

Responsibility

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Employee Handbook
for
YMCA Central and Northern
Westchester

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IMPORTANT NOTE

This Personnel Policy and Employee Handbook ("Handbook") is established for the purpose of defining and coordinating the employment standards of the Association. It is designed to assist in consistent and objective personnel administration in a manner that is equitable to employees and in accordance with the objectives of YMCA of Central & Northern Westchester also referred to as the "Association." All employees of the YMCA of Central & Northern Westchester are covered by this policy. This Personnel Policy and Employee Handbook is **not** intended to be and should not be viewed as an employment contract. The YMCA of Central & Northern Westchester recognizes New York State Labor Laws based on employment at-will.

This Handbook is the property of YMCA. No part of this Handbook may be reproduced or transmitted in any form, electronic or mechanical including photocopying, recording or otherwise, for any business or commercial venture without the express written permission of the YMCA. The information contained in this Handbook is strictly limited to use by YMCA and its employees. Making an unauthorized disclosure may expose employee to discipline.

All employment with the YMCA of Central & Northern Westchester is at-will. When you accept employment with YMCA of Central & Northern Westchester you do so voluntarily and you are free to resign at any time. Similarly, while YMCA of Central & Northern Westchester hopes that its relationship with each and every employee will be mutually rewarding, YMCA is free to terminate your employment at any time, without prior notice, with or without cause. This at-will relationship will remain in effect throughout your employment with the YMCA of Central & Northern Westchester and cannot be modified by any oral or implied agreement. Employment at-will can only be changed by an express, written agreement signed by both you and the President/CEO of the YMCA of Central & Northern Westchester.

Administration - The Board of Governors of YMCA of Central & Northern Westchester employs a President/CEO to whom it delegates responsibility for the overall administration and interpretation of this adopted policy. The direct administration of the Policy and the supervision of staff are the responsibility of the President/CEO. However, this responsibility may also be delegated to designated representatives, where appropriate.

Interpretation - All matters pertaining to the interpretation of this Policy referred to the President/CEO, or the designated representative, shall be final.

Review - This Policy will be reviewed periodically and may be changed at any time upon approval of the Board of Governors of the YMCA of Central & Northern Westchester. This does not preempt or replace applicable laws.

No Personnel Policy and Employee Handbook can anticipate all circumstances or questions about policy. As the YMCA of Central & Northern Westchester continues to grow, the need may arise to change policies described in this Handbook. The Association, therefore, reserves the right to revise, supplement or rescind any policies or portion of this handbook as it deems appropriate in its sole and absolute discretion. Employees will be notified of such changes as they occur.

Originally adopted by the Board of Governors on October 22, 2003 and amended and revised. This Personnel Policy and Employee Handbook does supersede and replace all previously existing YMCA of Central & Northern Westchester policies, practices, or interpretations verbally stated or printed in existing manuals or handbooks.

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Section 1 – Welcome and Introduction

Section 1 - Welcome

Welcome to the YMCA of Central & Northern Westchester! You have joined a membership-oriented human services organization serving the Westchester and Putnam County areas of New York State.

The YMCA of Central & Northern Westchester is committed to ensuring a culturally diverse workplace by understanding and appreciating differences among our employees, and by building sensitivity to and awareness of the importance of valuing and managing diversity. The YMCA of Central & Northern Westchester is characterized by principles and practices that recognize the diversity among all employees.

All of this is accomplished under the leadership of volunteer Boards of Governors and Directors. This Personnel Policy and Employee Handbook is set forth with approval of the Board of Governors to be administered and interpreted by the President/CEO and delegated staff representatives. Except for potential issues involving your immediate supervisor, all questions regarding policy should be directed to your immediate supervisor and up through the established reporting chain. All employees are advised to familiarize themselves with the facilities, programs, and activities of the Association and to remain informed with regard to the policies of YMCA of Central & Northern Westchester.

OUR MISSION

The YMCA of Central and Northern Westchester is committed to youth development, healthy living and social responsibility throughout our area. YMCA is a charitable, not for profit organization that welcomes all people regardless of age, race, religion or economic status and strives to enrich each and every life through a unique, dynamic combination of programs that strengthens spirit, mind and body.

OUR VISION

We aspire to be the premier community resource for all ages through meaningful partnerships and relevant and accessible services.

CHARACTER DEVELOPMENT CORE VALUES

The YMCA of Central & Northern Westchester Character Development Program is a great way to put the mission of the YMCA into action. The YMCA of Central & Northern Westchester Character Development core values gives our Association a focus for planning, budgeting, programming, fundraising, board development, communications and evaluation; and gives our Association a starting point and benchmark for all board discussions, decisions, and policies.

The YMCA of Central & Northern Westchester core values are:

- Caring
- Honesty
- Respect
- Responsibility
- Inclusion

In recognition of the purpose of the Association to serve the needs of society and the individuals within it, employees shall possess a cooperative spirit and hold the good will of their associates, the clientele they serve, and the public. They should exhibit the desire and capacity to learn, to grow and to improve their own skills.

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Section 2 - YMCA Standards of Conduct

Section 2 – YMCA Standards

The YMCA of Central & Northern Westchester endeavors to select personnel who meet the necessary standards of educational and occupational qualifications; who can effectively advance the objectives of the YMCA of Central & Northern Westchester; who have the capacity for personal and professional growth; and who can become a viable part of the organization.

All employment practices shall be consistent with applicable laws and other such acts and regulations which control the employment relationship. Those who have not yet reached their 18th birthday or have not completed high school must have the appropriate working papers where applicable issued by the school district in which they reside.

OFFICIAL EMPLOYER

All persons after being duly processed through Human Resources are employees of the YMCA of Central & Northern Westchester and covered by the provisions of this policy and subject to all policies established by the Board of Governors. Employment with the YMCA of Central & Northern Westchester is at-will and is not for any specific term and may be terminated at any time for any reason by either the employee or the YMCA of Central & Northern Westchester.

This Handbook is not intended to address every situation that might arise but is intended to highlight YMCA's expectations regarding your conduct in general. Nothing in this Code or Policy modifies in any way our at-will employment policy. Nothing contained in this policy, or any other part of the handbook shall be interpreted or applied, and nothing herein is in any way intended, to interfere with your rights to engage in protected activity under federal or state law.

Ethical Standards

The YMCA is committed to the highest standards of conduct among all employees. We depend upon each employee to consistently demonstrate personal and professional integrity and dedication at all times. Your adherence to the YMCA's core values of Honesty, Caring, Respect, and Responsibility help us fulfill the mission of the YMCA. To help maintain a positive work environment for you and your co-workers, we rely on you to behave according to the provisions set forth in this handbook and in other company policies and directives. Failure to comply with company guidelines may result in disciplinary action, up to and including termination of employment.

YMCA strives to provide services to the community in a fair and open manner within the spirit and mission of the YMCA, with the highest regard for members, the community, and employees. Therefore, YMCA expects that all employees will maintain and uphold the following common ethical standards:

- Show empathy and patience in all relationships;
- Be genuine and consistent in your actions and words;
- Protect confidential information;
- Treat fellow employees with respect and dignity;
- Observe all laws, regulations, ordinances, and rules applicable to the operation of the YMCA;
- Maintain honest and fair relationships with all members;
- Treat others with dignity and compassion;
- Ensure quality and value in the services we provide and the relationships with members and constituents; and
- Avoid any situation that may create any conflict between your personal interests and the mission of the YMCA, except to the extent the law permits otherwise.

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EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of the YMCA of Central & Northern Westchester to comply with all federal and/or state laws, regarding Equal Employment Opportunity, as they relate to all employees and applicants for employment. Accordingly, the YMCA of Central & Northern Westchester is committed to:

- Ensuring that all employment for all job classifications is made without regard to race, creed, color, religion, national origin, age, sex, disability, marital or parental status, familial status, sexual preference, military or veteran status, domestic violence victim status, genetic information, pregnancy-related condition, reproductive health decisions, gender identity or expression, or any other characteristic protected by federal, state or local law.
- Applying the policy of equal employment opportunity to all terms and conditions of employment including but not limited to recruiting, hiring, training, promotion, transfers, compensation, benefits, and other personnel policies.
- Establishing a monitoring system to allow for the review of these objectives.
- Analyzing personnel actions periodically to ensure equal employment opportunities do exist.
- Through training and development, ensuring equal access to job opportunities.

DISABILITY AND ACCOMMODATION

In accordance with state and federal law, YMCA strives to make reasonable accommodations if you have a disability that affects your ability to work.

If you have a disability that affects your ability to work and you need an accommodation, you are strongly encouraged to discuss your circumstances with Human Resources or the President. We will treat such information as confidential, except to the extent that other employees need to know about your condition to evaluate your request for an accommodation or to accommodate your disability.

EMPLOYMENT NOTICES

Federal and state laws require YMCA to post legal notices informing you about some of your rights. Every employee is responsible for reading the notices that are posted conspicuously in our various work sites and locations, including on-line at our payroll provider and intranet. Please notify Human Resources if any accommodation is required to receive the information in these notices.

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NON-HARASSMENT POLICY

Purpose and Goals

YMCA of Central and Northern Westchester (“YMCA”) is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but YMCA recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual’s race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual’s intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of YMCA’s commitment to a discrimination-free work environment.

Goals of this Policy:

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with YMCA. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

Sexual Harassment and Discrimination Prevention Policy

1. YMCA’s policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with YMCA. For the remainder of this policy, we will use the term “covered individual” to refer to these individuals who are not direct employees of the company.
2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a

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Section 2 – YMCA Standards

colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.

3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of YMCA who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform Manager or Director (such as a Section Director, Program Director, Childcare Director, Branch Director, or Executive Director), or Human Resources. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject YMCA to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. YMCA will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. YMCA will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, YMCA will act as required. In addition to any required discipline, YMCA will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.
6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.
7. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of, to President & CEO, Executive Director, or a member of Human Resources.
8. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the

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workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of YMCA's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

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There are two main types of sexual harassment:

- Behaviors that contribute to a hostile work environment include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called quid pro quo harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. This list is just a sample of behaviors and should not be considered exhaustive. Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
 - This can include sexual advances/pressure placed on an employee by customers or clients.
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking

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a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.

- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic.
 - This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one’s home during a virtual meeting.
- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
 - Sabotaging an individual’s work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual’s preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women’s attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy.

