YMCA OF GREATER ROCHESTER

EMPLOYEE HANDBOOK

April 2026

YMCA of Greater Rochester

Employee Handbook

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SECTION ONE

INTRODUCTION

WELCOME:

The YMCA of Greater Rochester (YMCA) was founded by a small group of volunteers in 1854 who were dedicated to the improvement of the social, mental, and spiritual condition of young men. Through their efforts, the YMCA helped spur a new concept of social service in Rochester. A long history of committed volunteer support for the YMCA has unfolded and grown into the unique volunteer\staff partnership that allows the YMCA of Greater Rochester to touch thousands of lives in our community. For over 155 years, we have grown from a few rented rooms in Downtown Rochester to more than 130 urban and suburban program delivery sites in the Greater Rochester area and beyond, including eleven state of the art YMCA facilities and two outstanding resident camps. We also currently partner and collaborate with over 165 local community agencies and organizations. This growth has allowed the YMCA of Greater Rochester to expand its reach while creating a sense of community among the richly diverse families and individuals we serve. You, as a YMCA employee, are an important part of our continued heritage.

This handbook summarizes many of your privileges, benefits, and responsibilities as an employee of the YMCA. If you are a new employee, it will be helpful in acquainting you with the YMCA's philosophies and human resources practices. If you are already a member of the YMCA team, this handbook should prove to be a useful reference. Above all, I hope it will promote consistency, fairness, and understanding throughout the YMCA.

In order to maintain the necessary flexibility in the administration of policies and procedures, the YMCA reserves the right to change, revise, or terminate any of the policies and/or benefits discussed in this manual without advance notice. After you have read your handbook, please keep it handy for future reference and updating.

Welcome to the YMCA!

I am glad that you have joined the YMCA and I hope that you will find your work with us to be both challenging and rewarding.

Ernest Lamour
President & CEO

PREFACE

This handbook* outlines the human resources policies and benefit plans currently in effect at the YMCA. New or revised policies are issued periodically and are effective as of the date shown at the bottom of the page.

The statements regarding the YMCA's policies, procedures, and benefits are for information purposes only. They do not constitute a contract for employment, either expressed or implied. The YMCA adheres to the principle of employment-at-will, which preserves the right of either the employee or the employer to terminate the employment relationship at any time, with or without cause. Our policy of employment-at-will may not be modified by any written or oral statements except by a written agreement signed by the Chief Executive Officer or the Chief Human Resources Officer.

Nothing in this Handbook is intended to interfere with, restrain or prohibit employees from complying with or exercising their rights under any applicable federal, state, or local law, or from communicating about wages, hours, or other terms and conditions of their or their co-worker's employment. This Handbook will not be applied or construed in a manner that violates or improperly interferes with employee rights under Section 7 of the National Labor Relations Act.

Important Information about Your Benefits

As the YMCA evolves, we will continue to review and revise these human resources policies and benefit programs. The YMCA reserves the right to alter, reduce or terminate any pay practices, policies, premium contributions, benefits, and benefit plans, in whole or in part, without advance notice. Any such change may affect retirees and beneficiaries, as well as active employees.

The benefit information found in this handbook is intended to provide an overview of the benefit plans. The actual benefits are controlled by the terms of the applicable plan of documents and insurance policies. Questions regarding the interpretation of these plans will be answered in accordance with the actual plan documents and insurance policies rather than the summaries contained in this handbook. Employees may obtain copies of these documents from the Human Resources department. The YMCA and/or the plan administrator have the sole discretion to determine the eligibility for benefits and to interpret and administer these benefit plans.

* This handbook and its policies are effective **April 22, 2026** and supersede all other personnel manuals and personnel policies previously distributed by the YMCA. To avoid confusion, please discard any copies of previously published employee handbooks.

SECTION TWO

EMPLOYMENT PRACTICES

2.01 NON-DISCRIMINATION

The YMCA is committed to a policy of Equal Employment Opportunity with respect to all employees, unpaid interns, and applicants for employment. The YMCA prohibits unlawful discrimination with respect to all employment-related decisions such as, but not limited to, recruitment, hiring, compensation, promotion, job assignments, transfers, demotions, training, leaves of absence, layoff, benefits, termination, and employer-sponsored activities. This policy prohibits unlawful discrimination on the basis of veteran status, race, color, religion, creed, sex (which includes but is not limited to gender identity or expression and the status of being transgender), national origin, citizenship or immigration status, ancestry, sexual orientation, age, predisposing genetic characteristics, previous conviction of criminal offenses (unless directly related to employment or would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public), status as a victim of domestic violence, military status, marital status, familial status, disability and any other status or characteristic protected by law.

DISCRIMINATION BASED ON REPRODUCTIVE HEALTH DECISION MAKING

The YMCA also prohibits discrimination based on employees' or their dependents' reproductive health decision making. "Reproductive health decision making" means an employee or their dependent's decision to use (or not use) a particular drug, device, or medical service related to reproductive health.

The YMCA will not inquire about nor purposefully access any documentation related to employees or their dependents' reproductive health decision making without prior written consent. In no circumstances will an employee be asked to waive their rights to control their own reproductive health decision making.

Discrimination against employees based on their or their dependent's reproductive health decision making is strictly prohibited. Retaliation against employees for making a good-faith complaint of discrimination, or for assisting another employee in making a good-faith complaint of discrimination, or for assisting or testifying in any investigation or proceeding over alleged discrimination is strictly prohibited. If an employee believes they have been subject to discrimination or retaliation on account of reproductive health decision making, they should immediately contact a supervisor, manager, or the Human Resources department. Employees may also seek other legal remedies as provided by law.

MANAGEMENT RESPONSIBILITIES

Supervisors and managers have a responsibility to prevent harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected discrimination, observe what may be harassing or discriminatory behavior, or for any reason suspect that harassment or discrimination is occurring, are required to report suspected harassment to the Chief Operating Officer or the Human Resources department. Managers and supervisors should not be passive and wait for an employee to make a claim of discrimination. If they observe such behavior, they must act.

The manager and supervisor obligations outlined in the YMCA of Greater Rochester's Sexual Harassment Policy are also applicable to this policy. Please refer to the Sexual Harassment Policy for more information.

2.01 NON-DISCRIMINATION

QUESTIONS AND COMPLAINTS
All reports of discrimination or harassment should be made in accordance with the methods outlined in the YMCA of Greater Rochester's Sexual Harassment Policy, which are repeated below.

Everyone must work toward preventing harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager, or the Human Resources department. Anyone who witnesses or becomes aware of potential instances of harassment should report such behavior to a supervisor, manager, or the Human Resources department.

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

All complaints or information about discrimination or harassment will be investigated in accordance with the procedures outlined in the Sexual Harassment Policy.

NO RETALIATION
The retaliation provisions set forth under the YMCA of Greater Rochester's Sexual Harassment Policy are applicable to this policy and are outlined below.

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

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

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

2.01 NON-DISCRIMINATION

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

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

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

2.02 SEXUAL HARASSMENT

Purpose and Goals

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

Goals of this Policy:

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

Sexual Harassment and Discrimination Prevention Policy:

1. The YMCA of Greater Rochester's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional individuals covered. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the YMCA of Greater Rochester. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the YMCA.

2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.

3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of the YMCA of Greater Rochester who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the Human Resources department. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.

4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the YMCA of Greater Rochester to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability, and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.

5. The YMCA of Greater Rochester will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. The YMCA of Greater Rochester will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, the YMCA of Greater Rochester will act as required. In addition to any required discipline, the YMCA of Greater Rochester will also take steps to ensure a safe work environment for the employee(s) who experienced discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.

6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

   Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Chief Operating Officer or the Human Resources department.

7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy by email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

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

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common

ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

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

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment.

- Employment depends implicitly or explicitly on accepting such unwelcome behavior

- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.

- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment, or any other terms, conditions, or privileges of employment. This is also called **quid pro quo** harassment.

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

Examples of Sexual Harassment

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

- Physical acts of a sexual nature, such as:
    - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body
    - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).

- Unwanted sexual comments, advances, or propositions, such as:
    - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits:
        - This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship
    - Subtle or obvious pressure for unwelcome sexual activities
    - Repeated requests for dates or romantic gestures, including gift-giving.

- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.

- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
    - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity
    - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.

- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
    - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace
    - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.

- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
    - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job
    - Sabotaging an individual's work
    - Bullying, yelling, or name-calling
    - Intentional misuse of an individual's preferred pronouns
    - Creating different expectations for individuals based on their perceived identities:
        - Dress codes that place more emphasis on women's attire
        - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees, and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace**. A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

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

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

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

Where Can Sexual Harassment Occur?

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

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

Retaliation

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

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

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

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

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

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

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager, or the Human Resources department. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or Human Resources department.

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

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

Supervisory Responsibilities

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

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

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

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

Bystander Intervention

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

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment
3. A bystander can record or take notes on the harassment incident to benefit a future investigation
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok
5. If a bystander feels safe, they can confront the harassers and name the behavior inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

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

Complaints and Investigations of Sexual Harassment

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

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

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

While the process may vary from case to case, investigations will be carried out in accordance with the following steps. Upon receipt of a complaint, the Human Resources Department or other designated person:

- Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If the complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, the Human Resources Department or other designated person will prepare a complaint form or equivalent documentation based on the verbal reporting

- Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. The Human Resources Department or other designated people will consider and implement appropriate document requests, review, and preservation measures, including for electronic communications

- Will seek to interview all parties involved, including any relevant witnesses

- Will create written documentation of the investigation (such as a letter, memo or email), which contains the following:
    - A list of all documents reviewed, along with a detailed summary of relevant documents
    - A list of names of those interviewed, along with a detailed summary of their statements
    - A timeline of events
    - A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
    - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Will keep the written documentation and associated documents in a secure and confidential location
- Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document
- Will inform the individual(s) who reported the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

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

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

New York State Division of Human Rights:

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

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

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

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

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

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

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

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

The United States Equal Employment Opportunity Commission:

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

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

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

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

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

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

Conclusion

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

2.03 NON-HARASSMENT

The YMCA is committed to a workplace environment that ensures all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including unlawful harassment and sexual harassment. The Association expects that all relationships among employees, unpaid interns, volunteers, vendors, and visitors will be business-like and free of unlawful bias, prejudice, and harassment.

The Association prohibits unlawful harassment for any reason, including, but not limited to: veteran status, race, color, religion, creed, sex (which includes but is not limited to gender identity or expression and the status of being transgender), national origin, citizenship or immigration status, ancestry sexual orientation, age predisposing genetic characteristics, previous conviction of criminal offenses (unless directly related to employment or would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public), status as a victim of domestic violence, military status, marital status, familial status, disability and any other status or characteristic protected by law. All employees, unpaid interns and non- employees conducting business in our workplace, must refrain from engaging in improper harassment.

Unlawful harassment, whether it is sexual, physical, verbal or written in nature, as well as unlawful discrimination, are prohibited forms of employee misconduct, which undermine the integrity of the employment relationship within our organization.

Any conduct prohibited by this policy is unacceptable in the workplace, at any work-related setting outside the workplace, business trips, business meetings, and business-related social events. Off duty conduct that violates this policy and affects the work environment is also prohibited.

DEFINITIONS

Harassment refers to actions that create an intimidating or hostile working environment, based on one or more of the above categories. Specific types of harassment include, but are not limited to:

- Physical harassment refers to pushing, hitting, unwanted physical touching or other offensive behavior of a physical nature
- Verbal abuse refers to derogatory or degrading verbal comments regarding, or made because of, an individual's membership in one of the categories listed above. Specific examples include, but are not limited to unwelcome jokes, gestures, and epithets and teasing
- Written harassment refers to derogatory or degrading written comments regarding, or made because of, an individual's membership in one of the categories listed above. Specific examples include, but are not limited to e-mail, text messages, memos, notes, graffiti, other visual depictions or pictures
- Inappropriate, unwelcome behaviors, such as whistling, not giving someone enough physical space, and blocking behaviors.

PROCEDURE

Reporting and Investigations

All reports of discrimination or harassment should be made in accordance with the methods outlined in the YMCA of Greater Rochester's Sexual Harassment Policy, which are repeated below.

Everyone must work toward preventing harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager, the Director of Human Resources, or the Chief Human Resources Officer. Anyone who witnesses or becomes aware of potential instances of harassment should report such behavior to a supervisor, manager, the Director of Human Resources, or the Chief Human Resources Officer.

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

All complaints or information about discrimination or harassment will be investigated in accordance with the procedures outlined in the Sexual Harassment Policy.

MANAGEMENT RESPONSIBILITIES:

Supervisors and managers have a responsibility to prevent harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected harassment, observe what may be harassing or discriminatory behavior,

or for any reason suspect that harassment or discrimination is occurring, are required to report such suspected harassment to the Chief Operating Officer, the Director of Human Resources, or the Chief Human Resources Officer. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

The manager and supervisor obligations outlined in the YMCA of Greater Rochester's Sexual Harassment Policy are also applicable to this policy. Please refer to the Sexual Harassment Policy for more information.

NO RETALIATION

The retaliation provisions set forth under the YMCA of Greater Rochester's Sexual Harassment Policy are applicable to this policy and are outlined below.

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

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

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

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

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

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that

the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

CORRECTIVE ACTION

If a harassment or discrimination complaint is found to be valid, immediate, and appropriate, corrective action will be taken. Employees and unpaid interns who violate this policy, including the provision against retaliation, will be subject to disciplinary action, up to and including termination.

2.04 NON-RETALIATION

The YMCA of Greater Rochester is committed to its policies against unlawful harassment and discrimination and strives to ensure that all its employees and unpaid interns are treated with respect and dignity. Anyone who believes that he or she has been subjected to discrimination or harassment or who has knowledge of any other potential violation of YMCA policy should report the violation in accordance with the procedures outlined in this Handbook.

The retaliation provisions set forth under the YMCA of Greater Rochester's Sexual Harassment Policy are applicable to this policy and are outlined below.

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

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

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the

practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting and Investigation

All reports of retaliation should be made in accordance with the methods outlined in the YMCA of Greater Rochester's Sexual Harassment Policy, which are repeated below.

Any employee or covered individual is encouraged to report retaliatory behavior to a supervisor, manager, the Director of Human Resources, or the Chief Human Resources Officer. Anyone who witnesses or becomes aware of potential instances of retaliation should report such behavior to a supervisor, manager, the Director of Human Resources, or the Chief Human Resources Officer.

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

All complaints or information about retaliation will be investigated in accordance with the procedures outlined in the Sexual Harassment Policy.

Any employee or unpaid intern who engages in prohibited retaliation will be subject to disciplinary action up to and including termination.

2.05 CODE OF ETHICS

The YMCA's reputation is dependent upon the good judgment, ethical standards, and personal integrity of every individual in the YMCA. As the YMCA continues to grow, it is of paramount importance that we always conduct our day-to-day activities in an ethical and responsible manner.

GENERAL STATEMENT
The purpose of this policy is to outline the high standards of ethics and excellence applicable to the policy of volunteers, employees, unpaid interns, agents, and representatives of the YMCA of Greater Rochester.

COMPLIANCE WITH LAWS AND REGULATIONS
The YMCA business is to be conducted in compliance with all applicable legal requirements. Therefore, each employee and policy volunteer is required to comply with both the letter and spirit of such laws and regulations. Except as required in the performance of their duties for the Association, employees may not use or disclose any proprietary information such as business plans, financial data, management information systems, trade secrets, customer and supplier information and contracts to anyone who does not work for us or have a need to know the information.

The understanding of legal requirements by all concerned is the responsibility of the staff and Board of Directors. If a question arises, employees should consult with the appropriate staff or officer, and Board members should consult with the Board chair. Whenever necessary, legal advice should also be sought.

The Board of Directors, with the assistance of staff and legal counsel, will prescribe procedures to ensure understanding and compliance with laws and regulations. Staff will implement necessary procedures to follow the Board's directive and to ensure understanding and compliance within their areas of responsibility. Minutes of all Board and committee meetings shall be written, distributed, and approved. Attendance and votes shall be recorded.

CONFLICT OF INTEREST

The success and integrity of the YMCA depend upon its employees, policy volunteers, and their legal, moral, and ethical standards. When engaged in personal and outside interests, employees and policy volunteers should be free from any interest, influence or relationship which might conflict, or appear to conflict, with their personal interests and the best interests of the YMCA; or which might affect their ability to make sound business decisions on behalf of the YMCA. All have the legal, moral, and ethical duty to protect YMCA interests and refrain from doing anything that would injure the YMCA's services or reputation. Employees and policy volunteers must refrain from participating in any activity or business venture which could conflict with the interests of the YMCA. Specifically, employees may not accept personal payment or other benefits from any supplier or customer of the YMCA, nor should they take any action as a representative of the YMCA for personal gain. Employees also may not accept a second job with a customer, competitor, or supplier of the YMCA where there is an actual or perceived conflict.

If employees have interests, which could conflict with those of the YMCA, they should immediately discuss them with their supervisor. Policy volunteers are required to disclose potential conflicts annually to the Board of Directors. Participation in any activity in violation of this policy must not be started or continued without written approval of the responsible executive or officer of the Board of Directors.

The Board of Directors, with the Chief Executive Office and legal counsel, will prescribe procedures for determining whether objectionable conflicts do in fact exist; and will be the final arbiter as to whether a particular activity violates this policy. Examples of activities which will generally violate this conflict-of-interest policy are:

- Other employment that may interfere with or adversely affect work performance.
- Direct or indirect ownership by employees or members of their immediate family of a substantial equity or debt interest in a supplier to the YMCA.
- Accepting substantial gifts, entertainment, loans, compensation, concessions, or benefits of any kind from a supplier to the YMCA.
- Having financial interests in any YMCA transaction involving the purchase or sale, lease, or rental of any goods, materials, equipment, supplies, services, or property.
- Unauthorized disclosure or use of confidential information (confidential information includes confidential business or proprietary information that is purposefully kept

confidential internally and/or externally, such as but not limited to, financial or other personal information relating to our members, internal reports, revenue and cost reports, and/or other internal business-related confidential communications).
- Using materials, equipment, or other assets of the YMCA for any unauthorized purpose.
- Involvement in any other business activity, transaction, or relationship, which could reasonably be interpreted by others as illegal or unethical conduct or in conflict with YMCA interests.

Payments to Government Officials, Customers, or Others
To comply with applicable law and to avoid situations which can damage the YMCA's reputation and integrity, no employee or policy volunteer shall make any bribe, or other payment for illegal purposes to or for the benefit of government officials, customers, suppliers, or others. This policy covers not only payments, but also indirect payments made in any form through consultants, third parties, or some other intermediary.

