



**THE CHILD  
CENTER OF NY**

Strengthening Family. Building Community.



## **EMPLOYEE HANDBOOK**

**Late updated: 11/27/2019**

**Everything in black is the Child Center of NY policy**

**Everything in red are changes that I made based upon looking at other employee handbooks and my personal recommendations**

**Everything is blue are my personal notes or comments**

**Restarted: 1/21/2020**

**Everything in Green is done by Yoonhu.**

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### FAQ's and Links

(since quite a few asked for, a FAQs page is the front I figured I would give it a try and see what you think they are not in any type of order just yet)

Where can I go if I lost my keycard?

Where do I pick up my first check?

What is there to eat around here?

How do I pick up my computer accounts?

When can I enroll for benefits?

What if the office temperature is too hot or cold for me? Can I ask to lower or higher it? Who?

Who should I call if my computer is down?

Am I required to take a lunch break?

What is the PTO policy? How can I request off?

What is the proper channel for me to give feedback or to make a complaint?

What expenses am I allowed and how do I claim them?

Is there on the job training? How long?

## **WELCOME**

For those of you who are starting employment with The Child Center of NY (“us”, “we” or the “Agency”), let us extend a warm and sincere welcome. We hope you will enjoy working here.

For those of you, who have been with us over the years, thank you for your hard work.

**-not many other employee handbooks acknowledge current workers so I think this part stands out a lot.**

We prepared this Handbook to assist you in finding answers to many of the most frequently asked questions regarding personnel policies, compensation, and benefits. Of course, feel free to ask your supervisor or Human Resources any questions regarding your employment.

The contents of this Handbook are guidelines only, and supersede any prior Handbook. Neither this Handbook nor any other Agency guidelines, policies, or practices creates an employment contract, bargain, or agreement or confers any contractual rights whatsoever. Subject to any limitations pursuant to any applicable collective bargaining agreement (“CBA”), the Agency has the right, with or without notice, in an individual case or generally, to change and/or modify its interpretation of any of its guidelines, policies, practices, working conditions, or benefits at any time. Nothing in this Handbook should be construed as a promise of specific treatment in any specific situation upon which any employee should rely. Additionally, many matters covered by this Handbook, such as employee benefits, are also described in separate official documents **which may be accessible through our online handbook via hyperlinks**. Such official documents are always controlling over any statement made in this Handbook or by any supervisor or manager.

Subject to any limitations pursuant to any applicable CBA, employment with the Agency is at-will, and either the employee or the Agency may terminate employment at any time, with or without cause or reason. No representative of the Agency is authorized to provide any employee, individually or on a collective basis, with an employment contract or special arrangement concerning the terms or conditions of employment unless the contract or agreement is in writing and signed by the Chief Executive Officer (“CEO”). This notice applies to all employees regardless of date of hire.

Employees covered by a CBA should review the applicable CBA for additional information related to the terms and conditions of their employment. Should the language in this handbook contradict or in any way conflict with the terms of the CBA, the terms of the CBA will govern.

We look forward to working together and continuing to work together.

- Place the Table of contents in the first page.**
- Move “WELCOME” on to the back. ← page 1.**
- Change all footer to number only.**

## LETTER FROM THE PRESIDENT & CEO



Allow me to extend a warm welcome on behalf of The Child Center of NY! As one of our new employees, you'll be joining a passionate and dedicated group of people who help thousands of children and families achieve their full potential each year. In 1953, The Child Center founded its first children's counseling center in Queens, serving 88 children on a budget of \$3,000 a year. Today we serve 21,700 children each year in 70 locations and in 22 languages. Our employees are here for children and families during important life milestones and in their times of greatest need, whether it's helping a child get a great start in preschool, counseling a family through a time of crisis, or empowering youth to dream and achieve.

When I made the decision to join The Child Center, the mission of this organization and our employees' dedication to that mission drew me here. I saw The Child Center's impact on children and families, thanks to the passion and professionalism of our amazing employees. Every role is vital to our partnership with families.

We hear about the difference you make through our clients:

"My therapist helped me come to terms with who I am. She made sure I had plenty of ways to cope. She helped me find hope and save my own life."

"My home visitor from The Child Center of NY helped me to survive ... My children are coping better with their father's death. I am better able to help my children."

"When I first met my therapist, we just had that instant connection. I felt that I could always confide in her. Because of her I was inspired to do more with myself and make not only her but everyone who helped me along the way proud of me. She changed my life forever and because of her I am forever grateful to The Child Center of NY."

The Child Center is more than an agency—it's a community. Our board president, Dick Jay, joins me in welcoming you, and says on behalf of our board, "We consider our involvement with this organization and with these kids to be a gift to every one of us."

Thank you for joining us.

Traci Donnelly

President & CEO

A handwritten signature in blue ink that reads "Traci Donnelly". The signature is fluid and cursive, matching the printed name above it.



## **I. INTRODUCTION**

### **A. ABOUT THE ORGANIZATION**

The mission of The Child Center of NY is to strengthen children and families with the skills, opportunities, and emotional support to build healthy, successful lives. Since 1953, The Child Center has been a major force of positive change, bringing a wealth of education, counseling and youth development programs to thousands of disadvantaged children each day. We are passionately committed to giving vulnerable young people the skills and support they need so they will become healthy, fulfilled and productive adults. We serve children, youth and families in four main program areas:

- **Early Childhood Education.** High quality childcare, preschool and pre-kindergarten at three centers to ensure that impoverished children-from newborn through age four develop on track so that they can arrive at school ready to learn and succeed.
- **Counseling.** Our therapists help children and families cope with the problems they face, whether mental illness, substance abuse, behavior problems, or severe traumas, such as loss of a parent. We also provide referrals for housing, healthcare, food, ESL and more.
- **Child Abuse Prevention.** Interventions to assess home situations, ensure safety, guide parents, provide therapy and case management to prevent, whenever possible, the need for foster care placement. Our intervention methods succeed 95% of the time.
- **Youth Development.** After-school, weekend, and summer programs that feature academic support, mentoring, sports, arts and enrichment activities. Peer-to-peer pregnancy prevention and sexual health education programs as well as internships, GED preparation and college and career readiness programs. We work toward building resilient youth and families.

**-Explain more about visions, concepts, or ideas of the company**

## Our Results

Our work is guided by a deep commitment to results-based accountability. We rigorously measure and track our progress, using methods proven to make a difference. Here are the results several of our programs recently achieved:

### Escalera Head Start Program

By spring:

- 100% of 4-year-olds met or exceeded widely held expectations for social-emotional development, up from 29% in the fall.
- 100% of 4-year-olds met or exceeded widely held expectations for cognitive development, up from 29% in the fall.

100%  100% 

### WIOA Program

 100%

low-income workforce development participants graduated high school; 80% went on to college; and 10% were offered employment at the locations where we placed them to intern and work during the school year.

### Youth and Family Justice and Child Welfare Program



For teens at high-risk of out-of-home placement,

98%

of clients were able to remain with their families.

### Astoria ParentChild+

95%

increase in children engaging in developmentally appropriate tasks

64%

increase in positive parenting interactions

### Elmhurst Preventive Program

99%

success rate in preventing re-abuse or neglect six months after treatment.

### August Martin High School



24% 73%

graduation rate in 2015

graduation rate in 2018



250,000

Children served since 1953

### Home-Based Crisis Intervention Program

For youth at serious risk of psychiatric hospitalization, 96.45% were able to be maintained in the community without the need of hospitalization or a higher level of care.

### Health Home Program

Out of 251 clients for children with multiple chronic conditions or serious emotional disturbance, only 3.5% were hospitalized, for a prevention rate of 96.5%.

-Picture inserted to show the result of the company

## **B. COMPANY AWARDS & RECOGNITION**

### **❖ NYPD opens first police community center**

**-Put some awards**



## **2. WORKPLACE ENVIROMENT**

**-I think it is better to separate the introduction, and start a new chapter for working policies.**

### **B. EQUAL EMPLOYMENT OPPORTUNITY**

We respect diversity and accordingly are an equal opportunity employer that does not discriminate on the basis of race, color, creed, **cultural influences**, religion, national origin, ancestry, citizenship status, age, disability or handicap, sex, marital status, sexual orientation, gender identity or expression (including transgender status), veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws. Our management team is dedicated to ensuring the fulfillment of this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs, and general treatment during employment. We will endeavor to make a reasonable accommodation to the known physical or mental limitations of qualified employees with disabilities, without regard to any protected classifications, unless the accommodation would impose an undue hardship on the operation of our business. Any employee who needs assistance to perform his or her job duties because of a physical or mental condition should contact Human Resources. Employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Human Resources. We will not allow any form of retaliation against employees who raise issues of equal employment opportunity in good faith. To ensure our workplace is free of artificial barriers, violation of this policy may result in disciplinary action, up to and including discharge.



### **C. SUPPLEMENTAL GENDER DISCRIMINATION POLICY**

In accordance with New York City law, the Agency prohibits unlawful discrimination in employment on the basis of gender. For purposes of this policy, gender is an individual's actual or perceived sex, including gender identity, self-image, appearance, behavior, or expression, regardless of whether the individual's gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the legal sex assigned to that individual at birth. The Agency is dedicated to ensuring the fulfillment of this policy as it applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, accommodation requests, access to programs and facilities, employee activities, and general treatment during employment. In furtherance of this policy:

- The Agency gives employees the option of indicating their preferred gender pronoun. The Agency's systems allow employees to self-identify their names and genders and do not limit such identifications to male and female only.
- All employees and other individuals have access to single-sex facilities consistent with their gender identity or expression. To the extent possible, the Agency provides single occupancy restrooms and provides multi-user facilities for individuals with privacy concerns, but will not require use of a single-occupancy bathroom because an individual is transgender or gender non-conforming.
- The Agency's dress code and grooming standards are gender neutral, and therefore do not differentiate or impose restrictions or requirements based on gender or sex.
- The Agency evaluates all requests for accommodations (including requests for medical leaves) in a fair and non-discriminatory manner.
- Employees who engage with the public as part of their job duties are required to do so in a respectful, non-discriminatory manner by respecting gender diversity and ensuring that members

of the public are not subject to discrimination (including discrimination with respect to single-sex programs and facilities).

Employees with issues or concerns regarding gender discrimination or who feel they have been subjected to such discrimination can contact their supervisor, senior manager, Chief Human Resources Officer or Vice President of Human Resources. The Agency prohibits and does not tolerate retaliation against employees who report issues or concerns of gender discrimination pursuant to this policy in good faith

### **Americans with Disabilities Act (ADA) and Reasonable Accommodation**

To ensure equal employment opportunities to qualified individuals with a disability, The Child Center of NY will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the business would result. Employees who may require a reasonable accommodation should contact the Human Resources Department.

