency provided email generally shall be used for business communications only. Employees may use Agency email for personal communication as authorized by their Supervisor.

Employees understand and agree that they shall not have a right to privacy when using Agency email or Agency assets for electronic communications, including accessing personal email accounts, even if those communications are of a personal nature.

Prohibited Practices

- a. Employees should not open emails or email attachments from persons unknown to them. Opening of unknown or suspicious attachments can have serious consequences for the Agency in terms of viruses or computer worms. Employees should contact a Supervisor if there is even a slight concern about an email attachment.
- b. Employees should not respond to spam emails or unsolicited advertisements. Responding will multiply the amount of spam received.
- c. Employees may not use email to solicit employees for any purpose, including charitable purposes, without the approval of their Supervisor.
- d. Employees may not forward or promote spam or joke emails, and particularly may not send spam or joke emails to group email addresses.
- e. Employees may not use email for purposes of gambling, hate, pornography, or other inappropriate or offensive purposes.

Compliance

Community Action management may monitor and report violations of all acceptable use policies. The Agency has the right to monitor email usage and individual emails at its sole discretion. Employees should report inappropriate emails or policy violations to a Supervisor immediately. Employees that violate this policy may be disciplined up to and including termination of employment.

Restriction on Use of Community Action Web Pages and Network Resources

Community Action web pages may be used only for Community Action business and only authorized individuals may modify or post materials to these pages. No other pages may suggest that they are Agency web pages. If confusion is possible, pages should contain a disclaimer and links to Community Action sites.

Responsibilities of Individuals Posting Materials

By posting materials and using Community Action computing facilities, the user represents that he or she has created the materials or that he or she has the right to post or use the materials. The storage, posting, or transmission of materials must not violate the rights of any third person in the materials, including copyright, trademark, patent, trade secrets, and any rights of publicity or privacy of any person. The materials posted must not be defamatory, libelous, slanderous, or obscene.

Prohibition against Commercial Use

The site may not be used for unauthorized commercial purposes.

Agency Control of Community Action Web Pages and Network Resources

The use of the site is at the sole discretion of Community Action. Community Action does not guarantee that the user will have continued or uninterrupted access to the site. The site may be removed or discontinued at any time at the discretion of Community Action in accordance with Community Action policy, or as needed to maintain the continued operation or integrity of Community Action facilities.

Community Action makes reasonable efforts to protect the integrity of the network and related services, but Community Action cannot guarantee backup, disaster recovery, or user access to information posted on personal computers or Web pages.

Prohibition against Activities Placing Strain on Facilities

Activities that may strain the e-mail or network facilities more than can be reasonably expected are in violation of this policy. These activities include, but are not limited to: sending chain letters; "spam," or the widespread dissemination of unsolicited e-mail; and "letter bombs" to resend the same e-mail repeatedly to one or more recipients.

Privacy and Security

Responsibility for Data Security

Software and physical limitations, computer viruses, and third party intrusions can compromise security of data storage and communications. Community Action takes reasonable precautions to minimize risk. The Agency is not obligated to maintain backups of any file for any particular length of time. Employees must protect and back up critical data. Individual employees and departments should develop policies and practices to ensure regular backups of data and implement steps to ensure that all critical data is compatible with all current generations of computing equipment, storage media, and media readers.

Right to Monitor Communication Systems and Equipment

There is no guarantee of privacy on or with Agency-owned communications systems and equipment. Management reserves the right to enter, search, and monitor employee communications equipment and files, with or without advance notice, in the normal course of business.

Telephone

Employees must limit the use of Agency telephones for both incoming and outgoing personal calls. If an employee's personal calls become excessive and/or interfere with the employee's productivity, the privilege of using Agency telephones for personal use will be revoked. Employees who need to make a personal phone call must do so during their break periods.

Long distance, personal calls may not be charged to the Agency's telephone number, except in emergencies. The Agency must be notified and reimbursed for all long distance, personal calls billed to its account.

Cellular Phones/Electronic Devices

Agency provided cellular phones generally shall be for business purposes only. Employees must limit the use of Agency cellular phones for both incoming and outgoing personal calls. If an employee's personal calls become excessive and/or interfere with the employee's productivity, the privilege of using Agency cellular phones for personal use will be revoked. Employees who need to make a personal phone call must do so during their break periods. Employees driving while placing and/or receiving a cellular phone call must pull off the road to take the call or use a hands-free device.

The Agency must be notified and reimbursed for all personal calls or texts made on Agency cellular phones. Employees may be required to keep a log of all calls or texts made and/or received at the discretion of your Supervisor.

Employees who drive a bus should first try to use the bus radio to communicate with Agency personnel before using the cellular phone.

Employees should not make or receive personal calls or text messages on personal cellular phones or devices during working hours, except in emergencies. Employees may use personal cellular phones or other devices during break periods.

Legal Responsibilities

Computing and communication resources may only be used for legal purposes. Examples of illegal use include, but are not limited to, the following:

- a. Attempting to alter or damage computer equipment, software configurations, or files belonging to Community Action, other users, or external networks
- b. Attempting unauthorized entry to Community Action's network or external networks
- c. Intentional propagation of computer viruses, trojans, etc.
- d. Violation of copyright or communications laws
- e. Violation of software license agreements
- f. Transmission of speech not protected by the First Amendment, such as libel and obscenity

Reporting Violations

Any actual or suspected violation of the rules listed above should be brought to a Director. Upon receiving notice of a violation, Community Action may suspend a user's privileges and/or take disciplinary action up to and including termination of employment.