Harassers can be anyone in the workplace. A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual’s gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual’s immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone’s behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

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Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama”;
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to any of the following: a Manager or Director (such as a Section Director, Program Director, Childcare Director, Branch Director, or Executive Director), or Human Resources. Anyone who witnesses or becomes aware of potential

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instances of sexual harassment should report such behavior to the President & CEO, Executive Director, or Human Resources.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

Supervisors, including Directors and managers, have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to President & CEO, Executive Director, or Human Resources. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok;

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5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. YMCA will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

YMCA recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the President & CEO, Human Resources, or a designated Director:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, President & CEO, Executive Director, or designee will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. The President & CEO, Executive Director, or designee will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;
4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - a. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - b. A list of names of those interviewed, along with a detailed summary of their statements;
 - c. A timeline of events;
 - d. A summary of any prior relevant incidents disclosed in the investigation,

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- reported or unreported; and
 - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Will keep the written documentation and associated documents in a secure and confidential location;
 6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
 7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by YMCA, but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

New York State Division of Human Rights:

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time within three years of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to YMCA does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney’s fees, and civil fines.

DHR’s main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

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Section 2 – YMCA Standards

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR’s regional offices across New York State.

Call the DHR sexual harassment hotline at 1(800) HARASS3 for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission:

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e et seq. An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

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Conclusion

The policy outlined above is aimed at providing employees at YMCA and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

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OPEN DOOR POLICY

Our open-door policy encourages employees to participate in decisions affecting them and their daily professional responsibilities. We encourage you to make your concerns, questions, suggestions, and comments known to us. Whether you have a question about any of our policies or programs, or a concern about a decision affecting your job, you can make yourself heard so that your question or concern may be addressed—and appropriate steps can be taken toward a resolution.

COMPLAINT RESOLUTION

For purposes of this policy, a complaint is a conflict over an alleged violation of an approved personnel policy procedure or practice, or applicable local, state, or federal law. Unless the complaint involves a report of harassment, employees shall follow the complaint resolution procedure outlined below in seeking a resolution. All complaints and requests to meet with each level of management must be made in writing within seven (7) days of the alleged violation. Complaints not made in writing within the seven (7) day period shall not be considered.

STEP 1. Immediate Supervisor

Except for any report of harassment or discrimination involving employee's immediate supervisor, any complaint resolution procedure must begin with the employee's immediate supervisor. Conflicts between staff members or complaints from employees should be amicably resolved between the individuals or between employee and supervisor through discussion. Sincere effort to resolve issues at this level is expected and desired. If not successfully resolved, the complaint may be appealed through the reporting chain.

STEP 2. Executive Director

If the parties involved fail to reach a mutually agreeable resolution, the next higher level of management, which should be the Executive Director, should be asked to mediate and facilitate an agreement.

STEP 3. President/Chief Executive Officer

Matters not settled after exhausting the above prescribed procedures may be brought before the President/CEO. When this step is necessary, a conference shall be requested with the President/CEO who will be the final authority in the dispute.

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Section 3 – Your Employment at the YMCA

YOUR STARTING STATUS

Your compensation at YMCA includes your salary and the various benefits, as applicable, that are outlined later in this handbook. Your position and compensation is determined by your skills, experience, other job-related factors, as well as the YMCA budget and strategic plan. Your manager or Human Resources will discuss your job responsibilities with you when you are hired and periodically in conjunction with your review and performance appraisals.

INTRODUCTORY PERIOD

As part of your general orientation, you will complete new hire paperwork and receive information about the employee benefits available to you. This orientation may include an explanation of the employee handbook, a tour of the facility, and other aspects related to general office policies and procedures. You should direct any questions about your job, including job responsibilities, to your manager or Human Resources.

During your initial employment with the YMCA, you will have an opportunity to learn more about the company and the job. This initial period also gives management the opportunity to evaluate your ability to perform the job you have been assigned. Usually, this period will take approximately 90 days. At all times during your employment, you, or the YMCA, can terminate your employment with the company with or without cause, and with or without notice.

ELIGIBILITY FOR EMPLOYMENT

In accordance with the Immigration and Naturalization Service's requirements, we will ask you to verify your employment eligibility. As such, you are required to provide us with documents that establish your identity and eligibility for U.S. employment. All employees will be required to provide these documents within three days of their date of hire by completing federal Form I-9 and providing acceptable forms of identification.

BACKGROUND INVESTIGATION FOR EMPLOYMENT PURPOSES

YMCA's policy is to conduct thorough background investigations on all new employees. YMCA reserves the right to conduct background investigations on all current employees at any time. YMCA will ensure that all background checks are held in compliance with all federal and state statutes, such as the Fair Credit Reporting Act. Before any background checks will be processed, YMCA will obtain a signed disclosure and release from each employee. YMCA will also provide each employee with a copy of the Summary of the Rights of the consumer pursuant to Fair Credit Reporting Act (FCRA) and Article 23-A of the New York Corrections Law.

The type of information that can be collected includes, but is not limited to the following types of information: names and dates of previous employers, reason for termination of employment, work experience, any information relating to character, general reputation, personal characteristics, mode of living, educational background, or any other information which may reflect upon potential for employment gathered from any individual, organization, entity, agency, or other source which may have knowledge concerning any such items of information. Such reports may also contain public record information concerning driving records, workers' compensation claims, credit, bankruptcy proceedings, criminal records, etc., from federal, state and other agencies which maintain such records.

DRIVING RECORD

Employees that operate company vehicles as a requirement of their job may be subject to a review of driving record to determine if they possess a valid and current driver license and an acceptable driving record. Employees authorized to operate YMCA vehicles must report any change in license or driving status immediately to the Executive Director.

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MANDATORY TRAINING

Employees will be notified if mandatory training is required in the areas of YMCA Orientation, Safety Training and Child Abuse for continued employment. Non-exempt employees shall be paid at their regular daily rate for mandatory training. Exempt employees do not receive additional pay or compensatory time off for attendance at training or conferences. Failure to meet the mandatory training requirements will result in suspension without pay for a period of time, and if the mandatory training is not completed within the designated time limit so indicated, employment will be terminated.

EMPLOYMENT HISTORY AND REFERENCES

As part of your application process, you are responsible for providing an accurate and complete history of your former employers and work experience. If you have misrepresented any information you provided during the selection process, your employment may be terminated.

PERSONNEL FILES

We maintain a personnel file for each employee. All employees' personnel records are confidential. YMCA will release specific information contained in our files, as necessary, pursuant to a court or agency order, or to respond to a governmental inquiry or claim.

PERSONNEL INFORMATION AND RECORDS

To keep necessary company records up to date, it is extremely important that you notify Human Resources of any changes in:

- Name and/or marital status
- Address and/or telephone number
- # of eligible dependents
- W-4 deductions
- Person to contact in case of emergency
- Beneficiary designation forms

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EMPLOYEE CLASSIFICATION

The YMCA of Central & Northern Westchester uses the following classifications as a basis for its payroll system and for the purpose of administering employee benefits.

Employment Status

For purpose of determining eligibility for benefits, you are assigned an employment status as defined below:

- **Regular Full-Time** – Employees who are regularly scheduled to work at least 37.5 hours or more per week are generally eligible for all benefits subject to the terms and conditions of each benefit plan.
 - Universal Pre-K Teachers (UPK) who are regularly scheduled to work 37.5 hours per week in childcare programs that run in conjunction with the school year (September through June) are eligible for health benefits and are granted some paid time off benefits on a prorated basis.
- **Part-Time** – Employees who regularly work less than 37.5 hours per week are eligible for only statutory or mandatory benefits.
- **Seasonal Employees** - Employees who are hired for a short-term period (e.g. Summer Camp Staff) regardless of the number of hours worked per week are eligible for only statutory or mandatory benefits required under the law.
- **Government Funded Project/Programs**- Employees who are contracted through an outside agency such as a government program for a specified period of time will generally receive all benefits, except as expressly prohibited by the contract.

Exempt and Non-Exempt Status

For purposes of complying with federal and state laws, your position is classified as exempt or non-exempt based on factors such as the job duties, responsibilities, and compensation.

Non Exempt Employees

Non Exempt Employees are entitled to overtime pay for hours worked in excess of 40 hours each workweek. Non-exempt employees are typically paid by the hour for each hour worked. Paid time off hours whether paid such as Holiday or Vacation or unpaid do not count as hours worked in the calculation of overtime hours

Exempt Employees

Exempt Employees are not entitled to overtime pay when working longer hours in a workweek. Exempt employees are generally paid a salary to compensate the employee fully for all hours worked each week and would not receive additional pay for extra hours worked. Exempt positions include executives and officers, professional program directors, persons assigned to administrative functions, and certain other supervisory staff. The Association uses as a guideline the YMCA of the USA's system of recognition and classification for professional employees. Copies of the system are available from the YMCA of the USA.

It is the policy of the YMCA that an Exempt employee's pay will not be "docked," or subject to deductions in violation of pay rules issued by the United States Department of Labor and any corresponding rules issued by the state government, as applicable; however, YMCA may make deductions from employee's salary in a way that is permitted under federal and state wage and hour rules. Employees will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by the law.

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WORK SCHEDULE

For full-time employees, the Association has a thirty-seven and one half (37.5) hour workweek but recognizes that some exceptions must be made for specific jobs. The workweek should normally be scheduled within a five-day period.

Universal Pre-K (UPK) Teachers work a full-time schedule from September through June and generally adhere to the School District Calendar. UPK Teachers may report for professional development when school is not in session.

Employees scheduled for less than 37.5 hours per week may be required to work additional hours whenever necessary. Immediate supervisors are responsible for the preparation and supervision of the working schedule for all employees of their department. Applicable laws and the needs of the YMCA of Central & Northern Westchester shall govern all such schedules.

A regularly scheduled 37.5 hour week must be maintained in order to maintain full-time status and eligibility for benefits. Paid time off and benefits will be based on scheduled hours and periodically reviewed and/or adjusted, based on average hours worked each week.

For Exempt Employees, the nature of the work of an exempt employee is such that a regular schedule and specified number of hours worked each week is difficult to maintain. Exempt employees should consult with their direct supervisor regarding an acceptable work schedule.

Non-exempt Employees should not be regularly expected to work overtime and must request approval if they anticipate working over 40 hours in a workweek. Non-exempt employees who work overtime without advance approval from a manager may be subject to discipline.

Rest Breaks

New York State Law requires employers to provide an unpaid 30-minute meal period for employees who work more than a 6-hour shift (starting before 11 am and ending after 2 pm.) Any employee, who begins work before 11 am and continues their shift later than 7 pm, is entitled to an additional unpaid meal period of 30 minutes between the hours of 5 pm – 7 pm.

Tardiness

Whenever an employee is unable to report to work, it is the employee's responsibility to immediately notify their direct supervisor as soon as possible to arrange adequate coverage of the area of responsibility with their supervisor.

