

EMPLOYEE HANDBOOK



FROM THE
HUMAN RESOURCES DEPARTMENT



ACLD EMPLOYEE HANDBOOK

Revised February 2022

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INTRODUCTION



WELCOME

I am delighted to welcome you to the ACLD family. You are about to embark on a journey designed only for those with the ability and desire to meet the daily challenges of helping people with learning and developmental disabilities to live and learn in society with dignity and independence; to assist them in becoming as independent as possible. To lead, as we've come to say, "Enviably lives."

Whether you are first starting or continuing your career in Human Services, all of you have two things in common; an intangible quality and mix of extraordinary attributes. You are compassionate, dedicated, and have genuine concern for what may be the most vulnerable of populations.

You have chosen to accept the challenge ACLD first embraced in 1957. You have joined an organization that has made a significant impact in the lives of thousands. At its core is our shared commitment to the people we support.

While your work will not be easy, you will reap rewards as you foster even the smallest of miracles. As you teach, you will learn; as you nurture, you will grow. You will experience an unparalleled sense of fulfillment. It is my hope that you leave your "job" each day knowing your hard work has made a significant impact in someone else's life.

Teamwork is crucial. All of us at ACLD work together, as our ultimate goal is the same. Your co-workers, supervisors, administrators, and directors each play a different yet integral part in providing the highest quality of care, and in obtaining and maintaining service excellence. Our organization values employee input, feedback and suggestions. Open lines of communication are the key to every organization's success. You will have various outlets to do so with Senior leadership.

This handbook includes some essential guidelines and basic information regarding the terms and conditions of your employment at ACLD. Its content is limited. Employment is at-will and either party can terminate the relationship at any time with or without cause and with or without notice. This handbook is not intended to function as, nor is it, an employment contract and nothing in this handbook is intended to modify our employees' at-will status.

I am happy to welcome you to the ACLD family, and hope your experience is both challenging and rewarding.

Sincerely,

Robert Ciatto
Executive Director

OUR EMPLOYEE RELATIONS PHILOSOPHY (Revised April 2019)

ACLD's management team has enthusiastically accepted our responsibility to provide employees with good working conditions, fair treatment and the personal respect which is rightfully yours. You are an important participant in the operations of the Agency.

ACLD espouses the concept of an "Open Door" policy, whereby you can feel free to speak to any member of the management team or to a representative in the Human Resources Department. Our organization values employee input, feedback and suggestions. We anticipate that you would want to express your concerns, suggestions and comments in order to have mutual understanding. You will have the opportunity at ACLD to speak freely with the management team. We will listen attentively.

Since ACLD fosters a positive and good working environment, we have been able to remain union free. With this in mind, we believe that a person's consideration in our work relationship provides the best climate for your maximum development and the attainment of your goals and those of this Agency. Therefore, we do not believe that union representation would be in the best interest of our employees or ACLD.

If any of our employees has a complaint the employee is encouraged to speak with a supervisor. If you would like to file a complaint you may do so in writing or orally by contacting:

Your immediate supervisor if you feel it is appropriate or you may bypass your supervisor and report the matter directly, without fear of retaliation, to:

- the Program Director;
- the Director of Human Resources
- the Executive Director; or
- any member of management with whom you are comfortable.

These processes have been established to allow you the opportunity to discuss any issues or concerns you may have freely in order to ensure fairness and consistency in the workplace.

ABOUT THIS HANDBOOK

This handbook has been prepared to introduce you to our Agency. It will acquaint you with relevant information you need for your employment at ACLD.

Please read this handbook carefully and keep it handy for future reference. One of your first responsibilities is to familiarize yourself with its contents. **However, this handbook is only a general summary of our policies**; please review it with your supervisor or with a representative of the Human Resources Department if you have any questions. **Since this handbook is only a general summary of our policies, it should in no way be construed to be a contract of employment.**

This handbook supersedes all previous employee handbooks and management memos that may have been issued on the subjects discussed within. This manual is not intended to be, nor is it; a contract or guarantee of employment or working conditions, and nothing in this manual is intended to modify our employees' at-will status. Only the Board of Trustees of ACLD may enter into an agreement that will alter the at-will statement. This agreement must be in writing.

Since our services are constantly changing, the Agency and Benefit Plan Administrators **expressly reserve the maximum discretion permitted by law to change, add to, modify or delete any of the policies and benefits, including those covered here, at any time.** We will notify you of these changes by appropriate means. Changes will be effective on dates determined by the Agency. Do not rely on policies that have been superseded. No supervisor or manager other than the Executive Director of the Agency (or Benefit Plan Administrators) has any authority to alter any of the policies set forth in this handbook.

If you are uncertain about any policy or procedure, please check with your supervisor, consult the Standard Operating Procedures (SOP) Manual, which can be provided by your supervisor, or contact the Human Resources Department.

The information contained in this handbook applies to all employees of ACLD. It is presented as a matter of information only and its contents should not be interpreted as a contract between the Agency and any of its employees.

SHAPING POSITIVE ATTITUDES TOWARD AND PROVIDING OPPORTUNITIES FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

Through your work, ACLD assists people with developmental disabilities to have opportunities that might otherwise be denied them. These opportunities can include getting the most from their educational experience in school, having friends and social activities, getting a job and living independently in the community. We, as employees, are here to support these goals for the people we support.

Some of the greatest barriers that people with developmental disabilities face are the mistaken ideas and attitudes that some people hold about them. This is most evident when ACLD announces its intent to open a new residence in a neighborhood. Negative attitudes, however, are much more pervasive and subtle than these highly visible demonstrations of fear and misunderstanding. Part of your job, as an employee of ACLD, will be to help shape positive attitudes about the people we support. Even we, who work in the human service field, must constantly look at our own attitudes and feelings to make certain that we maintain a positive perspective about the people we support.

Part of your work at ACLD will involve supervision and training. During these sessions, you will have the opportunity to develop empathy for and understanding of the people you work with. As you develop your knowledge and understanding, you will become a better advocate for all people with disabilities in our community.

CORPORATE COMPLIANCE (Revised October 2011)

It has always been the policy of ACLD to promote an ethical and proactive environment related to regulatory risks. Corporate Compliance is a long-term commitment by an organization to conduct business in a manner that promotes compliance, continually monitor for compliance, and create systems that allow it to be responsive to changes in the regulatory environment. It is a set of formal organizational systems intended to prevent, detect and respond to misconduct committed by employees and other agents.

ACLD initiated a formal Corporate Compliance Program in 2015. It consists of the following eight elements:

1. Written Policies and Procedures
2. Compliance Program Oversight
3. Training and Education
4. Effective, Confidential Communication
5. Enforcement of Compliance Standards
6. Auditing and Monitoring
7. Responding to Offenses and Developing a Corrective Action Plan
8. Policy of Non-Intimidation and Non-Retaliation

Corporate Compliance Standards of Conduct (Revised June 2019)

To function effectively, every organization must develop policies and procedures to protect the people we support and to ensure that co-workers' and the Agency's rights are respected. ACLD is no exception. Generally, no conduct that is disruptive, unproductive, immoral, unethical or illegal will be tolerated.

Violation of ACLD's Standards of Conduct will lead to disciplinary action, which, based on the circumstances of the individual case, could result in corrective action up to and including termination. The following are examples of some, but not all, violations of ACLD rules that may be sufficient grounds for disciplinary action, ranging from reprimand to immediate termination, depending upon the seriousness and frequency of the offense according to the judgment of the Agency.

1. Failure to comply with ACLD's Corporate Compliance Policy:
 - This includes failure to comply with all relevant Federal, State, and Local Regulations and Guidelines, as well as ACLD's Standards of Conduct.
2. Violation of any of ACLD's Corporate Compliance Policies, which include;
 - All employees have an affirmative duty and responsibility to report perceived misconduct, including fraud, abuse, actual or potential violations of laws, regulations, policies, procedures or ACLD's Standards of Conduct.
 - ACLD maintains a 24 hour, 7 days a week, anonymous Ethics line and enforces a strict Non-Retaliation/Non-intimidation policy for all reports of potential fraud or abuse, made in good faith.

ACLD's Ethics line: (855) 271-0732 or <https://acld.ethicaladvocate.com>

ACLD's Director of Regulatory Affairs/Corporate Compliance Officer: 516-822-0028, ext. 134

- Any employee who threatens or engages in retaliation against any employee who makes a report of fraud or abuse, in good faith, will be subject to disciplinary action, up to and including termination.
- Any employee who attempts to deter reporting of fraud or abuse will be subject to disciplinary action, up to and including termination.
- Any employee who has knowledge of and fails to report fraud or abuse will be subject to disciplinary action, up to and including termination.
- Any employee who knowingly makes a false report of fraud or abuse will be subject to disciplinary action, up to and including termination.
- Any falsification of records involving service documentation or any document otherwise used for billing purposes is prohibited and will subject you not only to disciplinary action, up to and including termination, but may also subject you to criminal fraud charges.
- In furtherance of ACLD's commitment to accurate and compliant documentation of service provision, you may be required, in the course of your employment, to sign an attestation. Your signature represents your affirmation that the information contained in the document is accurate. A more specific statement describing the meaning of your signature will be provided on the particular document.

Deficit Reduction Act/False Claims Act (Revised January 2022)

Under ACLD's Standards of Conduct and Corporate Compliance Policies, all employees have an affirmative duty to report known or suspected fraudulent activity or misconduct. ACLD maintains a strict non retaliation policy for the good faith reporting of fraud. Any employee who has knowledge of actual or potential fraud relating to ACLD services is required to report his/her concerns within his/her chain of command, directly to the Corporate Compliance Officer, or by calling the reporting Ethics line at (855) 271-0732 or online at <https://acld.ethicaladvocate.com>. Reports may also be made to the Human Resources Director, who, when appropriate, will forward information to the Corporate Compliance Officer.

Any employee reporting fraud is not required to give his/her name. However, identification will assist ACLD in conducting a thorough investigation. During the investigation the ACLD investigator may need to interview other employees/individuals to obtain additional information. If an employee chooses to identify him/herself, all efforts will be made to maintain this and all other information confidential to the extent possible.

The False Claims Act also provides private citizens the means to financially benefit by reporting the fraud and abuse of others (referred to as the Qui Tam Provision).

The following explains in detail the Federal and New York State law regarding the False Claims Act:

I. FEDERAL LAWS

False Claims Act (31 USC §§3729-3733)

The False Claims Act ("FCA") provides, in pertinent part, that:

(a) Any person who (1) knowingly presents, or causes to be presented, to an officer or employee of the United States Government or a member of the Armed Forces of the United States a false or fraudulent claim for payment or approval; (2) knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the Government; (3) conspires to defraud the Government by getting a false or fraudulent claim paid or approved by the Government; . . . or (4) knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the Government, is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages which the Government sustains because of the act of that person

(b) For purposes of this section, the terms "knowing" and "knowingly" mean that a person, with respect to information (1) has actual knowledge of the information; (2) acts in deliberate ignorance of the truth or falsity of the information; or (3) acts in reckless disregard of the truth or falsity of the information, and no proof of specific intent to defraud is required.

31 U.S.C. § 3729.: While the False Claims Act imposes liability only when the claimant acts "knowingly," it does not require that the person submitting the claim have actual knowledge that the claim is false. A person who acts in reckless disregard or in deliberate ignorance of the truth or falsity of the information, also can be found liable under the Act. 31 U.S.C. 3729(b). In sum, the False Claims Act imposes liability on any person who submits a claim to the federal government that he or she knows (or should know) is false. An example may be a physician who submits a bill to Medicare for medical services she knows she has not provided. The False Claims Act also imposes liability on an individual who may knowingly submit a false record in order to obtain payment from the government. An example of this may include a government contractor who submits records that he knows (or should know) are false and that indicate compliance with certain contractual or regulatory requirements. The third area of liability includes those instances in which someone may obtain money from the federal government to which he may not be entitled, and then uses false statements or records in order to retain the money. An example of this so-called "reverse false claim" may include a hospital that obtains interim payments from Medicare throughout the year, and then knowingly files a false cost report at the end of the year in order to avoid making a refund to the Medicare program.

In addition to its substantive provisions, the FCA provides that private parties may bring an action on behalf of the United States. 31 U.S.C. 3730 (b). These private parties, known as "*qui tam* relators," may share in a percentage of the proceeds from an FCA action or settlement. Section 3730(d)(1) of the FCA provides, with some exceptions, that a qui tam relator, when the Government has intervened in the lawsuit, shall receive at least 15 percent but not more than 25 percent of the proceeds of the FCA action depending upon the extent to which the relator substantially contributed to the prosecution of the action. When the Government does not intervene, section 3730(d)(2) provides that the relator shall receive an amount that the court decides is reasonable and shall be not less than 25 percent and not more than 30 percent.

Administrative Remedies for False Claims (31 USC Chapter 38. §§ 3801- 3812)

This statute allows for administrative recoveries by federal agencies. If a person submits a claim that the person knows is false or contains false information, or omits material information, then the agency receiving the claim may impose a penalty of up to \$5,000 for each claim. The agency may also recover twice the amount of the claim. Unlike the False

Claims Act, a violation of this law occurs when a false claim is submitted, not when it is paid. Also unlike the False Claims Act, the determination of whether a claim is false, and the imposition of fines and penalties is made by the administrative agency, not by prosecution in the federal court system.

II. NEW YORK STATE LAWS

New York's false claims laws fall into two categories: civil and administrative; and criminal laws. Some apply to recipients of false claims and some apply to providers of false claims, and while most are specific to healthcare or Medicaid, some of the "common law" crimes apply to areas of interaction with the government.

A. CIVIL AND ADMINISTRATIVE LAWS

NY False Claims Act (State Finance Law. §§187-194)

The NY False Claims Act closely tracks the federal False Claims Act. It imposes penalties and fines on individuals and entities that file false or fraudulent claims for payment from any state or local government, including health care programs such as Medicaid. The penalty for filing a false claim is \$6,000 - \$12,000 per claim and the recoverable damages are between two and three times the value of the amount falsely received. In addition, the person who files the false claim may have to pay the government's legal fees. The Act allows private individuals to file lawsuits in state court, just as if they were state or local government parties. If the suit eventually concludes with payments back to the government, the private person who initiated the case can recover 25-30% of the proceeds if the government did not participate in the suit or 15-25% if the government did participate in the suit.

Social Services Law §145-b False Statements

It is a violation to knowingly obtain or attempt to obtain payment for items or services furnished under any Social Services program, including Medicaid, by use of a false statement, deliberate concealment or other fraudulent scheme or device. The State or the local Social Services district may recover three times the amount incorrectly paid. In addition, the Department of Health may impose a civil penalty of up to \$2,000 per violation. If repeat violations occur within 5 years, a penalty up to \$7,500 per violation may be imposed if they involve more serious violations of Medicaid rules, billing for services not rendered or providing excessive services.

Social Services Law §145-c Sanctions

If any person applies for or receives public assistance, including Medicaid, by intentionally making a false or misleading statement, or intending to do so, the person's, the person's family's needs are not taken into account for 6 months if a first offense, 12 months if a second (or once if benefits received are over \$3,900) and five years for 4 or more offenses.

B. CRIMINAL LAWS

Social Services Law §145 Penalties

Any person, who submits false statements or deliberately conceals material information in order to receive public assistance, including Medicaid, is guilty of a misdemeanor.

Social Services Law § 366-b. Penalties for Fraudulent Practices

- a. Any person who obtains or attempts to obtain, for himself or others, medical assistance by means of a false statement, concealment of material facts, impersonation or other fraudulent means is guilty of a Class A misdemeanor.
- b. Any person who, with intent to defraud, presents for payment a false or fraudulent claim for furnishing services, knowingly submits false information to obtain greater Medicaid compensation or knowingly submits false information in order to obtain authorization to provide items or services is guilty of a Class A misdemeanor.

Penal Law Article 155. Larceny

The crime of larceny applies to a person who, with intent to deprive another of his property, obtains, takes or withholds the property by means of trick, embezzlement, false pretense, false promise, including a scheme to defraud, or other similar behavior. It has been applied to Medicaid fraud cases.

- a. Fourth degree grand larceny involves property valued over \$1,000. It is a Class E felony.
- b. Third degree grand larceny involves property valued over \$3,000. It is a Class D felony.
- c. Second degree grand larceny involves property valued over \$50,000. It is a Class C felony.
- d. First degree grand larceny involves property valued over \$1 million. It is a Class B felony.

Penal Law Article 175. False Written Statements

Four crimes in this Article relate to filing false information or claims and have been applied in Medicaid fraud prosecutions:

- a. § 175.05, Falsifying business records involves entering false information, omitting material information or altering an enterprise's business records with the intent to defraud. It is a Class A misdemeanor.
- b. § 175.10, Falsifying business records in the first degree includes the elements of the §175.05 offense and includes the intent to commit another crime or conceal its commission. It is a Class E felony.
- c. § 175.30, Offering a false instrument for filing in the second degree involves presenting a written instrument (including a claim for payment) to a public office knowing that it contains false information. It is a Class A misdemeanor.
- d. § 175.35, Offering a false instrument for filing in the first degree includes the elements of the second degree offense

and must include an intent to defraud the state or a political subdivision. It is a Class E felony.

Penal Law Article 176. Insurance Fraud

Applies to claims for insurance payment, including Medicaid or other health insurance and contains six crimes:

- a. Insurance Fraud in the 5th degree involves intentionally filing a health insurance claim knowing that it is false. It is a Class A misdemeanor.
- b. Insurance fraud in the 4th degree is filing a false insurance claim for over \$1,000. It is a Class E felony.
- c. Insurance fraud in the 3rd degree is filing a false insurance claim for over \$3,000. It is a Class D felony.
- d. Insurance fraud in the 2nd degree is filing a false insurance claim for over \$50,000. It is a Class C felony.
- e. Insurance fraud in the 1st degree is filing a false insurance claim for over \$1 million. It is a Class B felony.
- f. Aggravated insurance fraud is committing insurance fraud more than once. It is a Class D felony.

Penal Law Article 177. Health Care Fraud

Applies to claims for health insurance payment, including Medicaid, and contains five crimes:

- a. Health care fraud in the 5th degree is knowingly filing, with intent to defraud, a claim for payment that intentionally has false information or omissions. It is a Class A misdemeanor.
- b. Health care fraud in the 4th degree is filing false claims and annually receiving over \$3,000 in aggregate. It is a Class E felony.
- c. Health care fraud in the 3rd degree is filing false claims and annually receiving over \$10,000 in the aggregate. It is a Class D felony.
- d. Health care fraud in the 2nd degree is filing false claims and annually receiving over \$50,000 in the aggregate. It is a Class C felony.
- e. Health care fraud in the 1st degree is filing false claims and annually receiving over \$1 million in the aggregate. It is a Class B felony.

III. WHISTLEBLOWER PROTECTION

Federal False Claims Act (31 V.S.C. §3730(h))

The FCA provides protection to *qui tam* relators who are discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the FCA. 31 U.S.C. 3730(h). Remedies include reinstatement with comparable seniority as the *qui tam* relator would have had but for the discrimination, two times the amount of any back pay, interest on any back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees.

NY False Claims Act (State Finance Law §191)

The False Claims Act also provides protection to *qui tam* relators who are discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the Act. Remedies include reinstatement with comparable seniority as the *qui tam* relator would have had but for the discrimination, two times the amount of any back pay, interest on any back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees.