Offering or Accepting Gifts or Gratuities
The YMCA's continued success and prosperity shall not be impaired by acts or situations which cause embarrassment, or obligations or liabilities which compromise its ability to operate independently and effectively. Accordingly, it is the YMCA's policy to generally prohibit the giving and accepting of gifts or gratuities. Whenever an employee or policy volunteer deals with a supplier, a customer or governmental agency as an agent of the YMCA, the employee or policy volunteer has an obligation to act solely in the YMCA's best interest. This obligation includes not only those acts formalized by written contracts, but also covers everyday business relationships with suppliers, customers, government officials, and government employees.

Employees are prohibited from giving or accepting substantial gifts or gratuities. An exception may be made for gifts which are recognized as a custom of trade, are of insignificant value, and could in no way cause the YMCA to be embarrassed, obligated, or incur liability.

Political Activity
The YMCA recognizes the importance and responsibility of employees and policy volunteers to participate in the political process, and upholds their right to support political parties, candidates, committees, and causes.

However, in accordance with Section 501(c) 3 of the Internal Revenue Code, the YMCA is prohibited by statute from directly or indirectly participating in or intervening in any political campaign on behalf of or in opposition to any candidate for public office. Any Section 501(c) 3 organization should not contribute time or money to political campaigns, should not publish or distribute statements on behalf of a political candidate, and should not engage in any other activity which may be considered political.

Employees and policy volunteers may personally contribute to a candidate or cause and party of their choice. However, no employees or policy volunteers shall be compensated or reimbursed for any such personal contribution, and employee efforts devoted to political activity must be outside of working hours. It must also be clear that any statements on public issues are their own and not those of the YMCA.

Receipt of Items by Employees, Agents, and Representatives

YMCA employees, policy volunteers, agents, and representatives may accept meals, refreshments, or entertainment of nominal value in connection with discussions related to YMCA business. Luncheons or dinner meetings, held to conserve time and build relationships, are acceptable practices. They should, however, be infrequent, and the other party should not be permitted to consistently bear the expense. Such expenditures should be nominal. Common sense should be used to define “nominal” and to determine what is lavish, extravagant, or frequent.

All employees, policy volunteers, agents, and representatives have a personal responsibility to ensure that their acceptance of such meals, refreshments, or entertainment is proper and not reasonably constructed as an attempt by others to secure favorable treatment.

YMCA personnel are not permitted to solicit or accept personal gifts from individuals, firms, or their representatives who have or seek business relationships with the YMCA. If other than nominal gifts are received and cannot be returned, they are to be given to the YMCA’s General Office for disposition.

Except for loans by recognized banks and financial institutions, which are generally available at market rates and terms, YMCA employees, agents, or representatives may not accept loans, guarantees of loans, or payments from individuals or firms doing or seeking business with the YMCA. Employees may also not accept services, accommodations, or travel of any value unless received in conjunction with the performance of YMCA business.

Employees shall not make personal purchases via YMCA channels from outside suppliers. This provision excludes authorized employee purchases of YMCA products under programs established for such purposes.

General Guidelines for Employees

Laws, regulations, and policies pertaining to entertainment, gifts, and payments may vary. Questions regarding their interpretation shall be submitted to the Chief Executive Officer. All approved expenditures for meals, refreshments, and entertainment must be fully documented and recorded in the YMCA’s books in strict accordance with established Association policies and procedures.

Inexpensive advertising gifts from vendors are acceptable. Gifts having more than a nominal value shall be returned to the donor with a note of explanation. It is imperative that all employees conduct themselves with integrity and transact all businesses in a strictly ethical manner. Any attempts by YMCA vendors to operate unethically shall be reported to the Chief Executive Officer.

All YMCA employees shall sign a “Statement of Understanding” which confirms that they understand and will comply with this Ethics Policy.

BIDDING NEGOTIATION AND PERFORMANCE OF CONTRACTS

The YMCA will strictly observe the laws, rules, and regulations that govern federal, state, and local governments regarding acquisition and solicitation of goods and services. It will compete fairly and ethically for all such business-related opportunities. No YMCA employee, policy volunteer, agent, or representative shall attempt to obtain sensitive government or procurement information from any source; nor attempt to obtain information on competitors’ bids or proposals when release of such is unauthorized.

Individuals negotiating contracts for the YMCA shall ensure that all statements, communications, and representations to YMCA customers are accurate and truthful. Employees and policy volunteers shall not withhold relevant information that might affect a customer’s ability to negotiate a fair contract.

Sufficient care must be taken to ensure that all costs are properly recorded and charged to the appropriate account, regardless of its budget status.

Employees, policy volunteers, agents, and representatives are specifically prohibited from submitting or concurring in the submission of any claims, bids, proposals, or other documents that are knowingly inaccurate, false, fictitious, or fraudulent. Such acts may constitute criminal violations that could result in prosecution of the YMCA and those involved.

Supervisors, managers, officers, and Board members must be careful in their words and conduct to avoid placing or seeming to place pressure on subordinates that might cause them to deviate from acceptable norms of conduct.

The YMCA is dedicated to developing and providing programs and services of the highest quality. Customers have a right to expect, and the YMCA has an obligation to ensure that they are delivered at a fair price. This can only be accomplished by a continuing dedication to fair negotiation and strict adherence to all contractual obligations.

Personnel Issues

Governed by the YMCA of Greater Rochester Employee Handbook

Accounting and Financial Records

Complete and Accurate Books, Records and Communications – Applicable laws and regulations establish the following requirements about record keeping and communications:

- The YMCA's financial statements for all books and records upon which they are based must accurately reflect all the organization's transactions.
- All disbursements and receipts of funds must be properly and promptly recorded.
- No undisclosed or unrecorded funds may be established for any purpose.
- No false or artificial statements or entries may be made for any purpose in the YMCA's books and records or in any internal or external correspondence, memoranda, or communication of any type.
- Ensure that all employees' benefits and prerequisites are authorized by appropriate boards and committees and so noted in meeting minutes.

Accounting and Financial Records (Continued)

Internal Accounting Control – The YMCA should maintain a system of internal control, which provides reasonable assurance that:

- Transactions are executed in accordance with management's general or specific authorization.
- Transactions are recorded as necessary to (a) permit preparation of financial statements in conformity with Generally Accepted Accounting Principles (G.A.A.P.) or any other criteria applicable to such statements; and (b) maintain accountability for assets.
- Access to assets is permitted only in accordance with management's general or specific authorization.
- The recorded accountability for assets is compared with the existing assets at reasonable intervals and appropriate action taken for any difference.

Preservation of Assets and Cost-Consciousness – Every employee, policy volunteer, agent, and representative has a duty to preserve the YMCA's assets. Because the YMCA is a charitable organization, it is imperative that all demonstrate strong sensitivity to cost control and follow vigorous procurement standards. Materials and services acquired for the YMCA's business must be of appropriate performance, quality, and the best possible price.

The YMCA will reimburse reasonable expenses incurred by employees who travel on business or to YMCA sponsored or approved events. Economies of travel should be always practiced in the selection of airlines, vehicles, accommodations, and meals. The YMCA may offer reimbursement for such expenses to policy volunteers as deemed appropriate and affordable by the Chief Executive Officer.

Internet, Software, Electronic Data, Information

Violation of copyrights, patents, and the terms of license agreements are prohibited by law in most circumstances. Copies of software should be made only with proper authorization. Unauthorized duplication of materials must not be condoned.

Computing and communication technology enable the collection and exchange of personal information on a scale unprecedented in the history of civilization. Thus, there is increased potential for violating the privacy of individuals and groups. It is the responsibility of YMCA professionals to maintain the privacy and integrity of data describing individuals. This includes taking precautions to ensure the accuracy of data, as well as protecting it from unauthorized access or accidental disclosure to inappropriate individuals. It is unethical when someone:

- Seeking to gain unauthorized access to information
- Disrupts the intended use of information systems
- Wastes resources (people, capacity, computer) through such actions
- Destroys the integrity of computer-based information
- Compromises the privacy of users

Fundraising

Fundraising provides an important source of financial support for the work of the YMCA. A YMCA's fundraising program should be maintained on a foundation of truthfulness and responsible stewardship. Its fundraising practices should be consistent with its mission, compatible with its organizational capacity, and respectful of the interests of donors and prospective donors.

Safety and Risk Management

The YMCA has an obligation to manage the risk it assumes in its programming and facilities without compromising on the safety of participants, staff, and the community or the sustainability of the Association. Levels and types of insurance or other forms of risk transfer should be adequate, based on the Association's exposures to loss, to provide for the long-term health of the YMCA.

Proprietary Information

In working at the YMCA of Greater Rochester employees will learn things about our business and our customers' businesses which are proprietary or confidential. Every employee of the YMCA of Greater Rochester has a professional and ethical responsibility to treat this information as privileged and to ensure such information is not improperly or accidentally disclosed. Except as required in the performance of their duties for the YMCA, employees may not use or disclose any proprietary information such as business plans, financial data, management information systems, trade secrets, customer or supplier information and customer or supplier information and customer or supplier contracts to anyone who does not work for us or have a need to know the information.

Upon termination of employment, employees must return all YMCA property and all copies of documents, notes, computer disks, flash drives, and other repositories containing pricing lists, invoices, marketing methods, management information systems, financial information, employee lists, and all other information that is not general public knowledge relating to the YMCA of Greater Rochester, and not retain any duplicates.

Compliance and Disciplines – Ethics Violations

Failure to comply with the standards, contained in this Ethics Policy, will result in disciplinary action that may include suspension, termination of employment, removal from a policymaking position (such as membership on the Board), termination of contract, referral for criminal prosecution, and/or reimbursement to the YMCA for any losses or damages resulting from the violation. As with all matters involving disciplinary action, principles of fairness will apply. Any person charged with a violation of this policy will be given an opportunity to explain his or her actions before appropriate disciplinary action is taken.

Compliance and Disciplines – Ethics Violations (Continued)

Disciplinary action may be taken:

- Against any person who knowingly authorizes or participates directly in actions which are a violation of this policy.
- Against any person who deliberately fails to report a violation or withholds relevant and material information concerning a violation of this policy.
- Against the violator's manager or supervisor when the circumstances reflect inadequate supervision or lack of diligence.
- Against any supervisor or manager who directly or indirectly retaliates against any employee for reporting a violation of this policy or encourages others to do so.

ETHICAL EDUCATION TRAINING FOR EMPLOYEES

Since well-informed and well-supervised YMCA employees reflect good management practices, individual employees who know what is expected of them may be more likely to meet accountability standards and less likely to refuse responsibility for their performance – or to choose whistle blowing as a vehicle for communicating. Workshops and other forms of training programs on ethics are useful in helping managers and their employees cope with ethical dilemmas.

2.06 INDIVIDUALS WITH DISABILITIES

The YMCA fully supports the Americans with Disabilities Act (ADA), the New York State Human Rights Law, and other applicable laws which make it unlawful to discriminate against a qualified individual with a disability. The YMCA prohibits discrimination against qualified employees, unpaid interns and applicants with disabilities in all aspects of employment including, but not limited to recruitment, hiring, compensation, promotion, job assignments, transfers, demotions, training, leaves of absence, layoff, benefits, termination and employer- sponsored activities, including social and recreational programs. The YMCA's commitment to this policy includes making reasonable accommodation to persons with disabilities, to enable them to perform the essential functions of their jobs, unless to do so poses an undue hardship on the YMCA or a direct threat to health or safety.

OUR COMMITMENT

The employee or unpaid intern should notify the YMCA of his/her need for accommodation by contacting a member of the Human Resources Department. The YMCA will engage in an interactive dialogue with the individual to determine the precise limitations of his/her disability and explore potential reasonable accommodations that could overcome those limitations. Employees and unpaid interns may not refuse to work alongside co-workers who have disabilities.

QUALIFIED INDIVIDUALS WITH DISABILITIES

Qualified individuals with disabilities are defined as individuals with disabilities who have the required education, skills, and experience for the job and who can perform the essential functions of the job with or without reasonable accommodation. The term of disability is defined by applicable law.

REASONABLE ACCOMMODATION

Reasonable accommodation is defined as, any change or adjustment to a job, the work environment or the way things usually are done, that enables a qualified individual with a disability to perform the essential functions of the job and that does not pose an undue hardship for the YMCA or create a direct threat to health or safety.

DETERMINING APPROPRIATE ACCOMMODATIONS

Frequently, when a qualified individual with a disability requests reasonable accommodation, the appropriate accommodation is easily agreed upon. The individual may recommend accommodation based on his/her life or work experience. The ultimate decision as to whether a particular accommodation will be made rests with the YMCA. If more than one accommodation will enable the individual to perform the job, the YMCA reserves the right to choose which accommodation it will provide.

2.07 PREGNANT WORKERS FAIRNESS ACT

Pursuant to its obligations under the Federal Pregnant Workers Fairness Act (“PWFA”), the YMCA will provide reasonable accommodations to employees and applicants who have “known limitations” related to pregnancy, childbirth, or related medical conditions, unless an accommodation would impose an undue hardship on the YMCA. For purposes of this policy, the term “known limitation” means physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions that the individual has communicated to the YMCA, whether or not such condition meets the definition of “disability” under applicable law.

Individuals should notify the YMCA of their need for accommodation related to pregnancy, childbirth, or related conditions by contacting a member of the Human Resources Department. The YMCA will engage in interactive dialogue with individuals regarding their limitations and explore reasonable accommodations that could overcome those limitations. Examples of potential reasonable accommodations include but are not limited

to: receiving parking closer to the building; being permitted additional break time; taking leave or time off to recover from childbirth; and being excused from strenuous work activities.

In accordance with the PWFA, the YMCA strictly prohibits the following:

- Requiring an individual to accept accommodation without first discussing the accommodation with the individual
- Denying a job or other employment opportunities to a qualified individual based on the need for reasonable accommodation
- Requiring an individual to take leave if another reasonable accommodation can be provided that would allow the individual to continue working
- Retaliating against an individual for reporting or opposing unlawful discrimination under the PWFA or participating in a PWFA proceeding (such as an investigation)
- Interfering with any individual's rights under the PWFA.

Anyone with questions regarding this policy or the PWFA should contact the Human Resources Department.

2.08 NATURE OF EMPLOYMENT

The YMCA is an at-willed employer. This means that regardless of any provision in this employee handbook, either you or the YMCA may terminate the employment relationship at any time, for any reason, with or without cause or notice. Nothing in this Employee Handbook or in any document or statement, written or oral, shall limit the right to terminate employment at will. No officer, employee or representative of the YMCA is authorized to enter into an agreement—express or implied—with any employee for employment other than at-will, unless such an agreement is in a written contract signed by the Chief Executive Officer or the Chief Human Resources Officer.

SECTION THREE

EMPLOYEE RELATIONS

3.01 RECRUITMENT AND PLACEMENT

The YMCA recruits and selects individuals for employment based on merit, qualification, and competence, in compliance with its policies that prohibit unlawful discrimination and retaliation. All job offers are contingent upon the applicant providing proof of legal authorization to work at the YMCA.

JOB POSTING

Whenever possible, we seek first to fill job openings with qualified applicants from within the YMCA. (See Policy 3.07). Notices of job vacancies are posted Via the electronic posting in Paylocity. If the position is not filled through internal means, the Internet, local agencies, universities, and colleges will be utilized as a resource for staffing. You should notify your manager if you would like to be considered for a different position within the YMCA. Employees must complete at least their 90-day introductory period in their current position and must be in good standing in their current position before being eligible to request a transfer or promotion.

HIRING PROCESS

The hiring procedure includes recruitment, interviewing, and reference checks of all applicants considered for the opening.

All childcare workers are subject to New York State-mandated fingerprinting and criminal background investigations. All employees are subject to criminal background investigations.

3.02 EMPLOYMENT CLASSIFICATIONS

Employees of the YMCA are employed on either a full-time or a part-time schedule. Such arrangements may provide a distinct advantage to our operations, as well as being a matter of personal convenience to the individual.

FULL-TIME

Employees in this category are regularly scheduled to work at least 40 hours per week and receive benefits based on position, length of service, and scheduled hours.

PART-TIME

Employees in this category are regularly scheduled to work less than 40 hours per week and are eligible for certain benefits as stated to them in writing, based on their position and length of service.

Part-time employees who are unwilling and/or unavailable to work for ninety (90) consecutive days or more (and are not on an approved leave of absence) will be separated from employment and deemed to have resigned from their YMCA employment.

TEMPORARY/SEASONAL

Employees in this category perform a function for a specified period of time, and their employment is limited due to the nature of the job or availability of the individual. These employees receive statutory benefits only, with the exception of full-time exempt and non-exempt employees and part-time exempt employees who will receive holiday pay if they normally work on the scheduled holiday.

NON-EXEMPT AND EXEMPT CLASSIFICATIONS

In addition to full-time, part-time, and temporary/seasonal, each position is classified as either exempt or non-exempt based on the nature of the duties.

- Non-exempt employees are paid overtime at the rate of one and one-half times their regular hourly rate for hours worked in excess of 40 in a workweek.

- Exempt employees include executive, administrative and professional employees, outside sales representatives and certain highly skilled workers in the computer field. Exempt employees are not eligible for overtime pay.

EMPLOYMENT OF MINORS

There are very specific requirements governing the employment of minors under the age of 18. Strict compliance must be observed. Refer questions to the Director of Human Resources or the Chief Human Resources Officer.

INDEPENDENT CONTRACTORS

Self-employed individuals may also be retained to complete certain assignments within the YMCA but are not employees of the YMCA. They are classified as "independent contractors", and their compensation is not subject to employment tax withholdings. The hiring of independent contractors requires advance approval from the CFO.

3.03 WORKING HOURS

The YMCA generally observes a 40-hour work week, although it may be necessary that employees work more than 40 hours in some circumstances. Time records are kept for each non-exempt employee showing the hours worked each week.

WORKWEEK

Because of the nature of our business, workdays and hours may vary with the job and depending upon the program. Our standard workweek runs from Saturday through Friday.

MEAL BREAK

A 30-minute meal period must be taken by all employees whose shift extends for more than six hours. A 30-minute unpaid meal break is standard, unless otherwise stated for your position and/or department. Your manager is responsible for scheduling meal breaks.

NURSING EMPLOYEE RIGHTS

The YMCA complies with federal and state laws in supporting nursing employees by accommodating those who need to express breast milk during their workday for up to three years after the birth of a child. The YMCA will provide reasonable unpaid break time (during which the employee must be completely relieved from duty) to express breast milk. Meal periods may also be used for this purpose.

The YMCA will provide a nearby private room or location, which is not a bathroom, to express breast milk in accordance with applicable law. No employee will be penalized or retaliated against expressing breast milk in the workplace. Employees needing a private area for expressing breast milk should contact their supervisor, the Director of Human Resources, or the Chief Human Resources Officer for details, preferably prior to their return to work following the birth of a child to allow the YMCA to establish a room or other location.