Limitation of Liability

Community Action of Orleans & Genesee assumes no liability for any loss or damage to users' data or devices, nor for any personal damage or injury incurred as a result of using Community Action's computing resources. This includes damage or injury sustained from invasions of the user's privacy.

1404 Social Media

Social Media –For the purpose of this employee handbook, the term “social media” refers to any Internet-based media that facilitate activities such as professional or social networking, posting comments or opinions, and sharing photos, audio, video, or other content. Examples include, but are not limited to: Facebook, Twitter, YouTube, LinkedIn, Google+, Instagram, MySpace, personal websites, blogs, chat rooms, comment sections of websites, etc.

Using Social Media At Work - An employee must receive prior authorization to develop, post to, or maintain a corporate blog or use social networking sites to conduct Community Action business. An employee who has received such authorization may post or blog during working hours for business purposes only. Engaging in social networking at work for personal use is strictly prohibited.

Using Social Media During Non-Working Hours - Community Action respects an employee’s right to self-expression, especially when using social media during non-working time. However, because customers, coworkers, and the public may have access to employees’ posts and videos, employees are expected to use good judgment and to use social media in a responsible manner that does not violate Community Action’s policies. An employee should not make false statements about the Agency, coworkers, customers, vendors, or competitors.

Guidelines

- All Community Action policies, including its sexual/anti-harassment, equal employment opportunity (EEO), anti-bullying, ethics, and confidentiality policies, apply to the use of social media.
- Post only appropriate and respectful content.
- An employee is prohibited from disclosing any trade secrets, products, processes, proprietary information, strategic business plans, or any other private or confidential information about the Agency or customers via social media. Respect copyright, trademark, fair use and financial disclosure laws.
- Do not post any information or engage in any online activity that violates applicable local, state or federal laws, or professional rules of conduct.
- If an employee indicates on any social media that he or she is a Community Action employee, he or she must clearly state that the views expressed are solely the personal views of the employee and that they do not represent those of the Agency, fellow coworkers, customers, suppliers or people working or volunteering on behalf of Community Action. This applies to posts, blogs, and videos occurring on any computer during both working and non-working time.
- Do not use Community Action email addresses to register on social networks, blogs or other online tools utilized for personal use. In addition, the Agency’s logo and trademark should not be added to an employee’s personal blog or profile.

Retaliation - The Agency will not retaliate against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Policy Violations - Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated. Employees are solely responsible for what they post online. Keep in mind that any conduct that violates Agency policies or that adversely affects job performance, the performance of coworkers or otherwise adversely affects customers, suppliers, people who work on behalf of Community Action or the legitimate business interests of Community Action may result in disciplinary action up to and including termination.

1405 *Adverse Situations and Correspondence*

Written Communication - An employee who receives a memo, fax, letter, telegram, e-mail, legal notice, summons, or other form of written communication of a negative nature should immediately forward the document to the employee's supervisor.

Verbal Communication - An employee should treat all customer complaints seriously and professionally. In the event the customer's complaint cannot be resolved to the customer's satisfaction, the employee should immediately notify the employee's supervisor and inform the customer about the Agency Customer Concern Form.

1406 *Employee Suggestions*

Policy Statement - Community Action values the suggestions and ideas of employees. Giving and receiving feedback is encouraged in order to promote a positive, productive, and cooperative atmosphere. An employee is strongly encouraged to inform the employee's supervisor of any suggestions that may be valuable to the Agency's productivity and success. An employee may also submit suggestions anonymously via the Agency's web site, under staff resources. All suggestions are carefully reviewed. Suggestions will be implemented when deemed appropriate.

1407 *Public and Media Relations*

Public Relations - The courteous, professional treatment of our customers and the public is critical to Community Action's continued success. Employees should make every effort to represent the Agency in a polite and professional manner at all times.

Media Relations - All requests for information from the media (e.g., television, radio, and newspaper) regarding any aspect of Community Action must be referred to a Director. All press releases, publications, articles, and any other documents for release to the media must be approved in advance by a Director.



EMPLOYEE HANDBOOK ACKNOWLEDGMENT

The Employee Handbook describes important information about Community Action, and I understand that I should consult my supervisor or Director regarding any questions not answered in the manual.

I hereby acknowledge that I have received a copy of the Employee Handbook and understand that it contains important information about Community Action's general personnel policies and about my privileges and obligations as an employee. I acknowledge that I am expected to read, understand, and adhere to Agency policies and to familiarize myself with the material in the Handbook, and that Community Action reserves the right to change, rescind, delete, or add to any policies, benefits, and practices described in the Handbook from time to time, at its sole and absolute discretion. I further understand that this handbook or revised information may supersede, modify, or eliminate existing policies, benefits, and practices previously issued by the Agency.

I understand that the employee benefits, personnel policies, and rules in this handbook will remain in effect until changes become necessary. Employees will be notified of any changes made to the employee handbook, policies or procedures at least two (2) weeks prior to the change going into effect.

Employment at Community Action is *employment-at-will*. Accordingly, this handbook is not intended to be a contract of employment, a warranty of benefits, or a limitation on Community Action's ability to terminate employees.

EMPLOYEE SIGNATURE:	DATE:
EMPLOYEE NAME: (TYPED OR PRINTED)	