New York Labor Law §740

An employer may not take any retaliatory action against an employee if the employee discloses or threatens to disclose information about the employer's policies, practices or activities to a supervisor, a regulatory, law enforcement or other similar agency or public official, which the employee reasonably believes constitutes a violation of a law, rule, regulation, executive order or any judicial or administrative decision, ruling or order, or that there is a substantial and specific danger to the public health or safety. The employee's disclosure is protected only if the employee has made a good faith effort to notify the employer of the complained of conduct by bringing it to the attention of a supervisor and giving the employer a reasonable opportunity to correct it unless a) the employee reasonably believes that reporting it to the employer would result in the destruction of evidence or other concealment of the activity, practice or policy; b) if the actual practice or policy could reasonably be expected to lead to endangering the welfare of a minor; c) the employee reasonably believes that reporting it to the employer would result in physical harm to the employee or any other person; or d) the employee reasonably believes the employer is aware of the activity, policy or practice, and will not correct it. If an employer takes a retaliatory action against the employee, the employee may, within two (2) years, sue in state court for reinstatement to the same, or an equivalent position, any lost back wages and benefits, attorneys' fees, and civil and punitive damages.

New York Labor Law §741

A health care employer may not take any retaliatory action against an employee if the employee discloses or threatens to disclose information about the employer's policies, practices or activities to a supervisor, a regulatory, law enforcement or other similar agency or public official, a news media outlet, or a social media forum available to the public at large, that the employee, in good faith, reasonably believes constitutes improper patient care or improper quality of workplace safety. The employee's disclosure is protected only if the employee first brought up the matter with

a supervisor and gave the employer a reasonable opportunity to correct the alleged violation, unless the danger is imminent to the public or patient and the employee believes in good faith that reporting to a supervisor would not result in corrective action. If a health care employer takes a retaliatory action against the employee, the employee may, within two (2) years sue in state court for reinstatement to the same, or an equivalent position, any lost back wages and benefits, attorneys' fees, and civil and punitive damages.

EMPLOYMENT

TERMS USED IN REFERENCE TO EMPLOYMENT STATUS (Revised October 2017)

You may find some terms used in this handbook that are unfamiliar. Here are some definitions that will help you better understand their meaning. The following terms will be used to describe you and your employment classification.

Full Time: Employees who are regularly scheduled to work 35 hours or more per week. Full time employees become eligible for various benefits after certain criteria are met. Refer to SOP 5.32 and SOP 5.61 for criteria guidelines.

Part Time: Employees who are scheduled to work less than 35 hours per week. Part time employees scheduled to work 30 hours or more per week become eligible for the same health insurance benefits as full time employees and are subject to the same terms, conditions, and contribution requirements. Part time employees regularly scheduled to work at least 20 hours per week are eligible for other benefits on a pro-rated basis after certain criteria are met. Refer to SOP 5.32 and SOP 5.61 for criteria guidelines.

Exempt: **Employees whose positions meet specific criteria and who are not required to be paid overtime pay.** Exempt positions are salaried and employees are paid a fixed rate of pay for a fixed number of hours each week. Employees are classified as exempt because of their positional duties and responsibilities and level of decision making authority. They are exempt from the overtime provisions of the Fair Labor Standards Act. (FLSA)

Non-Exempt: Employees whose positions do not meet the specific criteria for any overtime exemption. Non-exempt employees are paid one-and-a-half times their regular rate of pay for hours worked in excess of 40 hours per work week.

Per Diem: Employees who do not work pursuant to a regular schedule, but rather as needed. No benefits are available to these employees except those mandated by law.

Temporary: Employees who are hired to fill a position for a limited period of time. The length of the assignment will be specified at the time of hire and employment will automatically terminate at that time unless extended by the Agency. No benefits are available to these employees except those mandated by law. A temporary employee on ACLD's payroll must not remain employed for more than three (3) months. If the assignment goes beyond three (3) months the position must be evaluated to determine if the status should change from temporary to regular full-time or regular part-time.

ORIENTATION (Revised November 2012)

On their first day of employment, all new ACLD employees must attend a new hire orientation at our Bethpage location. The employees must not start working at their respective work-sites without first attending this orientation. The only exemption will be if ACLD cancels the orientation that week in which case, the employees may be allowed to start work but must attend orientation the following week.

It is the policy of ACLD to place all new employees on a 90-day orientation status. During this time the agency will determine the employee's suitability for the position into which he/she has been placed. The agency should provide ongoing supervision, feedback and in-service training by supervisory and administrative personnel.

For all Employees:

At the conclusion of the 90-day orientation period a written evaluation should be provided to the employee from his/her supervisor. The completed form must be sent to the Human Resources Department for review prior to administering to the employee. A meeting should be held (between the supervisor and employee) to discuss the content of the evaluation. The evaluation should be signed by both parties and a second level reviewer. If the employee wishes he/she may make written comments to attach to the evaluation. Signature by the employee only indicates that he/she has read the evaluation not necessarily that he/she agrees with it. The unsigned evaluation should remain in the permanent record with an indication that the employee refused to affix his/her signature. A witness should verify, in writing, the refusal of the employee to sign the evaluation document. The original signed (or unsigned if employee refuses to sign) must be sent to the Human Resources Department for inclusion in the employee's personnel file. A copy may be given to the employee, upon the employee's request.

The orientation period may be extended beyond the 90-day period, if in the consideration of the supervisor, the employee has not demonstrated an ability to adequately carry out the position responsibilities.

If, at any time, the employee is transferred or promoted within the agency, he/she is automatically placed on orientation status for a 90-day period.

SCHEDULING

Because of the nature of the responsibilities ACLD carries out and, in certain cases, the need for around-the-clock employees, your schedule will be assigned by your supervisor. Your schedule may change at any time.

JOB DESCRIPTIONS

At ACLD, we use job descriptions in several ways. They are helpful in staffing, wage and salary administration and training. Job descriptions also help you and your supervisor communicate about job responsibilities. However, job descriptions are not fixed; they are guidelines only and can normally be expected to change over time. If you believe that your job duties differ from the job description, please tell us. Due to corporate compliance, every job description an employee signs will include an attestation. The attestation states, "I understand that in performing my job I may be required to sign, review for accuracy or read documents that are involved in ACLD's billing or financial reimbursement process. I further understand that my signature on each document is a legal attestation as to the accuracy of the document, whether the document was completed by me or is my responsibility to review."

RECORD RETENTION POLICY

ACLD will retain employee records in secured and locked files in the Human Resources Department. In collecting, maintaining, and disclosing personnel information, ACLD will make every effort to protect employees' privacy rights and interests and prevent inappropriate or unnecessary disclosure of information from any employee file or record.

Disclosure of Human Resource's Record(s) / Release of information

(Revised October 2017)

Internal access or release of information:

If an employee would like to review his/her Human Resource's (HR) file, the employee must provide adequate (typically 2 days) notice to the Human Resources Department. Employment records may only be viewed in Human Resources in the presence of an approved HR staff. In order for an employee to review his/her record he/she must present a valid identification. If an employee believes there is a discrepancy or error within his/her file, the employee should notify a representative of HR or the HR Director to rectify the issue within the shortest timeframe possible. Supervisors should be prepared to give a duplicate copy of the performance appraisal at the time the appraisal is administered.

Personnel files are also accessible to Human Resources employees, executives, managers and supervisors who have reason to utilize an employee's file for legitimate business reasons. Such reviews are done in the HR Dept. Additionally, an employee's personnel records would be assessable to government representative for auditing purposes as well as response to a subpoena that has been attained under federal, state or local law. All employee files and records must remain in the HR Department or with an HR representative at all times. Due to business or legal reasons, Human Resources employees may need to remove a file to a non ACLD location. (Example: Attending an Unemployment Hearing.)

Medical information for an ACLD employee is kept in a separate file located in the benefits office(s). For more details regarding disclosure of medical information you may refer to the Health Insurance Portability and Accountability Act (HIPAA). A copy of HIPAA can be obtained from the HR department.

Unauthorized access, use, duplication, modification of HR records by any person(s) is a serious offense subject to disciplinary action up to and including termination and other legal actions.

External disclosure or release of information:

ACLD is frequently contacted by employers, or financial institutions to release employment information. As a courtesy we do respond to employment verification, financial and legal inquires, etc.

Effective June 30, 2013, ACLD will be required to provide social security number, date of birth and other personal information to government agencies as requested.

A signed statement allowing the release of information will be required if an outside organization or individual has requested the employee's personnel information. (Example: A letter releasing employment information for a business reference). Disclosure of an HR Record is an official document of the Agency. Therefore, only HR authorized personnel may issue any letters, communications, or otherwise transmitted information concerning active or former employees. Employment verification should be neutral and will include name, dates and job title(s).

Unauthorized transmission of information or response to request for HR information by an unauthorized employee will be considered a violation of this policy and may constitute disciplinary action up to and including termination. If an unauthorized employee receives a request for Human Resources information, he/she should refer the requestor of information to the HR department for a response.

VERIFICATION OF IMMIGRATION STATUS (I-9 form)

Pursuant to the Immigration Reform and Control Act of 1986 as amended November 1990, ACLD must verify the employment authorization of all individuals hired after the passage of the Act (November 1986). ACLD will verify the identity and employment eligibility of anyone hired, which will include the completion of the Employment Eligibility Verification Form (I-9). Acceptable documents are listed on the I-9 form. Employment verification typically occurs on the first day of hire for a new employee. If a new employee does not submit documentation within three (3) business days of hire, he/she will not be allowed to continue working until this requirement is satisfied.

The employment authorization documents submitted to ACLD upon hire may expire during the employee's tenure and would be considered no longer valid for purposes of supporting employment eligibility. Prior to the expiration of such documents, it is the employee's obligation to provide an updated document in order to maintain employment eligibility. If an employee does not provide this information he/she may be suspended from employment until satisfying the federal requirement. Ultimately, ACLD may consider disciplinary action up to and including termination of employment if this requirement is not met in a timely manner.

ACLD will retain completed I-9 forms for three (3) years after the date of hire or one (1) year after employment ends, whichever period is longer.

All I-9 documents are completed and maintained by the Human Resources Department.

Corporate Compliance – Sanction/Exclusion Screening (Effective June 2010)

ACLD will conduct monthly checks to verify that all employees and relevant non employees have not been excluded from federal and state healthcare programs. The verification process will include checking against at a minimum three lists including: the Office of Inspector General (OIG) with the U. S. Department of Health and Human Services, Office of Medicaid Inspector General (OMIG) for New York State and Excluded Parties List System (EPLS).

Verifications with the National Practitioners Data Bank and New York State Office of Professions will be done on a monthly basis. Verifications will be conducted as part of the hiring process for new employees and upon establishment of new business relationships. The Director of Regulatory Affairs and Corporate Compliance Officer will notify the Human Resources Department of any current and/or new business relationships for whom a National Practitioner Data Bank verification is required.

The credentials of medical/healthcare professionals employed by ACLD or with whom ACLD establishes a business relationship will be verified with appropriate licensing and disciplining authorities, including any adverse actions taken against the individuals that might impair his or her performance of duties, or fiduciary responsibilities on behalf of the Agency. The process will include, but not be limited to, physicians and other health care practitioners for which the license is required for the performance of their duties.

The Human Resources Department will conduct sanction/exclusion screening on all employees in ACLD's employee data base. The Director of Regulatory Affairs and Corporate Compliance Officer will be responsible for providing the Human Resources Department with the list of all non-employees for whom monthly sanction/exclusion screening is required.

If there is a sanction/exclusion (or a pending sanction/exclusion) against an employee, ACLD may consider disciplinary action up to and including termination of employment. Similarly, if there is a sanction/exclusion or pending sanction/exclusion against a non employee with whom ACLD does business, ACLD may deny and/or cease business transactions with the non employee.

The Human Resources Department will notify the Director of Regulatory Affairs and Corporate Compliance Officer of notification received of a sanction/exclusion or pending sanction/exclusion against an employee or non employee.

EMPLOYMENT POLICIES

AGENCY POLICIES (Revised December 2014)

EQUAL OPPORTUNITY EMPLOYMENT

ACLD maintains a policy of nondiscrimination with regard to all employees and applicants for employment. All aspects of employment with us will not be influenced in any manner by age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposed genetic characteristics, marital status, domestic violence victim, or any other characteristic protected by federal, state or local law.

All decisions made with respect to recruiting, hiring and promotions for all job classifications are based upon individual qualifications related to the requirements of the position, the needs of the particular program and any other factors deemed relevant by the Agency. Likewise, all other personnel matters such as compensation, benefits, transfers, reduction in force, recall, training, education and social/recreation programs will be administered free from any illegal discriminatory practices.

ACLD will endeavor to provide a reasonable accommodation to (1) known physical or mental limitations of a qualified applicant or employee with a disability to the fullest extent required by federal, state and local law; (2) employees with sincerely held religious beliefs.

At ACLD, equal employment is not only a legal principle; it is a moral commitment, as well. We ask that everyone assist us in achieving that goal.

PERFORMANCE APPRAISALS

After the completion of your 90-day orientation period, you and your supervisor will talk and your performance will be evaluated. We will review your strengths and weaknesses and also point out ways in which you may be able to improve your performance. After this first appraisal, you will receive a performance appraisal each year.

Transfer and Promotion Policy (Revised March 2019)

To provide ACLD employees with development and career advancement opportunities through transfer/promotion from within.

ACLD strives to fill open positions with internal candidates; however, ACLD reserves the right to hire the candidate determined to be the most qualified for the position among all applicants both internal and external.

ACLD reserves the right to simultaneously recruit externally for an open position, or to recruit without posting internally when it is determined to be in the best interest of the agency by the Director of Human Resources. ACLD is under no express or implied obligation to provide an application to every person who requests one.

Available positions will be posted on ACLD's website at www.aclد.org or **ADP Workforcenow** Career Center (Myself/Talent/Career Center).

Internal applications must be submitted online within five (5) business days of the effective date of the posting. An offer of employment will not be extended for a position that has been posted during this 5-day period. After this five (5) day period offers may be made to external candidates. In the event it is deemed a business necessity, a position may be posted or offered sooner than 5 business days externally.

ACLD reserves the right to transfer an employee from one position, department and/or location to another. If an employee is not performing his/her job at a satisfactory level, ACLD has the discretion to recommend the employee transfer to an available position in a lower grade with less responsibility and consequently lower salary.

Transfer – A change in job title and/or department. May or may not include a change in job functions, but should not include an increase in job responsibilities, salary or change in grade level.

Promotion – A change in job title, with increased job responsibilities and salary (grade level when applicable). May or may not include a change in department.

ACLD employees who apply for an open position within the agency must meet the following eligibility requirements for their internal application to be processed:

- Must be a regular full-time or part-time employee of ACLD for a minimum of 90 days
- Must be in their current position for a minimum of 90 days
- Must have received a score of 2.5 or higher on the last performance evaluation (if applicable)
- Must not have received a verbal warning in the past three (3) months
- Must not have received a written warning in the past six (6) months
- Must not have received a final warning or suspension, as defined in SOP 5.36, within the past one (1) year
- Must meet the minimum experience, education, training, and professional licensure (when required) requirements of the open position as indicated in the job description
- New hires within their 90-day orientation period will not be allowed to work in a second position at ACLD

An employee interested in a transfer or promotional opportunity should review the job opportunities listing on ADP Workforcenow Career Center (Myself/Talent/Career Center. If so, the employee must submit an internal application via ADP WorkforceNow Career Center.

The Human Resources representative assigned to the program for the open position will review the internal application to determine if the internal applicant meets the eligibility requirements for the position. If the employee is qualified the Human Resources representative will contact the employee to arrange an interview. If the applicant is not qualified, the Human Resources representative will contact the employee and inform him/her that he/she is not being considered at this time.

Human Resources will conduct the initial interview with eligible internal applicants and will forward those individuals who are deemed qualified to the hiring manager for an interview.

- It is the responsibility of the internal applicant to notify his/her manager that he/she has applied for an internal transfer prior to interviewing with the hiring manager.
- The hiring manager will interview all qualified internal candidates.
- The hiring manager has the right to review job performance related documents, such as performance appraisals and warning notices, in an internal applicant's personnel file in the presence of a Human Resources representative.
- The hiring manager may also contact the employee's current manager for a reference.
- The Human Resources representative will notify internal applicants he/she has interviewed of the outcome once a candidate has been selected.

When an internal applicant is to be offered a position the hiring manager will:

- Confer with Human Resources, to determine salary/hourly rate, work schedule.
- Contact the employee's current manager to inform him/her of the decision, coordinate a transfer date.
- Complete PCN which must include effective date of transfer/promotion, current department, new department, new position title, rate of pay and reason (transfer or promotion) and forward to Human Resources prior to the date of transfer.
- The effective date for all transfers and promotions must be coordinated for the beginning of a pay period.

Human Resources will contact the internal applicant to extend the job offer.

TUBERCULIN EVALUATION (Previously known as PPD/MANTOUX TESTING) (Rev. Nov. 2015, May 2017)

As of June 1, 2010 initial and current Tuberculin Skin Testing (TST) is only required for staff in the Office for People with Developmental Disabilities (OPWDD) certified facilities. The OPWDD certified facilities include: All Residential IRA's, All Day Habilitation locations, Bethpage Respite and Children's Services After School Program. Additionally, government regulations require initial and annual testing for the Charles Evans Center and Children's Services Pre-School Program. Each employee in these programs must be tested/evaluated subsequent to an offer of employment being made, and prior to start of employment. An employee, solely for the purpose of this policy, is defined as anyone who has a full-time or part-time relationship with ACLD, including per diems, interns, students, temporary workers, independent contractors and volunteers.

New employees:

New employees must complete a "two step" TST process. The first TST planted will be step one. If the first TST is negative, employment may begin. A second TST will be required within one (1) to three (3) weeks of the first one being planted.

If initial testing shows a significant reaction and/or a test result interpreted to indicate possible tuberculosis (TB) infection, the employee will be required to undergo a clinical evaluation to exclude active pulmonary tuberculosis. A new employee with a positive result will not be allowed to work "until active pulmonary or laryngeal TB disease" is ruled out.

Current Employees:

Annual repeat TB testing is no longer required for employees in certified programs who have been employed for more than two (2) years, i.e., employees hired prior to June 1, 2009. *Exception:* Employees who work in the Charles Evans Center under Article 16 and Article 28 and Children's Services Pre-School Program will be required to have an annual TST.

All employees hired from June 1, 2009 through May 31, 2010 will be required to have a second TST. A Human Resources representative will contact current employees who fall into this category.

Employees who are pregnant or who believe they could be pregnant should not receive the TST. They should be evaluated by their physician and a written statement noting freedom of TB symptoms must be submitted to the nurse at one of the TST locations listed below.

Employees with documented history of a positive TST are not required to have the TST. However, these employees must be clinically evaluated for symptoms suggestive of TB. If symptomatic or an employee wants an alternate testing for tuberculosis evaluation, an employee can consider either a chest x-ray examination or QuantiFERON blood test prior to receipt of service/employment.

Failure to complete the Tuberculin evaluation requirements within thirty (30) days of notification may result in suspension of employment without pay and/or disciplinary action up to and including termination. All testing must be completed within five (5) business days of suspension.

TST Locations:

ACLD is affording all potential and current employees (as defined in this policy) the opportunity to be tested free of charge. However, potential employees and current employees may use their own physician at their own expense. TST is done at the following locations:

- CHOICES, Connections and Golden Opportunities, Bethpage, (516) 681-4500 ext. 370 and 329
- Charles Evans Center, Bethpage, (516) 622-8888
- Choices – Hauppauge, (631) 434-1715 ext. 230 and 239
- Children's Services, Bay Shore, (631) 665-1900 ext. 327

Please note that the test does not have to be read at the same location at which it was administered.

Driving Policy (Revised June 2016)

To be considered for employment by ACLD, for any position that requires driving the people we support, employees, or to perform ACLD's business using an Agency vehicle, or to transport people we support in an employee's own vehicle, a candidate must have a valid New York State Driver's license and be deemed an acceptable driver based on the qualifications specified below.