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PAYROLL POLICIES

Payroll and time records of all employees will be maintained to meet reporting requirements of applicable federal and state regulations and insurance underwriters. Both the employee and the supervisor are held accountable for the accuracy of time records, which are to reflect the exact dates and hours actually worked, including for non-exempt employees the start time and finish time. The on-line Time Records are to be approved by both the employee and the supervisor so that employees can be paid accurately. Any falsification of time records is strictly prohibited and may result in corrective counseling, up to and including termination of employment.

Pay Periods

Employees are paid bi-weekly with a pay date of every other Friday. For non-exempt employees, pay periods consist of time worked for the prior two weeks starting on a Sunday and ending on the following Saturday. For payroll purposes and eligibility for overtime, the workweek begins on Sunday at 12:00 am and ends on Saturday at 11:59 pm. Paid time off is not counted as hours worked for the purpose of calculating overtime.

Payroll deductions

YMCA is required by law to deduct Social Security, Medicare federal, state, and local taxes. If you want to change your federal and/or state withholding, you should submit a new W-4 form to Human Resources.

Other deductions may include, but are not limited, to authorized insurance premiums and contributions to retirement plans. Any other deductions, which are authorized by the employee and are for the employee's benefit, will appear on the employee's pay stub.

If YMCA receives any legal orders to withhold a portion of an employee's salary, the employee will be notified and the deduction will appear on the pay stub. As required by law, YMCA will deduct court-ordered garnishments for personal debts (such as child support) and make deductions for federal, state, and city tax liens without the employee's prior authorization.

Exempt employees will receive their full salary for any week in which services are performed except as specified under the provisions of state and federal wage hour laws. For detailed information on the rules regarding salaried pay for exempt employees refer to the Employee Status section in this handbook.

Improper Deductions

Except as defined above and in accordance with YMCA's policies, no other deductions will be withheld from an employee's pay. Employees who believe their pay has been improperly reduced should contact Human Resources immediately to request an investigation. The employee will be asked to specify in writing the circumstances of the pay deduction and whether it has occurred on other occasions.

Human Resources will review pay records to determine if in fact an improper deduction has been made. If the deduction was, in fact improper, YMCA will reimburse the employee as promptly as possible (but in no case longer than two pay periods from the identification of the problem).

Lost or Stolen Paychecks

You should report a lost or stolen paycheck to Human Resources immediately. YMCA will issue a new paycheck after payment is stopped on the original check.

Direct Deposit

Direct Deposit is a safe and convenient method of receiving your compensation. You can specify up to three different accounts to receive the net proceeds of your pay. Your net pay—that is, wages less mandatory and employee-authorized deductions—is

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Section 3 –Your Employment

deposited to your bank account so that funds are available for withdrawal on the scheduled payday.

YMCA Annual Support and Voluntary Contributions

All employees are encouraged to support the interests of the YMCA of Central & Northern Westchester, such as the Annual Support and Capital Campaigns.

Inclement Weather Pay Policy

Inclement weather pay policies are established on an Association-wide basis. It is the responsibility of supervisors to communicate the policies and the Executive Director to ensure compliance.

Employees are expected to make every reasonable effort to report to work. If an employee decides they are unable to report to work, they are responsible for calling to inform their supervisor.

Employees are expected to determine whether operations are suspended, or programs are delayed/cancelled before they leave for work. Every effort will be made, to notify part-time employees of program cancellations. However, it is the employee's responsibility to call their supervisor before leaving for work.

When the program or office is closed **before** the workday begins:

- Exempt employees scheduled to work will be paid.
- Non-exempt employees will not be paid.

When the program or office is closed **during** the workday:

- Exempt employees will be dismissed and paid for the day.
- Non-exempt Full-time employees, who are on-site and prepared to fulfill their duties when the decision to close is made, will be paid for the time normally worked on that day. All other part-time employees will not necessarily be paid for the missed work hours if their weekly pay is at least minimum hourly wage.

When the program remains open, but an employee decides he/she cannot get to work, and/or the work site, due to inclement weather conditions:

- Eligible employees may take a discretionary day, or vacation day if earned, or take the day without pay.
- Part-time employees will not be paid.

SALARY AND WAGE ADMINISTRATION GUIDELINES

The YMCA of Central & Northern Westchester maintains a Salary and Wage Administration Plan to provide that all employees are paid according to fair and uniform principles in relation to the responsibility and value, which they make to the Association's success. The Association endorses, as a guideline, but is not bound to, the YMCA of the USA's Salary and Wage Administration Program. It is the Association's position to offer a well-balanced compensation package.

There is a written administration process for implementing the compensation program. The elements of that program are:

- Salary adjustments, other than Seasonal, are based on merit using the established recommended YUSA salary range for the position as a guideline.
- A work-performance review shall be conducted at least annually.
- The Personnel/Compensation Committee shall review and recommend a salary policy line annually.

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EXPENSE REIMBURSEMENT POLICY

Expenses incurred while on authorized YMCA of Central & Northern Westchester business shall be reimbursed through the Accounts Payable function by submission of an approved expense report with documentation and receipts attached.

Travel expenses, including fares, mileage, meals, and lodging, are reimbursable expenses when approved in advance.

Conference, seminar, convention, and training event expenses, including those related to travel, meals, lodging, and registration fees are reimbursable as authorized and approved. Expenses for authorized out of town trips, including air coach fare if available, living expenses and gratuities will be reimbursed within limits provided by administrative directives. When employees are traveling to the same destination, automobile transportation should be pooled. Approved allowances for conferences, seminars, workshops, and professional development certification schools are established annually.

Use of the employee’s personally owned vehicle related to official YMCA of Central & Northern Westchester business will be reimbursed at the prescribed rate upon submission of an approved mileage report. Vehicle expense for travel to and from work is not reimbursable. Those employees using personal vehicles on YMCA business are required to provide to the Association a copy of their personal auto policy insurance cover page evidencing minimum limits of:

- \$300,000 bodily injury and property damage liability, or a minimum of
- \$500,000 combined single limit.

Membership dues and meals in a service club, professional society or community organization where such membership is deemed advantageous to YMCA of Central & Northern Westchester interest will be reimbursed upon submission and approval of invoice, receipt or documentation of expense.

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Section 4 - The YMCA Way

ATTENDANCE AND PUNCTUALITY

Our ability to meet the needs of our members depends on our employees' consistent efforts to report to work on time and follow their assigned schedule. Your regular attendance and punctuality are important to ensuring work commitments are met. We expect excellent attendance from every employee.

Unplanned absences and tardiness reduce productivity and create extra work for coworkers. An "Unplanned Absence" is any change to an employee's work schedule that was not already approved in advance by a manager that causes the employee to miss part of his regular workday. Examples of "Unplanned Absences" include late arrivals, tardiness, extended lunch or break periods, early departures, or any shifting of starting and ending time.

Tardiness is arrival at work after the normal starting time that is assigned to the employee or taking an extended lunch period and returning later than expected.

A sick day is a type of an unplanned absence related to a non-work-related illness or injury of an employee or an illness of an employee's immediate family member that would not qualify as a qualified sick leave under federal, state or local law. Qualified sick leave absences under NY State Paid Sick Leave Law are defined later and are considered excused absences.

If you are unable to report to work or will be late, you must notify your manager as soon as possible according to the protocol established by your manager. When your manager is unavailable, you must leave a message at the office with another designated person. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for corrective action. Your communication ensures that arrangements can be made to rearrange schedules to cover absences.

If you are absent and do not notify your manager for three consecutive scheduled workdays, YMCA will consider this a voluntary termination.

NON-SOLICITATION AND NON-DISTRIBUTION POLICY

We want all employees to feel comfortable on YMCA premises. To avoid work disruptions and possible discord between employees, YMCA has adopted the following policy on distribution and/or solicitation. The YMCA of Central & Northern Westchester has a long-standing policy regarding solicitation on YMCA of Central & Northern Westchester premises. The sole exception to this policy is in-house fund raising efforts.

- No solicitation of any kind in work areas on YMCA of Central & Northern Westchester premises.
- No distribution of literature or printed matter on YMCA of Central & Northern Westchester premises during working hours.
- No distribution of literature or printed matter in work areas at any time.
- No solicitation or collection of contributions or distribution of written or printed matter at any time by non-employees on YMCA of Central & Northern Westchester premises.

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PROMOTING A HEALTHY AND SAFE ENVIRONMENT

YMCA strives to ensure a safe, healthy and productive working environment for our employees, members and visitors.

Substance Abuse and Alcohol Use

The YMCA of Central & Northern Westchester is committed to a drug-free workplace. The Association prohibits the use, consumption, sale, purchase, transfer, or possession of any illegal or recreational drug by an employee during working hours, while representing the Association, or while on the premises of any YMCA of Central & Northern Westchester facility. The Association retains the right to test for any suspected drug use.

Employees with identified substance abuse problems will be required to seek treatment and rehabilitation at their expense. Employees suspected of possessing, selling or distributing illegal drugs will be reported to the proper law-enforcement authorities.

If you are taking any prescribed medication that prevents you from performing your job or creates a safety risk, you must report this to your supervisor. Any prescribed medication must be properly secured in employee's possession at all times.

Possession, use, or distribution of alcoholic beverages is strictly prohibited. Employees are not permitted to report to work under the influence of alcohol or any recreational drug that impairs their ability to perform their job. Alcoholic beverages are permitted only when provided by the Association at business or social functions approved by YMCA.

All employees must notify Human Resources of any criminal drug or alcohol violation occurring in the workplace.

Smoke Free Workplace

As a prominent advocate for health, the YMCA of Central & Northern Westchester prohibits smoking on all YMCA premises, including its offices, hallways, outside entry area, meeting rooms and other public indoor facilities. Smoking restriction applies to any tobacco product, vaping and e-cigarettes.

Workplace Threats and Violence

We seek to take precautions to protect our employees from a threat or a violent act. YMCA prohibits threats, threatening language, or any other acts of aggression or violence made toward or by any YMCA employee. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, attempts at intimidating, instilling fear in others, menacing gestures, flashing of weapons, stalking, or any other hostile, or aggressive, injurious, or destructive actions undertaken for the purpose of domination or intimidation. YMCA also prohibits damage to company property. YMCA prohibits the possession or use of any weapon or any component of a weapon on YMCA property.

Report all potentially dangerous situations immediately to a Director or President. In cases of imminent danger, you should contact 911 or local law enforcement first. YMCA prohibits employees from retaliating or intimidating an employee who reports a perceived threat in good faith.

Hazardous Issues

If you believe that a safety, health, or environmental hazard exists, that there has been a release of hazardous substance, or that safety, health or environmental guidelines are not being followed, you must immediately report the situation to your supervisor. YMCA is required to record and report work-related accidents. If you are involved in a work-related accident, you must immediately report the accident or incident to your supervisor.