The reason I chose to add the ADA to the equal employment opportunity policy was mainly because among all of the employee handbooks I was looking at SHRM was the only one to include a short description about people with a disability. I believe it as important to include as the gender fluidity.

### **D. PREGNANCY ACCOMMODATIONS POLICY**

Pursuant to the New York City Human Rights Law, the Agency prohibits unlawful discrimination on the basis of pregnancy or perceived pregnancy and will endeavor to reasonably accommodate the needs of an employee for her pregnancy, childbirth, or related medical condition in order allow her to perform the essential requisites of the job, provided that such employee's pregnancy, childbirth, or related medical condition is known or should have been known by the Agency, and the proposed accommodation does not impose an undue hardship on the Agency.

#### **Related Links**

[New York State pregnancy rights for employees in the work place.](#)

<https://www.ny.gov/working-while-pregnant-know-your-rights/pregnancy-rights-employees-workplace>

Any employee who needs to request an accommodation due to pregnancy, childbirth, or a related medical condition should contact Human Resources. If an employee who has requested an accommodation has not received an initial response within five (5) business days, she should contact the Chief Human Resources Officer or Vice President of Human Resources.

After receiving a request for an accommodation due to pregnancy, childbirth, or a related medical condition or learning indirectly that an employee requires such an accommodation, the Agency will engage in a cooperative dialogue with the employee. Even if an employee has not formally requested an accommodation, the Agency may initiate a cooperative dialogue under certain circumstances, such as when the Agency has knowledge that an employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to pregnancy, childbirth, or related medical condition, in compliance with applicable law.

The cooperative dialogue may take place in person, by telephone, or by electronic means. As part of the cooperative dialogue, the Agency will communicate openly and in good faith with the employee in a timely manner in order to determine whether and how the Agency may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, the Agency will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the employee. The Agency is not required to provide the specific accommodation sought by an employee, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the employee's limitation.

As part of the cooperative dialogue, the Agency reserves the right to request medical documentation from an employee under the following circumstances:

- 1) When an employee requests time away from work, including for medical appointments, other than time off requested during the six (6) to eight (8) week period following childbirth (for recovery from childbirth) or
- 2) When an employee request to work from home, either on an intermittent basis or a longer-term basis.

#### Related Links

New York State pregnancy rights for employees in the work place.

<https://www.ny.gov/working-while-pregnant-know-your-rights/pregnancy-rights-employees-workplace>

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If the Agency believes that the provided documentation is insufficient, and before denying the request based on insufficient documentation, the Agency reserves the right to request additional documentation from the employee or, upon the employee's consent, speak with the health care provider who provided the documentation. As applicable, an employee whose time off is covered by the Family Medical Leave Act (FMLA) may also be required to provide medical documentation, depending on the circumstances of the leave request, pursuant to federal law.

At the conclusion of the cooperative dialogue, the Agency will provide written notice to the employee in a timely manner indicating that the Agency:

- 1) Will be able to offer and provide a reasonable accommodation,
- 2) Will not be able to provide a reasonable accommodation to the employee because there is no accommodation available that will not cause an undue hardship on the Agency's operations, or 3) will not be able to provide a reasonable accommodation to the employee because no accommodation exists that will allow the employee to perform the essential requisites of the job.

The Agency will endeavor to keep communications regarding requests for reasonable accommodations and all circumstances surrounding an employee's pregnancy, childbirth, or related medical condition

confidential. Employees with questions regarding this policy should contact Human Resources.

#### **E. NON-HARASSMENT**



To avoid any potentially inappropriate conduct in the workplace, it is the Agency policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of sex, race, color, creed, **cultural influences**, religion, national origin, ancestry, citizenship status, age, disability or handicap, marital status, sexual orientation, **gender identity or expression (including transgender status)**, veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace including while on Agency premises, while on Agency business (whether or not on Agency premises) or while representing the Agency.

An employee who feels that he or she has been subjected to or witnessed conduct which violates this policy should immediately report the matter to their supervisor, senior manager or Chief Human Resources Officer or Vice President of Human Resources. An employee who is either unsure of the appropriate person to whom to raise an issue of perceived harassment or who has not received a satisfactory response within five (5) business days after reporting any incident of perceived harassment should contact the Chief Human Resources Officer or Vice President of Human Resources.

Every report of perceived harassment will be investigated as the Agency considers appropriate, and corrective action will be taken where appropriate as determined by the Agency in its reasonable discretion. Employees are required to cooperate in all investigations conducted pursuant to this policy. Violation of this policy may result in disciplinary action, up to and including discharge, as determined by the Agency in its reasonable discretion. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the Agency will not allow any form of retaliation against individuals who report unwelcome conduct to management in good faith or who cooperate in the investigations of such reports in accordance with this policy. Employees who make complaints in bad faith may be subject to disciplinary action, up to and including discharge.

#### **F. SEXUAL HARASSMENT**



To avoid any potentially inappropriate conduct in the workplace, it is the Agency's policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of sex, race, color, creed, **cultural influences**, religion, national origin, ancestry, citizenship status, age, disability or handicap, marital status, sexual orientation, gender identity or gender expression, veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that no one harasses another individual in the workplace including while on Agency premises, while on Agency business (whether or not on Agency premises) or while representing the Agency. **This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and local laws.**

While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include, but are not limited to:

- Unwelcome sexual advances;
- Requests for sexual favors;
- Obscene gestures;
- Displaying sexually graphic magazines, calendars, or posters;
- Sending sexually explicit e-mails;
- Verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature;
- Sexually-related comments, and depending upon the circumstances, improper conduct also can include sexual joking;
- **Sexually orientated gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience creates a hostile work environment.**
- Vulgar or offensive conversation or jokes;
- Commenting about an employee's physical appearance;
- Conversation about an employee's or someone else's sex life;
- Teasing or other conduct directed toward a person because of his or her sex or gender which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

**Hostile actions taken against an individual because of that individual's sex, race, color, creed, **cultural influences**, religion, national origin, ancestry, citizenship status, age, disability or handicap, marital status, sexual orientation, gender identity or gender expression, veteran status, genetic information, or any other characteristic protected by applicable federal, state, or local laws**

- **Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise**
- **Interfering with the individual's ability to perform the job;**
- **Bullying, yelling, name-calling.**
- **Sabotaging an individual's work**

### **Related Links**

### **Related Links**

**[Report a claim or learn to file a complaint](#)**

**[NYC Commission on Human Rights:](#)**

**[Telephone: 718-722-3131](#)**

**[website: NYC.gov/HumanRights](#)**

**[Link to "stop sexual harassment factsheet" pdf](#)**



Report a claim or learn to file a complaint

NYC Commission on Human Rights:

Telephone: 718-722-3131

website: [NYC.gov/HumanRights](http://NYC.gov/HumanRights)

[Link to “stop sexual harassment factsheet” pdf](#)

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Sexual harassment can occur between any individuals, regardless of their sex or gender New York law protects employees paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the work place. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

An employee who feels that he or she has been subjected to **or witnessed** conduct which violates this policy should immediately report the matter to their supervisor, senior manager, Chief Human Resources Officer or Vice President of Human Resources. An employee who is either unsure of the appropriate person to whom to raise an issue of perceived harassment or who has not received a satisfactory response within five (5) business days after reporting any incident of perceived harassment should contact the Chief Human Resources Officer or Vice President of Human Resources.

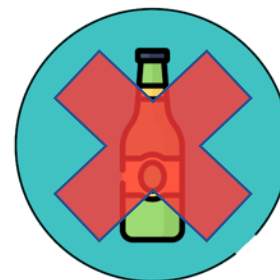
**You can file a complaint anonymously.** Every report of perceived harassment will be investigated as the Agency considers appropriate, and corrective action will be taken where appropriate as determined by the Agency in its reasonable discretion. Employees are required to cooperate in all investigations conducted pursuant to this policy. Violation of this policy may result in disciplinary action, up to and including discharge, as determined by the Agency in its reasonable discretion. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, the Agency will not allow any form of retaliation against individuals who report unwelcome conduct to management in good faith or who cooperate in the investigations of such reports in accordance with this policy. Employees who make complaints in bad faith may be subject to disciplinary action, up to and including discharge.

The Human Rights Law (HRL) codified as N.Y. Executive Law art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with **Division of Human Rights (DHR)** or in New York State Supreme Court. Complaints with DHR may filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged

discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court. Complaining internally to The Child Center of NY does not extend.

## **G. DRUG FREE WORKPLACE**

We have a vital interest in insuring safe, healthful and efficient working conditions for our employees. In addition, as a federal contractor/grantee, we have a duty to safely and efficiently provide the public with quality services. The unlawful presence of controlled substances in the workplace conflicts with these vital interests and constitutes a violation of the public trust. For these reasons, we have established, as a condition of employment and continued employment, the following drug-free workplace policy.



The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale, or distribution of controlled substances, drug paraphernalia, or alcohol by an individual anywhere on Agency premises, while on Agency business (whether or not on Agency premises), while driving an Agency vehicle or driving a personal vehicle for Agency business, or while representing the Agency, is strictly prohibited.

Employees are prohibited from reporting to work or working while they are using or under the influence of alcohol, any drugs as well as any controlled substances which may impact an employee's ability to perform his or her job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee to report to work. However, to the extent permitted by and in accordance with applicable law, this exception does not extend any right to report to work under the influence of medical marijuana or to use medical marijuana as a defense to a policy violation or a positive drug test, to the extent you are subject to any drug testing requirement.

Employees must notify the Chief Human Resources Officer or Vice President of Human Resources of any criminal drug statute conviction for a violation occurring within the workplace within five (5) days of such conviction. Within ten (10) days of such notification or other actual notice, the Agency will advise the contracting agency of such conviction.

All employees are hereby advised that full compliance with the foregoing policies shall be a condition of employment at the Agency.

Violation of this policy may result in disciplinary action, up to and including discharge.

In the discretion of the Agency, any employee who violates our drug-free workplace policy may be required, in connection with or in lieu of disciplinary sanctions, to participate to the Agency's satisfaction in an approved drug assistance or rehabilitation program.

The Agency maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist employees recovering from substance and alcohol dependencies, and those who have a medical history that reflects treatment for substance abuse conditions. However, employees may

not request an accommodation to avoid discipline for a policy violation.