Current ACLD employees must also meet the minimum qualifications as specified by this policy to be eligible to drive for the Agency. In addition, an employee who does not regularly drive as part of his/her job duties, but is asked to drive an Agency vehicle, must also meet the minimum qualifications of this policy.

If a candidate seeking employment has an out-of-state license, the candidate must transfer his/her license to a New York State license prior to being hired.

Qualifications:

The candidate seeking employment will not be considered for a driver position if he/she:

- Had a conviction of DWAI (Driving While Ability Impaired) or DWI (Driving While Intoxicated) within the last five (5) years
- Had three (3) or more occurrences of any combination of accidents (regardless of fault) or moving violations reported by the DMV during the past three (3) years
- Is under twenty-one (21) years of age and has had two (2) accidents (regardless of fault) or two (2) violations of any type in the last three (3) years
- Is uninsurable as this term is defined by the Agency or its insurers

- Had three (3) or more serious violations from the list below committed within the last eight (8) years or one (1) **serious violation** committed from the list below during the past three (3) years:

Serious Violations

- Negligent homicide using a motor vehicle
- Driving while license is suspended or revoked
- Operating a motor vehicle for the commission of a felony
- Permitting an unlicensed person to drive
- Reckless driving
- Speed Contest (racing)
- Hit and Run (involving bodily injury or property damage)
- Failure to report an accident
- Illegal passing of a school bus

Pre-Hire and Departmental Transfers:

Human Resources will verify the acceptability of all prospective employees' driver's license prior to an employment offer being made. If the license is unacceptable based on the qualifications of this policy, the applicant will be ineligible to be hired or transferred into a position that requires driving. Please note when a Human Resources representative assesses a prospective applicant driver's license the conviction date for a violation will be used to determine if the applicant is eligible to drive for the Agency.

Post Hire:

To ensure that all new employees hired into a driving position, or employees who transfer into a driving position have a reasonable understanding and awareness of safety rules, vehicle operation, and Agency procedures, Program Management will conduct a Vehicle Orientation with the employee that is appropriate for the program. This will be done before the employee is permitted to drive an Agency vehicle or personal vehicle with the people we support or employees as passengers.

At all times while driving on Agency business, drivers are expected to operate their vehicles in a safe and responsible manner and to comply with all motor vehicle, right of way, and other related laws. Seat belts are to be worn by all occupants in an agency vehicle as well as when employees are transporting people we support in their own vehicle.

An individual designated by the program will conduct the Vehicle Orientation. If there is a question regarding an employee's ability to safely operate an Agency vehicle, the employee may be:

- Re-assigned if an appropriate position is available
- Re-assessed through a second Vehicle Orientation or
- Terminated by ACLD if the employee is found to be ineligible to meet the Agency's driving requirements
- Human Resources has the right to suspend an employee's driving privilege's based on the review of the employee's driving record

Employee Driver Eligibility:

All employees covered by this policy, are required to report any of the following driving occurrences to their supervisor within twenty-four (24) hours of the incident:

- Any and all traffic infractions that occur while driving an Agency vehicle or on Agency business (including parking tickets and accidents that occur while driving an Agency vehicle).
- Any change in driver's license status, including suspension, revocation or restriction, moving violations or accidents.
- Any lapse, change or termination of insurance coverage.
- Any incident involving the use of an Agency vehicle, whether or not it results in any injury to any person or damage to any vehicle or property and regardless of who is at fault.

Failure to comply with this policy may result in disciplinary action up to and including termination.

If an employee covered under this policy is involved in an automobile accident in which it is deemed that the employee is not at fault, the employee must provide a police accident report stating that the employee is not at fault and/or notification from the employee's insurance carrier which states the employee is not at fault. If an employee receives a citation for a moving violation or other traffic infraction, depending upon the circumstances surrounding the incident,

the Agency reserves the right to revoke the employee's driving privileges. If the employee is convicted of the moving violation, a Human Resources representative will review the employee's driving record and determine the employee's driving eligibility.

The Agency reserves the right to periodically review the DMV record on every employee. In addition, the Agency will receive notification from the Department of Motor Vehicles of accidents, moving violations and/or change in driver's status on employees covered under this policy. A conviction date of the moving violation will be used when determining an employee's driving status for the Agency. Failure of the employee to disclose any of the above occurrences will lead to disciplinary action up to and including termination.

All ACLD employees must continue to meet the minimum qualifications as specified by this policy to be eligible to drive for the Agency. Further, all ACLD employees are expected to cooperate in the investigation of any violations of this policy. Failure to do so may result in suspension of driving privileges or disciplinary action up to and including termination.

Moving Violations:

If an employee covered under this policy incurs a moving violation while driving an ACLD vehicle and/or driving a personal vehicle with people we support, ACLD's employees, or on ACLD's business, the employee's driver's license will be checked by Human Resources. It is the responsibility of the employee's supervisor to notify Human Resources that the employee's driving record needs to be checked. If an employee's driving record does not meet the requirements of this policy the employee will not be permitted to drive for the Agency. If possible, the employee will be transferred to an available position within the Agency that does not require driving. If no such position is available the employee may be terminated.

Accidents:

An accident is defined by this policy as a driving incident where vehicle, property or personal damage occurs. Representatives from Program Administration and Human Resources will review all driving incidents that occur on the job to determine whether or not they will be considered accidents according to this policy. A Regulatory Affairs representative may be requested to assist in the review process when applicable.

A serious accident that occurs, while driving an Agency vehicle, where the employee is determined to be at fault, may result in disciplinary action up to and including termination.

The driving privileges of any employee who is involved in an accident while driving an Agency vehicle may be suspended while the details of the accident are reviewed by the Agency.

It is the responsibility of the employee's immediate supervisor to notify Facilities Management and Human Resources of an accident. Facilities Management will notify ACLD's Insurance Agent who in turn will notify the Insurance Provider. The Human Resources Department will review the employee's driving abstract to verify whether the employee is eligible to drive according to this policy.

Defensive Driving Course:

ACLD offers Defensive Driving for ACLD employees. The course will be at no cost to employees whose position at ACLD requires driving. These employees will attend the course during working hours and will be paid for the hours they are in class.

ACLD employees whose positions do not require driving will be charged a nominal fee for the cost to administer the class. Employees whose jobs do not require driving will need to use their benefit time, vacation/personal or floating holiday when attending the class.

Any employee, whose position at ACLD requires driving and who does not have a current defensive driving certificate who (a) incurs a moving violation and/or had an accident while driving an Agency vehicle or transporting people supported by ACLD and was deemed partially responsible or (b) caused damage to an Agency vehicle and was deemed partially responsible must be mandated to successfully pass a defensive driving course within six (6) months of the motor vehicle accident or moving violation.

If the employee is within the three (3) year period of having taken a defensive driving course, the employee will not be required to repeat the course. Written communication will be sent by either a Human Resources representative or a supervisor to the employee stating that ACLD has been notified of the accident and/or that a ticket was issued. When the notice is being prepared by Human Resources the employee's supervisor must provide the name of the employee to the Human Resources representative in order to assist with written notification to the employee.

The employment status of an employee who has had an occurrence as mentioned in either scenario 'a' or 'b' will be evaluated to determine if disciplinary action up to and including termination of employment may be appropriate.

Driving While Ability Impaired or Intoxicated:

Any ACLD employee who is convicted (or has a decision pending) of DWAI or DWI cannot drive an ACLD vehicle or other vehicle on ACLD business. If driving is an essential function of his/her position, the employee may be terminated.

An employee who is convicted of DWAI or DWI cannot drive people supported by ACLD, an Agency vehicle or on Agency business for a period of five (5) years from the date of conviction as stated in the driving requirements of this policy.

If an employee's driving privileges have been revoked and the employee is not convicted of DWAI or DWI, it is at the discretion of ACLD to reinstate driving privileges.

Restrictions:

An employee may be deemed ineligible to drive based on varying reasons, including but not limited to the following: direct observation, involvement in an auto accident, co-worker or the concern of the people supported by ACLD we serve, administrative concerns or driving record.

Any employee who is found no longer qualified to drive according to this policy, will not be permitted to drive an Agency vehicle, or the people we support and/or employees of ACLD on Agency business.

The revocation or reinstatement of driving privileges is at the sole discretion of the Agency.

At no time should an Agency vehicle be used or operated for personal business, the transportation of personal goods, or to push or tow another vehicle. Drivers are not permitted to pick up hitchhikers or transport anyone who is not an employee or a person supported by ACLD or involved in Agency business.

Staff Driving Their Own Vehicle for Agency Business

(Revised October 2017)

There are positions at ACLD, which may require staff to drive his/her own vehicle on Agency business, including transporting of the people we support. Staff who may be required to drive people supported in his/her own vehicle, or use his/her own vehicle for Agency business, are informed of this by the hiring manager during the interview process.

There are also other positions that require driving an ACLD vehicle. In all situations where driving is required employees/candidates must conform to ACLD guidelines of having a clean and valid New York State Drivers' license.

A Department of Motor Vehicles (DMV) report is run on all candidates who are required to drive people supported in their own vehicles or to drive an ACLD vehicle. The DMV report is evaluated to determine if the candidate meets the ACLD minimum driving qualifications. If the candidate has an out-of-state license, the candidate must transfer his/her license to a New York State license prior to being hired. For more information about ACLD's driving policy, refer to SOP 5.38, Driving Policy.

It is expected that any vehicle belonging to an employee, that is being utilized to drive the people we support should have the following:

- Valid New York State inspection sticker.
- Valid registration sticker.
- Valid motor vehicle insurance coverage.

ACLD reserves the right to verify that the inspection sticker, registration and insurance coverage on the vehicle are valid.

Please note that employees who drive their own vehicle for business purposes must adhere to all federal, state and local driving laws and regulations.

If an employee is in an accident while on Agency business or if his/her car is vandalized, the employee must first apply to his/her own insurance company for reimbursement. If there is personal injury, ACLD will forward the claim to our insurance carrier, who will determine if any amount will be deemed payable as provided by ACLD's insurance coverage.

In the event that a person supported by ACLD causes damage to the employee's vehicle, ACLD will be responsible for the amount of the damage up to a maximum of \$1,000, providing the incident has been properly documented by the employee. Payments for damages of more than \$1,000 must be approved by the Executive Director. Falsification of this document may lead to disciplinary action, up to and including discharge.

CELLULAR TELEPHONE POLICY (Revised October 2017)

Drivers are expected to operate their vehicles in a safe and responsible manner, particularly when using available modern technology. This requires that drivers know where they are in relation to traffic and pedestrian hazards, and understand how to interface most safely with technology inside the vehicle. Employees who have the responsibility for adults and children supported by ACLD must refrain from using all types of personal electronic media devices while on duty.

Drivers of Agency Vehicle or Their Own Vehicle While Transporting People Supported:

Employees shall not use hand-held cellular telephones while operating agency owned vehicles, agency leased vehicles, agency rented vehicles, or any other vehicle while the operator is engaged in the course of and scope of his or her employment or otherwise on agency business. This applies on all public or private roadways.

The use of hands-free telephones is discouraged but permitted provided it is lawful in the state where the employee is located at the time the call is received and the driver remains continuously able to devote full attention to the operation of the vehicle.

If the employee uses the hands-free telephone while driving, the employee must refrain from any personal calls while transporting people supported by ACLD. The employee must suspend all conversations when approaching locations that have high pedestrian traffic, while in heavy traffic, or during severe weather conditions. If an employee receives a call while driving that is work related (whether that may be from a co-worker or supervisor), the employee may return the call later when the employee is not operating the vehicle or the employee should consider pulling off the road safely in order to participate in a call. If possible, the employee should turn the phone off until he/she reached his/her destination. The employee should use the phone caller's identification feature to track calls received in transit.

For Programs that require staff to have an Agency cell phone while transporting people supported and/or for being in the community, the staff are required to ensure the cell phone is fully charged, working properly and kept on at all times.

Employees must adhere to all state and local driving regulations while operating an agency vehicle including but not limited to sending and receiving text messages while transporting people supported by ACLD.

While Performing Your Duties:

While on duty employees are required to give their undivided attention to the adults and children ACLD supports to ensure their well-being. By doing so employees are required to refrain from using any type of personal electronic media device for social or entertainment purposes, including but not limited to listening to music on headphones, playing screen games, surfing the internet, sending or receiving emails, making personal calls. Exceptions can be approved on a case by case basis by a supervisor.

Personal Telephone Calls:

Employees who need to make a brief personal call for emergency reasons must seek supervisory approval in order for appropriate coverage can be provided.

Policy Violation:

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

STANDARDS OF CONDUCT (Revised June 2019)

To function effectively, every organization must develop policies and procedures to protect the people we support and to ensure that co-workers and the Agency's rights are respected. ACLD is no exception. Generally, no conduct that is disruptive, unproductive, immoral, unethical or illegal will be tolerated. This includes but not limited to arrests which have not been resolved in favor of the employee, convictions, accidents or moving violations for employees whose position requires driving for the Agency. When these events occur the employee must notify the Human Resources Department within twenty-four (24) hours of the event.

Violation of our Rules of Conduct will lead to disciplinary action, which, based on the circumstances of each case, could result in corrective action up to and including termination. The following are examples of some, but not all, violations of Agency rules that may be sufficient grounds for disciplinary action, ranging from reprimand to immediate discharge, depending upon the seriousness and frequency of the offense according to the judgment of the Agency.

- 1a) Falsification of employment records
- 1b) Falsification of ACLD records including time and attendance
- 2) Excessive absenteeism and/or excessive lateness
- 3) Unauthorized absence from duty during scheduled work time, including failure to return to work on time after established meal periods
- 4) Sleeping, loitering or loafing on the job or loitering in the work area or on other ACLD property while off duty
- 5) Creating or contributing, by act or omission, to unsafe or unsanitary conditions
- 6) Leaving own department, section or facility without permission or loitering during working hours
- 7) Interference with the work of others
- 8) Insubordination
- 9) Unauthorized operation of machines, equipment, or vehicles
- 10) Unsatisfactory work failure to perform job assignments or assigned work, or to follow instructions
- 11) Violation of ACLD's Solicitation and Distribution Policy
- 12) Posting or removal of notices or signs, or writing in any form on bulletin boards or ACLD property at any time without specific authority of ACLD
- 13) Copying, misuse or removal from premises of employee or lists with names of people we support, blueprints, records or confidential information of any nature without proper authorization
- 14) Any willful or negligent act or conduct detrimental to people we support or to ACLD operations, including failure to report any abuse of which you may have knowledge
- 15) Failure to render service to any people we support if such service is within the normal and usual scope of the employee's duties or if required by reason of an emergency
- 16) Negligent or deliberate destruction or misuse of property belonging to the Agency, to another employee, to people we support, visitor, or volunteer
- 17) Use of vile, intemperate or abusive language or acting in a disrespectful manner to any supervisor, employee, person we support, visitor or volunteer
- 18) Theft or misappropriation of property of person's we support, employees, or the Agency
- 19) Unauthorized use, possession or distribution of intoxicants or drugs at any Agency Office or facility or at any Agency-sponsored program or activity or reporting to work while under the influence of illegal intoxicants or drugs
- 20) Carrying or possessing firearms or weapons of any kind onto the premises of any ACLD program, office, facility or to any ACLD-sponsored activity
- 21) Bringing unauthorized people onto the premises of any ACLD facility, office, program or activity
- 22) Disclosing any information on a person we support or an employee by participating in an inappropriate or unprofessional discussion
- 23) Violation of confidential information on the people supported or employees including but not limited to information covered under The Health Insurance Portability and Accountability Act (HIPAA)
- 24) Using Agency letterhead, stationary, logo or other Agency identification without authorization
- 25) Violating smoking restrictions established in each ACLD facility, office or program
- 26) Failure to communicate and conduct oneself in an appropriate and professional manner with the people we support, colleagues, family members, employees or any other person with whom the Agency has business
- 27) Fighting, horseplay or other disorderly conduct on ACLD premises or while on official ACLD business
- 28) Gambling on ACLD premises
- 29) Dishonesty

- 30) Failure to cooperate with any and all investigations conducted either by ACLD or any duly authorized regulatory or law enforcement agency
- 31) Failure to comply with ACLD's Corporate Compliance Policy requirements
- 32) Violation of any of the other policies set forth in this handbook or in any other company communication; and,
- 33) Notification from Government Agencies of a potential legal issue that could interfere with ACLD's business operations;
- 34) Any other conduct deemed unacceptable by ACLD

ACLD may consider an employee's job performance, prior violation of our work rules and other relevant circumstances in determining whether to counsel, warn, suspend or discharge an employee. It is the decision of the employee's supervisor and the Agency's management and in consultation with the Human Resources Department to decide whether corrective action, up to and including termination, is appropriate. Employees who believe that an adverse personnel action is unfair can speak to their supervisor and/or a representative in the Human Resources Department.

Suspension:

Employees are suspended from work for violation of agency policy and procedures. An investigation normally takes place within a reasonable timeframe after the violation. The result of the investigation determines whether full, partial or no pay will be made to non-exempt employees for the period of time of the employee's suspension.

Payment to an exempt employee suspended for an infraction will be determined on a case by case basis.

Criminal Acts:

If an employee's misconduct or policy violation rises to the level of criminal act, law enforcement could be notified.

DRESS CODE GUIDELINES (Revised June 2017)

It is the intention of ACLD to maintain a comfortable working environment while promoting an image of professionalism and confidence to co-workers, people supported and the community. However, employees need to present a professional image. It is therefore important that all employees use their best judgment to dress in a business-like manner, during all working hours.

The following guidelines apply:

- All clothing must be clean, neat and well maintained
- Employees are expected to maintain appropriate grooming and hygiene

Appropriate attire includes:

- Dress pants and khakis that are business-like and appropriate in length and fit
- Button-down shirts, blouses, skirts, dresses, T-shirts (solid, stripes and/or polo shirts)
- Sneakers in good condition, loafers, heels and flat shoes

Wearing jeans, dress shorts or skorts should be limited to Friday casual days and summer days from Memorial Day to Labor Day

The following attire is considered inappropriate and should not be worn to work:

- Active wear including sweatshirts, sweatpants, running suits, and any other type of sports attire
- Mini-skirts and short shorts
- Tank tops, halter tops, cropped tops, half shirts, tops with an open back, exposed midriff, low cut blouses with plunging neckline, sheer garments, exposed underwear or any clothing considered distracting or revealing. There must be no showing of skin between tops and bottoms
- T-shirts with offensive or inappropriate content, language or picture
- Torn, frayed or ragged clothing
- Attire and footwear that could create a potentially hazardous or unsafe condition for the employee, co-workers or the people we support
- With the exception of items worn for religious purposes, hats, caps or head wraps should not be worn during working hours

Direct Care or other staff working with people supported and/or attending training:

- Depending on their daily schedule, may wear sweatshirts, sweatpants or other attire appropriate for the activity
- For safety purposes staff should use proper judgement on (a) the type of jewelry worn based on the behavioral nature of people supported (b) the shoes and clothing worn including when attending trainings that requires physical activity. Open toe or open back with heels should not be worn. Non-skid shoes are recommended

Staff in Administration and other departments/programs must follow the guidelines developed in their department/program.

In all cases, employees should consider the nature of their work-related activities when deciding what should be worn to work. Employees who are either hosting or attending meetings outside and/or inside the office should refrain from wearing casual attire. More professional attire would be required under these circumstances. Employees who prefer to dress more formally at all times may do so.

Any questions as to the appropriateness of attire should be directed to the employee's immediate supervisor, manager, program director, or the Human Resources Department. It is the responsibility of each Program Director, or designee, to address issues of inappropriate attire.

Employees reporting to work, (including new employees at orientation) who are not following these guidelines may be asked by their Program/Department Director or designee, to leave and return in attire that is consistent with this policy. Non-exempt employees who are required to leave their program/department due to non-compliance with this policy will not be paid for this non-working time.