TIME RECORDS

Non-exempt employees are responsible for recording their hours worked, meal breaks, and any absences in Paylocity each day. All timecards in Paylocity must be approved by supervisors no later than Monday of a pay week by 11:00 am.

EXCEPTION TIME REPORTS

Exempt employees are responsible for recording any time away from work in Paylocity. All timecards in Paylocity must be approved by supervisors no later than Monday of a pay week by 11:00 am.

FLEXIBLE WORK SCHEDULES

The YMCA offers a flexible work schedule to assist in balancing work and family life. Your manager will discuss the flexible work schedule policy with you. Once you have established your work schedule, it cannot be changed without your manager's approval.

3.04 FAIR AND EQUITABLE COMPENSATION POLICY

The YMCA is committed to a policy of fair and equitable compensation.

WAGE AND SALARY PROGRAM

The rate of compensation assigned to each job is based on the nature of the position as well as economic conditions within the YMCA and the community.

MERIT INCREASES

You may receive an increase in pay when there has been an improvement or maintenance of good performance during the review period. When reviewing wages and salaries, your manager considers your individual work performance. Merit increases will be determined at the sole discretion of the Association.

PAYDAY

Employees are paid bi-weekly on Friday. If payday is a holiday, you will be paid on the day before the holiday.

DIRECT PAYROLL DEPOSIT/PAY CARD

Employees have the option of being compensated through a direct payroll deposit system and/or a pay card. For more information on direct payroll deposit or pay card, employees should contact Payroll.

GARNISHMENTS

When an employee fails to make prompt payment of their personal debts, a court may order the YMCA to garnish amounts directly from the employee's paycheck. The YMCA must withhold the amount indicated in the garnishment from the employee's paycheck in accordance with federal and state law.

EXPENSE REIMBURSEMENT

Employees will be reimbursed for authorized expenses incurred on behalf of the YMCA. The employee must seek expense reimbursement in the Paylocity system and then submit any receipts to your manager.

3.05 PAY PRACTICES POLICY

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must correctly record all work time and review your paychecks promptly to identify and to report all errors. You also must not engage in off-the-clock or unrecorded work.

Review Your Pay Stub

We make every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, we promptly will make any correction that is necessary. Please review your pay stub to make sure it is correct. If you believe a mistake has occurred or if you have any questions, please use the reporting procedure outlined below.

Non-exempt Employees

All non-exempt employees must maintain a record of the total hours worked each day. These hours must be accurately recorded in Paylocity. Paylocity must accurately reflect all regular and overtime hours worked and any absences, early or late arrivals, early or late departures and meal breaks. When you receive each paycheck, please verify immediately that you were paid correctly for all regular and overtime hours worked each workweek.

Exempt Employees

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours that you may work for the Association. This salary will be established at the time of hiring or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

You will receive your full salary for any workweek in which work is performed. However, under federal law, your salary is subject to certain deductions. For example, absent contrary to state law requirements, your salary can be reduced for the following reasons in a workweek in which work was performed:

- Full day absences for personal reasons, including vacation.
- Full day absences for sickness or disability, since we have a sick day pay plan and short-term disability insurance plan.
- Full day disciplinary suspension for infractions of safety rules of major significance (including those that could cause serious harm to others).
- Family and Medical Leave absences (either full or partial day absences). NY Paid Family leave (full day absences).
- To offset amounts received as payment for jury and witness fees or military pay.
- Unpaid disciplinary suspension of one or more full days for significant infractions of major workplace conducts rules set forth in written policies.
- The first or last week of employment in the event you work less than a full week.

Your salary also may be reduced for certain types of deductions, such as your 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 you performed any work, your salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness, or disability.
- Are absence because the facility is closed on a scheduled workday.
- Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work.

- Any other deductions are prohibited by state or federal law.

Please note: You will be required to use accrued vacation or other forms of paid time off for full or partial day absences for personal reasons, or sickness. However, your salary will not be reduced for partial day absences if you do not have accrued paid time off.

To Report Violations of This Policy, Communicate Concerns, or Obtain More Information

It is a violation of the Association's policy for any employee to falsify a timecard, or to alter another employee's timecard. It is also a serious violation of Association policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked or alter another employee's timecard to under- or over-report hours worked. If any manager or employee instructs you to: (1) incorrectly or falsely under- or over-report your hours worked, (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, or (3) conceal any falsification of time records or to violate this policy, do not do so. Instead, report it immediately to the Human Resources Department.

You should not work any hours outside of your scheduled workday unless your supervisor has authorized the unscheduled work in advance. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are authorized to do so, and that time is recorded on your timecard. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your timecard. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge.

If you have questions about deductions from your pay or if you believe your wages have been subject to any improper deductions or your pay does not accurately reflect all hours worked, you should report your concerns to the Payroll Manager as soon as possible. If the payroll manager is unavailable or if you believe it would be inappropriate to contact that person (or if you have not received a prompt and fully acceptable reply within three business days), you should immediately contact Paul LeFrois, Chief Administrative Officer and CFO at 585-263-3930. If you have not received a satisfactory response within five business days after reporting your concern to Payroll and you are unsure who to contact to correct the problem, immediately contact the Chief Human Resources Officer at 585-263-3926.

Every report, including reports of improper deductions, will be fully investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made. Also, if payroll errors have occurred, they will be promptly remedied as well.

Corrective action will be taken, up to and including discharge of any employee(s) who violate(s) this policy.

In addition, the Association will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the Association's investigation of such reports. Retaliation is unacceptable. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge.

3.06 OVERTIME

Our work occasionally requires longer-than-average hours for its employees in order to meet the needs of our members. It is necessary and requested that each of us comply with overtime needs so that we may meet the deadlines established by our members.

OVERTIME RATES

Non-exempt employees are paid one and one-half times their regular hourly rate of pay for overtime hours worked in excess of 40 hours in a workweek.

AUTHORIZATION

All overtime must be authorized in advance by your manager.

DEFINITION OF HOURS WORKED

Paid absences, including holidays, vacation days and other paid days off, are not counted as hours worked when calculating overtime. Only actual hours worked are counted when calculating overtime pay.

VIOLATIONS

Violations of this policy will be subject to disciplinary action, up to and including termination.

3.07 PROMOTIONS AND TRANSFERS

Whenever possible, the YMCA will promote or transfer qualified employees to fill new or vacated positions.

ELIGIBILITY

Employees must have completed at least 18 to 24 months' tenure in their current position and be in good standing (Meets or Exceeds expectations) in their current position before being eligible to request and or apply for an open job posting, a transfer or promotion.

PROMOTIONS

Promotions occur in accordance with the needs of the YMCA. Decisions regarding promotions are based on job performance and work history, as well as the individual's ability to assume a position of increased duties and responsibilities.

TRANSFERS

We encourage qualified employees to pursue transfer opportunities within the YMCA. Transfers provide employees with the opportunity for further growth and development within the YMCA.

INITIAL DISCUSSIONS

Promotion and transfer opportunities will be discussed with any member of the staff who wish to be considered for a change in job status.

3.08 ATTENDANCE

Your position and the work that you do at the YMCA are important, and regular and punctual attendance is essential for us to serve our members and run the YMCA in an efficient manner.

Employees who are excessively absent from and/or late to work will be subject to discipline up to and including discharge. Employees who excessively leave work prior to the end of their scheduled time or take extended breaks excessively will be subject to discipline up to and including discharge. Excessively late, excessively absent, excessive extended breaks, or excessive early dismissals, is a pattern of unscheduled time that does not qualify as NY sick time, and/or NY sick time is exhausted. This does not apply to legally protected absences (e.g. NY Sick Time, FMLA, etc).

PUNCTUALITY IS CRITICAL

Although individual schedules vary, you should be at your work area at the scheduled start time, ready to work.

ABSENCES

Employees must provide their supervisor with a return-to-work doctor's note clearing their return whenever they are absent for more than three consecutive workdays due to illness. The YMCA will not require the disclosure of any confidential information relating to a mental or physical illness or confidential information related to an absence due to domestic violence, a sexual offense, stalking, or human trafficking.

If you are absent for three consecutive workdays without contacting your manager prior to the start of the scheduled shift, you will be considered to have voluntarily resigned from your position, and your employment will be terminated.

EMPLOYEE RESPONSIBILITIES

The YMCA expects employees to provide the Association with notice of unscheduled lateness, absence, extended break, or early dismissal, as soon as possible. The more notice that is given, the more time supervision has to find coverage. This equates to better serve our community and less chances of canceling classes, closing facilities, etc.

If you are going to be late or absent from work, you must personally call your supervisor at least two hours prior to the start of the scheduled shift to inform your supervisor of the absence or lateness and the reason why you will be absent or late. If the reason qualifies as sick time under the New York State Paid Sick and Safe Leave, disclose that the reason for calling is for sick time; no further information is needed. The same applies to FMLA. If the supervisor is not available, a voicemail message should be left to inform the supervisor of the absence or lateness.

If the unscheduled absence, tardy, extended break, or early dismissal is for reasons that qualify as New York State Paid Sick and Safe Leave Law, you must call in prior to the use of New York Sick Time. Only the first 56 hours of sick time used by an employee in a calendar year, for reasons stated in the Sick Time policy, are considered covered by the New York State Sick and Safe Leave Law.

3.09 OPEN COMMUNICATION

The YMCA is committed to the principle of open communication between employees and their managers concerning any aspect of the employment relationship.

WORKING TOGETHER, WE CAN FIND A SOLUTION TO ANY PROBLEM

In all businesses there are honest differences of opinion about working conditions, discipline, policies, and other work-related matters. Don't keep your concerns to yourself. Let's talk about any problem you may have and try to resolve it. Remember...we can't solve a problem unless we know it exists.

FIRST STEP

If you have a problem, complaint,[1] question, or suggestion about any aspect of the YMCA, you are encouraged to discuss the issue with your immediate manager. We hope that most matters can be satisfactorily resolved by such discussions.

SECOND STEP

If you are not satisfied with the outcome of this first session or if you are not comfortable raising a particular issue with your immediate manager, you are welcome to discuss the situation with the Branch Executive. (S)he will meet with you and/or your manager and attempt to reach a satisfactory solution.

[1] If you have a complaint relating to discrimination, harassment, and/or retaliation in the workplace, please follow the reporting procedures outlined in the YMCA's discrimination, sexual harassment, harassment, and retaliation policies.

THIRD STEP

If you are still not satisfied after speaking with the Branch Executive, you are welcome to discuss the situation with the Director of Human Resources or the Chief Human Resources Officer. One or both will meet with you and/or your manager and attempt to reach a satisfactory solution.

FOURTH STEP

The situation may also be escalated to the COO if you feel the Director of Human Resources or the Chief Human Resources Officer has not satisfactorily helped you.

FIFTH STEP

The resolution to a problem, complaint, question, or suggestion may be appealed to the CEO. The CEO’s decision will be final and binding on all parties.

3.10 SOLICITATION AND DISTRIBUTION

In order to prevent disruptions in the operations of the YMCA and protect our employees from annoyance, embarrassment and interference with their work, solicitation and the distribution of non-work-related literature is restricted as described below.

DURING WORKING TIME

You may not solicit or distribute non-work-related literature to another employee for any purpose during working time. Working time refers to that portion of any working day on which the employee is being paid to perform actual job duties. It does not include such times as lunch or break time or before or after work. If you are on non-working time, you still may not solicit or distribute non-work-related literature to another employee who is on working time.

IN WORKING AREAS

You may not distribute non-work-related literature to another employee for any purpose in the working areas of the YMCA. “Working areas” do not include areas such as, but not limited to, the cafeteria, break rooms and lobby.

OUTSIDE INDIVIDUALS

Individuals who are not employed at the YMCA may not distribute literature or solicit employees or visitors at any time on the YMCA's grounds or inside our offices.

POST NOTICES

Only governmental notices required to be posted due to federal, or state regulations may be posted on YMCA property.

* Nothing in this policy or in this Handbook prohibits Association employees from discussing terms and conditions of employment nor should be applied or interpreted in a manner that interferes with employees’ rights under Section 7 of the National Labor Relations Act.

3.11 STANDARDS OF CONDUCT

In order for the YMCA to operate efficiently and safely, it is necessary for all employees to observe the policies and procedures governing our work environment. If an employee's conduct interferes with the orderly and efficient operations of a department by engaging in conduct described below or similar to that conduct, disciplinary measures will be taken.

INITIAL DISCUSSIONS

Before implementing corrective action, the manager will meet with the employee to explain why the need for corrective action is warranted.

Grounds for corrective discipline, up to and including immediate termination, may include but are not limited to:

- Violation of Association policies or safety rules
- Threatening, intimidating, coercing, harassing or otherwise interfering with the job performance of fellow employees
- Failing to work in a cooperative manner with management/supervision, co- workers, customers/members, or visitors
- Being insubordinate, threatening, intimidating, or assaulting a manager/supervisor, coworker, customer/member or vendor
- Poor performance
- Use of racial or other slurs, derogatory comments or insults toward others
- Excessive absenteeism and/or tardiness
- Possession of firearms or other weapons
- Theft or dishonesty
- Willful destruction of Association property
- Physical, verbal or sexual harassment of employees, suppliers or members
- Possession, use or sale of illicit drugs or alcohol on Association property
- Reporting to work or working under the influence of drugs or alcohol
- Any other conduct which is not otherwise protected by concerted activity.

CORRECTIVE ACTION

Depending upon the severity of the matter, disciplinary measures may include a verbal warning, written warning, suspension, or termination. The YMCA will determine the appropriate corrective action and does not guarantee that one form of action will necessarily precede another.

3.12 SHOULD YOU LEAVE US

To ensure fairness and consistency throughout the YMCA, terminations are handled in accordance with the following provisions.

TYPES OF TERMINATIONS

Termination refers to either voluntary resignations initiated by the employee or involuntary terminations initiated by the YMCA.

RESIGNATIONS

Non-exempt employees resigning voluntarily are expected to give a minimum of two weeks' advance notice in writing. Exempt employees resigning voluntarily are expected to give a minimum of four weeks' advance notice in writing, so the proper replacement can be found. An employee's consideration in this situation will be viewed favorably by management should the employee reapply for employment with the YMCA at a later date.

UNUSED VACATION TIME*

Full-time employees who resign voluntarily, giving the required advance notice (see Policy 4.02), will be paid for all accrued but unused vacation time. Accrued but unused vacation time will not be paid to part-time employees, to employees who resign with less than the required advance notice, or to employees who are involuntarily discharged by the YMCA.

***Reference 4.02 Vacations**

UNUSED SICK DAYS

Earned but unused sick days are not paid upon termination.

HEALTH/DENTAL INSURANCE

Premiums for health and dental insurance will be paid through the last day of the month in which your employment terminates. If you have health or dental insurance with the YMCA, you have the option of continuing these benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

FSA ELIGIBILITY AT TERMINATION

In accordance with the provisions of COBRA, employees may have the option of continuing participation in the FSA through our plan for a period of time specified by law after employment ends. Subject to the plan documents, employees can continue to submit reimbursements to the plan and are subject to a small administrative charge. Refer to the COBRA policy for further information on benefits continuation.

YMCA PROPERTY

Upon termination, employees are expected to return all YMCA-issued items, including, but not limited to: keys, tools, uniforms, computers, cellular phones, computer disks, flash drives, and client information and not retain any copies of Association information in any form.

LIFE INSURANCE

Coverage ceases on your last day of employment. You have the option of converting your group insurance policy to an individual policy. Contact the Human Resources department for more details

SECTION FOUR

BENEFIT PROGRAMS

4.01 HOLIDAYS

The YMCA observes the following paid holidays each year:

OUR OBSERVED HOLIDAYS

New Year's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Christmas Day

ELIGIBILITY

Full-time exempt and full-time non-exempt employees are eligible for these paid holidays immediately upon hire.

To receive holiday pay, eligible non-exempt employees must work their scheduled shift before and after the holiday. Exceptions may be made in cases of bona fide illness or vacations, which have been approved in advance.

HOLIDAY PAY

Your holiday pay is based on the number of hours you are regularly scheduled to work at your straight time hourly rate. In the event you are required to work on an observed holiday, you will be paid your salary for the day (for exempt employees) or your regular hourly rate for hours worked (for non-exempt employees), and you may take another paid day off for the holiday. This time off must be scheduled in advance and approved in advance by your supervisor. This time off must also be taken within the same calendar year in which the holiday occurred and will not carry over into the following year. This time off may not be paid out in cash in lieu of taking a day off and will be forfeited if not used prior to termination of employment.

FLOATING HOLIDAY TIME

As part of our ongoing commitment to fostering a vibrant workplace, full-time employees will have an opportunity to celebrate a personal or cultural holiday of their choosing. The YMCA of Greater Rochester recognizes our team observes various holidays; therefore, floating holiday time gives you the flexibility to choose when to use floating holiday time based on your personal choice. This benefit helps ensure everyone feels valued.

- Each full-time employee is eligible immediately upon hire for 8 hours of floating holiday time.
- The floating holiday time must be taken in four-hour or eight-hour increments.
- Floating holiday time must be used within the payroll year. More specifically, floating holiday time must be taken prior to or during the last full pay period of the calendar year.

- Any unused floating holiday time does not carry into the next payroll year.
- To request a floating holiday, simply submit your request via Paylocity at least two weeks in advance for supervisor's approval.
- Floating holidays are not paid out upon separation from employment with the YMCA of Greater Rochester.

Should you have questions regarding floating holiday time, please contact your supervisor or the Human Resources department.

HOLIDAY DURING VACATIONS

Eligible employees who are on vacation when a paid holiday is observed will receive holiday pay and will not be charged for the vacation day.

WEEKEND HOLIDAYS

When one of the observed holidays falls on a Saturday, we will generally be closed on the preceding Friday. When a holiday falls on Sunday, it will generally be observed on the following Monday.

EASTER SUNDAY

Easter Sunday is an Association observed holiday. Full-time employees scheduled to work on this day will receive holiday pay unless a business need necessitates the employee to work on another day.

RELIGIOUS ACCOMMODATIONS

Requests for time off or any other type of accommodation based on employees sincerely held religious beliefs should be directed to their supervisor.

4.02 VACATION

The YMCA provides eligible employees with an annual paid vacation to provide time off for rest and relaxation.

FULL-TIME EMPLOYEES

ELIGIBILITY AND ACCRUAL OF VACATION TIME

The amount of annual vacation time that an employee is eligible to accrue in the upcoming year is calculated based upon the number of consecutive years of full-time service the employee had with the YMCA of Greater Rochester at the end of the previous calendar year.

Eligibility for vacation for the upcoming year is determined on the last scheduled workday of the year. Eligibility for vacation during the first year of employment is discussed below.