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Inclement Weather Policy

The inclement weather procedures will be determined at the program level. The Executive Director should make every effort to keep the office/facility open, contingent upon the safety of employees and members.

The Executive Director, or their designee, will consult with the President & CEO to determine how the Program will respond to an inclement weather emergency.

Employees are responsible for contacting their supervisor(s) before coming to work, if in doubt about facility conditions. Supervisors may establish alternative work assignments or opportunities for staff to replace lost time or hours due to the closure of a work site. PLEASE NOTE: Policies regarding pay during inclement weather are referenced under Payroll Policies.

Airborne Infectious Disease

The YMCA has adopted a specific plan to protect employees against exposure and disease during an airborne infectious disease outbreak. This plan goes into effect when an airborne infectious disease is designated by the New York State Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to the public health. This plan is subject to any additional or greater requirements arising from a declaration of a state of emergency due to an airborne infectious disease, as well as any applicable federal standards.

Please refer to the Airborne Infectious Disease Exposure Prevention Plan ("Safety Plan") for specific safety protocols we would adopt.

DRESS AND GROOMING CODE

YMCA strives to maintain a comfortable workplace environment where employees can perform their job safely and effectively without distractions. In representing the YMCA, employees are expected to wear appropriate attire and maintain proper hygiene to uphold the image of the YMCA to all visitors, members, and the community.

The YMCA of Central & Northern Westchester requires that its employees dress appropriately for the most professional and safe execution of their job assignments. Realizing that different job classifications and assignments require different and appropriate attire, a separate Dress Code Policy may be followed by each Program. Specific positions will be required to wear YMCA of Central & Northern Westchester nametag during working hours. Employees should adhere to the dress code as defined by the Executive Director.

During working hours while representing the Association, jewelry must be of a professional and business-like nature. Jewelry including, but not limited to, earrings, watches and rings will be permitted as long as the items:

- Do not hang loose
- Do not restrict the movement of the employee
- Do not pose any type of safety or injury threat to the employee or others.

Tattoos of objectionable content must be covered at all times.

Any employee that does not meet the attire and/or grooming standards may be subject to corrective counseling and may be required to leave work to remedy the situation.

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ELECTRONIC COMMUNICATION POLICY

The electronic communication tools used in our workplace allow us to access valuable information rapidly, to communicate with our colleagues and members efficiently and to share resources with our employees.

Throughout this policy, the term “electronic communication mediums” refers to any form of electronic communication used by employees at YMCA including, but not limited to the following:

- Computer and computer network
- Voice Mail
- Instant Messaging
- Smartphones/PDAs
- Documents
- Internet and Intranet
- Electronic Mail (E-mail)
- Fax machines
- Software Applications
- Data

By using YMCA Electronic Communication mediums, you agree to comply with the guidelines described in this policy. In accordance with the NY State Electronic Monitoring Law, please note that any and all telephone conversations or transmissions, electronic mail or transmissions, or internet access or usage by an employee by any electronic device or system may be subject to monitoring “at any and all times and by any lawful means. The electronic devices or systems that may be subject to monitoring include, but are not limited to, “computer, telephone, wire, radio or electromagnetic, photoelectronic or photo-optical systems.” Every YMCA employee is responsible for using the electronic communication mediums properly and in accordance with this policy. Any questions about this policy should be addressed to Human Resources.

YMCA provides computers and these communication mediums to assist employees in the performance of their assigned job responsibilities. These tools should be used primarily for business reasons. Use of these electronic communication mediums by employees for personal reasons must be limited. Personal use of these electronic communication mediums must not interfere with an employee’s normal job duties, must not adversely impact an employee’s productivity, or violate any provision described in this policy.

The computers and the electronic communication mediums are the property of the YMCA. All communications and information transmitted by, received from, or stored in the electronic communication system are company records and the property of YMCA.

You should not have an expectation of privacy in anything you create, store, send, or receive using YMCA electronic communication tools. YMCA in its discretion as owner of the electronic communication system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the electronic communication system, for any reason without the permission of any employee and without notice.

You are responsible for proper use of your assigned network and/or e-mail account. YMCA assumes no liability for any non-company data or communications transmitted or stored on the company’s electronic resources.

Confidentiality

Even if you use a password to access the electronic communication system, the confidentiality of any message stored in, created, received, or sent from YMCA electronic communication system still cannot be assured. Use of passwords or other security measures does not in any way diminish YMCA’s rights to access materials on its network, or create any privacy rights of employees in the messages and files on the network. In the employee’s absence, an employee’s password may be reset as instructed by President to allow messages to be accessed by the YMCA.

Even though the management of YMCA reserves the right to retrieve and read any

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messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve, read, or listen to any messages that are not sent to them.

Storage

You should be aware that the deletion of any messages or files might not truly eliminate the messages from the network. All voice mail messages, e-mails, and files are stored on a central back-up network in the normal course of data management.

Prohibited activities

YMCA's policies against sexual or other harassment apply fully to the electronic communication systems, and any violation of those policies is grounds for discipline up to and including termination. Therefore, no messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability, marital status, citizenship, or any other classification protected by law.

The YMCA of Central & Northern Westchester licenses software for business purposes and does not own the copyright to this software or related documentation. Unless authorized by the software developer, the YMCA of Central & Northern Westchester does not have the right to reproduce such software for use on more than one computer. The YMCA of Central & Northern Westchester prohibits the illegal duplication of software and related documentation.

Permission to install, download or use of any software on YMCA of Central & Northern Westchester owned equipment must be requested in writing and approved by the President/CEO in writing prior to installation, downloading, or use. All new software must be scanned for viruses. Downloading or installing unlicensed software, unauthorized, inappropriate, offensive, or illegal material or installing viruses is prohibited.

The following materials or activities are prohibited from the company's electronic communications mediums:

- Transmission of messages about an individual's sex, race, color, age, marital status, sexual preference, religion, disability or any other characteristic protected by law.
- Solicitations of political, religious or other personal causes or personal business ventures (i.e. rental of your apartment).
- Transmission of trade secrets or other confidential information, unless encrypted and approved by President.
- Transmission of material that is false, misleading, racist, derogatory, profane, vulgar, or sexually explicit, or any other material that would be offensive or harassing to the average person.
- Engaging in any criminal activity.
- Disguising your identity or the origin of any transmission.

Internet use

Access to the Internet has been provided to employees for the benefit of YMCA and its members. The Internet is a valuable source of information and research. Every employee is responsible for maintaining and enhancing the YMCA's public image, and to use the Internet in a productive manner. To ensure that all employees are responsible, productive Internet users and are protecting the company's public image, the following standards must be followed when using the YMCA network to access the Internet.

Disclaimer of liability for use of Internet

YMCA is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually

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explicit, and inappropriate material. Even innocuous search requests may lead to sites with highly offensive content.

Acceptable uses of the Internet

Use of the Internet via YMCA's computer system constitutes consent by employees to all of the terms and conditions of this policy. The Internet should be used primarily for business reasons. Employees accessing the Internet are representing the company. All communication via YMCA account and network should be for professional reasons. Employees are responsible for using the Internet in an effective, ethical and lawful manner.

Unacceptable use of the Internet

The YMCA Internet should not be used for personal gain or advancement of individual views. Solicitation of non-company business, or any use of the Internet for personal gain is strictly prohibited. Use of the Internet must not disrupt the operation of the YMCA network or the networks of other users. Internet use must not interfere with an employee's productivity or the completion of their job duties.

Unacceptable use of the Internet includes the following activities:

- Downloading sexually explicit or other offensive materials from the Internet.
- Viewing or posting messages on the Web that contains sexually explicit or racist material.
- Viewing streaming video or streaming audio.

Duty not to waste computer resources

You must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, or otherwise creating unnecessary network traffic. Because audio, video and picture files consume storage space and interfere with the speed of the company's Internet connection, you are prohibited from downloading these types of files unless they are work-related.

Blocking of inappropriate content

YMCA may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by company networks. In the event you nonetheless encounter inappropriate or sexually explicit material while browsing on the Internet, immediately disconnect from the site, regardless of whether the site was subject to company blocking software.

Virus detection

Files obtained from sources outside YMCA, including those brought from home; files downloaded from the Internet, newsgroups, bulletin boards, or other online services; files attached to e-mail; and files provided by members or vendors may contain dangerous computer viruses that may damage the company's computer network. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or access files from non-company sources, without first scanning the material with company-approved virus checking software. If you suspect that a virus has been introduced into the company's network, notify the Information Technology Help Desk immediately.

Communications

Each employee is responsible for the content of all text, audio or images that they place or send over the Internet while at work. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on the Internet should have your name attached. Transmission of messages under an assumed name is prohibited. Users may not attempt to obscure the origin of any message. Information published on the Internet

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should not violate or infringe upon the rights of others. Abusive, profane or offensive language transmission through the system is prohibited.

Copyright issues

Employees may not illegally copy materials protected under copyright law or make that material available to others for copying. Employees are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material that can be downloaded or copied. Employees may not agree to a license or download any materials for which a registration fee is charged without first obtaining the express written permission of the President.

Copyrighted materials belonging to entities other than YMCA may not be transmitted by employees on the Internet. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner. Failure to observe copyright or license agreements may result in disciplinary action from the company or legal action by the copyright owner.

Security

All messages created, sent or retrieved over the Internet are the property of YMCA, and should be considered public information. The company reserves the right to access and monitor all messages and files on the computer network as deemed necessary and appropriate. Internet messages are public communication and are not private. All communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

Violations

Employees should report abuses or misuse of the electronic communication mediums to Human Resources. Employees who violate this policy will be subject to disciplinary action up to, and including, termination of employment.

Use of Cell Phones/Smart Phones

YMCA realizes that employees use cell phones and smart phones to stay connected and effectively manage their personal and professional lives. At the same time, the use and abuse of these phones can create a number of issues involving safety, security and productivity. The term Smart Phone used throughout this policy refers to any cell phone, smart phone or portable communication device.

For productivity purposes, employees should confine personal use of Smart Phones to non-working hours, such as lunch breaks or other rest period breaks. Employees should be courteous of their colleagues and keep ring tones on vibrate or low while at work. In the case of employees who have childcare responsibilities, employees are prohibited from using their personal Smart Phone during working hours, unless authorized by their supervisor.

Smart phones issued by YMCA or authorized by YMCA for work use

YMCA may issue Smart Phones to employees in specific key positions. The Smart Phone should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes as permitted the right to monitor personal communications as necessary.

Some employees may be authorized to use their own smart phones for business purposes. These employees should work with the IT department to configure their phone for business use. Communications sent via a personal smart phone also may be subject to monitoring if sent through the YMCA's network. The Smart Phone must be provided for inspection and review upon request.