In order to maintain a drug-free workplace, the Agency has established a drug-free awareness program to educate employees on the dangers of drug abuse in the workplace, our drug-free workplace policy, the availability of any drug-free counseling, rehabilitation and employee assistance programs and the penalties that may be imposed for violations of our drug-free workplace policy.

Drug-free awareness program could be listed or hyperlinked so that people can sign up or attend when they can and want.  
policy receipt can be attached if it all becomes electronic. It could even be a the employee's personal copy

## **H. WORKPLACE VIOLENCE**

We are strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and visitors and damage to Agency and personal property.

Threats, threatening language or any other acts of aggression or violence made toward or by any Agency employee will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious and/or destructive action undertaken for the purpose of domination or intimidation.

Weapons are prohibited on Agency premises.

Employees should immediately report all potentially dangerous situations, including threats by co-workers, to any member of management with whom they feel comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede our ability to investigate and respond to the complaints. All threats will be promptly investigated. No employee will be subjected to retaliation, intimidation, or disciplinary action as a result of reporting a threat in good faith under this policy.

If an investigation confirms that threat of a violent act or violence itself has occurred, the Agency will take swift and appropriate corrective action.

Employees threatened by an outside party should follow the steps detailed in this section. It is important for us to be aware of any potential danger in our offices. Indeed, we want to take effective measures to protect everyone from the threat of a violent act by an employee or by anyone else.

Questions about this policy should be directed to management.

## **I. REPORTING COMPLAINTS AND INVESTIGATION PROCEDURE**

### **J. NO RETALIATION**

### **K. LEGAL PROTECTIONS AND EXTERNAL REMEDIES**

- We do have some policies already mentioned above, but I think we could organize them in to one section. Then we don't have to repeat "should immediately report the matter to their supervisor, senior manager or Chief Human Resources Officer or Vice President of Human Resources. An employee who is either unsure of the appropriate person to whom to raise an issue of perceived harassment or who has not received a satisfactory response within five (5) business days after reporting any incident of perceived harassment should contact the Chief Human Resources Officer or Vice President of Human Resources."

At the end of every section. Also explain how to report.

+ Encourage employees to report.



## **II. WORKING AT THE AGENCY**

### **A. EMPLOYMENT CLASSIFICATIONS**

All employees fall within one of the following classifications:

- Full-time. Employees who regularly work at least 35 hours per week.
- Part-Time. Employees who regularly work less than 35 hours per week or on an irregular basis as needed.
- Temporary. Employees who are either hired for a specific purpose or time period, which generally does not exceed six (6) months. A temporary employee may work a full- time or part-time schedule.

In addition to the above classifications, all employees are categorized as either “exempt” or “non-exempt.” Pursuant to federal and state wage & hour laws, exempt employees do not receive overtime pay. Employees classified as exempt receive a salary which is intended to cover all hours worked including any hours worked in excess of 40 in a workweek.

Employees are informed of their initial employment classification and status as exempt or non- exempt upon commencing employment. If an employee changes position during his/her employment as a result of a promotion, transfer or otherwise, management will inform him/her of any change in his/her job classification.

### **B. INITIAL EMPLOYMENT PERIOD**

Every new employee goes through an initial period of adjustment in order to learn about The Child Center and about his or her job. During this time, you will have an opportunity to find out if your job is suited to you and if you like your new position.

Additionally, the initial employment period gives your manager a reasonable period of time to evaluate your performance. This initial period will depend on your position and whether or not you are a member of one of the bargaining units. You should review your Collective Bargaining Agreement (CBA) to determine your Initial Employment Period. For all other employees, the initial period is 6 months (180 days).

During the initial period, you will be provided with training and guidance from your manager. You may be discharged at any time during this period if your manager concludes that you are not progressing or performing satisfactorily. Under appropriate circumstances, the initial employment may be extended.

### **C. PERSONNEL FILES**

Personal information such as an employee’s address and telephone number is contained in a confidential personnel file maintained for each employee.

Employees should keep their personnel file up to date by entering any and all changes to personal information in the Human Resources Information System (HRIS). Employees should also inform their Supervisor of any specialized training or skills acquired in the future. Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an “out of date” emergency contact or an inability to reach an employee in a crisis may be extremely problematic.



#### **D. REFERENCE CHECKS**

The Agency has a neutral reference policy. All inquiries regarding a current or former employee must be referred to Human Resources.

Should anyone receive a written request for a reference, you should refer the request to Human Resources for handling. Employees may not issue a reference letter to any current or former employee without the permission of the President & CEO.



Under no circumstances should any employee release any information about any current or former employee over the telephone. All telephone inquiries regarding any current or former employee must be referred to Human Resources.

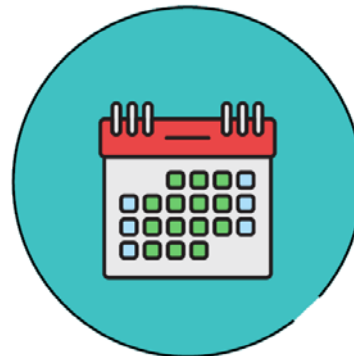
In response to an outside request for information regarding a current or former employee, Human Resources will furnish or verify only anyone's name, dates of employment, job title and department. No other data or information regarding any current or former employee, or your employment with the

Agency, will be furnished unless you authorize the Agency to furnish this information in writing or unless otherwise required by applicable law.

### **E. WORKSCHEDULES**

Our normal workweek consists of seven (7) hours in a five (5) day workweek. Actual schedules may vary depending upon department, position and location. Employees are provided with meal periods to the extent required and in accordance with applicable law.

Supervisors will inform employees of their scheduled hours as well as any meal periods.



### **F. LACTATION ACCOMMODATION**

The Agency will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child for up to 3 years after the birth, to the extent required and in accordance with applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided to the employee. If the break time cannot run concurrently with rest and meal periods already provided to the employee, the break time will be unpaid, to the extent permitted by applicable law.

The Agency will make reasonable efforts to provide employees with the use of a room or location in close proximity to the work area other than a toilet stall for the employee to express milk in private. This location may be the employee's private office, if applicable. The Agency may not be able to provide additional break time if doing so would seriously disrupt the Agency's operations. Employees will not be discriminated against or retaliated against for exercising their rights under this policy and reasonable efforts will be made to provide a private room or location in close proximity to the work area for this purpose. Employees can contact Human Resources with questions regarding this policy.

N.Y. Civil Rights Law § 79-e (1994) permits a mother to breastfeed her child in any public or private location. (SB 3999)

N.Y. Labor Law § 206-c (2007) states that employers must allow breastfeeding mothers reasonable, unpaid break times to express milk and make a reasonable attempt to provide a private location for her to do so. Prohibits discrimination against breastfeeding mothers  
breaks for nursing mothers

### **G. OVERTIME**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding overtime.

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. The opportunity to work overtime is at the discretion of management and is based on departmental needs. Any overtime must be authorized in advance by management.

Any non-exempt employee who works overtime is compensated at the rate of one and one-half times (1 1/2) his/her normal hourly wage rate for all time worked in excess of forty (40) hours each workweek.

All paid sick, vacation, personal and holidays are not counted as hours for purposes of calculating overtime.

## **H. RECORDING HOURS WORKED**

At the Agency, we maintain time records for all employees so we will have accurate records of time worked. Non-exempt employees are required to record their time in and begin work no more than 5 minutes before their scheduled starting time. Non-exempt employees must record their time in and out for meal periods and record their time out promptly at the end of their shift. Non-exempt employees may never work off the clock.



All employees must record the time they arrived/departed, each day, on their electronic timecard. Lunch time is unpaid one hour. You are not to sign in or out for other employees. Violations of this policy may result in appropriate disciplinary action, up to and including immediate discharge. You must maintain a record of the total hours you work each day. These hours must be accurately recorded on your electronic timecard on a daily basis. Each employee must verify that the reported hours worked are complete and accurate (and that there is no unrecorded or “off-the-clock” work). Your electronic timecard must accurately reflect all regular and overtime hours worked, any absences, early or late arrivals, early or late departures and meal breaks. At the end of each pay period, you must approve and submit your completed electronic timecard for verification and approval.

Since employee time records are vital for payroll purposes, employees must inform management if they fail or otherwise forget to record their time in or out before or after any working time. Failure to properly record time may result in discipline, up to and including discharge.

## **I. PAYROLL**

For purposes of payroll, the workweek begins Monday and ends Sunday.

Employees are paid bi-weekly by check on Fridays for all time worked during the previous bi-weekly pay period ending Sunday. More frequent pay will be provided to the extent required and in accordance with applicable law.



Employee pay statements itemize deductions made from gross earnings. The Agency is required by law to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions include any court-ordered garnishments. Pay statements also itemize any voluntary deductions such as an employee's portion of health, dental, or life insurance premiums and/or voluntary contributions to a 403(b) or pension plan, to the extent applicable. If applicable, pay statements will also differentiate between regular and overtime pay received.

Employees who believe there is an error in their pay should bring the matter to the attention of Human Resources immediately, so that the Agency can investigate and resolve the matter.

Paychecks are direct deposited to individual employee's designated account unless they don't have direct deposit, in which case paychecks are mailed on pay day to the home address that has been provided to Human Resources.

Direct deposit is available upon an employee's consent and can be elected at any time.

## **J. SAFE HARBOR POLICY FOR EXEMPT EMPLOYEES**

Exempt salaried employees receive a salary that is intended to compensate for all hours worked for the Agency. This salary is established at the time of hire. While it may be subject to review and modification from time to time, such as during salary review times, the salary is a predetermined amount that is not subject to deductions for variations in the quantity or quality of work.

Under federal and state law, exempt salaried employees' salaries are subject to certain deductions. For example, absent contrary state law requirements, exempt salaried employees' salaries are subject to reduction for the following reasons:

- Full day absences for personal reasons;
- Full day absences for sickness or disability;
- Full day disciplinary suspensions for infractions of our written policies and procedures;
- Family and Medical Leave absences (either full or partial day absences);
- To offset amounts received as payment for jury and witness fees or military pay; or
- The first or last week of employment in the event of less than a full week worked.

Exempt salaried employees' salaries are also subject to reduction for their portion of health, dental, or life insurance premiums; state, federal, or local taxes; social security; or voluntary contributions to a 403(b) or pension plan.