Full-time employees are eligible for paid vacation time accrual in accordance with the schedule shown below. * Vacation time is accrued on a pro rata basis for each pay period throughout the calendar year during which the employee is actively working. Employees accrue no vacation time during pay periods in which no work is performed by the employee, regardless of the reason (except that employees do accrue vacation time during pre-approved absences for which the employee receives vacation pay). For example, an employee eligible for two weeks of vacation time in a year would have accrued one week of vacation time half-way through that calendar year if the employee worked every pay period in that half-year.

When determining a full-time employee's years of service on December 31, prior time periods employed by the YMCA of Greater Rochester as a part-time employee will not count toward the years of service calculation.

Non-Exempt Hourly staff

Years of service completed by December 31	Days of vacation eligibility the following year
0 through five	14 days
Six through ten	19 days
Eleven or more	24 days
Thirty or more	29 days

Leadership staff

Years of service completed by December 31	Days of vacation eligibility the following year
Two or fewer	14 days
Three through four	19 days
Five or more	24 days
Thirty or more	29 days

Vacation during the first calendar year of employment

Vacation time during the first calendar year of employment is accrued on a pro-rate basis for each pay period only for the portion of the first calendar year during which the employee was employed. Thus, employees will receive less than a full year's accrual during the first calendar year of employment. Employees accrue no vacation time during pay periods in which no work is performed by the employee, regardless of the reason (except that employees do accrue vacation time during pre-approved absences for which the employee receives vacation pay).

SCHEDULING

Every effort will be made to permit you to take your vacation at the time requested. However, due to the nature of our business, coordination within and between departments is essential. All vacations are subject to approval by your manager.

If you change your vacation request, approval from your manager will depend on the department's workload and the number of people who are scheduled for vacation at that time.

HOLIDAY DURING VACATION

Employees who are on vacation when a paid holiday is observed will receive holiday pay and will not be charged for the vacation day.

DEFERRAL OF VACATION TIME

Full-time employees may carry over a minimum of one hour and up to 40 hours of unused vacation into the following calendar year with manager approval. Vacation time exceeding 40 hours that is not used before or within the last full pay period of the calendar year is forfeited.

The carryover vacation must be used by the last pay period of the Association’s fiscal year. Carry over vacation that is not used by the last pay period of the Association’s fiscal year will be forfeited.

VACATION PAY

Your vacation pay is based on the number of hours you are regularly scheduled to work at your straight time hourly rate.

SICK TIME BANK

Once an employee exhausts his or her accrued paid sick leave bank, work time missed for injury or illness will be deducted from the employee’s vacation time bank.

PAY IN LIEU OF VACATION

Employees may not receive pay for vacation time in lieu of taking the actual time off.

UNUSED VACATION TIME

Full-time employees who resign voluntarily, giving the required advance notice (see Policy 3.12), will be paid for all accrued but unused vacation time. Accrued but unused vacation time will not be paid to employees who resign with less than the required advance notice or to employees who are involuntarily discharged by the YMCA.

ADVANCED VACATION LEAVE

Employees are responsible for properly managing their vacation time. A supervisor/manager may, in certain limited circumstances, and in the sole

discretion of the YMCA, advance vacation time to an employee when that employee does not have sufficient accrued vacation time to cover a request for vacation time off. When granted, this allows the employee to take vacation earlier in the year, before the vacation time accrues, to cover the absence. In order for the employee to be considered for an advance of vacation time, the employee must:

- Have no attendance infractions in the prior twelve (12) months
- Have a rating of at least Meets Expectations on their most current performance review
- Not be on disciplinary probation
- Not be in a performance improvement/corrective action plan

The maximum amount of vacation time that can be advanced to an employee cannot exceed the total amount of vacation hours the employee can accrue by the end of the current calendar year.

PART-TIME EMPLOYEES

The YMCA provides eligible part-time employees with annual vacation.

ELIGIBILITY AND ACCRUAL OF VACATION

Vacation begins to accrue for part-time employees after one (1) year of employment and in accordance with the schedule below:

Avg Weekly Work Hours	PTO Hours Earned
25-29	25
30-39	30

Eligibility for vacation is determined annually based on the average hours worked.

Vacation provides eligible employees with flexible paid time off from work that can be used in hourly increments for such needs as vacation, school, volunteerism, bereavement, and other activities of the employee's choice. Time that is not covered by the vacation policy, and for which separate guidelines and policies exist, include jury duty, and military service leave.

Vacation requires five days of notice to the supervisor unless the vacation is used for legitimate, unexpected emergencies. In all instances, vacation must be approved by the employee's supervisor in advance. Your supervisor appreciates as much notice as possible when you know you expect to miss work for a scheduled absence.

Vacation requests are to be submitted through Paylocity.

Every effort will be made to permit you to take your vacation at the time requested. However, due to the nature of our business, coordination within and between departments is essential. All vacations are subject to approval by the department manager.

Employee transitioning from full time to part time employment status will not be eligible for vacation until one year from date of transition.

Your vacation pay is based on the number of hours you are regularly scheduled to work at your straight time hourly rate.

Employees may not receive pay for vacation in lieu of taking the actual time off.

UNUSED VACATION

Unused vacation time will not be paid to part-time employees upon termination, regardless of the reason for termination, or if the employee is transitioning to full time status. Unused vacation will not carry over into the following calendar year.

*UPK/EPK /Enrichment Teachers: See offer letter

4.03 SICK TIME

Employees who are absent due to reasons explained in this policy may be eligible to be paid sick time pursuant to this policy. They also may be eligible for disability insurance or Workers' Compensation insurance benefits.

SICK TIME ACCRUAL

Full-time employees are eligible to accrue one sick day (i.e., 8 hours) for each month worked, up to a maximum accrual of 12 sick days (i.e., 96 hours) annually.

Part-time employees accrue 1 hour of sick time for every 30 hours worked.

Sick time begins to accrue upon date of hire.

USE OF SICK DAYS

Employees must use sick time in increments of at least one (1) hour.

Employees may use sick time under this policy for any of these reasons:

- If the employee or the employee's family member has a mental or physical illness, injury, or health condition – regardless of whether the illness, injury, or health condition has been diagnosed or requires medical care at the time.
- If the employee or the employee's family member needs time off from work for the diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or to obtain preventative care.
- For an absence from work related to domestic violence, family offense, sexual offense, stalking or human trafficking. Leave for this reason is considered "*Safe Leave*," which is discussed further below.

Under this leave policy, "family members" include an employee's:

- Children, including biological children, adopted or foster children, a spouse or domestic partner's child, a legal ward, or a child whom the employee stands *in loco parentis* to.
- Spouse
- Domestic partner
- Parents, including biological parents, parents of an employee's spouse or domestic partner, foster parents, stepparents, adoptive parents, legal guardian, and persons standing *in loco parentis* to the employee when the employee was a minor.
- Siblings
- Grandchildren
- Grandparents

As explained above, "Safe Leave" is a reason for sick leave use under this policy. Employees taking Safe Leave are otherwise subject to all other requirements, rights, and obligations in this policy. Employees may take Safe Leave under this

policy if they, or their family member, has been the victim of domestic violence, a family offense, sexual offense, stalking, or human trafficking. Specifically, employees may take leave for these reasons:

- To obtain services from a domestic violence shelter, rape crisis center, or other services program
- To participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or their family members
- To meet with an attorney or other social service providers to obtain information and advice or to prepare or participate in any criminal or civil legal proceeding
- To file a complaint or domestic incident report with law enforcement
- To meet with a prosecutor's office (e.g., a District Attorney)
- To enroll children in a new school
- To take any other actions necessary to ensure the health or safety of the employee or their family member or to protect those who associate or work with the employee.

SICK TIME PAY

Your sick time pay is based on the number of hours you are normally scheduled to work at your straight time hourly rate, up to a maximum of eight hours.

SICK TIME BANK*

Once an employee exhausts his or her accrued paid sick leave bank, work time missed for reasons under this policy will be deducted from the employee's vacation time bank. *Reference 4.02 Vacations and 4.13 Disability Leave

EMPLOYEE'S RESPONSIBILITY

If you are going to be late or absent from work, you must personally call your manager.

If you are absent for three consecutive days/scheduled shifts without contacting your manager, you will be considered to have voluntarily resigned from your position, and your employment may be terminated.

CARRY OVER AND USE OF SICK TIME

Sick time may be carried over from one year to the next. Full-time employees may accrue up to 72 days (i.e., 576 hours) of sick time. Only the first 56 hours of sick time used by an employee in a calendar year for reasons stated in this policy are considered covered by the New York State Paid Sick and Safe Leave Law (N.Y. Labor Law Section 196-b).

SICK PAY AT TERMINATION

Unused sick time is not paid for at termination, regardless of the reason for termination.

4.04 BENEFITS

The YMCA offers a comprehensive benefits package to its employees. A brief summary of these benefits is described below. Employees will be provided with documents related to those benefits for which they are eligible at the time of hire, and such information remains available in Human Resources. Please refer to the Plan documents, summary plan descriptions and insurance policies available from Human Resources for a complete description of these benefits, as these documents will control in the event of a discrepancy between those documents and this Handbook. The YMCA and its plan administrators retain the maximum discretion permitted by law to modify, discontinue, change, enhance or implement all benefit plans.

Medical Insurance

Benefit-eligible employees are eligible for coverage under the YMCA's group health insurance plans on the first of the month following their date of hire. Upon hire all eligible employees will be given a summary of the benefits available and the costs associated with each of the plans.

Please refer to the summary of benefits and employer contributions for further information.

Employees are responsible for paying the difference in cost between the employer's contribution and the full cost of the plan they select. Employer/Employee contributions are subject to change periodically.

Dental Insurance

Benefit-eligible employees are eligible to join our dental insurance program on the first of the month following their date of hire.

Flexible Spending Account

The YMCA offers a Flexible Spending Account that allows benefit-eligible employees to set aside part of their salary before taxes in order to pay for qualified medical or dependent care expenses.

Life Insurance

A group life insurance policy, which includes Accidental Death and Dismemberment coverage is included in this group policy. Full-time employees are eligible for this insurance coverage on the first of the month following their date of hire. Coverage is equal to one-time your annualized wages, up to a maximum of $150,000. The YMCA pays the cost of this coverage, and employees may purchase additional/supplemental coverage at their own expense (subject to all Plan restrictions).

Retirement Plan

When you enroll in the YMCA retirement fund, you'll have a basic account with two separate parts: your personal account and your YMCA account.

YMCA RETIREMENT FUND
Employees 21 and over are enrolled in the plan after two years of employment and 1,000 hours of work in each of those two anniversary years. The plan was established by the National Council of YMCAs in 1921 and is supervised and inspected by the Insurance Department of New York State. It creates annuity at retirement. Included in its provisions are life insurance protection during the time you are employed and benefits for permanent disability as defined in the Retirement Fund Booklet. The YMCA pays the complete cost (12% of basic salary) on your behalf.

TAX ISSUES
You pay income tax on your contributions to your Personal Account in the year they are made. You do not pay taxes on any interest while you are working. When you retire or withdraw from the fund you will pay taxes on the benefits from these contributions that you will pay taxes on YMCA contributions and interest.

You do not pay income tax on the contributions the YMCA makes to your Personal Account. You do not pay taxes on any interest while you are working.

When you make a withdrawal from the fund you will pay taxes on the benefits from all contributions and interest between your Personal Account and YMCA account.

MAXIMUM CONTRIBUTIONS
The Federal government sets the maximum amount that can be contributed to your retirement account.

ADDITIONAL ACCOUNTS

If you want to build a larger retirement account, the YMCA offers two ways for you to make additional contributions. You can choose to contribute to a tax deferred account which allows you to save money and pretax income through payroll deductions. You'll have to pay Social Security on the amount to contribute, but you don't have to pay Federal income taxes on your contributions or on the accounts of earnings until you withdraw them from the fund. In most cases you can defer state and local taxes on these contributions as well.

You can choose to contribute to an after-tax account, which resembles your Personal Account and has different rules for withdrawals. Any contributions you make to this type of account come from your after-tax pay. You may make these contributions automatically through payroll deductions.

NOTE: The information listed above is intended as a brief introduction to the Retirement Plan. A more thorough explanation of the plan is contained in the Summary Plan Description and plan documents available from Human Resources.

Disability Insurance

An employee who has a disability-related illness or off-the-job injury, or is unable to report for work, may be eligible to receive disability compensation, provided the employee meets the minimum requirements for eligibility. In New York State, after seven (7) calendar days of absence, the employee may be eligible for a New York State Disability income benefit calculated as a percentage of compensation up to a weekly maximum, as specified by law, for up to 26 weeks. The cost of the state-mandated short-term disability coverage is paid by the YMCA, and employees may purchase additional short-term disability coverage at their own expense.

The YMCA also offers full-time employees a long-term disability insurance plan that provides income during extended periods of disability. Full-time employees are eligible to participate in this plan on the first of the month following the date of hire. The cost of the basic long-term disability coverage is paid by the YMCA, and employees may purchase additional long-term disability coverage at their own expense.

If you need to apply for a leave of absence due to a disability-related illness or off-the-job injury, please contact Human Resources. In the event of absence due to disability, it is the employee's responsibility to notify Human Resources, and to keep the YMCA updated on your return-to-work status. The YMCA may require medical documentation supporting the need for leave and/or in order to return to work after leave.

Employee Child Care Assistance Plan

Full-time employees are eligible to pay a reduced rate for YMCA childcare programs at the following locations: Carlson Metro Center Child Care, YMCA Child Care at Schottland, Eastside Child Care Center and the Westside Family YMCA Child Care. The employee discount for YMCA childcare at these locations is currently 20% off the member rate.

Employees must complete program enrollment paperwork normally required by the branch and adhere to enrollment and participation rules.

The Employee Child Care Assistance Plan does not apply to school-aged childcare or preschool childcare.

Employee Discount Program & YMCA Membership Benefits

You are encouraged to participate in YMCA programs and to use the facilities and equipment; however, you should keep in mind the priority which the YMCA places upon providing quality service to members. For instance, all employees are expected to defer to members during peak hours for classes and equipment use.

If you are a full-time employee, you and your immediate family receive a family passport membership that includes a 50 percent discount off program fees including school-aged childcare, pre-school and resident and day camp. A portion of the discount may be considered to be a taxable fringe benefit. For the purposes of this benefit, “immediate family” is considered to be a second adult and your dependent child(ren) living in the same household with you. Massages and Reiki sessions, however, are not eligible for an employee discount. Personal Training and Small Group Personal Training is eligible for a 20% discount.

If you are a part-time employee, you receive an individual membership in the YMCA branch of your choice. You may upgrade your membership, and you will pay the difference between the adult individual and the new membership of your choice. Part time employees that work at least 20 hours per week are eligible for a 20 percent discount off program fees including school-aged childcare, pre-school, resident and day camp. Personal training sessions, massages, and Reiki sessions, however, are not eligible for an employee discount. Small Group Personal Training only, is eligible for a 20% discount.

A portion of the discounts may be considered to be a taxable fringe benefit.

4.05 JURY DUTY

The YMCA considers service on a jury to be an important civic duty.

BENEFITS

If you are called upon to serve on jury duty, you will be granted time off to serve with pay for missed work hours. You must notify your supervisor as soon as you know you will have to serve. The YMCA will comply with all legal requirements regarding payment of the jury service fee in accordance with New York State law.

DOCUMENTATION

You must submit a copy of the Jury Duty Attendance Certificate to your manager, which indicates the dates you serve. You will receive this statement when you receive your fee from the state.

TIME AWAY FROM WORK

In fairness to the YMCA, you are expected to return to work if you are excused from such duty during your regular working hours.

4.06 WITNESS AND VICTIMS OF CRIME LEAVE

The YMCA will provide crime victims with leave to serve as a witness, to consult with the district attorney, or to exercise their rights under New York's Criminal Procedure law, Family Court Act, or Executive Law. For purposes of crime victim leave, a crime victim is any of the following:

- The aggrieved party or the aggrieved party's next of kin, if the aggrieved party is deceased as a result of the offense
- The representative of a victim
- A good Samaritan, as defined by law
- Someone seeking to obtain or enforce an order of protection under the Criminal Procedure Law or the Family Court Act.

Leave under this policy will generally be unpaid. However, employees may elect to substitute accrued paid leave for purposes of an absence under this policy.

Employees are asked to provide at least one day's notice of the need for crime victim leave. Where feasible, in advance of taking crime victim leave, the employee should provide the YMCA with verification from the party that sought the employee's attendance or testimony at the criminal proceeding. If this is not possible, the employee must provide this verification within a reasonable time after the employee's return to work. Employees also are expected to report to work each day or portion of a day on which they are not performing witness duty, attending a criminal proceeding, or engaging in an activity eligible for crime victim leave.

Failure to provide proper notice or required documentation may result in denial of a request for crime victim leave.

The YMCA prohibits discrimination or retaliation against an employee for requesting, obtaining, or using leave under this policy. The YMCA prohibits interfering with or otherwise dissuading or attempting to dissuade an employee from performing his or her witness duties.

4.07 BEREAVEMENT LEAVE

In the event of a death in your immediate family, you may take a leave immediately following the death for the purpose of making arrangements and attending the funeral. “Immediate family” includes the following: the employee's spouse, domestic partner, child, stepchild, parent, stepparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother, sister, stepbrother, and stepsister.

COMPENSATION

Active full-time and part-time employees may receive up to five (5) days off with pay in the event of a death of a family member.

4.08 MILITARY LEAVE

The YMCA recognizes the obligation of those employees serving in any branch of the military or other uniformed services of the United States.

The YMCA will provide necessary time off from work for employees who must fulfill military obligations as required by federal and state law. Leave under this policy is unpaid.

Should you require leave to fulfill military service obligations, you must give advance notice of your obligations to your supervisor or manager, unless military necessity makes advance notice impossible. Military orders should be presented as soon as possible before you need leave.

Benefits may continue to accrue during the period of leave in accordance with the law.

Should you have questions regarding the length of leave or reemployment upon return from extended leave, please contact the Human Resources department.

4.09 VOTING LEAVE

The YMCA believes that all employees should have the opportunity to exercise his/ her to vote in elections.

TIME AWAY FROM WORK

Employees who do not have sufficient time to vote outside their working hours will be allowed the necessary time off to vote at the beginning or the end of their shift. Up to two hours will be paid time off. No time off will be allowed in any election where the polls are open at least four consecutive hours before or after the employee's shift.

You must return to work immediately after voting if your shift has not ended.

ADVANCE NOTICE

Employees must request time off to vote in writing at least two workdays in advance. Requests for time off to vote should be given to your manager.

4.10 BONE MARROW/BLOOD DONATION LEAVE

In accordance with New York State law, the YMCA offers employees a leave of absence for the purpose of bone marrow or blood donation.