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While using YMCA authorized devices, all conversations, text messages and e-mails must be professional.

When an employee who uses a personal Smart Phone for business resigns or terminates, the employee may be required to submit the phone to the designated IT Representative for resetting on or before his or her last day of work. At that time, the IT Representative will reset and remove all information from the device, including but not limited to, company information and personal data (such as contacts, e-mails and photographs).

Employees may not use their Smart Phone for business unless they agree to submit the device to the IT department on or before their last day of work for resetting and removal of Company information. This is the only way currently possible to ensure that all Company information is removed from the device at the time of termination. The removal of Company information is crucial to ensure compliance with the Company's confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal Smart Phone or a YMCA-issued device, the Company's Electronic Communications Policies, including but not limited to, proper use of communications and computer systems, remain in effect.

Smart Phone Use While Driving

Employees who drive on YMCA business must abide by all state or local laws prohibiting or limiting cell phone use while driving. Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, the employee must use a hands-free option and advise the caller that he/she is unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs. Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their Smart Phone while driving will be solely responsible for all liabilities that result from such actions. Employees may not text or e-mail while driving under any circumstances.

Finally, non-exempt employees must not use smart phones for work outside of regularly scheduled hours unless they have been pre-approved to do so by their manager.

SOCIAL MEDIA

YMCA recognizes that internet-provided social media can be highly effective tools for sharing ideas and exchanging information with family, friends and colleagues everywhere. At the same time, the use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established the guidelines for use of social media.

Guidelines

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with YMCA, as well as any other form of electronic communication. The same principles and guidelines found in YMCA policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Consider that any colleague, client or co-worker may view

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anything that you post. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, constituents, suppliers, people who work on behalf of YMCA or YMCA's legitimate business interests may result in disciplinary action up to and including termination.

Know and follow the rules

Carefully read these guidelines, the YMCA Code of Conduct and the Non-Discrimination and Non-Harassment Policy, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Always be fair and courteous to fellow employees, constituents, members, suppliers or people who work on behalf of YMCA. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage constituents, members, associates or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

Be honest and accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about YMCA, fellow employees, members, constituents, suppliers, and people working on behalf of YMCA.

Post only appropriate content

Maintain the confidentiality of YMCA trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications. Do not create a link from your blog, website or other social networking site to a YMCA website without identifying yourself as a YMCA associate. Express only your personal opinions. Never represent yourself as a spokesperson for YMCA. If YMCA is the subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of YMCA fellow employees, members, suppliers or people working on behalf of YMCA. If you do publish a blog or post online related to the work you do or subjects associated with YMCA make it clear that you are not speaking on behalf of YMCA. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of YMCA."

Using social media at work

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager or consistent with the Policy on Electronic Communications and use of company property. Do not use a YMCA email address to register on social networks, blogs or other online tools utilized for personal use.

Retaliation is prohibited

YMCA prohibits taking negative action against any employee for reporting a possible

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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.

Employees cannot use blogs or social networking sites to harass, threaten, discriminate or disparage against employees or anyone associated with or doing business with YMCA.

Nothing in this Social Media policy is intended to prohibit employees from communicating in good faith about the terms and conditions of their employment. YMCA also does not discriminate against employees who use these forms of media for personal interests and affiliations or other lawful purposes.

Reporting Violations

YMCA requests and strongly urges employees to report any violations, or possible or perceived violations to the President or Human Resources.

If you see unfavorable opinions, negative comments or criticism about yourself or YMCA, do not try to have the post removed or send a written reply that will escalate the situation. Please forward this information to Human Resources.

Discipline for Violations

YMCA investigates and responds to all reports of violations of the social media policy and other related policies. Violation of the company's social media policy will result in disciplinary action up to and including immediate termination. YMCA reserves the right to take legal action where necessary against employees who engage in prohibited or unlawful conduct.

If you have any questions relating to this policy, your personal blog or social networking, please contact Human Resources.

PERSONAL EXPRESSION

Employees are free to exercise their full liberties as citizens; including the right to express their personal convictions on issues, such as social, economic, religious, and political subjects. However, they must refrain from giving the impression that their views expressed, and positions taken, are those of either the Association or their co-workers.

YMCA MATERIAL AND PROPERTY

All YMCA supplies, equipment and other material issued to an employee is intended for business use and is to be used in accordance with their job responsibilities and in an appropriate and responsible manner. YMCA of Central & Northern Westchester property and materials are normally issued to personnel responsible for a specific program unit and for the duration of that person's job assignment. All YMCA of Central & Northern Westchester property must be relinquished to the supervisor in charge upon request, or in the event of termination of employment.

Unauthorized use of keys, or other YMCA property, may result in disciplinary action up to and including termination.

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CONFLICTS OF INTEREST

All employees must avoid activities or relationships that may conflict with YMCA's mission or interests or may adversely affect YMCA's reputation. Employees may not engage in any conduct that would create an actual or potential conflict of interest or create the appearance of a conflict of interest.

A conflict of interest occurs when an employee's personal interest interferes with, or may appear to interfere, with the interests and mission of the YMCA. These personal interests, relationships or actions may influence the employee's judgment causing employee to make decisions that are not in the best interest of the YMCA.

The types of activities and relationships employees must avoid include, but are not limited to:

- accepting or soliciting a gift, favor, merchandise, or service that is intended to, or might appear to, influence the employee's decision-making or professional conduct;
- accepting, agreeing to accept, or soliciting money or other tangible or intangible benefit in exchange for the employee's favorable decisions or actions in the performance of his or her job;
- accepting employment or compensation or engaging in any business or professional activity that might require disclosure of YMCA confidential information such as member lists, financial information;
- Using position at YMCA to influence YMCA to conduct business with friends or family members

No employee shall solicit, accept or give any gift, gratuity, favor, entertainment, reward, or any other item of monetary value that might influence or appear to influence the judgment or conduct of the employee in the performance of his or her job. Employees can accept or give gifts or entertainment only in cases where the gifts or entertainment are of nominal value, are customary in the industry, will not violate any laws, and will not influence or appear to influence the employee's judgment or performance of job duties.

Employees must disclose actual or potential conflicts to President as soon as they become aware of them. Failure to make required disclosures or resolve conflicts of interest satisfactorily can result in corrective action, up to and including termination of employment.

OUTSIDE EMPLOYMENT

The Association discourages outside employment that interferes with the employee's performance of his or her job responsibilities. All full-time employees of the Association are prohibited from outside employment in any conflicting profession or competing interest. Employees are permitted to provide consultant services to other YMCA of Central & Northern Westchester kindred organizations with goals and objectives similar to YMCA of Central & Northern Westchester, subject to the approval of the President/CEO or designate. If the employee is providing said service, as part of their job responsibilities then the YMCA of Central & Northern Westchester shall receive any consulting fees paid to the employee. If the employee consults during their time off, then the employee may retain any remuneration.

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EMPLOYMENT OF RELATIVES/PERSONAL RELATIONSHIPS

To maintain morale and minimize conflicts of interest in the department and team, YMCA will not allow relatives to be employed in the same department. Employees cannot supervise or be supervised by a relative and must notify Human Resources if the situation occurs or may occur following a transfer or personal life event.

Under this policy, the term "Relative" includes but is not limited to a parent, legal guardian, spouse or domestic partner, child or grandchild (including natural, step or adopted), sibling, grandparent, or in-laws.

This policy may apply to a personal relationship or a significant other in a dating relationship. Should a conflict of interest arise out of a dating or personal relationship, an employee may be transferred or terminated to resolve a conflict of interest.

Relatives of Board Members are not to be employed in the same operating unit.

Exempt from this policy are seasonal positions of less than ninety (90) days duration. However, in all cases, employees are not to be supervised by a relative. Any exceptions to the above conditions would require approval of the President/CEO or designee.

CORRECTIVE COUNSELING

Corrective counseling is a progressive disciplinary approach designed to help the employee improve his performance and change his behavior. When an employee's performance does not meet expectations or if an employee's behavior violates any company policy, the employee may be counseled. Counseling may include a verbal warning, a written warning, performance improvement plan, or a suspension. However, while YMCA strives to utilize a progressive discipline approach, YMCA reserves the right in its sole discretion to terminate an employee at any time for any reason.

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UNACCEPTABLE CONDUCT

To assure orderly operations and provide the best possible work environment, the YMCA of Central & Northern Westchester expects employees to follow rules of conduct that will protect the interests and safety of all employees and the Association.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of rules of conduct that may result in corrective counseling, including suspension or termination of employment.

- Frequent unplanned absences that are not otherwise covered under leave policy.
- Violation of Childcare protection policies.
- Theft or inappropriate removal of YMCA of Central & Northern Westchester property.
- Using YMCA equipment, supplies or other resources for personal gain or personal interests, unless authorized by law or YMCA.
- Falsification of records, such as timecards, applications, and expense reports, etc.
- Harassment of any kind.
- Working, being on YMCA premises, or operating YMCA equipment or vehicles while under the influence of alcohol, legal or illegal drugs that impair their ability.
- Interfering with the job duties or performance of other employees or vendors.
- Disclosing confidential information about members or employees without authorization.
- Fighting or threatening violence, boisterous or disruptive activity in the workplace.
- Using vulgar language, threatening or bullying anyone.
- Without authorization, gathering on YMCA premises after work or inviting unauthorized individuals to YMCA premises unless specifically authorized under the law.
- Soliciting gratuities from members or constituents or accepting unreasonable gratuities that may compromise objectivity or job duties.
- Refusal to perform reasonable job duties or other tasks assigned by your manager/supervisor.
- Refusal to follow your manager's instructions or directions or engaging in insubordinate conduct.
- Negligence or improper conduct leading to damage of YMCA of Central & Northern Westchester property.
- Violation of health and safety rules.
- Possession of dangerous or unauthorized materials, such as firearms, explosives, etc.
- Possession, use, or distribution of controlled substance, illegal drugs or alcohol within the workplace.

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Section 5 – Time Off

Section 5 – Time Off

YMCA depends on each employee to regularly report to work on time and be prepared to fulfill their job duties. YMCA encourages employees to schedule time off in advance and strive to minimize unplanned absences. Unexcused absences may be subject to counseling.

PAID TIME OFF

YMCA recognizes an employee's need to balance time at work with the need to take care of personal matters and to rest and relax. We have developed comprehensive time off plans for eligible employees to use after completing applicable period of continuous service.