In any workweek in which exempt salaried employees perform any work, their salary is not subject to reduction for any of the following reasons:

- Partial day absences for personal reasons, sickness, or disability;
- Absence due to the Agency's decision to close a facility on a scheduled work day;
- Absences for jury duty, attendance as a witness, or military leave in any week in which any work is performed; or

- Any other deductions prohibited by state or federal law.

However, subject to state law, it is not an improper deduction to reduce exempt salaried employees' accrued vacation, personal, or other forms of paid time off for full or partial day absences for personal reasons, sickness, or disability.

Employees who believe they have been subject to an improper deduction should report the matter to their supervisor immediately. If the supervisor is unavailable or is an inappropriate person to contact, or if a prompt and fully acceptable reply has not been received within five (5) business days, Human Resources should be contacted.

Employees who believe there is an error in their pay should bring the matter to the attention of Human Resources immediately, so that the Agency can investigate and resolve the matter.

Every report of improper deductions will be fully investigated and corrective action, up to and including discharge, will be taken, as appropriate, for any employee(s) who violates this policy. In addition, the Agency will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the Agency's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy may result in disciplinary action, up to and including discharge.

#### **K. REIMBURSEMENT OF EXPENSES**

Employees will be reimbursed for authorized and approved expenses incurred on behalf of the Agency, including travel expenses at the prevailing rate for mileage, plus parking, tolls and public transportation. Management must approve all such expenses in advance and documents with appropriate receipts must be provided for reimbursements. The Agency reserves the right to reimburse based only upon receipt of original receipts.

### **III. EMPLOYEE BENEFITS**

#### **A. BENEFITS OVERVIEW**

Other than Workers Compensation & Statutory Short-Term Disability Benefits, the following section does not apply to employees in positions that are covered by a CBA. Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding benefits.

In addition to good working conditions and competitive pay, it is the Agency's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include insurance benefits and other benefits, such as vacations and holidays.

The next few pages contain a brief outline of the benefits programs the Agency provides for employees and their families. Of course, this information is only guidance.

These descriptions of insurance benefits merely highlight certain aspects of the Agency's plans and are provided as general information only. The specific provisions of the plans, including eligibility and benefits provisions, are summarized in each plan's summary plan description ("SPD"). SPDs may be revised from time to time. Additionally, the official plan documents are available for review upon request. In the determination of benefits or other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including SPDs.

Further, the Agency (including the officers and administrators who are responsible for administering the plans) and/or the plan administrators retain full discretionary authority to interpret the terms of the plans as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit eligibility and entitlement.

While the Agency intends to maintain these employee benefits, it reserves the absolute right to modify, amend, or terminate these benefits at any time and for any reason.

Questions regarding benefits may be directed to Human Resources.

#### **B. PAIDHOLIDAYS**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding this benefit.

The Agency currently recognizes the following eight (8) holidays:

- New Year's Day
- Martin Luther King Jr.'s Birthday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day

- The day after Thanksgiving Day
- Christmas Day

If an employee is required to work on an agency observed holiday that employee will receive a replacement day which must be taken within 30-days of the observed holiday. Scheduling of the replacement day should be discussed with the employee's manager and should be noted as a holiday on the individual's timecard.

Paid holidays off are not counted as hours worked for purposes of calculating overtime.

### **C. PAID VACATION TIME**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding this benefit.

We know how hard our employees work and recognize the importance of providing time for rest and relaxation. We fully encourage employees to get this rest by taking vacation time. Full-time employees and part-time employees that regularly work at least 28 hours per week are eligible to accrue vacation. Vacation time is accrued per pay period over the course of the fiscal year (i.e. July 1 – June 30).

Full-time employees hired before 7/1/2016 are eligible to accrue vacation time according to the following schedule:

<b><u>Years of Service</u></b>	<b><u>Annual Vacation Days</u></b>	<b><u>Bi-weekly Vacation Hours Accrued</u></b>	<b><u>Annual Vacation Hours</u></b>
1 <sup>st</sup> year of service*	11	2.962	77
1 through 3 years	22	5.923	154
4 or more years	25	6.731	175

Full-time employees hired on or after 7/1/2016 are eligible to accrue vacation time according to the following schedule:

<b><u>Years of Service</u></b>	<b><u>Annual Vacation Days</u></b>	<b><u>Bi-weekly Vacation Hours Accrued</u></b>	<b><u>Annual Vacation Hours</u></b>
1 <sup>st</sup> year of service*	11	2.962	77
1 or more years	20	5.385	140

\*New Hire's start accruing vacation time on their first day of employment, but are not eligible for paid

vacation time until they are employed 3 months.

Part-time employees that regularly work at least 28 hours per week are eligible to accrue a pro-rata amount of vacation time based on their schedule as compared to that of a full-time employee in the requisite category.

Exempt staff may take vacation time in whole or half-day increments and non-exempt staff may take vacation time in hourly increments. Accrued vacation time should be used during the fiscal year as you may not carry unused vacation time forward to the next fiscal year. Accrued and unused vacation time will be forfeited. However, newly hired employees may carry over their accrued time to the next fiscal year. Any carryover vacation time must be used by the one year anniversary date.

Non-probationary employees may be permitted to take vacation (up to 10 days) prior to actually accruing such time assuming the employee is eligible to accrue the vacation that fiscal year. Supervisor's approval is required.

Nonetheless, should the employee's employment with the Agency terminate before such used time is accrued, any used vacation that exceeds the total accrued vacation, will be deducted from an employee's final pay, to the maximum extent permitted by applicable law.

Requests to take vacation time must be submitted as far in advance as possible. We will make every effort to grant employees' vacation preferences, consistent with our operating schedule. However, if too many employees request the same period of time off, preference typically will be given based on seniority. Further, we reserve the right to mandate the use of vacation time in certain instances, to the extent permitted by applicable law.

Vacations are paid at the employee's base rate of pay at the time of absence. Paid vacation time off is not counted as hours worked for purposes of calculating overtime.

If you become ill during a scheduled vacation, you cannot change a vacation day; scheduled vacation days count as vacation even if you would have ordinarily taken a sick day.

Accrued, unused vacation up to two weeks (10 days) will be paid upon separation, provided the Agency requested four (4) week notice is given. Accrued, unused vacation will not be paid upon separation for employees whose employment is terminated by the Agency.

#### **D. PAID PERSONAL DAYS**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding this benefit.

Full-time employees hired before 7/1/2016 receive up to seven (7) paid personal days each fiscal year (i.e. July 1 – June 30). Part-time employees that regularly work at least 28 hours per week are eligible to accrue a pro-rata amount of personal time based on their schedule as compared to that of a full-time employee. Personal days are accrued per pay period over the course of the fiscal year.

Full-time employees hired on or after 7/1/2016 receive up to four (4) paid personal days each fiscal year (i.e. July 1 – June 30). Part-time employees that regularly work at least 28 hours per week are eligible to accrue a pro-rata amount of personal time based on their schedule as compared to that of a full-time employee. Personal days are accrued per pay period over the course of the fiscal year.

Personal days may be used for any personal reasons. Exempt staff may take personal time in whole or half-day increments and non-exempt staff may take personal time in hourly increments.

Requests to take personal days must be submitted as far in advance as possible. We will make every effort to grant employees' personal day preference, consistent with our operating schedule. However, if too many employees request the same period of time off, preference typically will be given based on seniority. Further, we reserve the right to mandate the use of personal days in certain instances, to the extent permitted by applicable law.

Personal days are paid at the employee's base rate of pay at the time of absence. Paid personal days off are not counted as hours worked for purposes of calculating overtime.

Accrued, unused personal days cannot be carried over from year to year and will not be paid upon separation.

## **E. PAIDSICKTIME**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding this benefit.

The Agency provides paid sick time to employees who work more than eighty (80) hours in a calendar year.

Employees begin accruing paid sick time pursuant to this policy at the start of employment.

Eligible employees, other than full-time employees and part-time employees that regularly work at less than 28 hours per week, will accrue one (1) hour of paid sick time for every thirty (30) hours worked, up to a maximum accrual of forty (40) hours each fiscal year (i.e. July 1 – June 30).

Full-time employees hired before July 1, 2016 will accrue the greater of one (1) hour of paid sick time for every thirty (30) hours worked or fourteen (14) hours (i.e. 2 days) each calendar month, up to a maximum accrual of one hundred sixty-eight (168) hours (i.e. 24 days) each fiscal year. Full-time employees hired on or after July 1, 2016 will accrue the greater of one (1) hour of paid sick time for every thirty (30) hours worked or seven (7) hours (i.e. 1 day) each calendar month, up to a maximum accrual of eighty-four (84) hours (i.e. 12 days) each calendar year.

Part-time employees that regularly work at least 28 hours per week hired before July 1, 2016 will accrue the greater of one (1) hour of paid sick time for every thirty (30) hours worked or 11.2 hours (i.e. 1.6 days) each calendar month, up to a maximum accrual of one hundred thirty four (134) hours (i.e. 19 days)

each calendar year. Part-time employees that regularly work at least 28 hours per week hired on or after July 1, 2016 will accrue the greater of one (1) hour of paid sick time for every thirty (30) hours worked or 5.6 hours (i.e. .8 days) each calendar month, up to a maximum accrual of sixty-six and a half (66.5) hours (i.e. 9.5 days) each calendar year.

Exempt employees are assumed to work thirty-five (35) hours in each workweek unless their normal workweek is less than thirty-five (35) hours, in which case paid sick time accrues based upon that normal workweek. For purposes of this policy, the calendar year is the consecutive 12- month period beginning July 1<sup>st</sup> and ending on June 30th.

Employees, other than full-time employees and part-time employees that regularly work at less than 28 hours per week, may begin using accrued paid sick time after the 120<sup>th</sup> calendar day of employment. Full-time employees and part-time employees that regularly work at least 28 hours per week may begin using accrued paid sick time after the 30<sup>th</sup> calendar day of employment. Paid sick time may be used in a minimum increment of four (4) hours, provided this is reasonable under the circumstances. For uses beyond four (4) hours, paid sick time may be used in thirty (30) minutes increments (i.e. 4.5 hours, 5 hours, 5.5 hours etc.). Employees, other than full-time employees and part-time employees that regularly work at less than 28 hours per week may not use more than forty (40) hours of accrued paid sick time in any calendar year. Full-time employees and part-time employees that regularly work at least 28 hours per week have (maximum of (455) hours.