TIME AWAY FROM WORK

Any employee who seeks to undergo a medical procedure to donate bone marrow will be granted a leave of absence no longer than 24 work hours. This leave is unpaid. Employees who work at least 20 hours per week may be granted three hours of unpaid leave in any 12-month period of time for the purpose of donating blood.

VERIFICATION

Employees must provide Human Resources with verification from a physician as to the purpose and length of leave requested. You are requested to give as much advance notice as possible.

4.11 DOMESTIC VIOLENCE VICTIM LEAVE

The YMCA will grant unpaid, reasonable time off to employees who are victims of domestic violence. Employees who are victims of domestic violence, or whose children are victims of domestic violence, may use time under this policy too, among other things:

- Seek medical attention
- Obtain services from a domestic violence shelter
- Obtain psychological counseling
- Participate in safety planning to mitigate the risk of future violence
- Obtain legal services or assist prosecutors

The YMCA reserves the right to deny leave under this policy if the leave would pose an undue hardship on the YMCA's operations. In all cases, however, the YMCA will engage in an interactive dialogue with the employee. The YMCA will not retaliate against any employee requesting or taking leave under this policy.

Employees will be required to present certification for their need for leave under this policy. Certification may consist of:

- A police report regarding the domestic violence episode
- A court order protecting or separating the employee or the employee's child from the perpetrator.
- Other evidence from a court or criminal prosecutor proving that the employee appeared in court for a matter regarding an episode of domestic violence perpetrated against them or their family member.
- Documentation from a medical professional, domestic violence advocate, health care provider, or counselor, that the employee or employee's child is undergoing counseling related to domestic violence.

4.12 PAID PRENATAL LEAVE

The YMCA of Greater Rochester supports the health and well-being of employees during pregnancy and complies with New York State law regarding Paid Prenatal Leave. This policy outlines the rights and procedures for employees in New York to take Paid Prenatal Leave for pregnancy-related health care appointments during or related to their pregnancy.

ELIGIBILITY

All employees working in New York State are eligible for Paid Prenatal Leave, regardless of length of service, hours worked, or employment classification (full-time, part-time, or temporary/seasonal). Eligibility begins immediately upon employment.

LEAVE ENTITLEMENT

An employee is entitled to 20 hours beginning on the date they first utilize the leave and ending 52 weeks later. Paid Prenatal Leave is provided in addition to and does not reduce or replace other paid leave benefits, including but not limited to NY Sick Leave.

For instance, if an employee uses their first hour of Paid Prenatal Leave on June 1st, 2026, they have 20 hours available through May 31st, 2027. If after May 31st, they next need to use Paid Prenatal Leave on August 2nd, 2027, that date would trigger the start of another 52- week period for which they are entitled 20 hours of leave.

Unused Paid Prenatal Leave does not carry over from year to year and is not paid out upon separation from employment.

PERMITTED USES

Employees are entitled to take Paid Prenatal Leave for pregnancy-related health care appointments during or related to their pregnancy.

Pregnancy-related health care appointments include:

- Physical examinations
- Medical procedures
- Monitoring
- Testing
- Discussions with a health care provider needed to ensure a healthy pregnancy
- End of pregnancy care
- Fertility treatment

Only the employee directly receiving prenatal health care may use Paid Prenatal Leave. A spouse, partner, or another support person attending prenatal appointments with a pregnant person is not entitled to Paid Prenatal Leave.

Health care appointments after pregnancy are not covered by Paid Prenatal Leave. Leave may be taken in hourly increments.

PAY DURING LEAVE

Compensation for Paid Prenatal Leave will be processed using the same pay code that would have been used had the employee been actively working during the appointment time.

REQUESTING PAID PRENATAL LEAVE

Please notify your supervisor or administrative team leader (Office Manager, Operations Manager, Director of Administration, etc.) if you are going to have pregnancy-related health care appointments, to ensure 20 hours of Paid Prenatal Leave is added to your time off bank.

Appointments that do not occur during an employee's regularly scheduled hours are not eligible for Paid Prenatal Leave. For example, if an employee is regularly scheduled to work Saturdays and Sundays, an appointment on Friday would not be eligible for Paid Prenatal Leave.

Employees who inquire about, request, use, or are eligible for Paid Prenatal Leave must continue to be scheduled for the same workdays and work hours they were assigned beforehand.

When an employee is going to be absent from work due to Paid Prenatal Leave, they are encouraged to provide advance notice to their supervisor whenever possible. Employees should communicate 'Paid Prenatal Leave' as the time-off category. If the category is not clearly indicated, the employee may be asked to clarify it for payroll purposes. Time off should be submitted using the same procedures that apply to other time-off requests.

The YMCA will not ask an employee for personal or confidential information about their health or the nature of their prenatal visit as a condition of using Paid Prenatal Leave. The YMCA will not require employees to provide medical documentation or proof of pregnancy to use Paid Prenatal Leave.

The YMCA will not require employees to find coverage for these hours.

Eligible appointments must be approved for Paid Prenatal Leave until the employee has used all 20 hours.

INTERACTION WITH OTHER LEAVE POLICIES

Employees are not required to use accrued sick leave or other paid time off before using Paid Prenatal Leave. Employees are not required to use one paid leave type over another for covered pregnancy-related health care appointments.

NON-RETALIATION

The YMCA strictly prohibits retaliation against any employee for requesting or using Paid Prenatal Leave or inquiring about their rights under this policy. These acts will not negatively impact attendance records, performance evaluations, employment status, number of hours for other forms of time off, work location, or work hours.

QUESTIONS

Employees with questions regarding Paid Prenatal Leave or this policy should contact the Benefits and Leave Coordinator.

4.13 DISABILITY LEAVE

The YMCA offers employees a leave of absence due to an injury or illness, including pregnancy-related disability.

ELIGIBILITY

All employees are eligible for this leave.

LENGTH OF LEAVE

Leave will be provided as medically necessary and consistent with the operational needs of the YMCA. The YMCA of Greater Rochester is committed to full compliance with the Americans with Disabilities Act (ADA) and all other federal, state, and local laws governing reasonable accommodations, medical leave, family leave, and related employment practices.

PAY DURING LEAVE

Disability leaves are unpaid except to the extent an employee is eligible to receive Workers' Compensation benefits, short-term disability benefits or paid sick/personal or vacation days. Employees have the option of using this paid time to supplement their disability benefits to receive up to a combined total of 100% of their regular wages.

MEDICAL CERTIFICATION

Prior to the granting of such leave, you must provide the insurance provider with a physician's certificate stating the nature of the disability and the expected date of return.

HEALTH INSURANCE DURING LEAVE

The YMCA will continue to provide health insurance coverage for eligible employees on authorized disability leave. Employees are required to pay their portion of the premium. Employees on disability leave will have their health insurance benefits maintained under the same terms and conditions that apply to employees on FMLA leave. For information on benefit continuation, employee premium responsibilities, and timelines, please see the FMLA policy 4.14.

If you qualify for leave under the Family and Medical Leave Act, you will receive health benefits under the same terms and conditions as if you were on the job. (See the Family and Medical Leave Act policy.)

RETURN TO WORK

Before returning to work, you are required to present documentation from your health care provider certifying that you are able to return to work.

JOB REINSTATEMENT

We will make all reasonable efforts to return you to the same or similar position as held prior to the disability leave, subject to our staffing and business requirements. Your continued absence from work beyond the period of your disability will be deemed a voluntary termination of your employment.

OTHER LEAVES

This disability leave runs concurrently with the Family and Medical Leave Act.

4.14 FAMILY & MEDICAL LEAVE ACT (FMLA) POLICY

The YMCA of Greater Rochester provides eligible employees with time off when compelling family or medical problems require a leave of absence in accordance with the Family and Medical Leave Act of 1993.

ELIGIBILITY

- Employees become eligible to apply for a Family and Medical Leave after completing 12 months of employment with our company and working 1,250 hours during the 12 months immediately preceding the start of the leave. The employee must work at a location which employs at least 50 employees, or which is within a 75-mile range in which at least 50 employees work.

- Family and Medical Leaves are granted to eligible employees who request time off for:
  - Their own serious health condition which renders them unable to perform the essential functions of their job: illness, injury, impairment or physical or mental health condition which involves;
    a) In-patient care at a hospital, hospice, or residential medical care facility; or
    b) Continuing treatment by a health care provider, and a period of incapacity, e.g., the inability to work or attend school or perform other usual daily activities.
  - The birth of employee's son or daughter and to care for the newborn child
  - The placement of a son or daughter under the age of 18 years with The employee for adoption or foster care
  - The care of a son, daughter, spouse, or parent with a serious health condition
  - The care of a covered service member who has incurred or aggravated a serious injury or illness in the line of duty while on active duty in the Armed Forces, if the employee is the service member's spouse, son, daughter, parent or next of kin ("covered service member leave"). 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 otherwise on the temporary disability retired list, for a serious injury or illness; or is a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. (FMLA definitions of "serious health injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition"); or

- A “qualifying exigency” as defined by the Secretary of Labor arising out of an employee’s spouse, child, or parent’s covered active duty or call to cover active duty in a foreign country, where the spouse, child, or parent is a covered member of any branch of the Regular Armed Forces, federal Reserves or National Guard. Qualifying exigencies may include the need to address issues arising from short-notice deployment, attend military events and related activities, arrange for or attend childcare and school activities, address certain financial and legal arrangements, attend certain counseling sessions, attend post-deployment activities, and spend time with a covered military member on short-term rest and recuperation leave.

LENGTH OF LEAVE

- Eligible employees may take up to 12 weeks of leave in a 12-month period for reasons defined above. For leaves other than covered service member leave,
  - The 12-month period is calculated from the date that the first FMLA absence of any type (other than covered service member leave) begins.
  - Absences due to an employee's serious health condition that are also covered by Short Term Disability Insurance or Workers' Compensation are counted as part of the leave time available under the Family and Medical Leave Act.
  - Leaves taken for the birth or the placement of a child with the employee for adoption or foster care must be completed within 12 months of that birth or placement.

- Covered Service Member Leave
  - Eligible employees may take up to 26 weeks of leave during “a single 12-month period” to care for the service member. The “single 12-month period” begins on the date the employee’s first FMLA leave to care for the service member begins. During this single 12-month period, the employee’s combined total FMLA Qualifying leave for all types of FMLA leave may not exceed 26 weeks. Eligible employees may take a maximum of 15 calendar days of qualifying exigency leave related to the military member’s Rest and Recuperation leave.

- Under certain circumstances, leaves may be taken intermittently or on a "reduced leave schedule,” e.g. in periods of days or blocks of time smaller than a day.
  - Employees may take leave intermittently or on a reduced leave schedule
    - When medically necessary for their own serious health condition; to care for a family member with a serious health

condition; or to care for a covered service member with a serious injury or illness.

- When necessary for "qualifying exigency" leave.

  - Intermittent or reduced leave for family reasons (leave to care for a newborn or newly adopted child or a child placed in foster care) may be taken only if the company and employee agree to the arrangement.

  - If intermittent or reduced schedule leave is taken for planned medical treatment or, if agreed to by the Company, for family reasons, the Company may require the employee to transfer temporarily, during the period in which intermittent or reduced schedule leave is required, to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than the employee's regular position. The employee will receive his or her same rate of pay and equivalent benefits in the alternate position.

SPOUSES COMBINED LEAVE

If both spouses are employed within our company and wish to take leave to care for a newly arrived child, their aggregate leave is limited to 12 weeks. If both spouses wish to take leave to care for a covered service member with a serious injury or illness or take a combination of service member leave and leave to care for a newly arrived child, their aggregate leave is limited to 26 weeks during that single 12-month period.

PROCEDURE FOR REQUESTING LEAVE

- In the case of FMLA leaves for birth, adoption, or placement of a child, or for planned medical treatment of the employee, a covered family member, or a covered service member, an employee must provide HR with 30 days advance notice in writing before the date on which the leave would begin. If the employee is unable to provide 30 days' notice, he or she must provide notice as soon as it is practicable.

- In the case of qualifying for exigency leave, or when the approximate timing of any FMLA leave is not foreseeable, the employee must provide HR as much notice as soon as it is practicable.

- In requesting FMLA leave, the employee must provide sufficient information to allow the Company to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave.

- In the case of leave for planned medical treatment, employees are required to make a reasonable effort to schedule the treatment so as not to unduly disrupt the Company's operations. Employees are expected to consult with HR before the scheduling of treatment to work out a treatment schedule that best suits the needs of both the employer and the employee.

MEDICAL/SUPPORTING CERTIFICATION

- INITIAL CERTIFICATION: Employees are required to provide medical certification from a health care provider of their own serious health condition or that of a family member or covered service member. Employees who request qualifying exigency leave also are required to provide certification supporting the need for leave and, when the leave is requested for the first time, a copy of the covered military member's active-duty orders. Employees requesting qualifying exigency leave may, but are not required, to obtain certification from a health care provider affiliated with the military.

- The employee must submit to HR a complete and sufficient certification within 15 calendar days after the YMCA of Greater Rochester requests the certification. If the certification is returned incomplete or insufficient, the employee will have seven calendar days to cure the deficiency. Failure to provide a complete and sufficient certification may result in denial of FMLA leave.

- Certification for qualifying exigency leave must be supported by a certification containing: a statement or description of appropriate facts regarding the qualifying exigency for which leave is needed; approximate date on which the qualifying exigency commenced or will commence; beginning and end dates for leave to be taken for a single continuous period of time; an estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced schedule basis or intermittently; and if the qualifying exigency requires meeting with a third party, the contact information for the third party and description of the purpose of meeting. If qualifying exigency leave is for Rest and Recuperation leave, certification must include a copy of the military member's Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

- PERIODIC RECERTIFICATION: The YMCA of Greater Rochester may also require employees on FMLA leave to submit periodic re-certifications throughout the leave, but generally not more often than every 30 days unless a change in circumstances warrants earlier recertification.

- RETURN TO W ORK: Before returning to work, employees who have taken a leave for their own serious health condition are required to present documentation from their health care provider certifying that they are able to return to work.

OTHER REQUIREMENTS

- Employees may be required to periodically report on their leave status and on their intent to return to work as directed by HR before or during their leave.

- Employees must comply with the YMCA of Greater Rochester's usual call-in procedures for absences while they are on FMLA leave.

EMPLOYMENT AND BENEFITS PROTECTION

- Employees will receive health benefits under the same terms and conditions as if they were on the job.

    - Employees are required to pay their portion of the premium within the month that the premium is due. Coverage will cease if an employee's premium payment is more than 30 days late. If the health care premium is overdue for 15 days, the company will notify the employee that their health insurance coverage will terminate if the premium is not received within the next 15 days.

    - Employees who provide a statement of notice of their intent not to return to work are not entitled to continuation of health care benefits, except as covered by COBRA.

    - Employees who fail to return from the leave, except for reasons of continuation, recurrence or onset of a serious health condition (including the serious health condition of a family member or covered service member), or something else beyond the employee's control, must repay the company's share of health coverage premiums incurred during the leave.

- Vacation, sick days, and seniority or service time do not continue to accrue, except in cases of intermittent leave.

- Life insurance, supplemental short-term disability and long-term disability insurance will be retained as long as employees continue to make premium payments.

- Employees receive time off on an unpaid basis. Employees who have accrued vacation or sick days are required to substitute this paid time during unpaid FMLA leave, including any days when the employee is not receiving worker's compensation or disability benefits. Where an employee's leave qualifies for both FMLA leave and PFL leave, the leaves run concurrently, and employees are required to charge their FMLA/PFL time to accrued, unused vacation and sick days. At all other times, employees have the option of using this paid time to supplement their workers' compensation and disability benefits to receive up to a combined total of 100% of their regular wages. Employees must satisfy the procedural requirements of the YMCA's sick and vacation policies to receive such paid time off.

- An employee (other than a key employee) who qualifies for a leave will return either to the same position he or she had before or to a position equivalent in pay, benefits and other terms and conditions of employment.

- Key employees may not be eligible for reinstatement to the same or an equivalent position if it would cause grievous economic harm to the company. (A "key" employee is one who is a salaried, FMLA-eligible employee, who is among the highest paid 10 percent of all the employees employed by the employer, within a 75-mile range of the employee's worksite.)

ADDITIONAL INFORMATION

- The YMCA of Greater Rochester will not restrain, interfere with, or deny the exercise of any employee rights provided under the FMLA. The YMCA of Greater Rochester will not discriminate against any employee who exercises any rights under the FMLA or makes a complaint related to FMLA leave. Employees who have questions regarding this policy should contact Human Resources. Note: This leave runs concurrently with the YMCA's Disability Leave.

- Note: Special hours of service eligibility requirements apply to airline flight crew employees

- An employee 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.

4.15 NYS PAID FAMILY LEAVE (PFL) POLICY

The YMCA provides eligible employees with leave to care for a newborn or newly adopted or placed child; to care for a family member with a serious health condition; or for qualifying exigencies arising from a family member's military service obligations in accordance with New York's Paid Family Leave Law ("PFL").

ELIGIBILITY
To be eligible, employees must: (i) regularly work 20 or more hours per week and have been employed by the YMCA for at least 26 consecutive weeks preceding the first full day family leave is taken; or (ii) regularly work less than 20 hours per week and have worked for the YMCA for at least 175 days preceding the first full day leave is taken. Time away from work on statutory short-term disability leave does not count toward an employee's qualification period.

TYPES OF LEAVE COVERED
Eligible employees may take PFL:

(i) To bond with their child during the first 12 months after the child's birth, or during the first 12 months after placement of the child for adoption or foster care

(ii) To provide care for a family member (defined as child/step-child/anyone for whom the employee has legal custody, parent/step-parent/parent-in-law, sibling, grandparent, grandchild, spouse, or domestic partner), because of the family member's serious health condition

(iii) Because of certain qualifying exigencies arising from the active-duty military service of the employee's spouse, domestic partner, child, sibling, or parent in the United States military.

If you are unsure if your reason for leave may qualify for PFL, contact your supervisor and/or Human Resources to discuss the circumstances surrounding the need for leave.

LENGTH OF LEAVE / AMOUNT OF BENEFIT
The YMCA provides employees with PFL benefits as set by law. Employees may utilize a total of 12 weeks of leave. While on PFL leave, employees will receive 67% of their average weekly pay, up to a maximum amount set by law.

In compliance with the law, an employee's maximum amount of leave under PFL shall be calculated retroactively for each day leave claimed in a 52-consecutive week period.

INTERMITTENT LEAVE
Employees are permitted to take PFL leave in daily increments. The maximum benefit duration for employees taking intermittent leave is based on the employee's average number of days worked per week. The maximum number of days for intermittent leave is 60.