HOLIDAYS

Upon hire, all active Full-time employees are eligible for ten paid holidays per year as observed by the Association, which are:

| | |
|-------------------------------|-----------------------------|
| • New Year's Day | • Independence Day (July 4) |
| • Martin Luther King Jr Day | • Labor Day |
| • Presidents' Day | • Veteran's Day |
| • Memorial Day | • Thanksgiving Day |
| • Juneteenth Independence Day | • Christmas Day |

PERSONAL DAYS

To provide employees with paid time off for personal reasons, all active full-time employees are eligible for one personal day each calendar quarter, or four paid personal days per year. Employees may request to use personal days after completing ninety (90) days of continuous full-time employment. Request to use a personal day must be submitted at least two weeks in advance of planned absence. Requests with less than 2 weeks' notice may not be paid.

Universal Pre-K (UPK) Teachers are granted three (3) paid Personal Days during the school year that runs from September through June.

If a full-time non-exempt employee is required to work on a holiday listed above, a floating holiday, or additional personal day, will be arranged through mutual agreement with the employee and their supervisor.

VACATIONS

All active Full-Time Employees are eligible to accrue vacation days each biweekly pay period based on employee's full-time exempt status and length of service.

| STATUS | NON EXEMPT | | | EXEMPT | | |
|-------------------|------------------------------|-----------------------------|----------------------------|-----------------------------|-----------------------------|----------------------------|
| | Length of Service (in years) | Biweekly accrual (in hours) | Projected annual (in days) | Projected Annual (in weeks) | Biweekly accrual (in hours) | Projected annual (in days) |
| Less than 3 | 2.88 | 10 | 2 weeks | 3.08 | 10 | 2 weeks |
| Between 3 and 9 | 2.88 | 10 | 2 weeks | 4.62 | 15 | 3 weeks |
| Between 10 and 14 | 4.33 | 15 | 3 weeks | 6.15 | 20 | 4 weeks |
| 15 + | 5.77 | 20 | 4 weeks | 7.69 | 25 | 5 weeks |

Note: Paid vacation is not provided to Part-time employees or Universal Pre-K Teachers whose schedule follows the school district calendar. Paid time off for vacations is included in the school calendar for Universal Pre-K Teachers.

Scheduling

Vacations are to be scheduled with, and approved by, the employee's supervisor during those periods that best suit the needs of YMCA of Central & Northern Westchester.

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Section 5 – Time Off

Vacations should be requested at least two months in advance of the planned time off.

At the time vacation is scheduled, employees must have accrued sufficient hours to cover the amount of vacation time requested. Requests for early or advanced vacation pay, which would otherwise be distributed during the period of vacation, will not normally be granted. No pay in lieu of taking vacation will be granted, unless authorized by the President.

Vacations should be taken in full day increments.

Employees are encouraged to use their vacation time in full each calendar year. Up to a maximum of one week of unused vacation time may be carried over into the next year. Any accrued hours over one week will be forfeited.

When a company holiday falls during a scheduled vacation week, a vacation day will not be forfeited. If an employee becomes ill during a scheduled vacation, the vacation days cannot be converted to sick days.

No more than one week of vacation time can be scheduled for the period from December 15 to January 31 without the prior approval of the President/CEO.

SICK TIME

To assist employees when they need to address a health or safety issue, YMCA provides employees with paid time off hours as follows based on status or work schedule under the Sick Time policy described below.

FULL-TIME EMPLOYEES

Full-Time employees accrue one full paid sick day (to a maximum of ten) for each month of continuous employment during the first year. After one year of continuous employment, an employee shall be allotted 10 sick days at the beginning the year.

UPK TEACHERS

Universal Pre-K (UPK) Teachers are granted five (5) paid Sick Days during the school year between September 1 and June 30.

PART-TIME EMPLOYEES

Part-time employees working will accrue Sick Time at the rate of one hour of Sick Time for every 30 hours worked up to a maximum of 40 hours earned per year. Part-time employees may carryover up to 40 hours of earned Sick Time into the following year. Earned sick time may be used up to the accrued amount.

In accordance with the NY State Paid Sick Leave, eligible employees may use earned Sick Time for any qualifying absences impacting them or a family member:

- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care.

A "family member" is the covered employee's child, spouse, domestic partner, parent, sibling, grandchild, or grandparent. A "family member" also includes the child or parent of the covered employee's spouse, domestic partner or a member of the covered employee's household. A "child" includes a biological child, adopted, foster child, legal ward or a person to whom the covered employee stands in loco parentis, regardless of age.

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For exempt Full-Time employees, up to two days of unused sick time each year may be transferred to a Sick Bank. An exempt employee can accumulate up to a maximum of 10 days in the Sick Bank after 5 years of service. After 5 years of service, Exempt employees may use days in the Sick Bank to continue salary for a period of up to 10 days if the employee is temporarily unable to report to work for more than 5 days because of the employee's own serious injury or illness.

If the need is foreseeable, a covered employer can require notice of a covered employee's intention to use sick leave. If the need is unforeseeable, a covered employer may require the covered employee to give notice as soon as practicable. If notice is required, the procedure a covered employee must follow to use sick leave must be provided in writing.

Employees taking an extended absence of more than three consecutive workdays as sick leave may need to furnish a physician's certificate excusing the absence from work and/or the employee's ability to return to work.

Unused Sick days are not paid out upon separation.

SAFE LEAVE

To assist employees who are victims of domestic violence or human trafficking, the YMCA provides eligible employees with up to 40 hours of paid leave per calendar year to attend criminal court proceedings and/or relocate to a safe location. Under the NY State Sick and Safe Leave Law, employees may use accrued paid time off when they or a qualifying family member are victims of domestic violence. For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:

- to obtain services from a domestic violence shelter, rape crisis center, or other services program;
- to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
- to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
- to file a complaint or domestic incident report with law enforcement;
- to meet with a district attorney's office;
- to enroll children in a new school; or
- to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

Procedures

When the leave is foreseeable the employee is required to give advanced notice as soon as the need for leave is known. When not possible, the employee is required to give notice as soon as practicable. Employees should be prepared to provide reasonable documentation to substantiate the need for a leave.

Employees are required to follow normal procedures for reporting an unplanned absence except that they may call Human Resources directly to explain sensitive situations. If determined to be eligible, the employee is further required to specifically identify when a subsequent absence is related. This is a summary of an employee's rights under NY State Sick and Safe Leave and Westchester Safe Time Leave Law. Please ask Human Resources to determine your eligibility for Safe Time Leave and to get information about your specific situation.

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PRENATAL LEAVE

Effective January 1, 2025, the YMCA will provide pregnant employees with up to 20 hours of paid prenatal leave during any 52-week period. Prenatal leave may be taken for "health care services received by an employee during their pregnancy or related to such pregnancy, including physical examinations, medical procedures, monitoring and testing, and discussions with a health care provider related to pregnancy." Prenatal leave may be taken in hourly increments and will be paid at an employee's regular rate of pay. This leave is separate and apart from paid sick leave, or other Paid Time Off.

PAID NURSING LEAVE

Following return from a maternity leave, employees who will be nursing will be provided with a 30-minutes of paid break time for employees to express breast milk during the workday. Employees will be permitted to use existing paid break or meal time if they need additional time for breast milk expression beyond the paid 30 minutes. This time must be provided for up to three years following childbirth. YMCA will provide paid break time as often as an employee reasonably needs to express breast milk. The number of paid breaks an employee will need to express breast milk is unique to each employee and YMCA will provide reasonable break times based on the individual. Employees are eligible for paid nursing time for up to three years following the birth of a child.

BEREAVEMENT LEAVE

To assist employees who experience a loss, leaves with pay, not exceeding three days in one calendar year, shall be granted for bereavement, subject to the approval of the Executive. Leaves with pay in excess of three days for a death in the immediate family will be reviewed and determined by the President/CEO on an individual case basis. Bereavement leave may be taken in half or full day segments within the week following the passing of the family member. Immediate family members under this policy include the following

- Spouse or Domestic Partner
- Parents and parental in-laws
- Children or step-children
- Siblings
- Employee's Grandparents

Employees are permitted to take accrued personal time off for all other situations.

JURY/WITNESS DUTY

Full-time employees who are called for jury/witness duty will receive full pay during the period of service and shall also retain the fees paid to them for their services for jury duty of less than one week. Jury fees received for greater than a one week case shall be reimbursed to the Association by the employee. Documentation of jury/witness duty must be presented to the YMCA of Central & Northern Westchester in order to be paid. Jury/witness duty shall not affect an employee's vacation or Personal allowance.

NY VOTING TIME

We encourage employees to honor their civic duties and vote in all elections. Employees who are registered to vote in NY may request to take up to two hours off from working time to enable them to vote without loss of pay. Employees requesting to take time off to vote are required to provide advance notice of need for time off up two working days prior to election.

BLOOD DONATION LEAVE

The YMCA will provide employees who work at least 20 hours per week up to 3 hours of unpaid leave in any 12-month period to donate blood. Employees must provide their supervisor with reasonable advance notice that you intend to participate in a blood drive.

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LEAVES OF ABSENCE

Employees who need to be absent from work for more than three workdays for reasons other than a planned vacation or personal day may request a Leave of Absence. Generally, leaves of absence are granted without pay, but an employee may use accrued vacation, personal or sick time, if applicable, to substitute for part of the leave period to continue salary. Leaves may be granted for a variety of reasons, including but not limited to a short-term disability, a serious health condition of you or a qualifying family member, pregnancy, bonding with a newborn child, military leave, or an urgent personal leave.

Military Service

When an employee is called or recalled for active military duty, the Association will grant an official leave of absence without pay. Re-employment rights shall correspond to existing federal and state laws. Employees completing military training by service in active reserves may use their vacation time for such training and receive their full YMCA of Central & Northern Westchester salary for the period.

Family and Medical Leave (FMLA)

Provided YMCA CNW continues to meet the federal requirements as a covered employer, employees needing to take extended absences may be covered by the federal Family and Medical Leave Act ("FMLA").

Eligibility

Employees who have worked with the YMCA for at least one year and a minimum of 1250 hours over the previous 12 months may qualify for a Family Medical Leave of Absence (FMLA).

Basic FMLA Leave

Employees who meet the eligibility requirements are eligible to take up to 12 weeks of unpaid leave during any 12-month period for any of the following reasons:

- To care for the employee's son or daughter during the first 12 months following birth;
- To care for a child during the first 12 months following placement with the employee for adoption or foster care;
- To care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition;
- For incapacity due to the employee's pregnancy, prenatal medical or childbirth;
- Because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

Military Family Leave

Under the Family and Medical Leave Act, there are two types of Military Family Leave available.

Qualifying exigency leave.

Employees meeting eligibility requirements may be entitled to use up to 12 weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, son, or daughter, is on active duty or called to active duty status in the National Guard or reserves in support of a contingency operation.