Employees may use accrued paid sick time for absences due to:

- 1) The employee's mental or physical illness, injury or health condition or need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care;
- 2) The care of the employee's child, spouse, domestic partner, parent, sibling (including half siblings, step siblings, or siblings related through adoption), grandchild or grandparent or the child or parent of the employee's spouse or domestic partner, who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or who needs preventive medical care;
- 3) Closure of the employee's place of business by order of a public official due to a public health emergency or such employee's need to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency; or
- 4) Paternity Leave: full-time employees and part-time employees that regularly work at least 28 hours per week for the Birth, adoption or foster care placement of their child. The maximum time allowed is two (2) weeks of accrued sick time per calendar year and the time must be taken within 30-days of the event.

Employees must provide seven (7) days advance notice of the need to use accrued paid sick time to their supervisor if the need is foreseeable. Where the need is not foreseeable, employees should provide notice as early as possible. The Agency will require supporting documentation if the employee uses accrued paid sick time for more than three (3) consecutive days. For paid sick time used for reasons (1) or (2) above, documentation signed by a licensed health care provider indicating the need for the amount of paid sick time taken and that paid sick time was used for an authorized purpose under the law will be considered reasonable documentation, and such documentation need not specify the nature of the employee's or the employee's family member's injury, illness or condition. Failure to provide requested documentation for

paid sick time taken under this policy within seven days of returning to work may result in disciplinary action, up to and including termination.

Additionally, the Agency may require an employee to provide written confirmation that an employee used paid sick time in accordance with this policy. A copy of the required form will be provided by Human Resources.

An employee's use of sick time will not be conditioned upon searching for or finding a replacement worker.

The Agency may take disciplinary action, up to and including termination, against an employee who uses sick time provided under this policy for purposes other than those described above. Indications of abuse of sick time may include, but are not limited to, a pattern of: (1) use of unscheduled sick time on or adjacent to weekends, regularly scheduled days off, holidays, vacation or pay day, (2) taking scheduled sick time on days when other leave has been denied, or (3) taking sick time on days when the employee is scheduled to work a shift or perform duties perceived as undesirable.

Paid sick time will be paid at the same rate as the employee earns from his or her employment at the time the employee uses such time, but no less than the applicable minimum wage. Sick time will be paid no later than the payday for the next regular payroll period beginning after the sick time was used by the employee. Use of paid sick time is not considered hours worked for purposes of calculating overtime.

Employees, other than full-time employees and part-time employees that regularly work at least 28 hours per week may carry over up to forty (40) hours of accrued, unused paid sick time under this policy to the following calendar year. Full-time employees may carry over any accrued, unused paid sick time under this policy to the following calendar year but cannot accrue more than four hundred fifty-five hours (455) hours (i.e. 65 days) at any time. Part-time employees that regularly work at least 28 hours per week may carry over any accrued, unused paid sick time under this policy to the following calendar year but cannot accrue more than three hundred sixty-four hours (364) hours (i.e. 52 days) at any time.

Accrued but unused paid sick time under this policy will not be paid at separation.

Employees have the right to request and use paid sick time and may file a complaint for alleged violations of this policy with the New York City Department of Consumer Affairs. The Agency prohibits retaliation or the threat of retaliation against an employee for exercising or attempting to exercise any right provided in this policy, or interference with any investigation, proceeding or hearing related to or arising out of employee's rights pursuant to this policy and applicable law.

## **F. HEALTH INSURANCE**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding this benefit.

Employees working a minimum of 28 hours weekly may participate in the Agency's group medical, dental and vision insurance programs the first of the month after completing 30 days of employment. Under these plans, employees will receive comprehensive medical, dental and vision insurance coverage



for both the employee and their eligible family members.

Upon becoming eligible to participate in these plans, employees will receive SPDs describing the benefits in greater detail. Please refer to the SPDs for detailed plan information. Employees can contact Human Resources with questions regarding this policy.

## **G. RETIREMENT SAVINGS PLAN**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding this benefit.

Eligible employees may participate in the Agency's 403b savings plan. Upon becoming eligible to participate in this plan, employees will receive a SPD describing the benefit in greater detail. Please refer to the SPD for detailed plan information. Employees can contact Human Resources with questions regarding this policy.

## **H. WORKERS' COMPENSATION & SHORT-TERM DISABILITY BENEFITS**

All employees are covered under our Workers' Compensation policy which is paid for by the Agency. Accidental injuries which occur during working hours or conditions caused by work activities are covered under our Workers' Compensation policy. This insurance provides for the payment of medical expenses and weekly compensation payments during the period of an employee's work-related injury or illness.

Employees must report all injuries, no matter how slight, to management as soon as possible. Claim forms must be filed promptly to ensure claims are processed and Agency records are prepared properly. Failure to follow Agency procedures may affect employees' eligibility to receive Workers' Compensation benefits.

All employees also may be entitled to receive statutory short-term disability payments for non-occupational injuries or illnesses.

Workers' compensation and short-term disability are solely monetary benefits and not leaves of absence.

## **I. LONG-TERM DISABILITY BENEFITS**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding this benefit.

Eligible employees are automatically enrolled in the Agency's long-term disability policy at no cost to employees. Under this plan, employees may be eligible to receive long-term disability payments for non-occupational injuries or illnesses

Upon becoming eligible to participate in this plan, employees will receive a SPD describing the benefit in

greater detail. Please refer to the SPD for detailed plan information. Employees can contact Human Resources with questions regarding this policy.

Long-term disability is solely a monetary benefit and not a leave of absence.

## **J. LIFE INSURANCE BENEFITS**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding this benefit.

Eligible employees are automatically enrolled in the Agency's life insurance policy at no cost to employees. Upon becoming eligible to participate in this plan, employees will receive a SPD describing the benefit in greater detail. Please refer to the SPD for detailed plan information. Employees can contact Human Resources with questions regarding this policy.

## **IV. LEAVES OF ABSENCE**

### **A. JURY DUTY LEAVE**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding this benefit.

The Agency realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees are allowed time off to perform such civic service as required by applicable law. Employees are expected, however, to provide the Agency with proper notice of their request to perform jury duty and with verification of service. Management should be informed of the expected length of jury duty service, and employees must report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty. Employees on jury duty leave are paid for the first two weeks (10 days) of jury duty. Non-exempt employees will be paid in accordance with their normal work schedule and/or hours. Upon their release from jury duty, employees are required to provide proof of jury duty service.

### **B. BEREAVEMENT LEAVE**

Employees in positions that are covered by a CBA should refer to their applicable CBA for information regarding this benefit.

We know the death of a family member is a time when one wishes to be with the rest of his or her family. Full-time employees who lose a close relative may take paid bereavement leave of up to 3 days to attend to necessary obligations and commitments. Part-time employees that regularly work at least 28 hours per week are eligible for bereavement leave on a pro-rata basis based on their schedule as compared to that of a full-time employee. For the purposes of this policy, a close relative includes a spouse, committed same-sex/domestic/civil-union partner, child, step-child, parent, grandparent or sibling. Paid leave days may only be taken on regularly scheduled, consecutive workdays following the close-relative's death. Employees must inform their supervisor prior to commencing bereavement leave. In administering this policy, the Agency may require verification of death and relation to the deceased.

Bereavement leave is paid at the employee's base rate of pay at the time of absence for the number of hours the employee otherwise would have worked that day. Bereavement leave is not counted as hours worked for purposes of calculating overtime.

### **C. MILITARY LEAVE**

Employees who are called into active military service or who enlist in the uniformed services are eligible to receive an unpaid military leave of absence in accordance with applicable federal and state laws. To be eligible for military leave, employees must provide management with advance notice of their service obligations, unless they are prevented from providing such notice due to military necessity or it is otherwise impossible or unreasonable to provide such notice.

Employees who are required to attend yearly Reserves or National Guard duty can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). Such employees should give management as much advance notice of their need for military leave as possible so that we can maintain proper coverage.

Employees whose absence does not exceed applicable statutory limitations will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws.

Please speak to management for additional information about eligibility for Military Leave.

#### **D. BLOOD DONATION LEAVE**

In accordance with applicable law, the Agency will provide employees that work at least 20 hours per week up to 3 hours of unpaid leave in any calendar year to donate blood. Employees must provide their manager with reasonable notice that you intend to participate in a blood drive. If the blood drive is at an offsite location, employees must provide at least three (3) days advance notice. If the blood drive is onsite, employees must provide at least two (2) days advance notice. The Agency fully supports the use of this leave to make a blood donation. We will not tolerate any form of retaliation against an employee for requesting or using leave to donate blood.

#### **E. FAMILY AND MEDICAL LEAVE (“FMLA”)**

##### **Eligibility Requirements**

Employees are eligible for FMLA if:

- At least fifty (50) or more employees are employed within a 75-mile radius of the employee’s work site;
- The employee has been employed for at least one year; and
- The employee has worked at least 1,250 hours within the previous twelve (12) months.\*

\*Special hours of service eligibility requirements apply to airline flight crew employees.

##### **Basic Leave Entitlement**

The FMLA requires covered employers to provide up to twelve (12) weeks of unpaid, job-protected leave in a 12-month period to eligible employees for certain family and medical reasons. The 12-month period is determined on a 12-month period dating forward from the date of your first FMLA leave usage. Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent (but not in-law) who has a serious health condition; and/or
- For the employee’s own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee’s job.

### **Military Family Leave**

Eligible employees with a spouse, son, daughter, or parent on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of the Armed Forces for deployment to a foreign country in support of a contingency operation or Regular Armed Forces for deployment to a foreign country may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement which permits eligible employees (spouse, son, daughter, parent or next of kin of a covered service member) to take up to twenty-six (26) weeks of leave to care for a covered service member with a serious injury or illness during a single 12- month period (one time basis only). A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as “current members of the Armed Forces.” Covered service members also includes a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five year period preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as “covered veterans.”

The FMLA definitions of a “serious injury or illness” for current Armed Forces members and covered veterans are distinct from the FMLA definition of “serious health condition” applicable to FMLA leave to care for a covered family member.

### **Job Benefits and Protection**

If applicable, during FMLA leave, the Agency must maintain health coverage under any “group health plan” on the same terms as if the employee had continued to work. If paid time off is substituted for unpaid leave, the Agency will deduct the employee’s portion of any applicable health plan premium as a regular payroll deduction. If the employee’s leave is unpaid, the employee must make arrangements with Human Resources prior to taking leave to pay their portion of any applicable health insurance premiums each month.

The Agency’s obligation to maintain health care coverage ceases if an employee’s premium payment is more than 30 days late. If an employee’s payment is more than 15 days late, the Agency will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse the Agency for the cost of the premiums the Agency paid for maintaining coverage during their unpaid FMLA leave. For purposes of this paragraph, an employee will be considered to have returned to work if he or she returns to work for at least 30 calendar days, or if he or she retires at the end of the FMLA leave period or within 30 days thereafter.

Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

The use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of an employee's leave.

Employees may not perform work for any other employer during the same hours and in the same or similar position for which they work for the Agency during any period of FMLA leave, unless such prohibition is prohibited by applicable law.

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Agency's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

### **Substitution of Paid Leave for Unpaid Leave**

Employees must use accrued vacation, personal and sick time (assuming the reason for leave is covered by the sick time policy) while on unpaid FMLA leave. The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leaves and the paid time will run concurrently with an employee's FMLA entitlement.

Upon written request, the Agency will allow employees to use accrued vacation and sick time to supplement any applicable paid disability or Workers' Compensation benefits. Receipt of disability benefits or Workers' Compensation benefits does not extend the maximum amount of leave time to which an employee is eligible under the FMLA.

### **Employee Responsibilities**

Employees must provide thirty (30) days' advance notice of the need to take FMLA leave when the need is foreseeable. When thirty (30) days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Agency's normal call-in procedures.

Employees must provide sufficient information for the Agency to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Agency if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees may also be required to provide medical certification and periodic recertification supporting the need for leave.

### **Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for ineligibility.

Covered employers must inform employees if leave is designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

### **Unlawful Acts by Employers**

FMLA makes it unlawful for the Agency to:

- Interfere with, restrain, or deny the exercise of any right provided under the FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Concerns regarding a possible violation with respect to either of these obligations should be reported to the Agency's Human Resources Department.

### **Enforcement**

Employees may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement, which provides greater family or medical leave rights.

## **F. PERSONAL LEAVE**

Under certain circumstances, employees who are not eligible for any other Agency leave of absence and/or have exhausted all other leave entitlements may be granted a personal leave of absence without pay. A written request for a personal leave should be presented to management

at least two (2) weeks before the requested start of the leave, except in cases of emergency. Requests are considered based on non-discriminatory factors including but not limited to staffing requirements and the reasons for the requested leave, as well as employees' performance and attendance records. This leave may be requested for medical reasons. If so, the Agency may require submission of medical certifications at various times during the leave.

Normally, personal leaves of absence are granted for a period of up to four weeks. Under unusual circumstances, a personal leave may be extended provided that a written request for an extension to management is made prior to the expiration of leave, and the request is granted. These time limitations do not apply to leaves taken for medical reasons.

Employees must use accrued paid vacation, personal and sick time (assuming the reason for leave is covered by the sick time policy) while on unpaid personal leave. The substitution of paid time for unpaid leave time does not extend the length of leave and the paid time will run concurrently with any personal

leave granted. Upon written request, the Agency will allow employees to use accrued paid vacation and sick time off to supplement any applicable paid disability or Workers' Compensation benefits. Receipt of disability benefits or Workers' Compensation benefits does not extend the length of any personal leave granted.

Employees may not perform work for any other employer during the same hours and in the same or similar position for which they work for the Agency during any period of personal leave, unless such prohibition is prohibited by applicable law.

During a personal leave that is unpaid, employees will not earn paid time off or holidays. We will continue health insurance coverage during a personal leave if employees submit their share of the monthly premium payments to the Agency in a timely manner, to the extent permitted and in accordance with the applicable plans.

When they anticipate returning to work, employees should notify management of their expected return date. Employees should notify management at least one (1) week before the expiration of leave.

Upon completion of a personal leave of absence, the Agency will attempt to return employees to either their original job, or to a similar position, subject to prevailing business considerations. We note, however, that reinstatement is not guaranteed unless required by law.

Failure to advise management of availability to return to work, failure to return to work after notifying the Agency of expected return to work, or remaining absent from work beyond the time approved by the Agency is considered a voluntary resignation of employment unless otherwise prohibited by applicable law.



## **V. BUSINESS ETHICS & RELATED POLICIES**

### **A. GENERAL OVERVIEW OF ETHICAL CONDUCT GUIDELINES**

All employees must conform to ethical and legal standards to abide by the law and to preserve The Child Center's integrity and reputation. Failure to adhere to this policy may result in disciplinary action, up to and including discharge from employment. The following areas should be of particular concern. Violation of any of these policies may result in disciplinary action up to and including immediate termination.

### **B. RELATIONSHIPS WITH THOSE WE SERVE**

Our goal at the Agency is to provide quality care and services to those we serve. The following two principles assist us in reaching that goal:

- 1) Employees will not knowingly harm anyone we serve in any program we operate and will protect those we serve from abuse or neglect at all times.
- 2) Employees will not become involved in relationships with anyone we serve or any other family members or caretakers that may negatively impact the professional relationship, constitute a possible conflict of interest or disrespect professional boundaries.

### **C. ANTI-NEPOTISM AND ROMANTIC RELATIONSHIPS POLICY**

Members of anyone's immediate family will not be considered for employment under any circumstances without the expressed written consent of the President & CEO. This policy also applies to romantic relationships.

For purposes of this policy, the term "close relative" includes the following relationships, whether established by blood, marriage, or other legal action; mother, father, husband, wife, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, step-child, aunt, uncle, nephew, niece or cousin.

Consenting "romantic" or sexual relationships between a manager and anyone may at some point lead to unhappy complications and significant difficulties for all concerned - you, the manager and the Agency. Any such relationship may, therefore, be contrary to the best interests of the Agency.

Accordingly, the Agency strongly discourages such relationships and any conduct (such as dating between a manager and anyone else) that is designed or may reasonably be expected to lead to the formation of a "romantic" or sexual relationship.

If a romantic or sexual relationship between you and your manager should develop, it shall be the responsibility and mandatory obligation of the manager promptly to disclose the existence of the relationship to the President & CEO. You may make the disclosure as well, but the burden of doing so shall be upon the manager.

This policy shall apply without regard to gender and without regard to the sexual orientation of the

participants in a relationship of the kind described.

#### **D. OUTSIDE EMPLOYMENT**

The Agency recognizes your right to engage in outside employment as long as it does not interfere in any way with your responsibilities to the Agency. Remuneration from outside employment shall accrue solely to the employee.

The Agency's facilities and/or resources may not be used in connection with any outside employment unless express written permission is obtained from the President & CEO. You are not permitted to provide services in outside employment to clients who otherwise would be served by the Agency except on mutual agreement between you and the President & CEO.

For outside employment, such as for teaching, speaking, or conducting seminars which would occur during regular working hours, you have the obligation to seek advance approval from the Agency for this kind of assignment. If you receive approval for this type of employment you will be required to reimburse the Agency for the time that you are absent from work. Such reimbursement may be in the form of deductions from wages, working the hours at another time and/or annual or other paid leave time, other than sick leave.

If the Agency determines that your outside employment interferes with your performance or the ability to meet the requirements of the Agency as they are modified from time to time, you may be asked to terminate your outside employment if you wish to remain employed by the Agency.

No employee may serve as a director or officer of any vendor without the prior written approval of the CEO. Any employee who does perform outside work has a special responsibility to avoid any conflict with the Agency's interests.

#### **E. POLITICAL CONTRIBUTIONS AND LOBBYING**

The Child Center has a policy of not making contributions to political parties or candidates or lobbying on their behalf. Employees may enjoy membership in and contribute to political parties, trade associations, and similar organizations. However, any political activity is strictly on your own time and at your own expense and should be done as an individual and not as a representative of The Child Center.

#### **F. CONFIDENTIAL INFORMATION**

Each employee has an ethical duty to ensure that the confidential information regarding our operations, activities and business affairs of the Agency which is not otherwise available to the general public is kept confidential to the greatest possible extent. Employees discussing confidential information with a client should always be aware that there are other people around them and should use discretion as to where such discussions and conversations take place. Confidential information includes, but is not limited to:

donor information, client information, business plans and strategies, protected health information.

Employees who have access to or acquire confidential and/or proprietary information of the Agency should not disclose this information to individuals who should not have knowledge of or access to such information. Employees shall not use such confidential information obtained in the course of your employment for the purpose of advancing any private interest or otherwise for commercial personal gain.

Please refer any requests to disclose confidential and/or proprietary information of the Agency to Human Resources.

#### **G. PAY TRANSPARENCY NONDISCRIMINATION PROVISION**

The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

#### **H. OPEN DOOR POLICY**

The Child Center of NY promotes an atmosphere whereby employees can talk freely with members of the management staff. Employees can openly discuss with their manager any problems so appropriate actions may be taken. The Child Center of NY is interested in all of its employees' success and happiness with the organization. The Child Center, therefore, welcomes the opportunity to help employees whenever feasible.

#### **I. CHILD SAFETY & RELATED REPORTING PROTOCOLS**

In order to fulfill its mission to protect and promote the safety and well-being of children, families, and communities by providing excellent child welfare, juvenile justice, and early care and education services, the New York City Administration for Children's Services (ACS) must regularly monitor its contracted provider agencies—including The Child Center—who work most closely with children and families. With this in mind, ACS has created a new communication protocol for employees. We are all responsible for adhering to this protocol, so please carefully read the guidelines below.

The safety of the children in our care is our most essential responsibility. We want you to always bring any concerns to us and to report them accordingly. If you are ever not sure what to do, your supervisor or Vice President will take your concerns seriously and help you figure out how to proceed. No action you ever take on behalf of our children's safety will result in punitive action.

According to this protocol, if you as an employee of The Child Center have reasonable cause to suspect that a child has been abused or maltreated, or is at risk of being abused or maltreated, you must report that suspicion to the New York Statewide Central Register of Child Abuse and

Maltreatment (SCR) and, when appropriate, the New York State Justice Center's Vulnerable Persons Central Register (VPCR). In addition to reporting to the SCR and/or VPCR, if you have concerns related to the safety and well-being of a child or family we serve, ACS strongly encourages that you adhere to The Child Center's internal process for reporting concerns to supervisory staff, including the highest managerial level within the agency to whom concerns can be communicated. This means that if you ever suspect that a child is being, or at risk of being, abused or maltreated—even if you have doubts—you should bring your concerns to your direct supervisor or to the Vice President of your program area.

If you should ever feel that your concerns are not adequately being addressed, you should contact ACS' Internal Monitor. The Internal Monitor reports directly to the Commissioner and oversees ACS' response to critical incidents. The Internal Monitor can be reached at [212-442-5063](tel:212-442-5063) or at [internalmonitor@acs.nyc.gov](mailto:internalmonitor@acs.nyc.gov).