INTERPLAY WITH OTHER LEAVES
Employees may elect to charge all or part of their PFL time to accrued but unused sick days and vacation days (and receive pay in accordance with Policy 4.02 and 4.03, as applicable).

When an employee's leave qualifies for both FMLA leave and Paid Family Leave (see Policy 4.11), the leaves will run concurrently, and an employee is required to use accrued paid time off concurrently with the leave in accordance with the FMLA.

As required by law, employees are not permitted to receive disability benefits and PFL benefits for the same period of time. An employee who is eligible for both disability benefits and PFL leave during the same 52-week period shall not receive more than 26 total weeks of disability and PFL benefits during that period of time.

DEDUCTIONS FROM WAGES

In accordance with the law, PFL benefits are funded payroll deductions at a prescribed amount for each employee. This amount is determined annually by the New York State Department of Financial Services.

Certain employees will be given the option of filing a waiver of PFL benefits, exempting them from payroll deductions. Waivers are available only in limited circumstances under law. Employees eligible for waivers include employees: (i) with a regular employment schedule of 20 or more hours per week, but the employee will not work 26 consecutive weeks; or (ii) when their regular employment schedule is less than 20 hours per week and the employee will not work 175 days in a 52-week consecutive period.

The waiver shall be revocable at any time by the employee. If an employee revokes his/her waiver, or, if the waiver is deemed revoked as a result of a change in their regular employment schedule, the employee shall be obligated to pay any premiums (which would have been taken from payroll deductions) that should have been paid dating back to their date of hire, or, January 1, 2018, whichever is most recent.

REQUEST FOR PAID FAMILY LEAVE

Monetary PFL benefits will be administered through the YMCA's insurance carrier. **Eligible employees who wish to take PFL are responsible for submitting information to the carrier in order for his/her claim for monetary PFL benefits to be processed.**

Employees are required to first complete and submit a Request for Paid Family Leave (Form PFL-1) to his/her supervisor. Human Resources and/or the employee's Supervisor will enter any necessary information on the form and return it back to the Employee. Employees are otherwise responsible for completing Form PFL-1 and for submitting it to the carrier. Employees may be required to submit additional certification and documentation to the carrier, depending upon the reason for leave. Failure to submit this information may result in the carrier's denial of the claim.

Until an employee's PFL application is approved by the YMCA's PFL benefits carrier, the employee is not considered to be on Paid Family Leave. In the event the PFL benefits carrier denies the application after an employee, an employee's unapproved time off from work may be grounds for discipline, up to and including discharge from employment.

All forms, including Form PFL-1, are available in the Human Resources Department, or through Prudential.

The YMCA's PFL benefits carrier is: Prudential 1-800-842-1718 Company Control Number: 72983

EMPLOYEE NOTICE REQUIREMENTS

Employees requesting PFL leave must give the YMCA at least 30 days' advance notice before leave is to begin if the qualifying event is foreseeable. Foreseeable qualifying events include, but are not limited to, an expected birth, planned medical treatment for a serious health condition of a family member, or known military exigency. If 30 days' advance notice is not practicable, (for example, if the planned medical treatment is scheduled with less than 30 days' notice), notice must be given as soon as practicable.

If the need for leave is foreseeable, and the employee does not provide 30 days' notice, the request for PFL leave may be denied. If the need for leave is unforeseeable, the employee must notify the YMCA as soon as practicable. While it is not possible to evaluate all instances of notice in a non-foreseeable leave situation, employees are expected to notify the YMCA within one (1) business day, absent unusual circumstances. The YMCA will evaluate the facts and circumstances of all particular instances of notice for unforeseeable PFL-eligible leave events.

DISPUTES

If a PFL claim is denied by the carrier, the employee may request to have the denial reviewed by a neutral arbitrator. Our carrier will provide you with information about requesting arbitration for denials.

RIGHTS AND PROTECTION

Leave taken under this policy is job protected. Thus, the YMCA will generally restore an employee who returns from leave to the same or a comparable position. The YMCA further prohibits discrimination or retaliation against employees who request or receive PFL leave and benefits.

While on leave, employees will continue to receive existing health insurance coverage, provided that they continue to pay their share of health insurance premiums. Employees must contact the Human Resources Department for payment arrangements. An employee may lose coverage retroactively to the date an unpaid premium was due (upon proper notice from our carrier) if you fail to pay your portion of the premium in a timely fashion.

No Retaliation

The YMCA prohibits discrimination or retaliation against any employee for requesting or for receiving paid family leave benefits.

4.16 EMPLOYEE ASSISTANCE PROGRAM

On occasion, everyone has personal problems. Usually, these problems are resolved with the support of relatives and close friends. But sometimes, you or members of your family may find that you would benefit from the assistance of a trained counselor. It is for this reason that the YMCA provides an Employee Assistance Program (EAP) to employees and family members who may need help with personal or behavioral problems.

ELIGIBILITY

Our EAP, which is offered through the Total Care EAP/ESI, is available to all employees and their family members.

BENEFITS

Through this program, confidential advice and short-term counseling are provided for any employee or member of an employee's family who requests it, or for an employee who is referred by his/her manager. Common problems addressed through counseling include alcoholism, drug abuse, financial difficulties, family tensions and conflicts with co-workers.

The privacy of employees and their family members is protected at all times. The YMCA is not informed when anyone seeks assistance, unless the individual so requests, or the YMCA refers the employee to the program as an alternative to discipline.

COST

The YMCA pays the full cost of the Employee Assistance Program. Employees are responsible for the cost of outside referrals. However, the cost for outside referral help may be covered by the YMCA group health insurance program.

MORE INFORMATION

Employees may contact the Total Care EAP/ESI at (800) 252-4555 or (800)225-2527 or www.theeap.com. If you are unable to reach help at the EAP number and it is a crisis, you are encouraged to call Life Line at 585-275-5151 for immediate intervention help.

4.17 DOMESTIC PARTNER BENEFITS

The YMCA allows employees to obtain allowable benefits for themselves and their domestic partners.

ELIGIBILITY

Domestic partners of current employees, including same sex and opposite sex partners and children of a current domestic partner are eligible for certain benefits. Domestic partners must meet the following requirements:

- Have an exclusive mutual commitment, similar to that of marriage;
- Are each other's sole domestic partner and intend to remain so indefinitely
- Neither partner is legally married;
- Are not related by blood to a degree of closeness, which would prohibit legal marriage in the state in which the partners legally reside
- Are at least 18 years of age and are legally competent to contract
- Are currently residing together and have resided together in a common household for at least six consecutive months and intend to reside together indefinitely
- Share joint responsibility for the partners' common welfare and financial obligations demonstrated by the existence of a domestic partner agreement (a qualifying domestic partnership agreement is a legally binding agreement between two individuals creating personal and financial interdependence.)

ENROLLMENT

To enroll a domestic partner in the YMCA benefit programs, the employee must complete an Affidavit of Domestic Partnership.

CHANGES IN BENEFIT ELECTIONS

After enrolling, you may not change your benefit plans until the beginning of the next plan year, unless one of the following events occur and provided the change you elect to make is on account of and consistent with, such event:

- The domestic partnership is dissolved
- You have a change in family status
- Your employment status changes

TAX IMPLICATIONS

Unless a domestic partner qualifies as the employee's tax dependent the value of any domestic partner benefit may be taxable compensation for the employee.

TERMINATION PROCEDURES

If there is a change in status of the domestic partnership, the employee must notify Human Resources within 30 days of the change of status. Benefits will continue until the last day of the month the statement is received.

CONFIDENTIALITY

All employee information, including statements of marriage or domestic partnership, will be kept confidential by the YMCA, and released only on a need-to-know basis.

This is intended as a brief introduction to Domestic Partner benefits. A more thorough explanation of the benefits available is contained in the Summary Plan Descriptions, plan documents and/or insurance policies available from Human Resources. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

4.18 CANCER SCREENING LEAVE

The YMCA recognizes the importance of early detection and treatment of cancer and supports New York State's initiative to encourage regular screening. In an effort to advance this initiative, the YMCA has agreed to voluntarily provide its employees with a benefit similar to what is currently provided to public employees in New York.

TIME AWAY FROM WORK

All full-time and regular part time employees will be granted up to four (4) hours of paid leave in any 12-month period for purposes of undergoing breast, prostate, and/or colon cancer screening. Such leave will not be charged against any other leave that the employee is otherwise entitled to receive. This leave is not cumulative and shall be deemed forfeited if not used in a particular 12-month period; the time cannot be carried over.

REQUEST/VERIFICATION

Employees should give as much advance notice as possible of a request for leave under this Policy. A requested date for leave may need to be rescheduled based on operational needs.

Employees must provide Human Resources with verification from a physician confirming the eligible employee has undertaken a screening for the purposes of breast, prostate, and/or colon cancer detection on the date the employee used the excused leave under this Policy.

4.19 EMERGENCY RESPONDER LEAVE

Employees are encouraged to notify Human Resources if they currently serve as a volunteer firefighter or member of a volunteer ambulance service.

Employees who serve as volunteer firefighters or members of a volunteer ambulance service may be eligible for unpaid leave time when serving during a time of emergency as declared by local or state government. Emergency responder leave is without pay for employees who are classified as non-exempt. Exempt employees will receive pay as required by law. Employees can elect to use accrued paid leave concurrently with their emergency responder leave time. Employees are eligible for leave time only while they are performing volunteer duties that are related to the declared emergency.

Employees are eligible for emergency responder leave under this policy if they have previously provided to the YMCA written documentation from the head of the employee's volunteer fire department or volunteer ambulance service of the employee's status as an emergency responder.

The YMCA may deny an employee's request for leave time under this policy if the employee's use of leave would pose an undue hardship on the YMCA. Employees should notify the YMCA as soon as possible of their need for leave time under this policy.

SECTION FIVE

SAFETY POLICIES

5.01 ALCOHOL/DRUG-FREE WORKPLACE

The YMCA is committed to maintaining a drug and alcohol-free, healthful, and safe workplace. Employees are required to come to work in a mental and physical condition that will allow them to perform their job satisfactorily. Being under the influence of alcohol and/or drugs while working poses serious health and safety risks to employees and others in the workplace and is not tolerated.

PROHIBITED CONDUCT

The YMCA strictly prohibits the following activities any time that employees are: (1) on duty or performing services on behalf of the YMCA (while on or off YMCA premises); (2) on YMCA premises (whether or not the employee is working); or (3) using YMCA equipment or property:

- The use, abuse, or being under the influence of alcohol, unauthorized drugs, or other impairing substances.
- The possession, sale, purchase, or transit of any illegal or unauthorized drug, including prescription medication that is not prescribed to the employee.
- The illegal use or abuse of prescription drugs.

Nothing in this policy is meant to prohibit the appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law, to the extent that it does not impair an employee's job performance or the safety of others. Employees who take over-the-counter medication or other medication that can legally be prescribed under both federal and/or state law to treat a disability should inform the Director of Human Resources or the Chief Human Resources Officer if they believe the medication will impair their job performance, safety, or the safety of others, or if they believe they need a reasonable accommodation ***before*** reporting to work while under the influence of that medication. In all cases, the YMCA will engage in an interactive process with employees, and where appropriate, provide reasonable accommodations for employees taking medically necessary medication or prescriptions. For more information on how to request reasonable accommodation, please refer to the YMCA's Individuals with Disabilities Policy.

FOR CAUSE TESTING

If there is reasonable cause to indicate that an employee is impaired by or under the influence of unauthorized drugs or alcohol at work (such as if the employee, while working, manifests articulable symptoms of impairment that decrease or lessen the employee's performance of his/her tasks or duties or interferes with the YMCA's obligation to provide a safe and healthy workplace as required by state and federal law) the employee may be required to undergo testing that is conducted in accordance with applicable law. Refusal to consent to such a test may result in immediate termination.

Reasonable cause may include, but is not limited to, the following:

- Involvement in a preventable on-the-job accident or injury

- Documented on-going performance problems such as, but not limited to unexplained frequent absences, pattern of absences, tardiness, failure to follow directions
- Involvement in a vehicular accident.
- Objectively observable indications that the employee's performance of his/her duties are decreased or lessened.

NON-DISCRIMINATION ON THE BASIS OF LAWFUL RECREATIONAL USE OF CANNABIS

The YMCA prohibits discrimination against individuals on the basis of their lawful use of cannabis in accordance with New York State law, while outside work hours, off the YMCA premises, and without use of the YMCA's equipment or other property. This does not apply, however, to any employee impaired by the use of cannabis while working, meaning the employee manifests certain symptoms that decrease or lessen the employee's performance of duties or tasks, or interfere with the YMCA's obligation to provide a safe and healthy workplace, free from recognized hazards as required by law. Any employee who manifests articulable symptoms of cannabis impairment while working may be subject to discipline, up to and including immediate termination of employment.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The YMCA provides an EAP for employees and their family members. You are encouraged to use the EAP whenever you feel the need for guidance in coping with life. If you have difficulty handling drugs or alcohol, the EAP can provide information on treatment. The EAP is a confidential service.

VIOLATION OF POLICY

Employees who violate this policy will be subject to disciplinary action, up to and including termination.

FOR MORE INFORMATION

Human Resources is responsible for the administration of this policy.

5.02 CHEMICAL HAZARD COMMUNICATION PROGRAM

The YMCA's Chemical Hazard Communication Program has been created with your health and safety in mind. To be successful, this program requires your full commitment. Working together, we then can keep our workplace safe.

OBJECTIVE OF PROGRAM

The purpose of this program is to ensure the YMCA's full compliance with the OSHA Hazard Communication Standards, thereby keeping our employees informed of the hazardous chemicals to which they may be exposed. The scope of the program includes:

- Maintaining a list of all hazardous chemicals used in our work areas and updating the list as necessary
- Placing warning labels on containers that have hazardous materials
- Maintaining Materials Safety Data Sheets (MSDS) for every substance on the list of hazardous chemicals and making the MSDS readily available to all employees
- Training employees to recognize and interpret labels, warnings and signs that are fixed to containers
- Training employees to understand the elements of the MSDS and to recognize possible risks to health and physical harm
- Making this written program available upon request to employees.

REPORTING ACCIDENTS

The Buildings and Grounds Director at each location is responsible for monitoring and updating the Chemical Hazard Communication Program at the YMCA. Any accidents pertaining to chemicals or hazardous materials should be reported immediately to him/her. Employees can obtain MSDS information from Human Resources or the Vice President of Risk Management

5.03 BUILDING SECURITY

The security of the YMCA's offices and facilities is of the utmost importance. To control building security, an authorized employee must accompany all visitors who require access to our facilities.

VISITORS

Visitors requiring access to the YMCA's offices are to be met in the reception area by an authorized employee, escorted while in the building and accompanied back to the reception area when leaving the building. Visitors should only have access to the areas/offices within the building needed to conduct business.

IDENTIFICATION AND SECURITY

Identification badges must be worn at all times during your working hours. Key cards/fobs or keys may not be shared and must be turned in upon termination. Any security problems must be reported to the Duty Officer.

DELIVERIES

Delivery people are seldom thought of as visitors, but they are and should be treated as any other visitor.

PROHIBITED ITEMS

The following articles may not be brought onto Association premises:

- Firearms, weapons, explosives
- Narcotics or alcoholic beverages
- Other items similar in effect or purpose to any of the above, as well as items which may be considered illegal under local, state, or federal laws or contrary to standard industrial practice.

Any personal items brought on the premises are subject to inspection as necessary to protect Association property and personnel.

USE OF YMCA PROPERTY/VEHICLES

YMCA property may not be used for personal use or be removed from the building without permission from your manager.

5.04 TOBACCO-FREE AND SMOKE-FREE

This policy has been adopted in the interest of providing a safe and healthy environment for YMCA employees, members and visitors. The YMCA of Greater Rochester is a tobacco-free and smoke-free workplace.

TOBACCO & SMOKING RESTRICTIONS

Smoking and use of all tobacco products in any form, including but not limited to cigars, cigarettes, e-cigarettes, pipes, vaping pens and non-tobacco, non-FDA-approved cessation devices is prohibited in all YMCA buildings, in all YMCA-owned vehicles, on YMCA- owned and operated property (including but not limited to parking lots), and within 50 feet of any YMCA building entrance. Non-tobacco, non-FDA-approved cessation devices prohibited by this policy include but are not limited to electronic cigarettes and any other "vaping" devices and nicotine inhalation devices.

COMPLIANCE

Violations of this policy will result in disciplinary action, up to and including termination of employment.

5.05 VIOLENCE IN THE WORKPLACE

The YMCA is committed to providing a safe environment for employees, members, and visitors. The YMCA has zero tolerance for violence. Employees who display any violence or threaten violence in the workplace are subject to disciplinary action up to and including termination. No talk of committing violence or joking about committing violence will be tolerated.

DEFINITION

Violence in the workplace includes, but is not limited to physically harming another, shoving, pushing, brandishing weapons and explicit or implicit threats or talk of committing violence.

WEAPONS

All employees and unpaid interns are prohibited from carrying a weapon while in the course and scope of performing their job for the YMCA, whether or not they are on Association property at the time and whether or not they are licensed to carry a handgun. This policy also prohibits weapons at any Association-sponsored functions such as parties or picnics.

Failure to abide by this policy may result in disciplinary action up to and including termination. Further, carrying a weapon onto Association property in violation of this policy will be grounds for immediate removal from Association property and may result in prosecution. This policy shall not be construed to create any duty or obligation on the part of the YMCA to take any actions beyond those required by existing law.

REPORTING VIOLENCE

It is everyone's responsibility to prevent violence in the workplace. You must report what you see in the workplace that could indicate that a co-worker is in need of help. You should report any incident that may involve a violation of the YMCA's policies that are designed to provide a safe workplace environment. Concerns may be presented to your manager or any other member of management. All reports will be investigated, and information will be kept confidential, except where there is a need to know in order to facilitate a solution to the problem.

EDUCATIONAL OFFERINGS

In order to promote a peaceful working environment, the YMCA encourages employees to enroll in courses to learn more about working with each other. Courses covering communication, problem solving, building effective working relationships, stress management and related or similar course topics are supported by tuition reimbursement; offered by the YMCA; or, where appropriate, provided by attendance at outside seminars.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The YMCA provides an EAP for employees and their family members. You are encouraged to use the EAP whenever you feel the need for guidance in coping with life. If you have difficulty handling drugs or alcohol, the EAP can provide information on treatment. The EAP is a confidential service.

INCIDENT MANAGEMENT

In the event of a major workplace incident that affects, or has the potential to affect, the mental health of our employees, the EAP will provide initial counseling and support services to employees and immediate family members.

5.06 WORKPLACE SEARCHES

The YMCA reserves the right to conduct searches of any person, vehicle or object that enters onto Association property.