Qualifying exigencies may include: Short-notice deployment (up to 7 days of leave), Attending certain military events, Arranging for alternative child care, Addressing certain financial/legal arrangements, Periods of rest and recuperation for the service member (up to 5 days of leave), Attending certain counseling sessions, Attending post-deployment activities (available for up to 90 days after the termination of the covered service member's active duty status) or other activities arising out of the service

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member's active duty or call to active duty and agreed upon by the company and the employee.

Military Caregiver Leave - Leave to care for a covered servicemember.

There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave to care for a spouse, son, daughter, parent, or next of kin that is a covered service member during a single 12-month period. Contact Human Resources to determine who may qualify as a next of kin.

A covered service member is a current member of the Armed Forces, including a member of the National Guard or reserves, who has been rendered medically unfit to perform his or her duties due to a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Salary Continuation and Benefits

Employees are required to utilize accrued sick, vacation, and personal time, while on FMLA. By substituting accrued paid time off, employees can continue to receive pay, but available FMLA leave is reduced. Once paid time off has been exhausted, the remainder of the leave is unpaid.

Employees will continue to accrue additional vacation during any paid leave. During any unpaid portion of an FMLA leave, the accrual of PTO/vacation/sick leave and holiday pay will be suspended and will resume upon active return to employment.

Depending on the reason for the leave, employees may also be eligible for disability insurance benefits.

Health benefits will be maintained during FMLA leave under the same conditions as if the employee continued to work. Contributions towards the cost of health benefits will be deducted from salary continued through accrued paid time off. Once continued wages cease, employees are responsible to submit their portion of the premium payments until they return to work.

Failure to make payments within 30 days of the due date may result in cancellation of group health insurance retroactively back to the last day that coverage was paid through.

Returning from Leave

Employees are required to contact the company on the first business day of each month regarding their status and intention to return to work.

When returning to work from FMLA, an employee may be able to return to the job held before the leave or will be offered an equivalent job. If the employee's own serious health condition necessitated the FMLA leave, YMCA will require a certification from the employee's health care provider that the employee is able to resume work and perform their duties.

Failure to return to work within three days of the end of the leave will be considered a voluntary termination. To the extent allowed under the law, YMCA reserves the right to recover health insurance premiums from employees who fail to return to work at the end of the FMLA-qualifying leave.

Procedures

When the leave is foreseeable the employee is required to give at least 30 days advanced notice.

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When 30-day notice is not possible, the employee is required to give notice as soon as practicable.

Employees should be prepared to provide proper documentation to substantiate the need for a military family leave.

Employees should be prepared to provide medical certification from a health care provider that they or a family member have a serious health condition.

Calling in “sick” is not sufficient notification of a need for FMLA leave. Employees are required to explain the reasons for the leave so that the FMLA eligibility determination can be made.

Employees are required to follow normal procedures for reporting an unplanned absence except that they may call Human Resources directly to explain sensitive medical and/or personal family situations. If determined to be eligible, the employee is further required to specifically identify when a subsequent absence is FMLA related. This is a summary of an employee’s rights under the Family and Medical Leave Act. Please ask Human Resources to determine your eligibility for FMLA leave and to get information about your specific situation.

New York State Paid Family Leave

Employees may be entitled to a paid leave of absence under the New York Paid Family Leave (“PFL”) law when they need time off to care for a family member, bond with a child or for certain qualifying exigencies. PFL provides eligible employees with a right to paid leave, continuation of health insurance benefits and job restoration for certain family reasons.

Paid Family Leave Benefit

NYS Paid Family Leave will provide eligible workers with wage replacement during time away from a job to:

- Bond with the employee’s new child during the first 12 months after the child’s birth, or the first 12 months after the child’s placement for adoption or foster care with the employee.
- Provide care for a family member with a serious illness. The definition of family member includes a biological or legal relationship and in “loco parentis” in definitions of child and parent. These include:
 - spouse/domestic partner
 - child (no age limit)
 - siblings including biological, adopted, step or half siblings
 - parent and parent-in-law
 - grandparent of employee
 - grandchild (child of employee’s child)
- Participate in “qualifying exigencies” as defined in federal Family and Medical Leave Act due to a spouse, domestic partner, child, or parent’s active duty military service or notice of a call or order to activity duty. Qualifying exigencies include:
 - attending certain military events
 - arranging for alternative childcare
 - caring for a military member’s parent who is
 - incapable of self-care when the care is necessitated by the member’s covered active duty
 - addressing certain financial and legal arrangements

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- attending certain counseling sessions
- attending post-deployment reintegration briefings

Benefits During Leave

The paid family leave benefit is 67% of employee's average weekly wages up to the annual cap which is set every year. The annual cap is based on NY State's Average Weekly Wages.

Eligibility

To be eligible, an employee must:

(A) Regularly work 20 or more hours per week for at least 26 consecutive weeks;

OR

(B) If working less than 20 hours per week, work at least 175 days prior to leave.

Duration of Leave

PFL provides eligible employees with up to twelve (12) weeks within any 52 consecutive week period. The 52 consecutive week period is determined retroactively with respect to each day for which PFL benefits are currently being claimed.

Employees may request to use available paid time off during PFL to supplement the payments from insurance carrier.

An employee who is eligible for both statutory short-term disability benefits and PFL during the same period of 52 consecutive calendar weeks may not receive more than 26 total weeks of disability and PFL benefits during that period of time. Statutory short-term disability benefits and PFL benefits may not be used concurrently.

Intermittent Leave and Reduced Leave Schedules

PFL leave may be taken for a period of consecutive days or week or intermittency. Leave can be taken intermittently in increments of one full day or on a reduced leave schedule, except that an employee may only take intermittent or reduced leave to care for a family member with a serious health condition where it is shown to be medically necessary. Employees must provide notice as soon as is practicable before each day or intermittent leave. PFL may not be taken in partial days, such as working for half day and taking a half day leave.

Policy

Health benefits will be maintained during PFL under the same conditions as if the employee continued to work. Contributions towards the cost of health benefits will be deducted from salary continued through accrued paid time off. Once continued wages cease, employees are responsible to submit their portion of the premium payments until they return to work.

Failure to make payments within 30 days of the due date may result in cancellation of group health insurance retroactively back to the last day that coverage was paid through.

To the extent allowed under the law, The Association reserves the right to recover health insurance premiums from employees who fail to return to work at the end of the PFL-qualifying leave.

Employees will not accrue additional paid time off or receive holiday pay once accrued paid time off has been exhausted.

Employees are required to contact Human Resources on the first business day of each

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month regarding their status and intention to return to work.

When returning to work from PFL, an employee may be able to return to the job held before the leave or will be offered an equivalent job.

Failure to return to work within three days of the end of the leave will be considered a voluntary termination.

Funding of Paid Family Leave

PFL benefits are paid directly from the insurance carrier. Payroll deductions will fund the benefits that are paid to eligible employees from this program. A contribution rate will be determined each year and will be distributed by September 1 for the following year.

An employee has the option to file a waiver of PFL and therefore not be subject to deductions when his or her regular employment is: (i) 20 or more hours per week but the employee will not work 26 consecutive weeks; or (ii) less than 20 hours per week and the employee will not work 175 days in a 52 consecutive week period.

Procedures

When the leave is foreseeable the employee is required to give at least 30 days advance notice. When 30 day notice is not possible, the employee is required to give notice as soon as practicable.

Employees are required to explain the reasons for the leave so that the PFL eligibility determination can be made. For a military family leave, employees should be prepared to provide proper documentation to substantiate the need. Employees should be prepared to provide medical certification from a health care provider that they or a family member have a serious health condition.

Employees are required to follow normal procedures for reporting an unplanned absence except that they may call Human Resources directly to explain sensitive medical and/or personal family situations. If determined to be eligible, the employee is further required to specifically identify when a subsequent absence is PFL related. This is a summary of an employee's rights under New York Paid Family Leave. Please ask Human Resources to determine your eligibility for PFL leave and to get information about your specific situation.

Short Term Personal Leave

Where time off may be needed that does not fall under the Family Medical Leave policy or other Paid time Off program, a leave of absence for up to twenty (20) working days without pay may be granted with advance approval by the President/CEO or designate. Benefits may be continued during this period at the employee's expense.

Extended Leave of Absence

Extended leaves of absence, without pay, may be granted to employees who have a minimum of twelve months service to the Association for unusual circumstances, including personal reasons, continuing formal education or other unusual circumstances. Requests for extended leaves of absence up to 6 months must be made in writing and submitted to the President/CEO providing an explanation and projected schedule for return to work. The final decision rests with the President/CEO. Two weeks prior to the end of an approved extended leave, the employee will notify the President/CEO in writing of his or her intent to return to work. If the employee does not return as scheduled, it shall be considered that the employee has voluntarily quit. The employee's prior service is protected for all benefits. The employee may request continuation of insurance benefits at his or her personal cost at full premium.

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On return to work from an extended leave, every effort shall be made to place the employee in a comparable position in one of our locations as had been previously held. Should a position not be available upon an employee's return, the leave shall expire and the employee placed on a temporary layoff until a comparable position becomes available. Any such circumstances must have approval of the President/CEO.

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Section 6 – Employee Benefits

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ABOUT YOUR BENEFITS

YMCA has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness and disability, and to help you plan for retirement. You and YMCA share some of the cost of these benefits.

This portion of the Employee Handbook contains a very general description of the benefits which you may be offered as an employee of YMCA. Please understand that this general explanation is not intended to, and does not, provide you with all the details of these benefits. Therefore, this handbook does not change or otherwise interpret the terms of the official plan documents. Your rights can be determined only by referring to the full text of the official plan documents, which are available from Human Resources. To the extent that any of the information contained in this Handbook is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

Please note that nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits, or a binding contract between YMCA and its employees, retirees or their dependents, for benefits or for any other purpose. All employees shall remain subject to termination or discipline to the same extent as if these plans had not been put into effect.

YMCA reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein, including any health benefits that may be extended to retirees and their dependents. Further, YMCA reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans, in accordance with applicable laws.

YMCA benefits are provided as compensation and must be used honestly. You must not misrepresent your health status, your covered members, your beneficiaries, or any other facts, including reason for absence, in order to claim benefits to which you otherwise are not entitled.

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ELIGIBILITY

All full-time employees (exempt and non-exempt) are eligible for benefits effective the first of the month following thirty (30) days of full-time employment. Increased benefits for employees changing employment status will be calculated from the effective date of the change. Effective dates should coincide with the first day of a payroll period and cannot be backdated.

When years of service are the basis for determining benefits, continuous full-time employment in any YMCA (local or national) will be counted from the original date of full-time hire (first day worked) and will continue to accrue as long as the employment remains continuous and full-time. There will be no interruption of benefits for employees transferring from another YMCA.