Failure to adhere to these guidelines may lead to disciplinary actions up to and including termination of employment.

Attendance and Tardiness Policy (Revised December 2020)

To outline appropriate attendance and punctuality standards for all employees.

Maintaining good attendance is a condition of employment and an essential job function. Pre-scheduled and approved time away from work using accrued time off is not considered an occurrence for the purpose of this policy. However, regular occurrence of unscheduled time off may be viewed as excessive and thus subject to disciplinary action.

Absence - Employees are considered absent if they do not report to work on a scheduled Workday (shift). For disciplinary purposes only, an employee may be considered absent if he/she fails to report to work for three (3) or more consecutive hours on a scheduled workday (shift).

Absence Occurrence - One or more consecutive scheduled workdays (shifts) in which the employee is considered absent by above definition. An absence occurrence that qualifies under the Family Medical Leave Act or other applicable state law, and is supported by appropriate documentation, may not be counted against an employee's attendance records for the purpose of evaluating excessive absenteeism. For more information about Family Medical Leave, refer to SOP 5.62. For more guidance about a sick absence refer to the sick time policy, SOP 5.21.4.

Tardiness - Employees are considered tardy if they fail to report to their assigned work location, ready to begin work, at the scheduled starting time.

Early Departure - Employees are considered to depart early if they leave work before the end of their scheduled workday (shift), and have not obtained supervisory approval in advance.

No Call/No Show - Not reporting to work and failing to report absence to immediate supervisor.

Job Abandonment - An absence of three (3) or more consecutively scheduled workdays (shifts) in which the employee has not contacted his/her supervisor or appropriate alternative Agency designee.

Attendance Guidelines

1) All Employees

Employees are responsible to report to work on their scheduled workdays (shifts) at their scheduled start times. When an employee cannot report to work on a scheduled day, it is the employee's responsibility to call his/her immediate supervisor (or designee if the supervisor is not available). If the employee is unable to reach someone the employee must call back and speak with the supervisor or designee. Leaving only a voicemail message is not acceptable. Notification by a friend or relative does not satisfy this notification requirement unless the employee is physically unable to make the telephone call, in which case the employee may be required to provide documentation to validate the reason given.

Employees absent for three (3) or more consecutive scheduled workdays (shifts) due to an employee's own illness or injury are required to provide medical documentation indicating the date the employee may return to work. Any absences less than three (3) days an ACLD supervisor may require an employee to submit suitable documentation to the Human Resources Department. The documentation would support a reason for absence and/or a certification by the employee. In particular, employees who are absent on a scheduled workday (shift), which is the day prior to, the day of, or the day after a designated holiday, or scheduled vacation day may be required to provide suitable documentation verifying the reason for the absence and/or a certification by the employee that the absence was for a permitted reason. Medical documentation should be sent by fax to ACLD's Benefits Department at (516) 495-7070.

A "no show/no call" is considered a serious policy violation. Employees who do not report to work for a scheduled day/shift and do not notify their supervisor that they will be absent, will be considered a "no call/no show" and may be subject to disciplinary action up to and including termination.

Employees who do not report to work for three (3) consecutively scheduled workdays (shifts), and do not contact their supervisor or appropriate alternate Agency designee, will be considered to have abandoned their job and may be terminated.

2) Non-Residential Employees' Procedures for Unscheduled Absence and Tardiness

The normal reporting time for unscheduled absence is within one (1) hour of the scheduled start time for non-residential staff; and within one (1) hour where possible, if the employee will be arriving to work later than his/her normal starting time. However, the program or department may require that employees provide more notice. Employees must follow the guidelines of their specific programs.

3) Residential Program & Nursing Department Employees Procedures' for Unscheduled Absences

Due to the nature of the service provided in the Residential Program and Nursing Department, and the need to allow adequate time to arrange appropriate staff coverage, these employees are required to follow the guidelines below:

Residential Program & Nursing Department Employees

Scenario	Advanced Notice Prior to the Beginning of the Shift
<i>Evening & Night Shifts</i>	<i>At least 4 hours</i>
<i>Day (for shifts starting after midnight and before 9am)</i>	<i>At least 8 hours</i>
<i>Agency Designated Holidays</i>	<i>At least 8 hours</i>
<i>Emergencies Declared by the Executive Director or his/her Designee</i>	<i>At least 8 hours</i>

4) Residential Program & Nursing Department Procedure for Tardiness (Minimum of 2 hours)

Employees are required to report to work at the scheduled start of the shift. If possible, an employee should provide a minimum of two (2) hours' notice before the start time if he/she will be late.

All Employees

Supervisors' Responsibilities

It is the responsibility of the supervisor to inform his/her staff of specific procedure for reporting absence or lateness for the Department/Program. In addition, the supervisor is required to monitor each employee's attendance and punctuality. Such monitoring should occur for all employees, minimally on a quarterly basis, to ensure consistency and fairness agency-wide. The supervisor should promptly report issues of excessive absenteeism and/or tardiness to a Human Resources representative in order to determine whether disciplinary action is warranted.

Supervisors **must** notify the Benefits Department in Human Resources of an employee's absence on the fourth (4th) consecutive day away from work in order to begin the leave process.

Excessive Absenteeism

An employee will be considered to have excessive absenteeism if he/she has three (3) or more unscheduled absence occurrences during a three (3) month period or twelve (12) or more unscheduled absence occurrences within a twelve (12) month period.

Employees who show a pattern of excessive absenteeism will be subject to disciplinary action up to, and including termination.

Excessive Tardiness & Early Departures

Employees who show a pattern of excessive tardiness or early departures will be subject to disciplinary action up to, and including termination.

Prohibition of Sexual and Other Unlawful Harassment and Discrimination

(Revised October 9, 2018 and October 2019)

I. Introduction

ACL D is committed to providing a work environment that is free from all forms of harassment and discrimination based on an individual's sex, race, color, religion, sexual orientation, national origin, ancestry, handicap, disability, military or veteran status, age, domestic violence victim or status in any group or class protected by applicable federal, state or local law.

ACL D expects all employees to conduct themselves in a professional manner, with courtesy and respect for its employees, families, volunteers, clients, interns, independent contractors, persons working for a company that provides services to ACL D, the people we support, and the public. Harassment and discrimination violate ACL D's policies and interfere with its efforts to develop a workplace where each individual can contribute and work in a pleasant environment. Harassment, which can take many forms, including subtle verbal and non-verbal behavior, will not be tolerated in any form at any level by ACL D.

Further, any retaliation against an individual who has complained about sexual or other unlawful harassment or discrimination, and any retaliation against an individual who has cooperated with an investigation into sexual or other unlawful harassment or discrimination, will not be tolerated. To achieve our goal of providing a workplace free from sexual and other unlawful harassment and discrimination, the conduct that is described in this policy will not be tolerated. We have provided a procedure by which inappropriate conduct will be dealt with, if encountered by our employees.

Because ACL D takes allegations of any unlawful harassment or discrimination seriously, we will respond promptly to complaints and will act promptly to eliminate any conduct in violation of this policy, and impose such corrective action as necessary, including disciplinary action where appropriate, up to and including termination of an individual's employment.

Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual and other unlawful harassment and discrimination, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual or other unlawful harassment or discrimination.

II. Definition of Sexual Harassment

Prohibited sexual harassment includes:

Unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions or
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment is prohibited by ACLD.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to any employee may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending on the totality of the circumstances including the severity of the conduct:

- unwelcome sexual advances whether they involve physical touching or not;
- sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- displaying sexually suggestive objects, pictures, cartoons, text messages or sexually offensive e-mail
- unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- inquiries into one's sexual experiences; and
- discussion of one's sexual activities.

III. Other Unlawful Harassment

Other unlawful harassment may include, but is not limited to:

- telling jokes which explicitly or implicitly belittle an individual's sex, race, color, creed, religion, sexual orientation, national origin, ancestry, handicap, disability, military or veteran status, age or status in any protected group;
- making verbal and or physical innuendos which explicitly or implicitly belittle an individual's sex, race, color, religion, sexual orientation, national origin, ancestry, handicap, disability, military or veteran status, age or status in any protected group;
- creating an intimidating, hostile, humiliating or offensive work environment by means of verbal, physical or other conduct of a harassing nature, based upon an individual's sex, race, color, creed, religion, sexual orientation, national origin, ancestry, handicap, disability, military or veteran status, age or status in any protected group; or
- subjecting others to offensive language or pictures which implicate an individual's sex, race, color, creed, religion, sexual orientation, national origin, ancestry, handicap, disability, military or veteran status, age or status in any protected group, including, but not limited to, displaying offensive photographs, cartoons, graffiti, text messages, etc., and using offensive language in situations where others are certain to hear it, etc.

IV. Retaliation

Retaliation is also prohibited by this policy. Thus, any coercion, retaliation, or intimidation of those who complained of the harassment, who participated in the investigation thereof, or who testified in a proceeding or action involving the harassment, is unlawful and will be grounds for disciplinary action, up to and including termination. Prohibited conduct includes, but is not limited to taking or failing to take a personnel action, e.g., firing, demoting, reassigning, transferring, disciplining, and any other action that would tend to dissuade a person from making a complaint of harassment, participating in the investigation thereof, or testifying in a proceeding or action involving harassment.

V. Complaints of Sexual or Other Unlawful Harassment and Discrimination

If any of our employees believe that he or she has been subjected to any unlawful harassment, discrimination, or retaliation, the employee is encouraged to file a written complaint with our organization. A copy of the complaint form is attached.

If you would like to file a complaint you may do so by contacting:

The Director of Human Resources, who will insure your complaint is taken by your choice of either a male or female employee.

If you believe that it would pose a conflict to contact the Director of Human Resources, you may report the matter directly to the Executive Director of ACLD.

These persons are also available to discuss any concerns you may have and to provide information about our complaint process and our policy prohibiting sexual and other forms of harassment, and our complaint process.

If you are unsure who to contact to discuss an issue of harassment or discrimination, or if you have not received a satisfactory response in three (3) business days after reporting any incident of what you perceive to be harassment or discrimination (or sooner if you feel the problem requires immediate attention), please immediately contact our Executive Director at (516) 822-0028 extension 229, who will ensure that an investigation is conducted immediately. All reports of harassment or discrimination will be handled as confidentially as possible.

Any employee who makes an intentionally false misrepresentation in any complaint or during an investigation of any complaint will be subject to disciplinary action up to and including termination. We expect ACLD employees to be truthful and candid.

In the event that a person supported in a program certified by OPWDD believes that he or she has been harassed by an employee, the Director of Regulatory Affairs and the Director of Human Resources shall both be notified and the requirements of the Codes, Rules and Regulations of the State of New York, Part 624, shall be followed.

When we receive the complaint we will investigate the allegation promptly. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances, and pursuant to procedures designed to discover the facts, to prevent retaliation against either the employee for bringing the complaint or against anyone who assists in the investigation, and to ensure fair treatment of the person accused of harassment or discrimination. Our investigation will include, but will not be limited to, a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed the sexual or other unlawful harassment or discrimination.

When we have completed our investigation, we will, to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of the investigation.

Information about a complaint, an investigation, and ACLD's findings will be kept confidential to the extent possible. Depending upon the particular facts and circumstances, employees, including the complainant, who suspect or have knowledge of a sexual or other unlawful harassment or discrimination complaint, or of an investigation, may be asked to refrain from discussing the matter with other employees, except as directed by the Executive Director, Director of Human Resources, or the Human Resources Representative who is responsible for conducting the investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will impose disciplinary action against the offending employee, up to and including termination of employment.

It shall be the responsibility of all employees, including, but not limited to those in a supervisory capacity, who observe, learn of, or suspect a violation of this policy, to immediately bring the matter to the attention of the Director of Human Resources, or where appropriate, the Executive Director. Those employees who fail to do so will be subject to disciplinary action, up to and including termination.

VI. Other Avenues of Complaint

Aside from the ACLD's internal complaint procedure described above, those who believe they are a victim of sexual or other unlawful harassment may file a complaint with the New York State Division of Human Rights ("DHR") within three (3) years of the harassment. DHR enforces New York's Human Rights Law codified at NY Executive Law § 290 et. seq. DHR will investigate the complaint and determine whether there is or is not probable cause to believe that unlawful harassment has occurred. Where probable cause is determined, the matter is referred to an administrative law judge for a public hearing. If discrimination is found after a hearing, DHR may award relief including, but not limited to, requiring the employer to stop the harassment or redress the damage caused, including the payment of monetary damages, attorney's fees and civil fines. DHR may be contacted at 1-888-392-3644 or by visiting www.dhr.ny.gov/complaint.

Individuals who do not file a complaint with DHR have the right to commence an action in New York State Supreme Court within three (3) years of the unlawful harassment. Complaining directly to ACLD does not extend this time limitation.

The federal Equal Employment Opportunity Commission ("EEOC") enforces various federal anti-discrimination laws including, but not limited to, Title VII of the Civil Rights Act, codified at 42 U.S.C. § 2000e et. seq. An individual can file a charge of discrimination alleging sexual or other unlawful harassment with the EEOC within three hundred (300) days of the harassment. The EEOC may investigate the matter, or defer to the investigation conducted by DHR. After the EEOC determines if there is reasonable cause to believe unlawful discrimination has occurred, it will issue a right to sue letter to the individual, permitting the filing of a complaint in federal district court. Although the EEOC does not conduct any administrative hearings, even if it determines that unlawful discrimination has occurred, it can pursue an action in federal court on the individual's behalf. For questions, the EEOC can be contacted at 1-800-669-4000 or by visiting its website at www.eeoc.gov.

Many localities enforce laws protecting individuals from sexual and other unlawful harassment and discrimination. Contact should be made to the county, city or town in which the individual lives to find out if such a law exists.



ACKNOWLEDGMENT RECEIPT OF POLICY ON SEXUAL AND OTHER UNLAWFUL HARASSMENT AND DISCRIMINATION

As an employee of ACLD, I understand that the Agency has zero tolerance of workplace harassment and discrimination. I have been provided with a copy of ACLD’s policy on “Sexual and Other Unlawful Harassment and Discrimination”. I have read the policy and understand it and agree to abide by its terms. I understand any employee who engages in conduct prohibited by the policy will be subjected to disciplinary action, up to and including discharge. I understand that ACLD will not retaliate against anyone who comes forward with any report of unlawful harassment or discrimination.

I understand it is my obligation to refrain from engaging in harassing or discriminatory conduct and to report any conduct, which I believe, is harassing or discriminatory conduct of any kind. I also understand that ACLD will investigate any report of harassment or discrimination and will take prompt corrective action. As an employee, it is my responsibility to:

- Comply with the policy and refrain from any act of harassment or discrimination;
- Report any conduct, which I believe is harassing or discriminatory or which violates the policy immediately without fear of retaliation to the Director of Human Resources. If you believe that it would pose a conflict to contact the Director of Human Resources, you may report the matter directly to the Executive Director of ACLD;
- Behave professionally, ethically and responsibly at all times including compliance with the policy in prohibiting harassment;
- Promptly advise ACLD of any need for an accommodation on the basis of disability or religion, including any need for a leave of absence; and,
- Cooperate fully with and truthfully in the investigation of any report of harassment or discrimination.

If you are aware of any harassing conduct or discrimination, you must report it immediately. If at this time or in the future you do not note below any conduct that you believe violates our policy or constitutes harassment or discrimination, then we cannot conduct an investigation or take corrective action. By not writing anything, we will conclude that you are not aware of and have not been the victim of or witness to any such misconduct.

In the event that a situation which violates the policy in the future occurs, you may document the circumstances on the above lines and submit that information without fear of retaliation to the Director of Human Resources. Although you may also submit a verbal complaint to the Director of Human Resources, a written complaint is strongly encouraged. If you believe that it would pose a conflict to contact the Director of Human Resources you may report the matter directly without fear of retaliation to the Executive Director of ACLD.

Print Name

Signature

Date

Please return the signed acknowledgement to the Director of Human Resources at 807 S. Oyster Bay Road, Bethpage, N.Y. 11714

ETHICAL CONDUCT (Revised June 2019)

ACLD serves as a role model for the community and aspires to provide its services in accordance with the highest ethical standards. In accordance with this goal, employees are required to abide by ethical and legal standards and to uphold the Agency's integrity and reputation. Failure to adhere to this policy may result in disciplinary action, up to and including termination from employment. The following areas should be of particular concern:

1. **Conflicts of interest.** Employees must conduct their personal affairs such that their duties and responsibilities to the Agency are not jeopardized and/or legal questions do not arise with respect to their association or work with the Agency. Therefore, employees must never use their positions with the Agency for private gain, to advance personal interests or to obtain favors or benefits for themselves, members of their families or any other individuals, corporations or business entities. In addition, an employee must not allow situations or personal interests to interfere with the exercise of independent judgment or with that employee's ability to act in the best interest of the Agency. Employees who are unsure of whether there exists a conflict or the appearance of a conflict should seek the counsel of the Executive Director or a member of the Human Resources Department.

2. **Investments.** Employees are prohibited from investing in any of the Agency's suppliers or competitors unless the securities are publicly traded and the investments are on the same terms available to the general public and not based on any inside information. This prohibition applies to all forms of investments and to all employees, directors, officers, and agents of the Agency and their immediate families.

3. **Gifts and favors.** Employees may not give or receive any gifts or favors to or from any people we support, family of a person supported, supplier, or competitor (other than that specified in SOP 5.14 - Gift Giving). Under no circumstances are employees permitted to give or receive a gift in the form of cash, stocks, bonds, options, or similar types of items. For more details, employees should request a copy of the gift giving policy (SOP 5.14) from their supervisor. It is impermissible and may be unlawful to give, offer, or promise anything of value for the purpose of influencing someone in connection with Agency business or an Agency transaction. Similarly, it is impermissible and may be unlawful to solicit, demand, or accept anything of value with the intent of being influenced or rewarded in connection with any Agency business or transaction. Therefore, no employee may give or receive any gift reasonably viewed as being done to gain an advantage. Employees are not prevented from incurring normal business-related expenses, with approval obtained in advance, for meals or entertainment or from accepting personal mementos of minimal value. It is acceptable to occasionally allow a supplier or vendor to pay for a business meal.

4. **Outside employment.** No employee may serve as an employee, director, or officer of any supplier or vendor without the prior written approval of the Executive Director. Members of senior management (including all levels of employees from Administrators to the Executive Director) may not serve as an employee, director, or officer of any supplier, competitor, or vendor without the prior approval of the Executive Director. Any employee who does perform outside work has a special responsibility to avoid any conflict with the Agency's business interests. Outside work cannot be performed on this Agency's time nor can it interfere with an employee's Agency responsibilities, including the requirement to work overtime or to handle an emergency. A conflict will arise when ACLD and its employees are competing with one another or as employees of outside employers to provide as many of the necessary services as possible to the people we support to ensure a holistic qualitative approach to care. When such conflicts arise, the ACLD employee is not permitted to advocate for provision of such services by providers other than ACLD when ACLD is a provider of the services in question. Such conduct is inconsistent with ACLD's qualitative approach to service provision and could be detrimental to the care and well being of the people we support. Instances of this type of conduct include, but are not limited to, when the employee may either reap a monetary benefit from this arrangement, when such an arrangement would cause ACLD to be denied the opportunity to service the particular person, when the person is removed from ACLD's services, or when the person will receive fewer services from ACLD as a result. In addition, self-referral of an ACLD supported person by ACLD for any services is prohibited.

5. **Family relationships.** If an employee wishes to do business on behalf of the Agency with a member of that employee's immediate family, other relative, domestic partner, or common law spouse, or with a company of which a member of the employee's immediate family, other relative, domestic partner, or common law spouse is an officer, director, or principal, the employee must first disclose the relationship and obtain the prior written approval of the Executive Director. Family members include current and former spouse, domestic partner, common law spouse, in-laws and step relationships.