SEARCHES

Please be aware that the YMCA reserves the right to search lockers, desks, briefcases, baggage, toolboxes, lunch sacks, clothing, purses, vehicles parked on Association property and any other item in which something may be hidden. Additionally, the YMCA may search any Association-owned vehicle, regardless of whether the vehicle is located on Association property at the time. Association management may conduct searches. The YMCA also reserves the right to authorize searches by law enforcement on its property with or without the employee being present.

5.07 Airborne Infectious Disease Exposure Prevention Plan

The YMCA maintains an Airborne Infectious Disease Exposure Prevention Plan. As this Plan is to be updated from time-to-time based on the most current levels of risk, the plan is viewable in your self-service portal in Paylocity. Employees may also request a physical or emailed copy of the plan by contacting the Vice President of Risk Management.

SECTION SIX

EMPLOYEE PROGRAMS & PROCEDURES

6.01 MEMBER RELATIONS

The professional treatment of our members and the impression that we make on our community are important. The YMCA's reputation is based on product excellence and quality service. To maintain our reputation as an industry leader requires the active participation and cooperation of every employee.

EACH EMPLOYEE'S RESPONSIBILITY

The opinions and attitudes that members and potential members have toward the YMCA may be determined for a long period of time by the actions of one employee. Each employee must be sensitive to the importance of providing courteous treatment in all working relationships with our members.

QUALITY SERVICE

Quality service can only be achieved when every employee understands that members are critically important to the success of the YMCA. All people we serve should be treated with respect, care and concern through both our words and our actions each and every day.

6.02 PARKING

Parking facilities are available to employees at all locations of the YMCA. When using these facilities, park in an orderly and courteous fashion.

PROTECTION OF PROPERTY

For your protection, always lock your car doors. The YMCA is not responsible for loss, damage, or theft in our parking area.

SAFETY IN THE PARKING LOT

Employees must adhere to normal traffic laws while driving in our parking lot. This includes full adherence to stop signs and speed limits.

PAID PARKING

Full-time employees of the Metro Center location, upon request, will be issued a parking pass to the East End Garage.

MORE INFORMATION

If you need more information about parking or parking reimbursement, contact the Payroll department.

6.03 MEDIA RELATIONS

Communication with news reporters and other journalists is, at times, sensitive in nature. Therefore, media requests for official statements may be handled only by designated senior managers of the YMCA.

MEDIA REQUESTS FOR OFFICIALSTATEMENTS

Any telephone calls or visits from members of the media requesting the YMCA's official statement should be directed to the Chief Experience Officer.

6.04 DRESS CODE POLICY

At the YMCA, we strive to always show professionalism in our demeanor and appearance. All employees must adhere to the YMCA of Greater Rochester guidelines for appearance while at work. The YMCA reserves the right to ask you to change your attire if it is not considered appropriate. If you are in doubt about the acceptability of your attire, discuss the matter with your supervisor or the Human Resources Department before wearing it to work.

Our Grooming and Dress Standards include the following:

- Your name badge is required and must always be visible.
- All employees are expected to meet generally accepted standards of cleanliness and hygiene. Perfume, cologne, and aftershave, when used, should be worn in moderation.
- Clothing must be neat, clean, fit appropriately and be free of rips or tears, wrinkles, and stains. Undergarments must not be visible.
- Jeans with no fading, patches, rips, or tears are permitted in departments outlined below.
- Skirts and shorts must be appropriate in length. Appropriate length is considered mid-thigh or longer.
- Annual Campaign shirts (current year only) may be worn at the discretion of the branch or department manager.
- Hats are allowed only when outdoors. Seasonally appropriate hats may be worn by staff when outdoors if they are free from offensive or vulgar language and emblems or deemed inappropriate by Human Resources. Head coverings associated with religious beliefs are allowed.
- Visible tattoos that are deemed offensive, vulgar, or deemed inappropriate by Human Resources are not permitted and must be concealed during working hours. Multiple piercings in one area or excessive jewelry that could be considered distracting or potentially hazardous in the workplace is discouraged.

The following additional standards have been listed by department:

Association, Administrative, and Leadership Staff
YMCA collared shirt or business casual attire is expected. Traditional business attire may be necessary in certain circumstances. Business casual does not include midriff, halter, off the shoulder or spaghetti strap tops, sweatpants, pajama pants, jeans, shorts, flip-flops or crocs.

Aquatics
Staff will wear a conservatively styled one-piece swimsuit while in the water and assigned YMCA staff shirt and shorts when out of the pool. CPR Instructors will wear an assigned YMCA staff shirt and casual pants or shorts.

Maintenance & Custodial
Staff will wear an assigned YMCA staff shirt and work pants or jeans. Comfortable, solid-soled work boots/shoes or sneakers are appropriate. Open-toed shoes, such as flip flops or sandals, are not allowed. Crocs are also not permitted.

Member Services
Staff will wear assigned YMCA staff shirt and business casual pants or skirts. Employees may not wear jeans, sweatpants, or pajama pants. Comfortable, casual shoes are appropriate. Flip flops and crocs are not allowed.

Summer Camp (June-September)
Summer camp staff will wear an assigned YMCA staff shirt. Shorts/pants must be conservatively styled and appropriate in length. Comfortable shoes or sneakers are appropriate. Open-toed shoes, such as flip flops or sandals are not allowed.

Wellness Center
Staff (including group exercise instructors) will wear assigned YMCA staff shirt and clean athletic pants or shorts with sneakers. Open-toed shoes, such as flip flops or sandals, are not allowed. Crocs are also not permitted.

Youth Serving Departments
Staff will wear assigned a YMCA staff shirt and business casual pants. Shorts are allowed during the warmer months but are to be conservatively styled and appropriate in length. Employees may not wear sweatpants or pajama pants. Comfortable, casual shoes are appropriate. High heeled, and open-toed shoes, such as flip flops or sandals, are not allowed. Crocs are also not permitted. Due to safety reasons, loose jewelry, including dangling earrings, is not permitted. Fingernails should be kept clean, well-manicured, and at a length that does not compromise the ability to actively and safely care for the children we supervise.

Employees should work with their supervisors on specific questions regarding the dress code. Reasonable accommodation will be considered for people with a disability and/or for religious and cultural reasons.

6.05 CHANGES IN PERSONAL INFORMATION

You are responsible for notifying the YMCA when there is a change in your personal data. This information needs to be kept up to date, so your benefit plans and payroll withholdings are properly administered. Timely notification of these changes will also enable the YMCA to assist you and your family in matters of personal emergency.

NOTIFICATION

Notify the Payroll Department ***in writing*** if any of the following change:

- Name
- Address
- Telephone Number
- Number of Dependents
- Change in family status and/or beneficiaries
- Emergency Contact

You can also update some of the above information through your Paylocity account at www.paylocity.com.

6.06 NOTIFICATION OF ARREST OR CONVICTION OF A MISDEMEANOR OR FELONY OFFENSE

Praesidium Accreditation is a high standard of abuse prevention for those in our care. With Praesidium, one of the requirements to prevent abuse is the notification of arrest or conviction of a misdemeanor or felony offense.

If an employee or volunteer is arrested or convicted of a misdemeanor or felony while working (actively or inactively) with the YMCA of Greater Rochester, they must inform their supervisor within 24 hours about the arrest or conviction. This includes guilty pleas and no-contest pleas. Supervisors must immediately notify the Human Resources department.

Employees and volunteers need not report convictions for routine traffic infractions such as speeding, unless driving is a required part of the employee or volunteer's job duties. The arrest or conviction of an employee or volunteer may result in corrective action. Corrective action depends upon a review of all factors involved - including whether the crime was work-related, the nature and severity of the act, or any resultant circumstances that adversely affect the employee or volunteer's ability to function in their role. Such corrective actions may include termination.

Any employee or volunteer's failure to report an arrest or a conviction for a misdemeanor or felony within 24 hours, or misrepresentation of the circumstances of an arrest or conviction, will result in disciplinary action up to and including termination. Volunteers and independent contractors who fail to disclose an arrest or conviction subsequent to their engagement with our organization will have their relationship terminated immediately.

The YMCA of Greater Rochester will administer this policy in accordance with all applicable federal, state, and local laws.

6.07 PERSONNEL FILES

The YMCA maintains an official personnel file for each employee that contains necessary job-related and personal information. These files are confidential, and guidelines exist to safeguard against improper disclosure.

ACCESS TO PERSONNEL FILE*

You may review information maintained in your personnel file. To receive a free, complete copy of your personnel file, submit a written request to the Human Resources Director. Written requests must be submitted five (5) business days in advance.

The YMCA of Greater Rochester strictly prohibits retaliation, discrimination, or adverse action against any individual for exercising their rights under this Personnel Files Policy.

Availability and access to personnel files is limited to those with proper authorization and a business need to know. Questions or concerns regarding the Personnel File Policy must be directed to the Human Resources Director.

**Amended receiving a free, complete copy, by submitting a written request to the Human Resources Director. Requests must be submitted five (5) business days in advance. There is no retaliation. Direct questions to Human Resources Director. Effective November 8th, 2026.

INQUIRIES ABOUT EMPLOYEES

All inquiries or requests for information about employees (active or inactive) from people outside the YMCA should be referred to the Human Resources Department. This applies to all requests, whether written or verbal.

6.08 EMPLOYMENT OF RELATIVES & NON-FRATERNIZATION

The employment of relatives is a sensitive issue that could possibly create a conflict of interest situation for the related individuals. Hiring decisions and continued employment must be handled in accordance with the following provisions.

LIMITATIONS

Integrity in our employment relationships is essential to maintaining trust and accountability in the workplace. All employment related decisions - including, but not limited to hiring, promotion, compensation, disciplinary action, and termination, must be made without favoritism or even the appearance of favoritism.

The employment of relatives or individuals with whom we have a close personal relationship may raise questions regarding confidentiality, objectivity, and business necessity. In order to promote integrity in our employment relationships and unless contrary to applicable local law, the YMCA requires employees to immediately disclose to Human Resources any family or personal relationships that may cause or give the appearance of a conflict of interest with members. This policy does not prohibit family members or individuals in personal relationships from working in the same operating unit. In fact, the Association permits relatives and those in a close personal relationship to work in the same operating unit provided full disclosure is made to all relevant leaders and the employees in question do not directly or indirectly impact employment related decisions pertaining to each other. For example, an individual related to or in a personal relationship with an applicant must not influence or participate in the hiring or placement decision process. Even with these safeguards, employees and leaders must be alert to the possible appearance of influence and take steps to eliminate the perception.

For the purpose of this policy, relatives are defined as:

- Spouse (to include significant other)
- Children
- Parents
- Other Step Relationship Siblings (brother, sister)
- In-Laws Grandparents
- Grandchildren Aunt or Uncle

It is the YMCA's policy that employees will not be hired into, or work in, a department where they directly or indirectly supervise or are supervised by an immediate family member or someone with whom they are romantically involved. Employees will not be placed in a position where they work with, or have access to, sensitive or confidential information about an immediate family member or someone with whom they are romantically involved. In such circumstances, Human Resources will:

- Attempt to reassign one or both employees to bring them into compliance with the policy at a pay rate as close as possible to their current rate of pay.
- Make an effort to retain both individuals at the same physical location.
- Allow the employees involved a maximum of 30 days to decide who will remain in his/her current position and who will move or be terminated, if a move or termination is necessary.

NON-FRATERNIZATION

Due to the potential for morale, confidentiality and supervisory problems and the appearance of a conflict of interest, the YMCA expects managers to refrain from romantic relationships with employees whom they directly or indirectly supervise. If two employees marry or otherwise become immediate family members or romantically involved, the YMCA expects these employees to resolve the matter of complying with this policy among them. If they cannot, the YMCA may require one or both employees to transfer or resign.

6.09 SEVERE WEATHER

Inclement weather is to be expected during the winter months and may necessitate a change in the YMCA's operating hours.

NOTICES OF OFFICE CLOSINGS

Except in cases of severe storms, we will work regular hours. Any alteration in our regular schedule will be decided by the CEO, COO or CFO and communicated over local radio stations.

ABSENCES DUE TO POOR WEATHER

When a branch suspends operations before the workday begins:

- Exempt employees will be paid.
- Full-time, non-exempt employees will be paid.
- Part-time, non-exempt employees will not be paid.

When the decision is made to close the branch during the workday:

- Exempt employees will be paid.
- Full-time, non-exempt employees will be dismissed and paid for the day.
- Part-time, non-exempt employees, who are on-site and prepared to fulfill their duties when the decision is made to close, will be paid for

the time normally worked on that day. All other part-time employees will not be paid.

Time taken off by employees due to poor weather conditions must be taken as a vacation day or unpaid time unless otherwise required by Federal or state wage and hour laws.

6.10 BULLETIN BOARDS

The YMCA maintains bulletin boards in suitable places for the posting of official notices relating to the YMCA business, job opportunities, sponsored activities, and federal and state regulations.

GENERAL

Information of interest and importance to you is regularly posted on our bulletin boards. Make a point to look at the bulletin boards regularly to keep up with "what's happening." These bulletin boards are for administrative use only so employees may not post or remove any items on them.

Nothing in this Policy will be applied or interpreted in a manner that interferes with employees' rights under Section 7 of the National Labor Relations Act.

6.11 SOCIAL MEDIA POLICY

Social media presents opportunities to engage YMCA of Greater Rochester ("YMCA") employees, members, supporters, donors, volunteers, potential employees, and those who work on behalf of the YMCA in conversations to highlight our services and expand the reach of the YMCA to deliver on our mission and vision.

Social media includes all means of communicating or posting information or content of any sort on the Internet, whether or not associated or affiliated with the YMCA, as well as any other form of electronic communication. This includes, but is not limited to, traditionally know social media platforms like Facebook, Instagram, X, LinkedIn, Tik Tok and Snapchat

At the YMCA, we understand that social media can be a fun and rewarding way to share and communicate with others. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established the following guidelines for appropriate use of social media.

This policy applies to all YMCA employees.

Nothing in this Social Media Policy or in this Handbook is intended to interfere with, restrain or prohibit employees from complying with or exercising their rights under any applicable federal, state, or local law, or from communicating about wages, hours, or

other terms and conditions of their or their co-worker's employment. This policy will not be applied or construed in a manner that violates or improperly interferes with employee rights under Section 7 of the National Labor Relations Act.

Personal social media use guidelines

The same principles and guidelines found in the YMCA's employment policies apply to your online activity. You are solely responsible for what you post online. Before creating online content, consider the risks and rewards involved. Keep in mind that your conduct that adversely affects your job performance, the performance of fellow staff or otherwise adversely affects members, supporters, donors, volunteers, and those who work on behalf of the YMCA, or the YMCA's legitimate business interests, may result in disciplinary action up to and including termination.

Know and follow the YMCA's rules

Carefully read these guidelines and the YMCA's related policies, such as but not limited to: Non-Discrimination, Non-Harassment, Code of Ethics, Individuals with Disabilities, and the Acceptable Use Policy. Ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment that violates these policies, threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be fair to others

It is best to be fair and respectful to fellow employees, members, supporters, donors, volunteers, and those who work on behalf of the YMCA or the YMCA's legitimate business interests. Avoid using statements, photographs, videos, or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating or that might constitute bullying, discrimination or harassment on the basis of race, sex, disability, religion or any other status protected by law or YMCA policy.

Be honest and accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the YMCA, fellow employees, members, supporters, donors, volunteers, potential employees, and those who work on behalf of the YMCA or the YMCA's legitimate business interests.

Post responsible content

- Maintain the confidentiality of financial and other personal information relating to our members. Also, do not disclose the YMCA's confidential business or proprietary information that is purposefully kept confidential internally and/or externally, such as but not limited to, internal reports, revenue, and cost reports, and/or other internal business-related confidential communications.
- Express only your personal opinions. Never represent yourself as a spokesperson for the YMCA.

Using social media at work
Refrain from using social media while working or on equipment provided by the YMCA unless it is work-related as authorized by your manager or consistent with the Acceptable Use Policy. Working time refers to the portion of any working day in which the employee is paid to perform actual job duties. It does not include such times as lunch or break time or before or after work.

Retaliation is prohibited
The YMCA prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee will be subject to disciplinary action, up to and including termination.

For more information
If you have questions or need further guidance on personal social media use, please contact the Human Resources Department.

Friending members and volunteers

- Sometimes, members and volunteers may ask employees to become their "friend" on social media. This is allowed, but employees must remember that the Guidelines in this policy apply to these online relationships; employees should also consider creating a more limited profile for general or work-related purposes and reserve their full personal profile for friends and family only.
- It is not recommended that YMCA staff "friend" any staff, volunteer, or member under the age of 18 on any social media site, except on official YMCA-sponsored or approved sites.

Unofficial Social Media pages
YMCA employees may not create, establish or maintain any social media page, profile or site that purports to be a page, profile or site that is established or maintained by, or on behalf of, the YMCA. YMCA employees may not use the YMCA's logo on any social media or internet site, page, or platform.

If you come across a page, site or profile claiming to be a YMCA of Greater Rochester page, please let the Association's Experience Department know as soon as possible.

Donor recognition and solicitations

Solicitation of donations via social media may be done only using approved language and imagery provided by the Chief Experience Officer Director of Communications and requires prior authorization.

Posting photos and videos of YMCA activities online

- If you wish to share a photo or video online on an official YMCA social media site/page, please contact the Experience Department to determine the best way to do this.

- All photos and videos that include members and children cannot be posted unless the member and/child has signed a photo release.

- Only authorized employees can take photos and/or videos of those under the age of 18 years old.

- If you are an employee authorized to take photos and/or videos of those under the age of 18 years old, pictures and videos must only be taken on YMCA devices or devices that have been specifically authorized for this usage.

Abide by the YMCA of Greater Rochester's Acceptable Use Policy

- As a condition of your employment you must comply with the YMCA's Acceptable Use Policy (policy 6.10).

Enforcement

Any employee who discovers a violation of this Policy shall immediately notify the Chief Financial Officer, Chief Experience Officer, the Chief Human Resources Officer, and Director of Human Resources. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. Employees using Association computer systems for defamatory, illegal, or fraudulent purposes also are subject to civil liability and/or criminal prosecution.

6.12 ACCEPTABLE USE POLICY

Internet/Intranet/Extranet-related systems, including but not limited to computer and voice equipment, software, operating systems, storage media, network accounts providing electronic mail and web browsing are the property of the YMCA of Greater Rochester. These systems are generally to be used for business purposes in serving the interests of the Association and of our members and customers in the course of normal operations, except to the extent that personal or non-work-related use is specifically permitted by this Policy.

Effective security is a team effort involving the participation and support of every YMCA employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

Purpose

The purpose of this policy is to outline the acceptable use of computer equipment and communication systems at the YMCA. These rules are in place to protect the employee and the YMCA. Inappropriate use exposes the YMCA to risks including malicious code and virus attacks, compromise of network systems and services, and legal issues.