The information provided to ACS' Internal Monitor will be shared with the Commissioner of ACS. ACS will review the information and will respond accordingly. To the extent possible, ACS will not disclose the name of the person who reported. No agency manager or staff member shall take retaliatory action or attempt to persuade another to take such action against any person who has given information or provided assistance to ACS in such cases.

## **J. WHISTLEBLOWER POLICY**

The Agency is committed to high standards of ethical, moral, and legal business conduct. In line with this commitment, and the Agency's commitment to open communication, this policy aims to provide an avenue for you to raise concerns and reassurance that you will be protected from reprisals or victimization for whistleblowing. This Policy will be distributed to all directors, officers, employees, and volunteers who provide services to the Agency.

This Policy addresses the submission by directors, officers, employees and volunteers of complaints, concerns, and suspected violations with respect to one or more of the following matters (together "Misconduct"):

- Questionable accounting, internal controls, and auditing matters.
- Illegal or fraudulent conduct or activity
- Compliance with legal and regulatory requirements.
- A violation or suspected violation of Agency policies.
- A retaliatory act against a director, officer, volunteer or employee who reports a suspected violation of any of the above.

Employees or volunteers wishing to report a good faith allegation of Misconduct by a director, officer, employee or volunteer should contact the Chief Human Resources Officer or Chief Compliance Officer via telephone at 718-651-7770 or via email at [whistleblower@childcenterny.org](mailto:whistleblower@childcenterny.org). The Chief Human

Resources Officer and Chief Compliance Officer are the individuals designated by the Agency to administer this Policy and to report to the Audit Committee or Other Committee of Independent Directors, or if there are no such committees, to the Board. All individuals filing a complaint of Misconduct should be prepared to include as many details as possible, in writing, including a description of the questionable activity, the names of the individuals involved, the names of possible witnesses, dates, times, and any other available details. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed.

The Agency will investigate all good faith allegations of Misconduct made by a director, officer, employee or volunteer against the Agency or against an Agency director, officer, volunteer or employee. Furthermore, the Agency will not tolerate any act of intimidation, harassment, discrimination or other retaliation or, in the case of employees, adverse employment consequences, against a director, officer, employee, or volunteer who makes such an allegation of Misconduct in good faith either internally or to a public body, or who refuses to participate in such Misconduct. Anyone who is found to have intimidated, harassed, discriminated or otherwise retaliated against someone who has reported an allegation of Misconduct in good faith shall be subject to discipline by the Agency, up to and including termination of employment and/or relationship with the Agency. The Agency generally will notify the complainant of the results of any investigation and what action, if any, was taken.

Nothing in this policy protects individuals from the consequences of their own unethical or unlawful conduct, including submitting false or baseless allegations. Individuals who deliberately make false or baseless allegations are subject to disciplinary action, up to and including termination.

## **K. CONFLICT OF INTEREST & RELATED PARTY TRANSACTIONS POLICY**

A high level of trust and commitment is vital to our workplace environment. A conflict of interest arises when the interests of the Agency and the interest of one of its directors, officers or employees are in direct or indirect competition and/or in violation of applicable legal requirements. Conflicts of interest can prevent an individual from being impartial in carrying out his or her job or responsibilities. Furthermore, they can influence the way in which he or she makes decisions on behalf of the Agency and on behalf of him or herself.

Conflicts of interest occur when, among other situations, a director, officer or employee:

- Participates in decisions from which he or she can directly or indirectly benefit, even if they are of no harm to the Agency;
- Gains a personal benefit from an external company or organization conducting business with the Agency;
- Participates in a decision-making process within the Agency related to another company or organization in which the employee has ties or on which he or she has a substantial influence;
- Accepts gifts or services from individuals, companies or organization conducting business with the Agency whose value exceeds gifts or services appropriate in a normal business relationship;
- Uses assets belonging to the Agency for personal use, regardless of the amount;
- Uses the Agency's name, trademarks and any other Agency identification for commercial

- purposes or to endorse and product or service;
- Has professional or personal affiliations that are in competition with the Agency and could jeopardize the employee's job, position or relationship with the Agency;
- Biases his or her job position or relationship with the Agency in order to benefit the needs of an outside company or organization in which he or she has a direct or indirect business, whether financial or otherwise.

This list of conflicts of interest provided is non-exhaustive, and other scenarios not described above may also qualify as a conflict of interest.

The Agency will not enter into any related party transaction unless the transaction is determined by the Board to be fair, reasonable and in the Agency's best interest at the time of such determination. For purposes of this Policy "related party" means: (i) any trusted or key employee of the trust or any affiliate of the trust; (ii) any relation of any trustee or key employee of the trust or any affiliate of the trust; or (iii) an entity in which any individual described in clause (i) or (ii) of this section has a 35% or greater ownership or beneficial interest or, in the case of partnership or professional corporation, a direct ownership interest in excess of 5%.

If a conflict of interest should arise or if one is suspected or if any director, officer or key employee has an interest in a related party transaction, take the following course of action:

- The director, officers or key employee must inform the Chief Executive Officer, who will in-turn disclose such conflict to the Audit Committee or if there is no such committee, to the Board including disclosure of any material facts;
- The director, officer or key employee must remove him or herself from the situation by discontinuing participation in the actions generating the conflict of interest;
- The director, officer or key employee with the actual or suspected conflict of interest may not be present at or participate in the Board or Committee deliberation or vote on the matter giving rise to such conflict.

The Audit Committee or the Board will evaluate the conflict of interest and take the necessary actions to solve the matter while preventing or minimizing any risks to the Agency. The director, officer or key employee with the actual or suspected conflict of interest is prohibited from attempting to influence improperly the deliberation or voting on the matter giving rise to such conflict. With respect to any related party transaction involving a charitable corporation and in which a related party has a substantial financial interest, the Board or an authorized Committee thereof will:

1. Prior to entering into the transaction, consider alternative transactions to the extent available;
2. Approve the transaction by not less than a majority vote of the director or committee members present at the meeting; and
3. Contemporaneously document in writing the basis for the Board or authorized Committee's approval, including its consideration of any alternative transactions.

The existence and resolution of the conflict and/or related party transaction will be documented in the Agency's records, including in the minutes of any meeting at which the conflict was discussed or voted upon.

Prior to the initial election of any director, and annually thereafter, such director must complete, sign and submit to the secretary of the Agency a written statement identifying, to the best of the director's knowledge, any entity of which such director is an officer, director, trustee, member or owner (whether as a sole proprietor or a partner), or employee and with which the Agency has a relationship, and any transaction in which the Agency is a participant and in which the director might have a conflicting interest. Each director must annually resubmit such written statement. The Secretary of the Agency will provide a copy of all completed statements to the Chair of the Audit Committee or, if there is no Audit Committee, to the Chair of the Board.

Violations of this policy may lead to disciplinary action, up to and including termination of employment.

## **VI. GENERAL POLICIES & PROCEDURES**

### **A. RULES OF CONDUCT**

The Agency endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on common sense and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is necessary to adopt and enforce rules all can follow. The following are examples of some but not all conduct which may subject the offender to disciplinary action, up to and including discharge, in the Agency's sole discretion:

- Obtaining employment on the basis of false or misleading information;
- Stealing, removing or defacing Agency, client or co-workers' property;
- Violation of the Harassment Policies;
- Violation of the Drug Free Workplace Policy;
- Violation of the Workplace Violence Policy;
- Violation of the Confidential Information and Conflict of Interest Policy;
- Violation of the Attendance Policy;
- Loitering or loafing during work time, or leaving a work area without the permission of management;
- Gambling on Agency property;
- Willful or careless destruction or damage to Agency assets or to the equipment or possessions of another employee;
- Wasting work materials;
- Performing work of a personal nature during working time;
- Unsatisfactory job performance; or
- Any other violation of Agency policy.

Obviously, not every type of misconduct can be listed. The Agency reserves the right to impose discipline up to and including immediate discharge, whenever management deems it appropriate to do so. The observance of these rules, which are subject to the terms of any applicable CBA, will help to ensure that our workplace remains a safe and desirable place to work.

### **B. PROFESSIONAL BEHAVIOR AND PERSONAL BOUNDARIES**

#### **Policy Statement**

All employees of the Agency shall interact and communicate with clients, collaterals and caregivers, and visitors to the agency in a professional manner and with dignity and respect.

#### **Purpose**

- To establish and maintain guidelines of professional/workplace behavior and boundaries.
- To ensure that care is provided in a safe and therapeutic environment for clients.
- To ensure that social and/or personal relationships do not become a factor providing high quality



clinical and support services and the achievement of positive outcomes that assist those we serve.

### **Definitions**

- **Boundary:** a limit or margin that describes the way employees interact and/or communicate with clients;
- **Boundary Violations:** an infringement of the limit or margins, that can be emotional physical, spiritual, financial or sexual in nature, and may be, brief, extended, accidental or intentional;
- **Client:** any person who is currently or has received services or been enrolled in any Agency program or facility, including family members and legal guardians of said person. If a client from your program is moved to another program or facility, he or she is still a client and these rules still apply;
- **Employee:** All personnel of the Agency;
- **Therapeutic Relationship:** a professional relationship between the client and employee in which the latter has the responsibility for ensuring the needs of the client as described by the treatment plan are met.

### **Policy**

All interactions between clients and employees must be professional and fall within professional boundaries to maximize positive client experiences and outcomes.

Further, it is the Agency's policy that all employees treat clients with respect. Therefore, employees are expected to follow the following guidelines:

- Staff must recognize and understand that their interactions with clients must be seen in terms of a professional relationship.
- If a staff member is ever in doubt, they should seek advice from their supervisor.

### **Boundary violations and potential boundary violations**

**Boundary Violations.** Behaviors which are outside of the employee's job and role responsibilities and are therefore prohibited include, but are not limited to:

- Providing special favors to clients;
- Developing exclusive relationships with clients for social reasons to avoid conflicts of interest;
- If you have a pre-existing relationship with a client, you must disclose it to your supervisor so that you are not directly assigned to provide services to that client.
- Engaging in a social relationship with clients outside working hours, including after discharge, unless discussed and approved by supervisor and senior agency leadership.
- Accepting invitations from clients to attend social events, including, but not limited to, house-warmings, weddings, promotions, graduations, etc. unless approved in advance by your supervisor;
- Giving/receiving to/from client's personal gifts, money, or other items of value for your own use, however it may be accepted on behalf of the program and you must inform your supervisor; engaging in other financial transactions with clients; selling or purchasing goods or services to/from a client; or safeguarding money for a client.
- Sharing your personal information with client that's non-care related (including but not limited to

personal phone numbers, home addresses, etc.);

- Sexual relationships with clients;
- Making drug or alcohol related remarks, outside of educational purposes;
- Conducting personal, non-therapeutic correspondence with any client;
- Failing to promptly notify their supervisor if an employee is contacted by a client after discharge. If a staff person receives personal contact from a client while at the Agency, he or she shall notify supervisor and treatment team;
- Engaging in aggressive or violent behavior toward a client, fellow employee, or visitor; and
- Making disparaging or critical remarks to a client about another client.