It is a conflict of interest for an employee to work in the same program/location where a person supported is related to through blood or marriage. Employees will therefore not be allowed to work in ACLD's programs where such conflict exists. Similarly, employees will not be allowed to work in the same program/location where a member of the employee's household is being supported.

A relative is considered a spouse or domestic partner, parent, parent in-law, child, sibling, grandparent, grandchild, uncle, aunt, cousin, niece, nephew and "step" relationships such as a stepchild or stepparent.

The exception to this guideline will be for employees hired for the In-Home Respite Program. All conflicts of interest are required to be reported to the Human Resources Director.

6. Confidential information. Employees, consultants, independent contractors and volunteers have an ethical duty not to disclose confidential information gleaned from Agency transactions and to protect confidential relationships between the Agency and people we support, suppliers, vendors and employees to the maximum extent permitted by law. This obligation continues after the termination of employment or after the discontinuance of the utilization of the person supported by the Agency. Confidential information that has not been made public shall not be released to private individuals without prior approval to organizations, or government bodies unless demanded by legal process such as through a subpoena or court order or pursuant to governmental regulations. Employees, consultants, independent contractors and volunteers shall not use confidential information obtained in the course of their service with the Agency for the purpose of advancing any private interest or otherwise for personal gain. Requests for information (reference checks, credit reporting, etc.) about present or former employees of the Agency must be referred to the Human Resources Department for handling.

7. Agency funds, services, equipment, and financial reporting. Employees are forbidden to use, directly or indirectly, Agency funds, assets, services, or equipment (including, but not limited to, vehicles, telephones, and computer equipment) for any purpose other than approved Agency business. The Agency also prohibits the establishment or maintenance of undisclosed or unrecorded funds or assets. All reporting of information should be accurate and timely. Employees may not make any false or misleading entries in any books and records.

8. Political contributions and lobbying. The Agency has a policy of not endorsing or making contributions to political parties or candidates or lobbying on their behalf. The Agency may, at times, engage in advocacy activities. Employees may enjoy membership and contribute to political parties, trade associations and similar organizations. However, any political activity must be strictly on the employee's own time and at the employee's own expense.

9. Employee relationships. In situations where an employee, whether licensed or unlicensed, acts as the clinical counselor to a fellow employee on matters related to the employee's job and the workplace or on personal matters, within his or her professional capacity through the Agency, such counseling may place the counselor, licensed or unlicensed, in the position of being obligated to reveal confidences disclosed during the counseling sessions. In the event of such a conflict, the counselor has a duty to disclose such information when required to do so by the Agency. In these instances, there is no privilege of client confidentiality.

This list is not meant to be exhaustive. There may be instances when employees find themselves in situations that may not be specifically addressed by this policy or where they are unsure as to whether an ethical concern may exist. In such instances, employees are encouraged to discuss any concerns with a member of the Human Resources Department who will, in turn, address the concern with the Executive Director. The Executive Director will make the ultimate determination as to whether a conflict exists. Any employee who knows or has reason to know of any activity that violates or may potentially violate these standards must promptly report the matter to the Executive Director or to a member of the Human Resources Department.

ACLD will not tolerate any form of retaliation against individuals who report alleged violations of this policy. Retaliation is unacceptable and any form of retaliation in violation of this policy will result in disciplinary action up to and including termination. **ACLD's Ethics Line for reporting: (855) 271-0732 or online at <https://acld.ethicaladvocate.com>**

A WORKPLACE FREE FROM VIOLENCE (Revised November 2009)

ACLD is committed to providing a work environment that is free from all forms of workplace violence. Therefore, ACLD maintains a zero tolerance for workplace violence. ACLD expects all employees to conduct themselves in a professional manner at all times, with courtesy and respect for their co-workers, families, interns, volunteers, the people we support and visitors. ACLD expressly prohibits any acts or threats of violence by any employee or against any employee. Any reports of violence or threats will be promptly and thoroughly investigated and, where warranted, appropriate action will be taken.

What is Workplace Violence?

Workplace violence may take many forms. It includes, but is not limited to, intimidation or threats communicated by the following means:

- Telephone calls
- Emails
- Altercations
- Letters
- Vandalism
- Face to face conversations
- Following/stalking
- Carrying or possessing firearms or weapons of any kind onto the premises of any ACLD program, office, facility, or to any ACLD-sponsored activity
- Committing acts motivated by, or related to, domestic violence in the workplace

Verbal Harassment includes, but is not limited to the following:

- Verbal threats toward person or property
- Vulgar or profane language
- Disparaging or derogatory comments or slurs
- Verbal intimidations
- Exaggerated criticism
- Name-calling

Physical Harassment includes, but is not limited to the following:

- Causing physical injury to another person
- Sexual assault
- Hitting
- Pushing
- Kicking
- Holding
- Restricting or impeding the movement of another person
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

What Are My Responsibilities For Preventing and Reporting Possible Violation of this Policy?

Every employee must share in the responsibility of insuring workplace safety by becoming more observant of their surroundings and reporting unusual occurrences that may lead to violence and possible threats of violence, as well as actual incidents.

To Whom Should I Report Possible Workplace Violence?

If an employee believes that he/she has been subject to or has witnessed workplace violence, the employee has a duty to report the incident.

Any form of workplace violence should be immediately reported to your immediate supervisor or any member of management with whom you feel comfortable. You may also report the matter directly to the:

- Program Director; or
- Director of Human Resources; or
- Human Resources Representative

If an employee is unable or unwilling to raise an issue of workplace violence with his/her immediate supervisor or the Director of Human Resources, or if an employee has not received a satisfactory response after reporting any incident, please contact the Executive Director at once. The Executive Director will insure that an investigation is immediately conducted.

Any employee who makes a false complaint or intentionally misrepresents facts during the investigation of any complaint may be subject to disciplinary action up to and including termination. We expect ACLD employees to be truthful and candid.

ACLD will respect privacy and preserve confidentiality, to the extent possible, in dealing with situations involving workplace violence. However, certain disclosures may be necessary to conduct the investigation.

Employees at Risk

In the event that an employee notifies any member of management that a domestic violence matter may permeate into the workplace, ACLD may take appropriate steps to protect its employees and the people we support. These steps include, but are not limited to, increasing security procedures at facility entrances and exits, restricting visitor access to facilities, alerting law enforcement and assisting employees in obtaining orders of protection. Retaliation is prohibited by this policy for domestic violence victims.

Emergency Situations

In the event of an emergency situation, an employee should attempt to immediately notify his/her supervisor. If a workplace violence situation places an employee or others in imminent danger, the police should be immediately contacted.

No Retaliation

In accordance with this policy, ACLD will take appropriate disciplinary actions for any such retaliation, or intimidation, up to and including termination.

Employee Assistance Program

The Employee Assistance Program (EAP) is available for help towards prevention and/or counseling regarding workplace violence. EAP services are confidential and there is no cost to the employee for use of the service. If an employee would like to use the EAP service, he/she may contact them directly at 800-624-2593 or through ACLD's Human Resources department.

If necessary, an ACLD employee may be mandated to attend counseling sessions at the EAP where the safety of the employee or the safety of others is a serious concern.

ANTI-NEPOTISM / ROMANTIC RELATIONSHIPS POLICY -

(Revised December 2019; Replaces the Nepotism policy)

It is our goal to hire the most qualified and skilled people possible. It is not unusual for employees to recommend their friends or relatives for positions. In addition, it is not uncommon for employees to meet one another at work and begin dating, and occasionally marry. We believe in the importance of friendships and family. However, there are some circumstances where it is inappropriate for family members, relatives and those dating one another to be working together. Our policy restricts such working relationships as specified below.

No person may be directly or indirectly supervised by a relative, or another employee with whom he or she is involved in a romantic or sexual relationship.

The term "relative" includes the following relationships, whether established by blood, marriage, or other legal actions: spouse or domestic partner, parent, parents' in-law, child, sibling, grandparent, grandchild, uncle, aunt, cousin, niece, nephew and "step" relationships such as a stepchild or stepparent.

The term "romantic relationship" means employees who are romantically or sexually involved. ACLD recognizes the ambiguity of and the variety of meanings that can be given to the term "romantic." It is expected that either or both of the parties to such a relationship will appreciate the meaning of the term as it applies to either or both of them and will act in a manner consistent with this policy.

Romantic or sexual relationships between a supervisor/manager and an employee may at some point lead to unpleasant complications, independence issues and significant difficulties for all concerned – the employee, the supervisor/manager and ACLD. Any such relationship may, therefore, be contrary to the best interests of ACLD. Accordingly, such relationships between an employee and a supervisor/manager are strongly discouraged as is any conduct between them that is designed or may reasonably be expected to lead to the formation of a "romantic" or sexual relationship.

By its discouragement of romantic and sexual relationships, ACLD does not intend to inhibit the social interaction (such as meals or attendance at entertainment events) that are or should be an important part or extension of the working environment; and the policy articulated above is not to be relied upon as justification or excuse for a supervisor's/manager's refusal to engage in such social interaction with employees.

If a romantic or sexual relationship between a supervisor/manager and an employee should develop, it shall be the responsibility and mandatory obligation of the supervisor/manager to promptly disclose the existence of the relationship to the Director of Human Resources. The employee may make the disclosure as well, but the burden of doing so shall be upon the supervisor/manager.

The Director of Human Resources shall inform the Executive Director and others with a need-to-know of the existence of the relationship, including the person(s) responsible for the employee's work assignments.

Upon being informed or learning of such a relationship, the Executive Director may take all steps that are deemed appropriate. At a minimum, the employee and supervisor/manager will not thereafter be permitted to work together on the same matters, and the supervisor/manager must withdraw from participation in activities or decisions (including, but not limited to, hiring, evaluations, promotions, compensation, work assignments and discipline) that may reward or disadvantage any employee with whom the supervisor/manager has or has had such a relationship. Accordingly, reassignment of the supervisor/manager or employee may be effectuated. If it is determined that the foregoing is not possible, practical, or in the best interests of ACLD, necessary steps will be taken, up to and including discharge of one of the two affected individuals, if necessary, after offering the employees the opportunity for one of them to voluntarily discontinue his/her employment.

It is also possible for a romantic or sexual relationship between employees, or relatives working together, even in the absence of a supervisory relationship, to lead to significant difficulties, especially for employees assigned to the same location. Accordingly, and to protect the interests of the employees involved as well as ACLD, it is strongly encouraged that employees in such a relationship notify the Director of Human Resources of the existence of the relationship. Employees in such a relationship who work in the same location are required to make this disclosure. The Director of Human Resources shall inform the Executive Director and others with a need-to-know of the existence of the relationship, including the person(s) responsible for the employees' work assignments. The Executive Director may take all steps that are deemed appropriate.

In addition, and in order for ACLD to deal effectively with any potentially adverse consequence such romantic or sexual relationships may have for the working environment, any person who believes that he or she has been adversely affected by such a relationship, notwithstanding its disclosure, is encouraged to make his or her views about the matter known to the Director of Human Resources.

This policy shall apply without regard to gender and without regard to the sexual orientation of the participants in a relationship of the kind described.

In the Children's Service Programs, effort will be made to avoid assigning relatives to work at the same pre-school location, even in the absence of a supervisory relationship. In the After-school program relatives will not be allowed to work on the same shift in the same building.

Employees who were hired during and prior to December 2007 are exempt from this new policy while in their current positions. Any employee who was grandfathered under this policy and transfers to a new position will no longer be exempt from this policy. The situation for grandfathered employees or who were grandfathered will be judged on a case by case basis. ACLD retains the right to make the final decision in such a case.

Family relationships (Effective 1-1-13)

It is a conflict of interest for an employee to work in the same program/location where a person supported by ACLD is related to through blood or marriage or who live in the same household is being supported. It is also a conflict of interest for employees to work in the same program/location where another staff that the employee is related through blood or marriage is working.

The exception to this guideline will be for employees hired for the In-Home Respite and Children's Services Programs. All conflicts of interest are required to be reported to the Human Resources Director.

SUBSTANCE ABUSE POLICY (Revised June 2021)

Adults and Children with Learning and Developmental Disabilities, Inc. (ACLD) recognizes its responsibility and is committed to implementing all measures considered necessary to ensuring a safe, healthy, productive and efficient work environment for our employees, people we support and the public in general. The unlawful or improper presence or use of drugs in the workplace presents a danger to everyone. ACLD has a vital interest in preventing accidents and injuries resulting from the misuse of drugs and alcohol. Due to COVID-19, drug testing was suspended for new hire applicants from April 1, 2020 to September 1, 2020 for both ACLD and CEC. Additionally, drug testing was then

suspended for new hires effective January 22, 2021 for both ACLD and CEC and remains in effect until further notice.

New York State Law

Although New York State has legalized the recreational use of marijuana, employees are still prohibited from using it during working hours, including break time, bringing it into any ACLD facility or vehicle, or being impaired by it while at work. Accordingly, while ACLD will no longer test for marijuana as part of a pre-employment or random drug test, unless otherwise required by another law, rule or regulation, or if required to do so by a federal contract or to receive federal funding, it reserves the right to test for it if there is a reasonable belief that an employee is impaired while working, or the employee's actions resulted in an accident causing damage to property or injury to any person.

As a result of these growing concerns, ACLD established a substance abuse policy for applicants and when needed for employees. Drug testing is an integral part of our substance abuse policy for applicants and employees. Employees will be required to adhere to ACLD's Standards of Conduct Policy concerning the use, possession or distribution of illegal intoxicants or drugs. For more detailed information refer to SOP 5.84 or contact the Human Resources Department at 516-822-0028 ext. 216.

Smoking in the Workplace (Revised October 2017)

It is the policy of ACLD to accommodate the desires of smoking and non-smoking employees, as well as visitors.

The purpose of this policy, which will be provided to employees and applicants for employment upon request, is not to regulate the personal habits of any individual, but to ensure the comfort of all employees in the workplace. Accordingly, smoking, as defined herein, shall be prohibited at all times in all internal areas of our facilities. Smoking is defined as the "act of lighting, smoking or carrying a lighted or smoldering cigar; cigarette, pipe, e-cigarette or vape of any kind."

Office for People with Developmental Disabilities (OPWDD) requires that each designated smoking area must be at least thirty (30) feet away from any building which houses a facility that is certified by OPWDD. A distance of fifty (50) feet from the building is considered best practice where feasible. If there is no available space that can be designated that is thirty (30) feet away from the building, then the designated area should be as far from the building as is practical without infringing on neighboring properties or putting people in an unsafe location.

For the safety of people supported, employees must take care to discard all unused portions of tobacco products in a non-combustible disposal receptacle as per OPWDD regulations. These receptacles are provided by ACLD in the designated smoking areas.

Employees must obtain approval from their immediate supervisor, supervisor's designee or a member of management in their program/department before leaving their work area.

Smoke breaks must not be taken when employees are in the community with persons we support, due to line of sight responsibilities.

Employees are not permitted to offer or accept cigarettes from people supported by ACLD.

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

Any individual can voice objections to ACLD about smoke that gathers in any smoke free area, without fear of retaliation. In addition, any employee or applicant for employment can contact ACLD with regard to the enforcement of this policy, without fear of retaliation.

Solicitation and Distribution (Revised June 2021)

In the interest of maintaining a proper business environment, the Agency prohibits employees from soliciting financial contributions, selling merchandise or making any other solicitation during an employee's work time. This includes the working time of the employee doing the soliciting or being solicited. This prohibition applies to solicitations or sales on behalf of any person or entity other than the Agency, and if on behalf of the Agency, prior approval must be obtained. The Agency may, however, solicit employees for charitable and humanitarian purposes."

The Agency also prohibits employees from distributing literature or printed materials of any kind in working areas. Additionally, an employee may not distribute literature or materials in non-working areas while either the distributor or the distributee is on work time.

This prohibition against soliciting other employees also covers the Agency's electronic equipment. Thus, no employee is permitted to use the Agency's e-mail, the internet, voice mail, telephones, computers or other related equipment for the purpose of soliciting others or for preparing, duplicating or distributing literature to other employees or non-employees during work time.

Outside organizations are also prohibited from coming onto Agency property to solicit employees' membership in the organization and/or to sell them goods or services. The only and rare exception to the foregoing shall apply to charitable organizations such as United Way.

The foregoing shall not apply to discounts which ACLD makes available to employees from other retail and service establishments.

BULLETIN BOARDS

To maintain an orderly and clean appearance in the workplace and provide an avenue of effective communication between the Agency and employees, the Agency maintains bulletin boards. The Agency will construct, supervise and maintain all bulletin boards. The bulletin boards may be provided with a transparent covering and lock for security and cleanliness purposes. Make it a practice to review it frequently. This will assist you in keeping up with what is current at ACLD.

Agency bulletin boards will be used for communication of Agency policy, Agency business and announcements, and official government notices. These shall include, but not be limited to, government Equal Employment Opportunity (EEO) and Wage and Hour posters, Agency meeting notices, safety rules, health items and benefit programs.

Literature, printed and written materials or notices of any kind are prohibited from being posted, taped, tacked, etc. on walls, restrooms, time-clock areas, entrance or exit doors, or on top of transparent coverings on bulletin boards without prior approval by Human Resources.

Inspection of Work Areas and Investigations (Revised October 2017)

Since we all work together closely, there may be instances when a co-worker or manager may look in your desk, computer, mail, packages, work area, papers, or other materials for information. Although desks, filing cabinets, emails, voice mail, or other storage areas may have locks or password protected, they are subject to inspection when we are looking for information, materials, or documents. Duplicate keys are maintained by supervisors and will be used to gain access to locked desks, etc. To avoid potentially embarrassing situations, please do not store personal articles or valuable property in your desk or anywhere in our facilities. We cannot be responsible if they are lost or broken.

Computer equipment and Agency telephones are for work use. If you occasionally have your own typing to do, or need to make a personal telephone call, please ask your supervisor if you can do so during off-duty time. Since computer files and voice mail messages also may be reviewed by others, you should not expect "privacy" in those data files.

It may be necessary to search for lost property, firearms, or other dangerous items or contraband (e.g. illegal drugs, alcoholic beverages, or stolen property) in our facilities or on our premises. If that occurs, you may be required to provide access to your briefcase or other carry-all. Refusal to cooperate in any inspection obstructs our operation and can be grounds for dismissal.

When issues of safety, security, or the welfare of our people supported or staff arise, you may be requested to cooperate with an investigation. The investigation may include a variety of procedures to safeguard the Agency, its employees, and our people supported. Non-exempt employees may be suspended without pay, pending the results of an investigation. Failure to cooperate with an investigation is grounds for disciplinary action up to and including termination of employment.

Managers and supervisors who wish to conduct a search or inspection of this nature should contact the Department of Human Resources for guidance and before engaging in a search. In the event of an emergency, administrative on-call procedures should be followed to obtain approval to conduct the search.

INTERNAL EMPLOYEE COMMUNICATION

Under normal conditions, if you have a job-related problem, question or complaint, including issues surrounding compliance with The Health Insurance Portability and Accountability Act (HIPAA), Corporate Compliance, and/or other confidential information you should discuss it with your supervisor. The simplest, quickest and most satisfactory solution will often be reached at this level. If you are not satisfied with the solution your supervisor offers you, or for some reason you do not wish to discuss the matter with your supervisor, you should discuss your concern with the Program Director. If you still are not satisfied, you should discuss the matter with the Director of Human Resources. If you still feel that your problem has not been resolved to your satisfaction, the Executive Director is available to discuss the situation with you. You can also discuss any problems with any member of management with whom you feel comfortable.

As you can see, we want you to have the opportunity to discuss your problems freely and to feel you have been treated fairly.