MANDATORY BENEFITS

The YMCA of Central & Northern Westchester complies with all applicable laws regarding employee benefits such as:

- Social Security (FICA) – all employees are required to participate jointly with the Association in the Federal Social Security Program. The rate is apportioned between FICA and MEDICARE and itemized as such on individual pay stubs.
- Worker’s Compensation – Employees are covered against the hazards of occupational accidents and illness on the job through compensation insurance in a manner and to the extent required by the state worker’s compensation laws.
- NYS Disability Insurance provides temporary cash benefits to eligible wage earners disabled by injury or sickness that is not work-related. All employees are covered.
- Unemployment Insurance – The YMCA of Central & Northern Westchester pays benefits directly to the NYS Department of Labor.

GROUP HEALTH INSURANCE

Employees of the Association who regularly work 30 hours or more per week (excluding seasonal) may participate in the group health insurance plan(s) offered by the YMCA of Central & Northern Westchester upon completion of eligibility requirements and necessary applications.

Full-time employees are eligible for health and dental insurance coverage on the first day of the month following 30 days of employment. Employees may also elect to waive their rights to healthcare coverage.

GROUP LIFE INSURANCE

The YMCA of Central & Northern Westchester will pay the premium to insure all full-time employees with group term life insurance and Accidental Death and Dismemberment (AD&D) insurance valued at one and one half the employee’s annual salary rounded to the nearest thousand dollars.

LONG TERM DISABILITY

The YMCA of Central & Northern Westchester recognizes the value of providing income to exempt and full-time non-exempt employees in the event of a covered disability through the National YMCA Group Long Term Disability Plan. After a 90- day waiting period, full-time employees will become eligible for benefits upon qualification.

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Section 6 - Employee Benefits

YMCA RETIREMENT FUND

All full-time employees and those employees completing 1,000 hours of service in each year of two twelve-month consecutive periods from date of hire or anniversary date after June 1, 2004, and are between the ages of 21 and 60, must enroll in the YMCA Retirement Fund as a condition of employment. Employees hired before June 1, 2004 shall continue to be eligible for the Retirement Fund if 1,000 hours of service is completed in the first twelve month period from date of hire or anniversary date. Employees transferring from another Association, where they are already enrolled in the Retirement Fund, shall be enrolled immediately.

Participation shall be elective if the employee is hired after age 60. Eligibility, benefits, definitions and requirements are determined by the YMCA Retirement Fund, 140 Broadway, Floor 28, New York, NY 10005-1197 (800-RET-YMCA) in agreement with the YMCA of Central & Northern Westchester and in compliance with the Employee's Retirement Income Security Act of 1974 (ERISA).

Employees will be provided with a Summary Plan Description and will receive an annual statement from the YMCA Retirement Fund. The retirement plan is a defined contribution plan whereby the YMCA of Central & Northern Westchester contributes a set percentage of employee's wages as determined by the board for the plan year. The contribution formula may change periodically based on organization's resources. Employees are eligible to make additional personal contributions to the extent allowed by the plan.

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PROFESSIONAL EDUCATION AND TRAINING

Professional development is the primary responsibility of the staff member. However it will be the responsibility of the President/CEO to encourage at least annual consultation between the employee and supervisor to develop and review a career plan, and training necessary to advance the ability to serve the Association and further develop the individual.

Attendance of employees at professional conferences, workshops, and seminars for the purpose of training, inspiration, and professional growth is encouraged. Supervisory approval for registration is required. The YMCA of Central & Northern Westchester will pay conference fees for approved participation as the budget permits.

The Association will pay YMCA of the USA Career Development Program training fees in full for courses approved by the President/CEO, and as the budget permits.

Non YMCA Sponsored Training Courses

The YMCA of Central & Northern Westchester encourages all eligible full-time employees to participate in job-related coursework. The purpose of this benefit is to assist in enabling employees to grow professionally and to prepare our Association for future workforce needs. The Association will pay training fees in full for courses approved by the CEO, and as the budget permits.

Springfield College Tuition Program

To encourage the development of YMCA career professionals, the YMCA of Central & Northern Westchester offers full time employees tuition assistance for educational studies at Springfield College. The YMCA of Central & Northern Westchester will reimburse 50% of tuition costs for graduate programs approved by the President/CEO, and within the confines of the budget. To be eligible for reimbursement, the employee must attain a minimum of a 2.0 grade on each course.

PLEASE NOTE: Compensation to employees receiving tuition is subject to applicable federal and/or state tax laws.

The Association of Professional Directors (APD) is an organization dedicated exclusively to the well-being and development of YMCA staff throughout the country.

The benefits of membership include:

- A subscription to the APD professional Journal Perspective
- Local, regional and national networking and conferencing
- Professional development opportunities and training
- Free career development and planning resources Opportunities for recognition
- Emergency Assistance Fund

The YMCA of Central & Northern Westchester will make an approved percentage payment of the dues of the Association of Professional Directors of the YMCA of USA for employees who qualify and are authorized by the President/CEO.

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Section 7 - Leaving YMCA

EMPLOYMENT AT-WILL

All employment with the YMCA of Central & Northern Westchester is at-will. When you accept employment with the YMCA of Central & Northern Westchester you do so voluntarily and you are free to resign at any time. Similarly, while the YMCA of Central & Northern Westchester hopes that its relationship with every employee will be mutually rewarding, it is free to terminate employment at any time, without prior notice, with or without cause. This at-will relationship will remain in effect throughout your employment with YMCA of Central & Northern Westchester and cannot be modified by any oral or implied agreement. Employment At-Will can only be changed by an expressed, written agreement signed by the employee and the President/CEO of the YMCA of Central & Northern Westchester.

RESIGNATION

Resignation is a decision, freely made by an employee, to terminate the working relationship with the YMCA of Central & Northern Westchester. A written notice of the resignation shall be provided to the respective Executive Director or President/CEO at least thirty (30) days (for all Exempt employees) prior to the last day of work. Full-time hourly employees are expected to give two weeks' advance notice. Employees who resign without providing adequate notice shall not be paid for their unused vacation time.

RETIREMENT

Retirement may be a voluntary choice of the employee or affected by a policy requirement of the YMCA of Central & Northern Westchester, which may be used based upon age or length of service. A written notice of an employee's intention to retire should be presented to the President/CEO at least ninety (90) days prior to the retirement date. The President/CEO should present to the Board of Governors Chairman at least six months' notice prior to a retirement date.

TERMINATION

Employees may be terminated because of circumstances that include, but are not limited to, unsatisfactory work performance, excessive absences or lateness, theft, or violations of policy. Economic or business reasons may also necessitate a reduction in the workforce.

Reduction in Workforce

Reduction in workforce may be imposed upon employees as a result of economic necessity, operational and/or programmatic changes, reorganization, or any other reason, which requires a reduction in the present workforce. All employees who have been employed with the Association for at least one year shall be given a minimum of two weeks' notice.

Seniority, tenure and performance in any department are a major consideration when reduction in work force brings about termination. Separation of any employee because of reduction in work force may take place on 2 weeks written notice from the employer.

Temporary Lay Off

Temporary lay-off may be imposed upon employees as a result of economic necessity, operational and/or programmatic changes, reorganization, or any other reason, which requires a lay-off to the present workforce. Temporary lay-offs may occur without notice.

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Progressive Discipline

For performance deficiencies that do not warrant immediate dismissal for cause, progressive discipline procedures may be administered, which will include verbal and written notices of unsatisfactory performance. Progressive discipline is to be constructive and should strive to reinforce YMCA of Central & Northern Westchester policies and procedures, employee’s job description, and job performance standards, rules of acceptable conduct, and any other expectations that a supervisor may have of the employee.

Unsatisfactory Performance for Cause

The YMCA of Central & Northern Westchester may dismiss an employee for overall dissatisfaction with the performance of the employees’ assigned duties/expectations.

In addition, misconduct, including but not limited to breach of duty or misappropriation of the YMCA of Central & Northern Westchester funds, property, or materials for personal use shall be cause for dismissal.

EXIT INTERVIEW

In all instances of separation for whatever reason listed above, all full time employees may be asked to participate in an exit interview.

PAID TIME OFF UPON LEAVING THE YMCA

Upon separation from the YMCA, vacation will be accrued through the last full pay period worked. Any accrued, but unused vacation time may be paid to the employee as long as the employee provided adequate advance notice of resignation or was not terminated for misconduct.

Unused Sick Days and Personal Time (including floating Holidays) are not paid out upon separation.

CONTINUATION OF BENEFIT COVERAGE

Federal law requires that employers offer “qualified beneficiaries” who would lose coverage under the employer’s group health plan due to certain qualifying events, the opportunity to purchase continued coverage under the plan at a cost of up to 102% of the applicable group rate up to 18-36 months.

Failure to make timely payments of COBRA premiums can cause coverage to be terminated prior to the completion of the full coverage period.

Upon separation of employment, employees will be given appropriate forms to complete along with all necessary information and the premium payment required each month.

Caring

Honesty

Respect

Responsibility

HANDBOOK CONFIRMATION RECEIPT

By signing this statement, I acknowledge that I have received a copy of the YMCA of Central & Northern Westchester Personnel Policy & Employee Handbook. I understand that I am responsible for reading and abiding with the personnel policies and practices described within it. I understand that the policies and benefits contained in this employee handbook may be added to, deleted and/or changed by the YMCA of Central & Northern Westchester at any time.

I further acknowledge that the employment policy of the YMCA of Central & Northern Westchester is that of employment-at-will. I understand that when I accept employment with the YMCA of Central & Northern Westchester I do so voluntarily, and I am free to resign at any time. Similarly, while the YMCA of Central & Northern Westchester hopes that its relationship with each and every employee will be mutually rewarding, it is free to terminate my employment at any time, without prior notice, with or without cause. This at-will relationship will remain in effect throughout my employment with YMCA of Central & Northern Westchester and cannot be modified by any oral or implied agreement. Employment at-will can only be changed by an expressed, written agreement signed by the President/CEO of the YMCA of Central & Northern Westchester and me.

I understand that neither this employee handbook nor any other written or verbal communications by a management representative is intended to, in any way, create a contract of employment. Should it become necessary for the Association to legally enforce any provisions of the employer handbook, I acknowledge it has the right to recover reasonable attorney fees plus court costs and expenses from me as an employee.

If I have any questions regarding the content or interpretation of this employee handbook, I will bring them to the attention of my supervisor.

Employee Name (printed)

Employee Signature

Date

Supervisor

Date

Employees are to sign and return this form to Human Resources as part of the onboarding process or as a stand-alone form acknowledging receipt of this handbook.