### **Reporting employee violations**

It may come to the attention of an employee that a co-worker may be engaged in a boundary violation. Such violations may include any of the aforementioned violations. In any such situation the employee should inform their supervisor, senior manager, or HR to ensure compliance with this policy.

## **C. ATTENDANCE**

Each of our employees performs an important function at the Agency. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive, and place an unfair burden on other employees and supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness may result in disciplinary action, up to and including discharge. We expect each member of our team to avoid these problems whenever possible.

We do recognize, however, that there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify their supervisor as early as possible, but at least one hour before the start of the employee's workday, except in cases of extreme emergency. Asking another employee, friend or relative to give this notice is improper and may result in disciplinary action, up to and including discharge. Employees must contact their supervisor every day that they are absent unless specifically instructed otherwise such as during an approved leave of absence. If an employee calls in sick for three or more consecutive days or have a pattern of absence, the employee may be required to provide their supervisor with a doctor's note on the day the employee returns to work, to the maximum extent permitted by applicable law.

**Unreported absences of three consecutive workdays generally are considered a voluntary resignation of the employee's employment with the Agency.**

## **D. DRESS CODE & APPEARANCE**

Each employee is a representative of the Agency, whether or not their job places them in direct customer contact. Dress code generally is business casual, which must be neat and clean in appearance. All employees are also expected to groom themselves in accordance with generally accepted social and business standards. Overall, a neat and tasteful appearance contributes to the positive impression made on

clients, managers and other employees.

Employees are expected to exert a certain amount of judgment in their choice of clothing to wear to work. Any employee with a specific question about whether a specific item of clothing is acceptable attire for work can contact Human Resources for clarification.

Nothing in this policy is intended to discriminate against an employee's sincerely-held religious beliefs. Employees who may need an accommodation based on a sincerely-held religious belief or practice can contact Human Resources.

If an employee's appearance fails to meet the standards outlined above, as determined in the Agency's sole discretion, the employee may be sent home (without pay, if applicable and permitted by applicable law). Further violation of this policy may result in disciplinary action, up to and including discharge.

#### **E. LOSS OF PERSONAL PROPERTY**

Personal items should be stored in a secure fashion. No compensation is available for personal property, which may be lost or stolen, and The Child Center of NY will not replace any such property.

#### **F. SMOKING**

Smoking, including use of e-cigarettes, is prohibited at all times in all areas of our facilities, including private offices. Compliance with this policy is mandatory for all employees and persons visiting the Agency, with no exceptions. Employees who violate this policy may be subject to disciplinary action. Any disputes involving smoking and any employees with questions should discuss their issues/concerns with Human Resources. Employees will not be subject to retaliation for reporting violations of this policy in good faith.

#### **G. INSPECTIONS**

The Agency reserves the right to require employees on either Agency property or on a client's property to agree to the inspection of their person, personal possessions, property, a personal vehicle parked on Agency or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases, and other personal possessions or places of concealment, as well as personal mail sent to the Agency or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

#### **H. PERSONAL VISITS & TELEPHONE CALLS**

Disruptions during working time can lead to errors and delays. Therefore, we ask that personal telephone calls be kept to a minimum, and only be made or received after working time, or during meal times.

Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their phone for any purpose (including texting) while driving and comply with all state, local and federal laws.

For safety and security reasons, employees are prohibited from having guests visit or accompany them anywhere in our facilities other than the reception areas.

## **I. COMMUNICATION & COMPUTER SYSTEMS**

The Agency's communication and computer systems are intended for business purposes. This includes the computers, related hardware, software and networks as well as telephone, voice mail, e-mail and Internet systems. Any personal use must not interfere with performance or operations and must not violate any Agency policy or applicable law. Users have no legitimate expectation of privacy in regard to system usage.

The Agency may access its communication and computer systems and obtain the communications within the systems, including past voice mail and e-mail messages, without notice to users of the system, in the ordinary course of business when the Agency deems it appropriate to do so. Further, the Agency may review Internet usage. The reasons for which the Agency may obtain such access include, but are not limited to: maintaining the systems; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; and ensuring that Agency operations continue appropriately during an employee's absence.

The Agency may store electronic communications for a period of time after the communication is created. From time to time, copies of communications may be deleted.

The Agency's policies including, but not limited to, those prohibiting harassment, in their entirety, apply to the use of the Agency's communication and computer systems. Additionally, employees may not use the Agency's communication and computer systems in violation of any law including, but not limited to, those related to copyrights and software piracy.

All employees, upon request, must inform management of any private access codes or passwords.

No employee may access, or attempt to obtain access to, another employee's communication or computer systems without appropriate authorization.

The e-mail system may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations during working time. E-mail should be drafted with the same thought and concern devoted to written or verbal communications. The e-mail system should not be used to create any offensive messages. Messages which are considered offensive may be any message which contains sexual

implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's race, color, citizenship status, creed, age, sexual orientation, religious or political beliefs, national origin, disability, sex, marital status or any other protected classification pursuant to applicable federal, state or local law.

Employees may not install, duplicate, or remove software on the Agency's computer systems without prior management approval. Personal computers and other electronic devices (cell phones, PDAs, etc.) may not be connected directly to the Agency's computer systems without prior management approval.

Employees are prohibited from using personal e-mail accounts to conduct Agency business. Employees may not use any third party email or instant messaging accounts or services (such as Gmail, AOL, Yahoo, etc.) on the Agency's computer systems that are not ordinarily used in the performance of their job duties.

Violation of this policy may result in disciplinary action, up to and including discharge.

## **J. SOCIAL MEDIA**

The Agency respects the right of any employee to maintain a blog or website or to participate in social networking on or through websites or services such as Twitter, Facebook, or similar sites/services (collectively "social media"). However, to protect the Agency's interests and ensure employees focus on their job duties, employees must adhere to the following rules:

- Employees may not use social media during working time, unless specifically authorized to do so as part of their job duties.
- All rules regarding confidential and proprietary business information apply in full to social media. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed through social media.
- When using social media, if an employee mentions the Agency and also expresses either a political opinion or an opinion regarding the Agency's actions, the poster must specifically state that the opinion expressed is his/her personal opinion and not the Agency's position. This is necessary to preserve the Agency's goodwill in the marketplace and community.
- Be respectful of potential readers and colleagues. Please do not use discriminatory comments, or make maliciously false statements when commenting about the Agency, superiors, co-workers, or our competitors.
- Employees may not use the Agency's logos or trademarks for commercial purposes or to endorse any product or service.
- Any conduct which is impermissible under the law if expressed in any other form or forum is impermissible if expressed through social media. For example, posted material that is discriminatory, obscene, defamatory, libelous, or threatening is forbidden. All other Agency policies apply equally to social media. Employees should review this Handbook for further guidance.

The Agency encourages all employees to keep in mind the speed and manner in which information posted through social media can be relayed (and often misunderstood) by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. When in doubt, do not post! Failure to follow these guidelines may result in discipline, up to and including termination. In enforcing this policy, the Agency reserves the right to monitor social media activities of employees, whether or not such activities are conducted with Agency resources, to the extent permitted by and in accordance with applicable law.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment.

## **K. SOLICITATION, DISTRIBUTION & BULLETIN BOARDS**

To avoid distractions, solicitation by an employee of another employee is prohibited while either the person doing the soliciting or the person being solicited is on working time.

Distribution of advertising material, handbills, printed or written literature of any kind during working time or in working areas of the Agency is prohibited.

Working time includes the time during which any of the employees involved are actually scheduled to work, but does not include scheduled rest periods, meal breaks and other specified times when employees are not expected to be working.

Solicitation and/or distribution by non-employees on Agency premises is prohibited at all times.

The Agency maintains bulletin boards as a means of communicating with employees regarding pertinent Agency information. Employees are prohibited from posting and/or removing items from these bulletin boards unless otherwise authorized to do so as part of their job duties. All employees are expected to check these bulletin boards periodically for new and/or updated information and to follow the rules set forth in all posted notices.

## **L. LEAVING THE AGENCY**

When an employee leaves the Agency, we ask that their supervisor be notified at least four (4) weeks prior to the employee's departure. We appreciate employees' thoughtfulness in this matter. All Agency property and equipment must be returned at the time of separation or as otherwise requested by management. Supervisors are responsible for arranging the return of Agency property including office keys and any additional Agency-owned or issued property.

Employees' final paycheck will be mailed during the next normal pay period. If there are unpaid obligations to the Agency, the final paycheck will reflect the appropriate lawful deductions in accordance with applicable law.

Benefits end on the last day of the month in which your last day of employment falls. Employees with the Agency sponsored health insurance have the option to continue

Medical/Dental/Vision benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act ("COBRA") regulations.

When an employee decides to leave for any reason, we would like the opportunity to conduct an exit interview.

## **M. CLOSING WORDS**

Thank you for reading The Child Center of NY Employee Handbook. We trust it will continue to be a valuable resource and reference for you in the coming months as you become an integral part of The Child Center's team. This Handbook is intended to provide a broad summary of things our employees should know about the Agency. The information in this Handbook is general in nature and, should questions arise, employees should consult their supervisor or Human Resources for complete details. While we intend to continue the policies, rules, and benefits described in this Handbook, the Agency may always modify the matters set forth in this Handbook in its sole discretion. Please do not hesitate to speak to your supervisor or Human Resources with any questions about the Agency or its personnel policies and practices.

### **TRAINING VALUES**

### **COMPANY PRIVACY SEARCH**

### **EMPLOYEES ON SITE DURING OFF HOURS**

### **IN CASE OF FIRE**

### **INTERNATIONAL BUSINESS**

### **COMPANY AWARDS & RECOGNITION** ✓

### **REPORTING COMPLAINTS AND INVESTIGATION PROCEDURE** ✓

### **NO RETALIATION** ✓

### **LEGAL PROTECTIONS AND EXTERNAL REMEDIES** ✓

**Format all fixed until here: 03/12/2020**