ELECTRONIC COMMUNICATIONS (Revised May 2021)

In an effort to give the ACLD workforce the best tools to do their jobs, ACLD continues to adopt and make use of new means of communication and information exchange. Many of our employees have access to one or more forms of electronic media and services, including computers, e-mail, telephones, voice mail, fax machines, and the Internet. The aforementioned electronic media and services are considered ACLD property intended for business use. Limited, occasional, or incidental use of electronic media for personal, non business purposes is understandable and acceptable, but should be infrequent, during non-working time only, and should not interfere with the productivity of the employee or the co-workers of the employee.

Although ACLD does not routinely access or monitor employee communications, employees of ACLD should not assume that electronic communications are private. ACLD reserves the right to review any employee's files to the extent necessary to ensure use that is in compliance with the law, this policy, and other ACLD policies. Employees are reminded that they do not have personal privacy rights in any matter created, received, or sent from e-mail, voice mail, or any other ACLD system. Electronic communications stored in an ACLD system are the property of ACLD. Employees should not use another individual's password to access a file or to retrieve any stored communication without authorization. In addition, employees are responsible for maintaining confidentiality of their password.

Employees should be aware that e-mail and voice mail may be inadvertently read or heard by individuals other than the intended recipient whether because of human or system error or by the recipient forwarding the message to others. Employees are required to obtain prior approval to use their own equipment to conduct business on behalf of ACLD. If/when prior approval is obtained; the employee is expected to conduct him/herself in an appropriate and professional manner.

Employees who are provided access to ACLD's electronic communications resources should be thoughtful in all such communications and should not use them for any of the following activities:

- illegal, fraudulent, or malicious activities
- political or religious causes or activities
- viewing or transmitting sexually oriented material
- participating in any sort of gambling
- sending or storing offensive, obscene, or discriminatory material
- harassing other individuals as defined by SOP 5.11

- threatening, libeling, or defaming employees, people supported by ACLD or their families, or anyone else
- sending uninvited e-mail of a personal nature
- using another individual's account or identity without explicit authorization
- distributing or storing chain letters, SPAM messages (unsolicited mass messages), jokes, solicitations to buy or sell goods or other non-business material
- engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions.

The use of ACLD's email is for Agency business only. Non-exempt employees must not use this email during non-working hours to conduct Agency business unless prior approval was obtained from their supervisor, nor shall they use their own devices for Agency business to email or text during non-working hours without first obtaining approval to do so.

Employees may not copy software or documentation except for backup purposes. Making unauthorized copies is a breach of the license agreement and also theft.

Employees must receive prior written approval to utilize or download any software or programs not provided to them by ACLD. In addition, the IT department must receive the licensed copyright of any software brought from home or anywhere else before the program is loaded on an employee's computer. IT will retain a copy of the license with their records.

In addition to the foregoing use limitations of ACLD's electronic equipment, employees should not utilize any personal electronic devices, whether cell/smart phones, iPads, laptops, etc. during working time, whether or not the employee is supervising children, except as otherwise required, and for of providing of services or education to students or people being supported. The only other exception should be the use of a cell phone if necessary to protect the safety and well-being of children and adults and/or to ensure the orderly operation of our program. Exceptions can be approved on a case by case basis by a supervisor.

Employees should notify their immediate supervisor, the Human Resources Department, or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination.

Employee use of ACLD's electronic media and services is considered consent to this policy and to management's right to review and monitor these systems as it deems necessary.

Nothing contained herein should be interpreted or construed as a limitation on activities protected by the National Labor Relations Act.

Social Networking Policy (Revised March 2019)

To establish guidelines for blogging or other forms of social media or technology including but not limited to posting video or wiki postings; sites such as but not limited to Facebook, My Space or Twitter, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with Adults and Children with Learning and Developmental Disabilities, Inc. (ACLD).

ACLD respects the right of any employee to start or maintain a blog or to participate in other social networking activities. However, it is the right and duty of ACLD to protect itself from unauthorized disclosure of information. ACLD's social networking policy includes rules and guidelines for agency-authorized social networking and personal social networking and applies to all employees, board members, vendors and business associates.

ACLD respects the right of employees to use blogs and social networking sites as a medium of self-expression and public conversation and does not discriminate against employees who use these media for personal interests and affiliations or other lawful purposes.

ACLD expects all guests to www.aclld.org or *ACLD Today* to abide by all rules and guidelines of this policy. ACLD reserves the right to remove, without advance notice or permission, all guests' content considered inaccurate or offensive. ACLD also reserves the right to take legal action against guests who engage in prohibited or unlawful conduct.

General Guidelines:

Any personal message or opinions that may be perceived as the “voice” or position of ACLD due to its content or the context in which they are made must be clearly identified as the views of the employee and not those of ACLD, or any person associated with or doing business with ACLD. This is necessary to preserve ACLD’s good will in the community.

ACLD strongly advises against employees communicating with people supported or family members of people supported on social networking websites. In addition, ACLD strongly advises against facilitating access to an employee’s social networking webpage or blog to a person supported or family member of him/her.

ACLD reserves the right to monitor all public blogs and social networking forums for the purpose of protecting its interests and monitoring compliance with the terms of Agency policies. If activity is seen as compromising, insubordinate or adverse to ACLD’s legitimate business interests, ACLD may request a cessation and removal of such commentary.

ACLD reserves the right to access any of its computers and electronic communication devices to monitor blogs and online websites. Employees should not maintain any expectation of privacy with respect to information transmitted over, received by, or posted on such sites.

Only authorized employees can prepare and modify content for ACLD’s newsletter/blog located on *ACLD Today* or www.aclid.org and/or any social networking entries associated with ACLD. Content must be relevant, add value and meet at least one of the specified goals or purposes developed by ACLD. If uncertain about any information, material or conversation, employees must discuss the content by following the chain of command established for their department/program, or contact the Human Resources Department.

Employees should respect all copyright and other intellectual property laws. For ACLD’s protection as well as your own, it is critical that you show proper respect for laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including ACLD’s own copyrights and trademarks. Use of ACLD’s copyrights and trademarks may not be used for any business/commercial venture without express written authorization from the Executive Director or Director of Development and Community Relations.

Blogs and Social Network Sites

ACLD respects the right of any employee to maintain a blog. If employees choose to identify themselves as an ACLD employee, employees must understand that some readers may view the employee as a spokesperson for ACLD. As a result of this possibility, employees must state that the views expressed in their blog or social networking area are their own and not those of the Agency, nor of any person or organization affiliated with or doing business with ACLD. Employees may not post on a blog or social networking website during work time or at employer-owned equipment, including computers, agency-licensed software or other electronic equipment or facilities.

All rules regarding confidential business information apply in full to blogs. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog.

ACLD is fully committed to its equal employment opportunity policies and does not condone or tolerate discrimination regarding our participants, applicants, or employees. ACLD also prohibits all forms of unlawful harassment including harassment based on gender, race, color, religion, national origin, ancestry, age or any other characteristic protected by state, federal or local laws. Employees are prohibited from engaging in any conduct, activities, communications or postings that violate the policies and principles of ACLD. Any conduct which under the law is impermissible if expressed in any other form or forum is similarly impermissible if expressed through a blog. Therefore, employees cannot use blogs or social networking sites to harass, threaten, discriminate against or make false statements about employees or anyone associated with or doing business with ACLD.

Employees cannot post on blogs or other sites ACLD’s confidential financial data or other non-public proprietary information.

Employees, without consent, cannot post on personal blogs or other social networking sites photographs of people we support.

Employees cannot link from a personal blog or social networking site to ACLD’s internal or external website.

ACLD encourages all employees to contemplate the speed and manner in which information posted on a blog can be relayed and often misunderstood by readers, and urges employees to use care when doing so to ensure the rights of others are not violated. Employees should be respectful when discussing co-workers, clients or business partners of ACLD.

Bloggers and commenters are personally responsible for their commentary on blogs and social networking site. Bloggers and commenters can be held personally liable for commentary that is considered defamatory, obscene, proprietary or libelous by any offended party, not just ACLD.

Nothing contained herein shall be interpreted or construed as a limitation on activities protected by the National Labor Relations Act.

Employees Photograph

ACLD is extremely proud of its dedicated workforce and from time to time will photograph or video employees in the course of their employment, for use on ACLD's website, social media pages or in ACLD's publications, whether in print or online. Unless an employee files an objection to the foregoing with the Human Resources Department, the employee will be deemed to have consented to ACLD, its successors and assigns, or anyone acting on their behalf, from using the employee's picture, video/audio for the purposes described herein, and that no compensation shall be due to the employee for such use.

Media or other External Communication

It is the employer's policy that only the Executive Director or Director of Development and Community Relations are authorized to speak with the media on behalf of the company. The contact information for the Director of Development and Community Relations is (516) 822-0028 x206.

Reporting Violations

ACLD requests and strongly urges employees to follow the chain of command established in their program/department to report any violations or possible or perceived violation. Reports may also be made to the Human Resources Department.

ACLD investigates and responds to all reports of violations of the social networking and related policies. Violation of ACLD's social networking policy may result in disciplinary action up to and including immediate termination. Discipline or termination will be determined based on the nature and factors of any blog or social networking post. ACLD reserves the right to take legal action where necessary against employees who engage in prohibited or unlawful conduct.

If you have any questions or concerns relating to this policy, please follow the chain of command established in your department/program or contact a representative of the Human Resources Department.

Adherence to New York State Criminal Background Legislation, 14NYCRR Section 633

To adhere to New York State Criminal Background legislation which mandates ACLD, as a provider under contract with OPWDD, to conduct criminal history record checks on prospective employees, volunteers and operators who submit an application on or after April 1, 2005 and who will have regular and substantial unsupervised or unrestricted physical contact with people we support. Additionally, ACLD will be notified by OPWDD of information received from Division of Criminal Justice Services (DCJS) and Federal Bureau of Investigation (FBI) if there is a new conviction, pending conviction or criminal accusation against a current ACLD employee or volunteer. Effective March 12, 2007, criminal history information will be available regarding crimes committed in any jurisdiction within the United States, and determinations made by OPWDD will reflect information received from both DCJS and the FBI.

For more details about NY State Criminal Background Legislation please refer to SOP 5.88. A copy of the policy can be obtained from your supervisor or the Human Resources Department.

Criminal Record Investigations

This policy applies to all ACLD employees hired prior to January 1, 2003. All ACLD employees, including volunteers and/or interns who have not had a criminal record investigation conducted by ACLD will be required to consent to a criminal investigation. Criminal record investigations will be performed by a third-party following the guidelines of the Fair Credit Reporting Act.

In addition to ACLD employees, all temporary staff supplied to ACLD by temporary agencies, volunteers, interns and contract employees regardless of hire date will be subject to these guidelines. Consequently, ACLD will require that criminal record investigations on temporary or contract employees be conducted by their respective companies.

ACLD reserves the right to conduct criminal background investigations on all employees periodically and/or as the need arises.

For more details regarding Criminal Record Investigations please review SOP 5. 96 or speak to your supervisor or the Human Resources Department.

Employee Resignation/Separation Policy (Revised June 2021)

Resignation is a voluntary decision by an employee to terminate his/her employment with the Agency. Although we hope each employee's work experience at ACLD will be mutually rewarding, we understand that varying circumstances do cause employees to voluntarily resign employment.

Should an employee resign employment with ACLD, an employee should give a minimum of (2) calendar weeks' notice. All resignations must be submitted in writing and must include the reason for leaving the Agency as well as the effective date of the resignation.

If an employee provides less notice than requested, ACLD has the right to deem the individual ineligible for re-hire depending upon the circumstances regarding the notice given. Additionally, an employee will not receive any accruals that they may be entitled to under ACLD's policies. Any exceptions to this policy will be made jointly at the discretion of a Program Director (or Senior Management) and Human Resources Director.

Once the employee has submitted notice of his/her resignation, he/she should cancel previously scheduled and approved days off that would fall within the notice period. It is expected that employees report to work for their regularly scheduled days/shifts during the resignation notice period. If an employee was absent or will be taking a day off (that was approved) during the resignation period, an employee should then extend the separation date to cover the day(s) missed from work in order to be eligible for rehire and/or receive consideration for accrual payouts.

Management reserves the right to provide an employee, with pay, in lieu of notice in situations where job or business needs warrant such action. Such a decision should not be perceived as reflecting negatively on the employee since it may be due to a variety of reasons not known to the employee or the employee's co-workers.

Re-Hire

Employees who resign in good standing under this policy and whose performance was rated as effective with a score of 3.0 or higher on the last performance evaluation, where applicable, under the Agency's performance management system may be eligible for re-employment.

Former employees who resign in good standing and deemed eligible for re-hire are invited to apply for future open positions for which they qualify. Such applications will be considered according to ACLD's recruitment practices. Per Diem employees separated from ACLD for not having worked during a six (6) month period may be considered for re-employment.

Transfer to Per Diem Status

Employees who received a verbal, written, final warning or suspension within the timeframes outlined under "Not Eligible for Re-hire" may not be considered for placement on the per diem lists. An employee who would like to transfer to per diem status must apply on ADP workforcenow, interview with a supervisor and be offered the position by the Per Diem Scheduling Coordinator or designee.

Not Eligible For Re-Hire

The following scenarios are taken into account when determining eligibility for re-hire:

- Employees who separate from ACLD involuntarily are generally not eligible for re-hire.
- Employees who do not return Agency property.
- Employees who resign within three (3) months of receiving a verbal warning; or within six (6) months of receiving a written warning; or within one (1) year of receiving final written warning (or suspension as defined in SOP 5.36) may not be considered for re-employment.
- Employees who do not physically work during the resignation period of two (2) weeks. This includes taking time off i.e., vacation, personal, floating, and/or sick time.

General

Employees who wish to discuss concerns about their continued employment before making a final decision to resign are encouraged to do so by speaking to their immediate supervisor, their program/department director, the Human Resources Department or the Executive Director.

The Human Resources Department will make every attempt to provide an opportunity to discuss any questions or concerns employees may have related to employment with ACLD and/or schedule an exit meeting with employees to ensure that all tools and equipment are returned.

Employees are required to return any Agency property including vehicle, keys, credit cards, tools, cellular phones, pager and other equipment. Failure to return agency property will deem the employee ineligible for re-hire and may be subject to legal proceedings on behalf of ACLD.

Separating employees must provide the Human Resources Department with a forwarding address to ensure that benefits and/or tax information are sent to the former employee in a timely manner. Any pay checks after the employee's last working day will be mailed to the forwarding address. Accrued but unused vacation and other related benefits will be paid consistent with ACLD's paid time off policies and state law requirements.

Supervisor's Responsibility

Supervisors should make every attempt to obtain notice of resignation in writing.

A PCN form with employee's resignation letter must be completed by the employee's immediate supervisor and forwarded to the Human Resources Department as soon as the resignation notice is received.

Once an employee has either: resigned, retired or terminated from employment, his/her supervisor should remove the employee's access to email. An email (IT ticket) to the Information Technology (IT) Department should be sent the same day the employee has left the organization.

If a Program Director or designee specifies on a PCN that an employee is not eligible for re-hire, the Program Director or designee must also provide documentation stating the reason for his/her decision. The stated reason will be reviewed by the Director of Human Resources and the Executive Director. The final decision of whether or not an employee is eligible for re-hire will be made jointly by the Director of Human Resources and the Executive Director.

The final accrual sheet must be completed by the employee's immediate supervisor and forwarded to the Payroll Department.

Blood Donation Leave (Effective July 2009)

Employees who work an average of at least twenty (20) hours per week are eligible for up to three (3) hours of leave during any twelve (12) month period for time off to donate blood. An employee must provide at least three (3) working days advance notice to his/her immediate supervisor or the Director of Human Resources of his/her intention to take this leave. Leave time for non-exempt employees is unpaid. However, non-exempt employees may use accrued time off (vacation, personal, floating holiday) for this purpose. Employees are advised to coordinate their blood donation time with their supervisor.

Employees will not be subject to discrimination for exercising their rights under this policy.

Voting Leave (Revised June 2020)

The voting leave applies to all employees eligible to vote in any public election (national, state, local) in the United States. Any elections not governed by the New York State Election Law is excluded.

ACLD recognizes the obligation of every U.S. citizen to vote in general elections. In the event an employee does not have sufficient time outside of working hours to vote in a statewide election, the employee may take off the time needed from work in order to vote.

Sufficient time is defined as four (4) consecutive hours either between the opening of the polls and the beginning of the employee's shift or between the end of the employee's shift and the closing of the polls.

Non-exempt employees will be allowed a maximum of two (2) hours on Election Day without loss of pay for purposes of voting but only if the employee does not have sufficient time outside his/her scheduled working hours. The manager must be notified at least two (2) days prior to the respective voting day that the employee intends to take such time. This time should be taken at the beginning or end of the regular work schedule.

If an employee requires time off to vote he/she should notify ACLD within ten (10) days. An employee can submit his/her request on ADP Workforce Now and must obtain supervisory approval for a time off request.

Lactation Breaks (Effective July 2009)

Employees who are nursing may utilize this policy for up to three (3) years after the birth of the employee's child.

In order for ACLD to provide unpaid break time to employees as well as to make reasonable efforts to provide a private area (other than a restroom) for the employee to express breast milk, employees must inform their immediate supervisor or the Director of Human Resources of their desire to take such breaks.

Employees must be provided with at least twenty (20) minutes of unpaid break time unless the employee elects a shorter period (exempt employees will be eligible for paid break time). If a non exempt employee requests a shorter time period, the break must be paid. Breaks must be allowed at least once every three hours, if requested. Employees shall be allowed to make up any time used for expressing milk so long as such additional time falls within ACLD's normal work hours.

Employees will not be subject to discrimination for exercising their rights under this policy.

Whistleblower Protection Policy, The New York Non-Profit Revitalization Act of 2013

(Revised June 2019)

Directors, employees, contractors or volunteers of ACLD who in good faith report any action or suspected action taken by or within the Agency that is illegal, fraudulent or in violation of any adopted policy of the Agency, shall not suffer intimidation, harassment, discrimination or other retaliation or, in the case of employees, adverse employment consequences.

Intentional and unintentional violations of laws, regulations, policies and procedures may occur and lead to improper activities. Every ACLD employee has a responsibility to report any suspected improper activities to the Director of Regulatory Affairs and Corporate Compliance Officer. The Director of Regulatory Affairs and Corporate Compliance Officer can be reached at 807 S. Oyster Bay Road, Bethpage, NY 11714, 516-822-0028 extension 130. Anonymous reporting can be made to the Ethics Line at (855) 271-0732 or online at <https://acld.ethicaladvocate.com>. The reporting employee must exercise sound judgment to avoid baseless allegations.

A whistleblower as defined by this policy is an ACLD director, employee, contractor or volunteer, who in good faith reports any action or suspected action taken by or within the Agency that is illegal, fraudulent or in violation of any adopted policy of the Agency. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management staff have these responsibilities.

Examples of unethical, illegal or dishonest activities include violations of federal, state or local laws: billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

Whistleblower protections are provided in two ways, through confidentiality and our assurance against intimidation, harassment, discrimination, retaliation, or adverse employment consequences. Insofar as possible, the confidentiality of the whistleblower will be maintained. In addition, the Agency will not intimidate, harass, discriminate, retaliate, or take any adverse employment consequences against a whistleblower who discloses suspected unethical, illegal or dishonest activity in good faith. To the best of its ability, the Agency will also protect a whistleblower against any adverse employment consequences, intimidation, harassment, discrimination and retaliation by any other ACLD employee. Any whistleblower who believes he/she is being intimidated, harassed, discriminated or retaliated against, or his/her employment is being adversely affected, must contact the Human Resources Director immediately. When it is not feasible or appropriate to report an incident to either the Director of Regulatory Affairs and Corporate Compliance Officer or the Director of Human Resources, an employee should notify the Executive Director at 516-822-0028 extension 229. When it is deemed inappropriate to notify any of these officers/directors a confidential communication can be sent to the President of the Board of Trustees at 807 S. Oyster Bay Road, Bethpage, NY 11714. The right of a whistleblower from protection against intimidation, harassment, discrimination, retaliation or adverse employment consequences does not include immunity for any personal wrongdoing that is alleged and investigated. Please note that any employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

This Policy shall be distributed to all directors, employees, contractors and volunteers who provide services to the Agency.