Scope

This policy applies to all employees, contractors, consultants, temporaries, third parties and other personnel using the YMCA equipment that is owned or leased by the YMCA of Greater Rochester.

Policy

General Use and Ownership

- While the YMCA of Greater Rochester's senior management desires to provide a reasonable level of privacy, users should be aware that the information transmitted across or the data they create on the corporate systems remains the property of the YMCA at all times. YMCA management cannot guarantee the confidentiality of information stored on any asset, system computer, application or device belonging to the YMCA that stores, processes, or transmits information.
- Management permits a limited amount of personal use of its computer equipment and communication systems. Personal use is only permitted during non-working time and is prohibited during working time. “Working time” refers to that portion of any working day in which the employee is being paid to perform actual job duties. It does not include such times as lunch or break time or before or after work. Even when using the YMCA’s computer equipment and communication systems for personal use, all YMCA policies must be adhered to by the employee.

- The YMCA requires that any information that users consider sensitive or vulnerable be encrypted based only on approved YMCA applications or technologies. Any data identified as being encrypted or otherwise inaccessible with a non-approved application or technology will be deleted.
- For security and network maintenance purposes, authorized individuals within the YMCA may monitor equipment, systems, and network traffic at any time.
- The YMCA reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy and applicable laws and regulations.

Security and Proprietary Information

- All personnel are required to keep passwords secure. It's highly recommended to not share passwords or accounts with any other person or entity. Authorized users are responsible for the security of their passwords and accounts. System level passwords will be changed at least every 90 days or in compliance with a management directive, user level passwords should be changed every six months or per a management directive.
- All PCs, laptops and workstations are secured with a password-protected screensaver with the automatic activation feature through group policy set to at least 15 minutes.
- Because information contained on portable computers is especially vulnerable, special care should be exercised. Protect laptops in accordance with the "Laptop Security Tips".
- Postings by employees from a YMCA email address to newsgroups should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of YMCA, unless posting is in the course of business duties.
- Employees must not open emails or email attachments received from unknown senders.

Acceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a device if that device is disrupting production services).
Under no circumstances is an employee of the YMCA authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing YMCA owned resources.

The lists below are by no means exhaustive but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

- Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the YMCA.
- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which YMCA or the end user does not have an active license is strictly prohibited.
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question. YMCA laptops should never be taken out of the United States unless approved by the Vice President of IT for international travel.
- Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, email bombs, etc.). To prevent computer viruses from being transmitted through the system, there will be no unauthorized downloading of any software. All software downloads will be done through the IT Department.
- Connecting personal or non-YMCA provided equipment to the YMCA network. Any non-YMCA devices must be authorized by the VP of Information Technology.
- Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.
- Using a YMCA computing asset to actively engage in procuring or transmitting material that is in violation of harassment, sexual harassment or hostile workplace policies maintained by the YMCA or applicable law.
- Visiting, accessing, downloading, procuring, or transmitting materials with pornographic or sexually explicit information.
- Making fraudulent offers of products, items, or services originating from any YMCA account.
- Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
- Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section,

"disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

Email and Communications Activities

The following activities are strictly prohibited, with no exceptions:

- The electronic mail system must not be used in a manner that violates YMCA policy, such as but not limited to those policies that address discrimination and harassment. For example, messages that are sexually oriented, racially derogatory, or improperly aimed at someone's sex, age, sexual orientation, religious or political beliefs, national origin, or disability will not be tolerated.
- The electronic mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary information, financial information, or similar materials without prior authorization of the owner or vendor.
- Creating or forwarding "Ponzi" or other "pyramid" schemes of any type.
- The Association provides and maintains an electronic mail system to assist in the conduct of its business.
- The electronic mail system hardware and software is Association property.
    - Additionally, all messages composed, sent, or received on the electronic mail system are, and remain, the property of the Association. They are not the private property of any employee.
- Personal email use is only permitted during non-working time and is prohibited during working time. "Working time" refers to that portion of any working day in which the employee is being paid to perform actual job duties. It does not include such times as lunch or break time or before or after work. Even when using the email system for personal use, all YMCA policies must be adhered to by the employee.
- The Association reserves and will exercise the right to review, audit, intercept, access and disclose all messages created, received, or sent over the electronic mail system for any purpose. Employees should have no expectation of privacy when using the YMCA's email system.

- The confidentiality of any message should not be assumed. Even when a message is erased, it is still possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality.
- Notwithstanding the Association's right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this rule must receive prior approval of the Chief Human Resources Officer.
- Employees must take care not to introduce viruses into YMCA systems by not opening messages or documents sent by unknown users. Employees should utilize anti-virus software and notify the Vice President of IT immediately if there
    - is reason to believe a virus has been introduced into our computer system or that any person may have accessed data, which they were not authorized to view.

Personal Telephone Calls and Electronic Devices

It is important that our telephones be free, and our employees be available during working hours for customers and other business-related calls.

NON-BUSINESS CALLS

Our telephones, including company-provided cellular phones, are maintained for business purposes only. The Association recognizes that employees may occasionally need to use YMCA telephones, including Association-provided cell phones, for non-business-related matters. Employees should limit these calls to an absolute minimum and place calls only during non-working periods.

PERSONAL CELL PHONES AND ELECTRONIC DEVICES

Most of today's hand-held electronic devices make it easy to bring music, entertainment, and personal communications to the workplace. However, due to safety, productivity and efficiency reasons, the use of personal cell phones, handheld videogames, and other personal electronic devices are limited to break and meal periods. They are not permitted during work time, unless used for work-related reasons approved by a supervisor or manager in advance. “Work time” refers to that portion of the working day in which the employee is being paid to perform actual job duties.

Outside Contact with YMCA Youth Participants

The YMCA takes very seriously its obligation to protect the children served by the Association. Although the YMCA Code of Conduct requires that staff do not initiate outside contact with members or program participants, more stringent safeguards are required when it comes to the youth served by the Association. As a general rule, YMCA staff should not have contact or communication with the children who participate in YMCA programs outside of YMCA work time. With today's electronic communication options (e-mail, text messages, blogging, and social networking) it is more important than ever that all employees understand the Association's policy on such contact or communication in order to protect the youth served by the YMCA and to protect our staff. (Refer to separate policy on Social Networking)

- Employees should not initiate or receive personal phone calls with youth who are in or whom they have met through YMCA programs (referred to in this policy as "youth"). A call is considered "personal;" if it does not involve both a YMCA phone and YMCA-specific subject matter. When employees receive calls from youth on non-YMCA phones and/or regarding a non-YMCA-specific subject matter, this must be immediately reported to a supervisor.
- Regardless of the instrument used, text messaging with youth is not permitted. If an employee receives a text message from a youth, a supervisor must be immediately made aware.
- Communication between employees and youth should only be through YMCA e-mail accounts and phones, and any other communication with you should be immediately reported to the employee's supervisor.

Waiver of Privacy and Notice of Electronic Monitoring

Any and all telephone conversations or transmissions, electronic mail or transmissions, or internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic, photoelectronic or photo-optical systems may be subject to monitoring by the YMCA at any and all times and by any lawful means. The YMCA further retains the right to monitor any and all aspects of its computer system, including, but not limited to, reviewing material downloaded or uploaded by employees. Employees waive the right to privacy in anything they create, store, send, or receive while using the YMCA's communications systems.

Enforcement

Any employee who discovers a violation of this Acceptable Use Policy shall immediately notify the Vice President of IT and the Director of Human Resources or the Chief Human Resources Officer. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. Employees using Association computer systems for defamatory, illegal, or fraudulent purposes also are subject to civil liability and/or criminal prosecution.

6.13 ARTIFICIAL INTELLIGENCE (AI) USE POLICY

Purpose

The YMCA of Greater Rochester ("the YMCA") is committed to using emerging technologies such as Artificial Intelligence (AI) in ways that uphold our mission of strengthening community through youth development, healthy living and social responsibility. This policy seeks to ensure the ethical, transparent and responsible use of AI in all operations, programs and services.

Scope

This policy applies to all employees, interns, contractors, volunteers and third-party partners who use AI tools, systems or services on behalf of the YMCA of Greater Rochester.

Guiding Principles

AI use at the YMCA will adhere to the following principles:

- **Human Oversight:** AI systems can augment, not replace, human decision-making in critical areas such as youth safety, hiring, member services and program delivery.
- **Transparency**: Individuals must be informed when AI is used to make significant decisions or generate content affecting them.
- **Privacy and Data Protection**: Any AI system must comply with the YMCA's Privacy Policy, safeguarding member and employee data from misuse or unauthorized disclosure. No private information can be used by any generative AI model.
- **Equity and Fairness**: AI should not reinforce or exacerbate bias, discrimination or inequity. Special care must be taken when using AI in hiring, program eligibility or resource allocation.
- **Security**: AI tools should be evaluated for cybersecurity risks, and vendors must meet YMCA standards for data protection and system security.
- **Responsibility**: Final accountability for decisions made using AI rests with YMCA personnel, not automated systems.

Acceptable Uses of AI

AI may be used for the following purposes, subject to the above principles. This is not intended to be a comprehensive list as new uses are being constantly developed:

- Streamlining administrative workflows (e.g., summarizing reports, managing schedules)
- Enhancing member engagement (e.g., chatbots for general inquiries)
- Improving program design and delivery through data analysis
- Supporting fundraising, marketing and communications content generation (with human review)
- Enhancing facility operations and predictive maintenance

Prohibited Uses of AI

The YMCA strictly prohibits uploading or input of any confidential, proprietary or sensitive Association information into any GenAI tool. This includes:

- Passwords and other credentials
- Protected health information
- Personnel material (name, address, likeness)
- Information from documents marked “Confidential”, “Sensitive” or “Proprietary”, or any other nonpublic Association information that might be of use to competitors or harmful to the YMCA if disclosed.

Additional limitations on the use of AI for YMCA employees:

- Do not take results at face value. Verify for accuracy, especially with small datasets.
- Do not use AI-generated communications that impersonate staff or mislead stakeholders.\
- Do not use GenAI tools to make or help you make employment decisions about applicants or employees, including recruitment, hiring, retention, promotions, transfers, performance monitoring, discipline, demotion or terminations.

Procurement and Evaluation of AI Tools

Before any AI-based system is acquired or deployed, it must be reviewed and approved by the AI Committee and Executive Leadership. Evaluation criteria include:

- Vendor accountability and transparency
- Data privacy and security compliance
- Bias testing and mitigation strategies
- Ability to maintain human oversight

Training and Awareness

Staff using AI tools must receive training on appropriate use, privacy considerations and ethical risks. The YMCA will provide regular updates and guidance on evolving best practices.

Incident Reporting

Any misuse, malfunction or suspected ethical concern involving AI should be reported to the Vice President of Information Technology. Incidents will be documented and reviewed to prevent recurrence.

Policy Review

The YMCA may amend this policy as needed to reflect changes in operational requirements, best practices, or legal considerations

Questions or concerns regarding AI use or this policy should be directed to the YMCA's Vice President of Information Technology.

6.14 ELECTRONIC COMMUNICATION OUTSIDE OF SCHEDULED WORK HOURS

Guidelines

As with all types of work on behalf of the YMCA, all time spent by salaried non-exempt employees and hourly non-exempt employees using electronic communication for work purposes will be considered hours worked; this time is compensable and will count toward overtime eligibility as required by law. All time spent by salaried non-exempt and hourly non-exempt employees using electronic communication for work purposes must be reported as time worked by the employee to ensure proper compensation for this time. Salaried non-exempt and hourly non-exempt employees should use electronic communications outside of regularly scheduled work hours for work purposes only where specifically directed or approved in advance by a manager.

Salaried non-exempt and hourly non-employees should not check for, read, send or respond to work-related e-mails, text messages, and/or phone calls outside their regularly scheduled work hours unless specifically authorized to do so in advance by direction or approval of a manager.

Enforcement

Salaried non-exempt and hourly non-exempt employees using electronic communication for work purposes outside of their regularly scheduled work hours without prior direction or approval by a manager will be subject to disciplinary action, up to and including discharge. Salaried non-exempt and hourly non-exempt employees who fail to report time spent using electronic communications for work purposes as time worked, for purposes of compensation, will be subject to disciplinary action, up to and including discharge.

6.15 PERSONNEL FILES

The YMCA maintains an official personnel file for each employee that contains necessary job-related and personal information. These files are confidential, and guidelines exist to safeguard against improper disclosure.

ACCESS TO PERSONNEL FILE

As an active employee, you may see information which is kept in your own personnel file if you wish, except for confidential materials such as job references or information relating to other employees. Please ask your manager to make arrangements for you with the Human Resources department at least three days in advance.

Internal availability and access to personnel files is limited to those with proper authorization and a business need to know.

INQUIRIES ABOUT EMPLOYEES

All inquiries or requests for information about employees (active or inactive) from people outside the YMCA should be referred to the Human Resources Department. This applies to all requests, whether written or verbal.

6.16 Operation of Vehicles For Association Business

The use of Association vehicles is limited to authorized employees. It is the responsibility of every employee operating an Association vehicle or operating their own vehicle for Association business, to drive safely and obey all traffic, vehicle safety and parking laws or regulations.

VALID DRIVER'S LICENSE

All employees authorized to drive Association vehicles for use in conducting Association business must possess a current, valid driver's license and their driving record must meet the qualifications of our insurance carrier and the YMCA of Greater Rochester.

WORK-RELATED ACTIVITIES

The YMCA vehicles must only be used in work-related activities and may not be used for personal business or activities without the approval of management. In accordance with New York State law, smoking is not allowed in Association-owned vehicles. Employees may not use cellular telephones while operating an Association vehicle.

SAFETY WHILE DRIVING

Employees should also remember that while driving on Association business, they are expected to follow posted speed limits, practice defensive driving, wear seat belts and take a sufficient number of driving breaks.

PERSONAL VEHICLES

In some instances, employees may be required to drive their own personal vehicle for the purposes of conducting Association business. Employees must maintain adequate personal automobile liability insurance. The YMCA is not responsible for any damages or fines incurred while conducting Association business in a personal vehicle. Employees may not use cellular telephones while operating vehicles for Association business.

6.17 CELLULAR PHONES AND OTHER HANDHELD DEVICES

Cellular Phone and Handheld Devices Issued by the Association

In order to maintain employee productivity, the YMCA issues certain employees a cellular phone or hand-held device to assist them in performing their job duties. Employees who are issued an Association cellular phone and/or hand-held device should only use the phone or device for Association business.

Employees must use their Association issued cellular phones and hand-held devices in accordance with all policies contained in this handbook.

Personal Cellular Phone and Handheld Devices

While working for the YMCA, employees are expected to refrain from using personal cellular phones and other personal hand-held devices. Personal calls, emailing, texting, instant messaging, visiting the internet, and other personal electronic communication activities during the workday are prohibited except in the case of an emergency or with prior approval from a supervisor.

Use of Cellular Phones and Handheld Devices While Driving

The YMCA is committed to promoting highway safety and the safety of its employees. While driving on the job, safety must be the priority. Employees are required to adhere to all applicable laws while driving vehicles when working for the Association. Employees may not use hand-held cellular phones or other hand-held devices while driving during YMCA work time. While employees may use hands-free devices to talk on an Association cellular phone for Association business while driving (to the extent permitted by law in the state where the employee is driving) employees are expected to keep conversations brief and only to engage in such conversations when absolutely necessary for business reasons.

6.18 RENEWAL OF REQUIRED CERTIFICATIONS

It is the responsibility of employees to maintain and keep current all certifications required by the YMCA for each specific position at all times. The YMCA supports the continued required certification for specific positions as described below.

ELIGIBILITY
The following is the list of positions for which it is the employee's responsibility to maintain an approved current certification by attending and passing Continuing Education Courses (CEC's) and submitting for certification renewal. The YMCA will pay the cost of courses required for such recertification for current employees holding the following positions:

- Group Exercise Instructors
- Personal Trainers
- Water Fitness Instructors

APPROVAL
Every employee is responsible for his/her own continuous education and maintenance of job skills. Eligible employees must receive approval from their supervisor prior to enrolling for any CEC's. The YMCA of Greater Rochester provides all Health and Wellness employees with access to Club Connect portal for CEC's and education at no cost to the employee. Any CEC's completed outside of Club Connect and are not approved by the appropriate supervisor prior to enrolling may be ineligible for financial support.

PAYMENT
The costs covered by this policy are as follows:

- The cost of registering for and completing the CEC course(s).
- Wages will be paid to non-exempt employees at the state minimum wage per hour for time spent completing required CECs for the purpose of renewing the required certification.

POST HIRE COURSES/CERTIFICATIONS
The YMCA will be financially responsible for the course fees, wages, and CECs for the following position that requires a post-hire certification:

- Wellness Coach

For all positions that have the requirement for renewal of all CPR, AED, and First Aid certifications, the YMCA of Greater Rochester will pay for the cost of each renewal.

HANDBOOK RECEIPT

I acknowledge receipt of the Employee Handbook dated April 22, 2026.

I understand that all the policies contained in the YMCA's Employee Handbook do not create a contract of employment nor does any other communication by a management representative, either expressed or implied, create a contract, unless explicitly stated otherwise in a written agreement signed by the Chief Executive Officer or the Chief Human Resources Officer.

I understand that the Employee Handbook is not a guarantee of employment for any set period and that either the YMCA or I may terminate my employment at any time, with or without cause. Furthermore, I understand that the policies and benefits described in the Employee Handbook may be added to, revised, or deleted at any time.

I agree to read and become familiar with these policies.

_____

Employee Name (Printed)

_____

Employee Signature

_____

Date



YMCA of GREATER ROCHESTER
Harassment Complaint Form

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment. This complaint form can also be used to report alleged incidents of harassment based on any protected category, not just sex.

If you believe that you have been subjected to harassment, you are encouraged to complete this form and submit it to a supervisor, manager, or to the Human Resources department. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy and follow its harassment prevention policies by investigating the claim(s).

For additional resources, visit: ny.gov/programs/combating-sexual-harassment-workplace

COMPLAINANT INFORMATION

Name:

Work Address: Work Phone:

Job Title: Email:

Select Preferred Communication Method: ☐Email ☐Phone ☐In person

SUPERVISORY INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone: Work Address:

COMPLAINT INFORMATION

1. Your complaint of Harassment is made about:

   Name: Title:

Work Address: Work Phone:

Relationship to you: ☐Supervisor ☐Subordinate ☐Co-Worker ☐Other

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

3. Date(s) harassment occurred:

   Is harassment continuing? ☐Yes ☐No

4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

The last question is optional but may help the investigation.

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

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

Signature: _____ *Date:* _____