WAGES AND SALARIES

PAY PERIODS & PAY ADVANCES (Revised April 2016)

PAY PERIODS

Employees are paid on a bi-weekly basis. Regular paydays are every other Friday. ACLD's payroll schedule operates on a two (2) week lag. For example, an employee hired on January 30 who works from January 30 through February 12 (two weeks) will receive a paycheck for this period on or around February 26.

PAY ADVANCES

Employees who are experiencing unexpected financial difficulties and/or who would like to receive their pay before going on a vacation may request a pay advance.

Payroll advance requests must be approved in writing by the employee's supervisor; the Program Director and the Chief Operating Officer and/or the Chief Financial Officer. The employee will need to provide the reason for the request.

All approved requests must be submitted to the Payroll Department at least ten (10) business days prior to the date the advance is needed.

Employees will be allowed one pay advance per calendar year. Under extreme personal circumstances, ACLD may grant an additional pay advance in a calendar year. Approval for an additional pay advance per calendar year must be approved by the Executive Director or his/her designee.

DEDUCTIONS FROM PAY

As an employer, we are required by Federal and State law to withhold certain income taxes and other taxes from your earnings. The required amount for each deduction is determined from information furnished by you on your signed withholding statement and is subtracted from your earnings and turned over to the appropriate government agencies.

In addition, there are a number of voluntary deductions that you may request to be taken out of your pay. These deductions, which will be explained to you in the New Hire Orientation, include contributions to a Credit Union, 401(k) Retirement Plan, Health Insurance and other items authorized by both you and the Agency. Any questions about your pay should be brought promptly to the attention of your supervisor or Payroll.

Time Management Policy (Revised December 2020)

Adults and Children with Learning and Developmental Disabilities, Inc. (ACLD) has implemented a Time and Attendance System that collects actual time entered by an employee using a time clock, computer or telephone. The data is later transferred to the payroll system where employees are paid according to the hours recorded.

The electronic timekeeping system will become the official basis for recording hours worked for all employees of ACLD. Time off benefits (i.e. vacation, personal, sick, etc.) will also be recorded in the system.

In order to ensure consistency of treatment for employees the data recorded in the Time and Attendance system shall be considered the "official" record of the workday. Any disputes over actual hours worked or attendance will be resolved by referring to the official records.

It is recognized that in certain situations (i.e. clock malfunction, missed punches) that it will be necessary to correct or enter missing data. These changes will be carefully documented by the employee's supervisor, or designee in the supervisor's absence, who will make the edits and notes on the attendance record.

Regular paydays are every other Friday.

Procedure:

This procedure defines the roles, responsibilities and guidance for employees involved in the timekeeping process.

Definitions

The terms "clock in," "punch in," "clock out" or "punch out" refer to the method whereby an employee approaches the time clock device and enters the number assigned to him/her on the keypad. The employee number is affixed to the employee's Identification Badge.

The time clock device is equipped for biometric verification of the employee. Employees will be required to utilize the time clock; telephone **or** other approved device to enter their attendance data into the system. An employee's function will determine the device that will be used.

1. **Director/Assistant Director/Associate Director/Administrator/Manager/Immediate Supervisor:** The immediate supervisor within the department/program who has authority to approve the attendance record; i.e., the "Approver".
2. **Designee:** Any individual who has been given permission by the "Approver" to approve changes in employee attendance record.
3. **Employee:** Individuals who work within the department/program.
4. **Non-exempt:** Employees who are eligible to receive overtime for hours worked in excess of forty (40) hours per week.
5. **Exempt:** Under federal and state laws exempt employees are not entitled to the payment of overtime. For example, absent contrary state law requirements, an **exempt** employee's salary can be reduced for the following reasons:
 - Full day absences for personal reasons, sickness or disability.
 - Full day disciplinary suspensions for infractions of ACLD's written policies and procedures.
 - Family and Medical Leave absences (either full or partial day).
 - To offset amounts received as payment for jury or military pay.
 - The first or last week of employment in the event the employee works less than a full week.

An **exempt** employee's salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness or disability.
- Absences for jury duty, attendance as a witness or military leave in any week in which the employee has performed any work.
- Any other deductions prohibited by state or federal law.

Although an exempt employee's salary will not be reduced for the above mentioned partial absences, the employee's accrued paid time off may be charged for the period of the absence".

Meal Breaks:

Department of Labor regulations specify that employees in departments/programs whose position allow for a meal break must be given at least thirty (30) minutes for a noon day meal. "The noon day meal period is recognized as extending from eleven (11) o'clock in the morning to two (2) o'clock in the afternoon. An employee who works a shift of more than six (6) hours which extends over the noon day meal period is entitled to at least thirty (30) minutes off within that period for the meal period."

Employees should not be permitted to work through their lunch period in order to have a shortened work day. An employee whose lunch period is one (1) hour must receive supervisory approval to have a shortened lunch break of at least thirty (30) minutes but less than one hour.

Daily Clock In and Out

- It is the responsibility of each non-exempt employee to clock in and out at the beginning and end of each scheduled workday.
- Under certain conditions, such as attendance at training courses at a different location, the employee shall clock in and out at the different location; be clocked in and out manually by the employee’s supervisor; or clock in and out on any approved device that is available.
- Employees who miss a punch should immediately notify their supervisor of the reason for the missed punch. The supervisor will make the necessary edits to the timecard. All edits should be made as soon as practical.
- On a daily basis as well as at the end of each pay period, the employee is required to review the hours worked and time off recorded for the pay period by entering his/her approval in the electronic record. By approving the electronic timecard, the employee is attesting to the best of his/her knowledge that the information submitted at the end of each pay period is complete and accurate.
- Supervisors will be responsible for monitoring adjustments for each of their employees. However, under no circumstances can supervisors adjust their own timecard. Corrections should be made by the employee’s immediate supervisor or the immediate supervisor’s designee.
- Supervisors are responsible for ensuring that the job/department/program and time reported accurately reflects each employee’s activity for each pay period and validate this by approving the employee’s timecard in preparation for payroll.

Clock In and Out Summary For Non-Exempt Employees

Responsibilities	Director/ Manager/Immediate Supervisor or Designee	Immediate Supervisor	Employee
Record start and end times using the timeclock, Telephone or other approved device.			X
Review missed punches, employee accruals and other paid time off on a daily basis		X	X
Enter corrections into system for employees		X	
Enter corrections into system	X		

Window For Clocking In and Out

Non-exempt employees should clock in no sooner than seven (7) minutes before the scheduled start of their shift and no later than seven (7) minutes after the end of their scheduled shift; without prior supervisory approval. The seven (7) minutes will be rounded to the nearest quarter. For example, an employee whose shift begins at 9:00 a.m. who clocks in at 9:06 a.m. will be rounded to 9:00 a.m. If the employee clocks in at 9:08 a.m. the time will be rounded to 9:15 a.m.

Additional Hours

- All additional hours must first be pre-approved by the Director or designee.
- An employee may not work additional hours by arriving early or leaving late unless specifically pre-authorized by his/her supervisor. If a non-exempt employee has accumulated unapproved hours beyond his/her work schedule in the course of a week, s/he may be required to adjust his/her schedule to compensate for the time. Disciplinary actions may also result if appropriate under the circumstances.

- Employees in Adults Services may not work more than (2) consecutive shifts without a break of at least eight (8) hours before their next assigned shift. The only exception to this policy will be in cases of emergencies when a supervisor mandates an employee to work more than two (2) consecutive shifts. In the event of a mandate employees should be given a short break during the mandated shift.

Time Off Requests and Accruals

On days that employees are absent from work, they should enter the appropriate time off code (i.e., **V**acation, **S**ick, **P**ersonal, **F**loating Holiday, etc.) for the absence directly on the electronic time record.

Employees will only be paid for hours of vacation, personal, floating holidays and/or sick time they have accrued.

Vacation

The electronic system calculates accrued vacation time based upon employees’ length of service. An employee may schedule vacation days in advance with supervisor’s approval using the Time off Request feature. The pre-scheduled hours will appear automatically on the employee’s timecard and schedule. If an employee, with the approval of his/her supervisor, reports to work on a day when vacation time had been scheduled, the supervisor will edit the timecard. There is no minimum requirement for the amount of vacation an employee can request to be taken.

Sick Time

When an employee is absent from work due to illness, his/her supervisor will input the sick time hours in the electronic system. There is no minimum requirement for the amount of sick time an employee can request to be taken.

Jury Duty

Employees who present jury duty notices to their supervisors may be granted time with regular pay for the day(s) when service is rendered, based on ACLD’s policies. Employees need to do a time off request through the electronic system, or the supervisor can make the edits.

All other time off and/or leave requests should be handled in the same manner as the ones listed above.

Holidays

Holiday pay will automatically be applied to eligible employees in the electronic system.

Pay Advance

Pay advances need the approval of the employee’s supervisor, Director, and Chief Operating Officer or Chief Financial Officer before the form is submitted to the Payroll Department for processing. A Pay advance form can be obtained on ACLD Today or by contacting the Human Resources Department.

Payroll Adjustments

If an employee is not fully compensated for the payroll because of a data input error or a missed punch, the employee must contact his/her supervisor who will in turn contact the Payroll Department.

Clock or System Malfunction

Clocks will continue to collect data during the times where it appears that there are system malfunctions and even during power outages. Employees should continue to make all necessary punches then immediately inform their supervisor. The supervisor must document what adjustments may be needed, but will not make adjustments until it is confirmed that the data was not collected in the system.

For Clock or System Problems the following should occur:

Employee will contact:	Supervisor
Supervisor will contact:	IT Department by completing an IT Ticket
Payroll will contact:	IT Department by completing an IT Ticket
Human Resources will contact:	IT Department by completing an IT Ticket

Deadlines

The deadline for finalizing time cards for payroll processing is 12:00 noon on the Monday following the pay date. When an ACLD observed holiday falls on the Monday following the end of a pay period, time cards must be approved after the last shift for that pay period. The deadline for time cards to be submitted to the Payroll Department after a Monday holiday is 11:00am on Tuesday.

To Report Concerns or Obtain More Information

- Employees who have questions about deductions from their pay, should first speak with their supervisor. The employee's supervisor should contact the Payroll Department to rectify pay inaccuracies.
- An employee who believes he/she has been subject to any improper deductions or that his/her pay does not accurately reflect the hours worked should immediately report the matter to his/her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact a Human Resources representative. If the employee is unsure of whom to contact or if the employee has not received a satisfactory response from his/her supervisor or the Human Resources representative within five (5) business days after reporting the incident, the employee should immediately contact the Chief Operating Officer at (516) 822-0028 ext. 138.

Disciplinary Action

Employees may be subject to disciplinary action up to and including termination for the following serious offenses:

- Any attempt to tamper with the timekeeping hardware or software will be considered a serious offense.
- Interfering with another employee's use of time clocks.
- Falsifying another employee's clocking transactions and failure to use the electronic system properly.
- Failure to promptly verify and reconcile time and leave records in accordance with policies and procedures.
- Falsification of hours actually worked.
- Excessive missed punches without a valid (specific) reason.

Policy Violation

Every employee must comply with this policy and immediately report any possible violations, including but not limited to falsification or misrepresentation of time and attendance. Every report of policy violations will be promptly and fully investigated and corrective action will be taken where appropriate, including the payment of wages for unpaid working time and disciplinary action up to and including termination for any employee or manager who violates this policy. In addition ACLD will not tolerate any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the investigation of such reports. Retaliation is unacceptable and any form of retaliation in violation of this policy will result in disciplinary action up to and including termination.

EMPLOYEE REFERRAL BONUS (January 2017)

Our employees are our best resource for referring candidates, with similar work ethics, drive and commitment, for career opportunities with the Agency. You know our culture and can be helpful in articulating it to potential employees. As a result, ACLD has instituted an Employee Referral Bonus to encourage and reward employees for identifying other qualified candidates for open positions.

An ACLD employee who refers a candidate should do **one** of the following:

- Complete an **Employee Referral Bonus Form** and forward it to the Human Resources Department. The form can be accessed from **ACLD Today, HR Forms, or**
- You may email your referral's resume or contact information to Jobs@ACLD.org. In this case, the Human Resources Department representative will complete the form for you.

You will also need to inform the candidate that you are referring that he/she must document your name as the referring employee on the employment application form.

GUIDELINES:

- In order to receive the reward the referring employee must notify the Human Resources Department within thirty (30) calendar days from the date of hire of the person being referred. The referral bonus will not be honored after the 30-day period.
- Employees will receive a referral bonus for referring candidates who are hired into regular, full-time, part-time and/or per diem positions.
- The referring employee and the new employee must remain employed for twelve-months to receive the full amount of the referral bonus. Referral bonus payments will be prorated over the twelve-month period.
- The new hire and the employee who referred him/her must still be employed at the time the bonus is being paid.
- Referral bonuses will only be honored for candidates who are not current or former ACLD employees. This includes staff assigned to ACLD by Temporary Agencies.

RESTRICTIONS

1) Human Resources staff as well as Assistant Director level positions and above may refer candidates for open positions but will be exempt from receiving a referral bonus.

2) Supervisory staff other than the ones referenced in (1) above may refer applicants but will not (a) receive referral bonus for employees who are hired into the supervisor's program/department or (b) receive a bonus for employees hired in another program/department where the supervisor has indirect influence on the selection process. A supervisor's program/department is the location at which the supervisor oversees employees.

3) The final determination on bonus referral eligibility is determined by the Human Resources Director with right of appeal to the Executive Director.

EMPLOYEE BENEFITS AND SERVICES

EMPLOYEE BENEFITS

ACLD offers a comprehensive benefits package to its employees. Benefits are available to those employees who meet the eligibility requirements. In some cases, there is an employee contribution for the cost of coverage.

The existence of these employee benefits and plans, in and of themselves, does not signify that you will be employed for the requisite length of time necessary to qualify for these benefits and plans or that you qualify for those benefits and plans.

The descriptions of the benefit programs contained in this handbook are general in nature. Employees are advised to consult with the Human Resources Department or to review the Summary Plan Descriptions or other governing documents for further details. Copies of the governing documents of these benefit programs are available from the Human Resources Department. The actual plan documents are determinative of the precise benefits, terms, conditions, exclusions and restrictions that apply to coverage under these programs. They supersede all other documents. ACLD and/or its plan administrators and fiduciaries reserve the maximum discretion permitted by law to administer, interpret, enhance, modify, discontinue or otherwise change any benefit plan, program, practice, policy or procedure. While employees may receive feedback in response to questions about the benefit programs we offer, none of those responses can modify the terms of the governing documents.

Currently, the following employee benefits are offered:

Medical and Dental Benefits

Medical and dental benefits are available to employees who are scheduled to work 30 or more hours per week. Coverage begins after 90 days of employment. Employees may elect to cover their eligible dependents. There is an employee contribution for the cost of coverage. Payroll deductions for medical and dental benefits can be taken either on a pre-tax or post-tax basis.

Statutory Short-Term Disability (STD)

Short-Term Disability provides for the payment of benefits to eligible employees who become disabled because of injuries or sickness which have no connection with their employment. Short-Term Disability benefits are paid for off-the-job injury, sickness and disabilities arising from pregnancy.

Long Term Disability (LTD)

Long Term Disability (LTD) coverage provides a percentage of basic monthly earnings to employees in the event of a long-term illness or disability. All active employees who are scheduled to work 30 or more hours per week are eligible to elect Long-Term Disability coverage once the eligibility requirements are met. Employee premium contributions are based on age and salary.

Paid Family Leave (PFL)

Paid Family Leave may be taken by eligible employees for child care, care for family member with a serious Health condition, or qualifying Military Exigency. Payroll deductions will apply.

Life Insurance

Life insurance provides a lump-sum benefit to your beneficiary in the event of your death. ACLD provides employees with a basic level of life insurance at no charge to the employee. All employees who are scheduled to work 30 or more hours per week are eligible to be covered under ACLD's life insurance program.

Accidental Death and Dismemberment Insurance (AD&D)

Accidental Death and Dismemberment Insurance provides coverage in the event that an employee dies or is dismembered by an accident. All employees who are scheduled to work 30 or more hours per week are eligible to be covered under ACLD's accidental death and dismemberment program at no cost to the employee.

Workers' Compensation

Workers' Compensation insurance provides eligible employees payment of covered medical expenses and compensation payments during the period of disability. Workers' Compensation covers injuries or diseases arising from, and in the course of employment at ACLD.

Credit Union

The Credit Union is similar to a bank; however, credit unions generally have higher dividends on savings and lower interest rates on loans. Various other options are available. Deposits can be made through an authorized payroll deduction. For full details, contact the Human Resources Department.

Employee Assistance Program

ACLD's EAP offers a confidential service to help individuals and their families achieve greater work and personal contentment, maintain a better balance in their lives, and enhance overall functioning. With early intervention and treatment of Work/Life issues, EAP Professionals are able to take a proactive approach to personal well-being and professional productivity. Professionals from our EAP vendor are available 24 hours a day to assist you. The EAP also provides management training. Services are provided to all employees and their families at no cost.

The EAP provides a number of services to employees and family members including assessment; referral to medically necessary services as indicated; face-to-face solution-focused counseling; consultation; and follow-up. Assistance is provided to deal with problems such as stress and anxiety, family and marital conflicts, emotional difficulties, alcohol/drug problems, financial/legal difficulties, childcare and elder care needs, as well as any issues that might affect work-place performance.

401(k) Retirement Plan (Revised August 2021)

ACLD has established a 401(k) savings plan to provide employees the potential for future financial security for retirement. The 401(k) Program is a voluntary program that provides an opportunity for employees to elect a percentage of salary to contribute on a pre-tax basis. This contribution can be directed to a variety of investment options.

Employees may contribute up to 100% of their pay each pay period, subject to IRS annual limits. Employees may increase or decrease the amount of their contributions and/or stop each calendar quarter. Contributions may be stopped completely at any time during the year.

Effective January 2016 new employees have been automatically enrolled in the 401(k) retirement plan at **4%** of their gross salary. Bi-weekly payroll deductions are made. Employees may opt out of the 401(k) Plan automatic enrollment and/or make changes to their deferred contribution amount via the Empower website at www.empower-retirement.com or by calling 800-338-4015.

The Agency Match for ACLD's pension plans was reinstated for plan August of 2021. Additionally, the 401(k) plan offers a discretionary Employer Match provision of 25% of the first 4% of the employees' contribution. ACLD may also elect to make a discretionary contribution (sometimes called "profit sharing") to eligible employees. All employer contributions have a vesting period as shown below:

<u>Years of Service</u>	<u>Vesting</u>
Less than 1	0%
1 year	25%
2 years	50%
3 years	75%
4 years	100%

Under the terms of the collective bargaining agreement, Charles Evans Center, union employees are not eligible to receiving matching contributions or profit-sharing contribution under the plan.

Complete details of the 401(k) Plan are described in the Summary Plan Description, which can be obtained in the Human Resources Department.

Tuition Reimbursement Program (Revised and October 2017)

There are many mutual benefits that can be gained through continuing education, such as the increased work competence and the personal growth of our valued employees. It is ACLD's policy to provide financial assistance to our employees who wish to further their education.

Guidelines:

- Regular employees budgeted to work (30+ hours per week) who have successfully completed their orientation period are eligible for this program.

- Courses should be directly or reasonably related to an employee's current position or required for a degree reasonably related to an employee's current position, or in line with a position that ACLD believes the employee can reasonably achieve.
- Under this program, educational assistance is provided for courses offered by approved institutions of learning, such as accredited colleges, universities, secretarial and trade schools, certificate programs, on-line and/or home study courses as well as any such institutions approved by ACLD.
- To be eligible for reimbursement, employees must submit a completed and signed Tuition Reimbursement Request Form to their supervisor. Courses must be approved by the Supervisor and Program Director.
- After approval the reimbursement form along with the document showing the cost and course schedule must be forwarded to the Human Resources Department. Cutoff dates for submitting tuition reimbursement requests to the Human Resources Department are as follows:

Fall semester - October
 Winter semester - January
 Spring semester - March
 Summer semester - July

Employees must adhere to the timeframe above in order to be considered for tuition reimbursement.

- Courses must not interfere with the employee's job responsibilities and must be taken on the employee's own time unless otherwise qualified under SOP 5.69, Requests for Work Schedule Accommodation for Educational Purposes.
- Upon completion of approved courses, ACLD will reimburse up to a specific dollar amount per semester and a maximum amount each calendar year. Please contact the Human Resources Department for the reimbursement rates.
- To be reimbursed, employees must (1) be actively employed at ACLD at the completion of the course (2) receive a grade of "C" or better for each undergraduate course, a grade of "B" or better for each Master's program course, or a "pass" grade for certificate programs and/or credit bearing classes, and (3) be still employed when the reimbursement check is processed. Employees will also be required to continue employment with ACLD for one full year after completing the course(s) for which they were reimbursed.
- If the employee's employment ends voluntarily or involuntarily prior to one full year after completing the course, the amount of the tuition reimbursement will be treated as an advance, which must be repaid to ACLD. If this amount is not repaid before the employee receives his/her last payroll check(s), the amount will be deducted therefrom pursuant to 12 NYCRR 195-5.2. If any portion of the tuition reimbursement

is deducted from an employee's paycheck(s), and is not in accordance with this paragraph, the employee may contact the Human Resources Department and may submit his/her reason in writing for why he/she believes there was an improper deduction for any portion of the tuition reimbursement. Human Resources will thereafter respond to the employee in writing. If any amount of the tuition reimbursement is still due and owing after the deduction from the employee's last paycheck(s), the employee will be required to repay that amount within forty-five (45) days of their last day of employment.

- An employee who transfers to a position that is no longer eligible for benefits (less than 30 hours per week) must reimburse ACLD for any tuition reimbursement received within one year of receiving the benefit.
- Within forty-five (45) days of course completion employees must provide the Human Resources Department with documentation of the official/unofficial grade report issued by the educational institution, a course schedule highlighting course completion date, as well as a bursar's receipt or other official proof of payment.
- Only courses paid for by the employee will be reimbursed. Therefore, employees who receive financial aid, grant's and/or any other scholarships will only be reimbursed for their out of pocket expenses.
- Federal Internal Revenue Service regulations may require employers to consider certain educational assistance benefits as taxable income which are subject to withholding Federal, State, and FICA taxes. ACLD will withhold applicable taxes from tuition reimbursements that are subject to federal tax regulations.

Restrictions:

► **ACLD will not reimburse employees for the cost of books, supplies, or lab fees.**

TIME OFF (Revised January 2013)

All paid absence, including vacation, sick, floating holidays and personal days are accrued over the course of the calendar year, and it is general policy not to advance time. If, in unusual circumstances the needs of an employee necessitate advancing time to him/her, the written approval of the program director is required. When such time is advanced to an employee, the employee will be required to sign a written statement authorizing the deduction of any advanced time from his/her final pay should his/her employment cease prior to accruing the advanced time.

CALCULATION OF AVAILABLE TIME OFF

The following general guidelines apply to each of the paid time off policies:

Time off entitlement for full-time and part-time employees have been established through the use of an accrual system and are calculated using an employee's regularly scheduled work-week as a basis for determining available time. In general, days off are earned by using one-fifth of the employee's regularly scheduled work-week as a basis. Thus, one "day" for purposes of calculating time off is defined as one-fifth of an employee's regularly scheduled work week. The one-fifth rule calculation applies to vacation, sick, personal and floating holidays.

An example of using the one-fifth calculation with a full-time employee working a forty-hour (40) week the employee would receive eight (8) hours for a day off. An employee working thirty-five (35) hours would receive seven (7) hours for a day off. An employee regularly scheduled for twenty (20) hours per week would receive four (4) hours even if the employee's actual schedule varies from day to day or the employee works extra hours. The calculation is utilized by dividing an employee's scheduled hours by five (5), whether or not the employee has a five (5) day workweek. To clarify, the denominator (5) in the formula will not be affected or changed if an employee works more or less days in a work-week in his/her program or in another program. Temporary or intermittent leave hours are not considered when calculating available time off.

Birthday time off is not accrued. During an employee's fifth calendar year with ACLD, the employee will be eligible to take his/her birthday as an extra day off. Employees should take the day off for their birthday on the actual day or the working day closest to the birthday, with supervisory approval. Employees will be paid for their regularly scheduled hours on the day taken as their birthday. (SOP 5.21.8).

Accrual schedules have been established to identify specific entitlements for eligible employees and should be referred to for clarification. Merely working more hours does not change an employee's entitlement to time off. Changes in an employee's regularly scheduled hours per week are made through the Human Resources Department with the use of a Payroll Change Notice (PCN).

If, at any time, an employee becomes ineligible for time off benefits, but remains an active employee of the Agency, accrued unused time off benefits will be paid to the employee as indicated in the Time Off policies using the Cessation of Employment guidelines.

Employees on an unpaid leave of absence will not accrue time off. Employees whose unpaid leave of absence commences before the middle of the pay period will not earn time off for that pay period. Employees whose paid leave of absence commences on or after the middle of the pay period will earn time off for that pay period, not in excess of the amounts and maximums described in the "ACLD Time Off Entitlement Chart".

CLOSINGS DUE TO BUSINESS REASONS (Effective January 1, 2013)

ACLD may close a program for one or more days for business reasons. The Agency reserves the right to require non-exempt employees affected by the closing to use their accrued time including but not limited to the use of floating, holiday, personal, and/or vacation time.

Non-exempt employees who do not have accrued time will not be paid for the days of the mandatory closing.

Exempt employees may be required to report to work when a program is closed. Exempt employees may have the option to take the day(s) off by utilizing accrued time.

CLOSINGS FOR EMERGENCY (Effective January 1, 2013)

Employees in programs that are closed due to an emergency may be required to report to a specific location to be deployed to other programs (such as Residential) that must remain open. Employees who are deployed will be required to provide relief to other employees.

For more information regarding closing due to Inclement Weather or other emergencies, refer to SOP 5.27.

VOLUNTARY VACATION DONATION BANK

The Voluntary Vacation Donation Program permits ACLD employees with one or more years of service to donate accrued vacation and/or personal time into a Vacation Donation Bank for the use of other ACLD full-time or part-time employees in need. Employees who receive donated time from the Donation Bank may receive no more than ten (10) days in a rolling twelve (12) month period. An ACLD employee may donate a minimum of seven (7) hours based on the donor's work schedule and a maximum of two (2) days.

Employees wishing to donate unused accrued vacation and/or personal time to the Vacation Donation Bank as well as employees who are seeking donated time can obtain information from their supervisor or the Human Resources Department.

VACATION TIME (Revised June 2019)

ACLD's vacation plan is designed to provide employees with the opportunity to be away from the traditional work routine. Vacation is calculated based on length of service.

ELIGIBILITY FOR VACATION TIME

Employees in Children's Services who work forty-eight (48) weeks are not eligible for vacation time other than the time included as part of the school calendar. These employees will be eligible to take vacation time only when the school is not in session.

Eligibility for Vacation Time for Twelve-Month Employees:

Status	Eligibility
<i>Full time 35 or more hours per week</i>	<i>see chart below</i>
<i>Part Time hired before Sept. 1, 1994</i>	<i>Eligible pro-rated if scheduled 7 - 19 hours</i>
<i>Part Time hired on/after Sept. 1, 1994</i>	<i>Eligible pro-rated if scheduled for 20-34 hours</i>

Please refer to the "Summary of Paid Time Off Vacation Chart" on the next page to determine vacation time entitlements for eligible employees. Working more hours per week does not change one's vacation entitlement. Changes in employees regularly scheduled hours per week are processed through the Human Resources Department through a Payroll Change Notice.

SUMMARY OF PAID TIME OFF VACATION CHART FOR 12 MONTHS EMPLOYEES

Eligible Employees hired prior to January 1, 2014	Eligible Employees hired on or after January 1, 2014 and through to December 31, 2015	Eligible Employees hired on or after January 1, 2016
<p>First Year: <u>Exempt and non-exempt</u></p> <p>Hired between January 1 and March 31 one (1) week after six (6) months and one (1) week after nine (9) months; total of two (2) weeks - ten (10) days.</p> <p>Hired between April 1 and June 30 one (1) week after six (6) months, total of one (1) week - five (5) days.</p> <p>Hired after June 30 no vacation time in the first year.</p>	<p>First Year: <u>Exempt</u></p> <p>Hired between January 1 and March 31 one (1) week after six (6) months and one (1) week after nine (9) months, total of two (2) weeks - ten (10) days.</p> <p>Hired between April 1 and June 30 one (1) week after six (6) months, total of one (1) week - five (5) days.</p> <p>Hired after June 30 no vacation time in the first year.</p> <p>First Year: <u>Non-exempt</u></p> <p>Hired between January 1 and June 30 one (1) week after six (6) months.</p> <p>Hired after June 30 no vacation time in the first year.</p>	<p>First Year: <u>Exempt</u></p> <p>Eligible employees may accrue vacation time up to a maximum of ten (10) days.</p> <p>First Year: <u>Non-exempt</u></p> <p>Eligible employees may accrue vacation time up to a maximum of five (5) days.</p> <p>First Year Director Level and Above</p> <p>Eligible to accrue up to a maximum of four (4) weeks within the first year of employment in accordance with the "Time Off Entitlement Chart" and four (4) weeks in subsequent years.</p>
<p>Second Year:</p> <p>Eligible <u>exempt</u> and <u>non-exempt</u> employees may accrue vacation time up to a maximum of fifteen (15) days.</p>	<p>Second Year:</p> <p>Eligible <u>exempt</u> employees may accrue vacation time up to a maximum of fifteen (15) days.</p> <p>Eligible <u>non-exempt</u> employees may accrue vacation time up to a maximum of ten (10) days.</p>	<p>Second Year:</p> <p>Eligible <u>exempt</u> employees may accrue vacation time up to a maximum of fifteen (15) days.</p> <p>Eligible <u>non-exempt</u> employees may accrue vacation time up to a maximum of ten (10) days.</p>
<p>Third Year:</p> <p>Eligible <u>exempt</u> employees may accrue vacation time up to a maximum of twenty (20) days.</p> <p>Eligible <u>non-exempt</u> employees may accrue vacation time up to a maximum of fifteen (15) days.</p>	<p>Third Year:</p> <p>Eligible <u>exempt</u> employees may accrue vacation time up to a maximum of fifteen (15) days.</p> <p>Eligible <u>non-exempt</u> employees may accrue vacation time up to a maximum of ten (10) days.</p>	<p>Third Year:</p> <p>Eligible <u>exempt</u> employees may accrue vacation time up to a maximum of fifteen (15) days.</p> <p>Eligible <u>non-exempt</u> employees may accrue vacation time up to a maximum of ten (10) days.</p>
<p>Fourth Year:</p> <p>All eligible <u>exempt and non-exempt</u> employees may accrue vacation time up to a maximum of twenty (20) days.</p>	<p>Fourth Year to Ninth Year:</p> <p>Eligible <u>exempt</u> employees may accrue vacation time up to a maximum of twenty (20) days.</p> <p>Eligible <u>non-exempt</u> employees may accrue vacation time up to a maximum of fifteen (15) days.</p>	<p>Fourth Year to Ninth Year:</p> <p>Eligible <u>exempt</u> employees may accrue vacation time up to a maximum of twenty (20) days.</p> <p>Eligible <u>non-exempt</u> employees may accrue vacation time up to a maximum of fifteen (15) days.</p>
<p>Fifth Year:</p> <p>All eligible <u>exempt and non-exempt</u> employees may accrue vacation time up to a maximum of twenty (20) days.</p>	<p>Fourth Year to Ninth Year:</p> <p>Eligible <u>exempt</u> employees may accrue vacation time up to a maximum of twenty (20) days.</p> <p>Eligible <u>non-exempt</u> employees may accrue vacation time up to a maximum of fifteen (15) days.</p>	<p>Fourth Year to Ninth Year:</p> <p>Eligible <u>exempt</u> employees may accrue vacation time up to a maximum of twenty (20) days.</p> <p>Eligible <u>non-exempt</u> employees may accrue vacation time up to a maximum of fifteen (15) days.</p>
<p>Tenth Year and All Subsequent Years:</p> <p>All eligible <u>exempt and non-exempt</u> employees may accrue vacation time up to a maximum of twenty (20) days.</p>	<p>Tenth Year and All Subsequent Years:</p> <p>Eligible <u>exempt and non-exempt</u> employees may accrue vacation time up to a maximum of twenty (20) days.</p>	<p>Tenth Year and All Subsequent Years:</p> <p>Eligible <u>exempt and non-exempt</u> employees may accrue vacation time up to a maximum of twenty (20) days.</p>

WHEN VACATION TIME CAN BE TAKEN – ALL PROGRAMS EXCLUDING RESIDENTIAL, DAY and NURSING

After successful completion of the 90-day orientation period, vacation time can be taken once it has been accrued. Vacation time should be requested in writing, at least two (2) weeks in advance, with approval from the employee’s supervisor. The Agency will endeavor to grant vacation requests. Each Program/Department may establish an approval procedure based on business needs which could result in denial of vacation requests. Unauthorized/unapproved time off will be subject to disciplinary actions up to and including termination of employment. The procedure for the Residential Program and the Nursing Department are listed below:

RESIDENTIAL PROGRAM & NURSING DEPARTMENT PROCEDURE FOR VACATION TIME

After successful completion of the 90-day orientation period, vacation time can be taken once it has been accrued. Vacation time must be requested in writing and supervisory and Director’s (when necessary) approval obtained based on the following:

Residential Program & Nursing Department Vacation Procedure:

Number of Days Requested	Number of Weeks Required for Notice	Approval Required
<i>4 days or less</i>	<i>2 weeks</i>	<i>Supervisor</i>
<i>5-9 days (consecutive)</i>	<i>4 weeks</i>	<i>Supervisor</i>
<i>10 or more (consecutive)</i>	<i>6 weeks</i>	<i>Supervisor & Residential Director</i>

DAY PROGRAM

After successful completion of the 90-day orientation period, vacation time can be taken once it has been accrued. Vacation time of ten (10) or less consecutive days must be requested through the Time Management System in ADP at least two (2) weeks in advance for approval from the employee’s supervisor. Requests for time off of more than ten (10) consecutive work days must follow the schedule and approval process listed below. Decisions will be made based on program needs, frequency of requests and time of year.

Day Program Vacation Procedure:

Number of Days Requested	Number of Weeks Required for Notice	Approval Required
<i>10 days or less</i>	<i>2 weeks</i>	<i>Supervisor</i>
<i>11 - 14 consecutive days</i>	<i>4 weeks</i>	<i>Supervisor & Director</i>
<i>15 or more consecutive days</i>	<i>2 months</i>	<i>Supervisor & Director</i>

VACATION CARRY-OVER – ALL ELIGIBLE EMPLOYEES

Employees may carry a maximum of two (2) weeks of earned unused vacation time (balance as of 12/31) into the next year without having to obtain supervisory approval. Requests to carryover more than two (2) weeks require the written approval of the Executive Director.

The maximum of two (2) weeks of unused vacation time that has been carried over into the next year must be used by 12/31 of that year, based on Payroll processing procedure or it will be forfeited.

For example: Employee’s weekly scheduled hours are 35; maximum carry over is 70 hours. The employee’s vacation balance as of 12/31/2020, is 77 hours. On 1/1/2021, the carried over vacation hours will reflect 70 hours (35 weekly x 2), 7 hours are lost, which can be donated to the vacation bank. The 70 hours carried over from 2020 to 2021, must be used by 12/31/2021.

ACCRUED UNUSED VACATION TIME UPON CESSATION OF EMPLOYMENT

Voluntary Resignation Or Termination For Business Reasons:

Exempt and nonexempt employees who meet the following criteria will be eligible to be paid all their unused accrued time upon cessation of employment:

- When they resign and give a minimum of the required two weeks’ notice
- When they are separated from ACLD due to a re-organization or other business related reasons

Employees who depart before the middle of the pay period will not earn vacation time for that pay period. Employees who depart on or after the middle of the pay period will earn vacation time for the pay period not in excess of the amounts and maximum described above.

Unused Accrued Vacation Time Will Not Be Paid For The Following:

Involuntary Separation

- Exempt and nonexempt employees who are discharged for reasons including but not limited to the categories listed in the Standards of Conduct policy in the Employee Handbook will not be eligible to be paid their accrued unused vacation time upon cessation of employment.
- Exempt and nonexempt employees who give less than the two weeks required notice will not be paid for all accrued unused vacation time upon cessation of employment

EMPLOYEES TRANSFERRING TO PER DIEM

Employees transferring to Per Diem from a position that accrued vacation time will be paid their accrued unused vacation time on the pay period after their transfer.

TIME OFF ENTITLEMENT CHART (Revised December 2020)

ACLD TIME OFF ENTITLEMENT CHART TIME OFF ACCRUED EACH PAYPERIOD						
PAYS PER YR>	VACATION				PERSONAL	
	26 1 WEEKS 5 DAYS/YR	26 2 WEEKS 10 DAYS/YR	26 3 WEEKS 15 DAYS/YR	26 4 WEEKS 20 DAYS/YR	24 11 MONTH 3 DAYS/YR	26 12 MONTH 4 DAYS/YR
WKLY HRS						
7	0.27	0.54	0.81	1.08	0.18	0.22
8	0.31	0.62	0.92	1.23	0.20	0.25
9	0.35	0.69	1.04	1.38	0.23	0.28
10	0.38	0.77	1.15	1.54	0.25	0.31
11	0.42	0.85	1.27	1.69	0.28	0.34
12	0.46	0.92	1.38	1.85	0.30	0.37
13	0.50	1.00	1.50	2.00	0.33	0.40
14	0.54	1.08	1.62	2.15	0.35	0.43
15	0.58	1.15	1.73	2.31	0.38	0.46
16	0.62	1.23	1.85	2.46	0.40	0.49
17	0.65	1.31	1.96	2.62	0.43	0.52
18	0.69	1.38	2.08	2.77	0.45	0.55
19	0.73	1.46	2.19	2.92	0.48	0.58
TO BE ELIGIBLE FOR ABOVE - HIRE DATE MUST BE PRIOR TO 9/1/94						
20	0.77	1.54	2.31	3.08	0.50	0.62
21	0.81	1.62	2.42	3.23	0.53	0.65
22	0.85	1.69	2.54	3.38	0.55	0.68
23	0.88	1.77	2.65	3.54	0.58	0.71
24	0.92	1.85	2.77	3.69	0.60	0.74
25	0.96	1.92	2.88	3.85	0.63	0.77
26	1.00	2.00	3.00	4.00	0.65	0.80
27	1.04	2.08	3.12	4.15	0.68	0.83
28	1.08	2.15	3.23	4.31	0.70	0.86
29	1.12	2.23	3.35	4.46	0.73	0.89
30	1.15	2.31	3.46	4.62	0.75	0.92
31	1.19	2.38	3.58	4.77	0.78	0.95
32	1.23	2.46	3.69	4.92	0.80	0.98
33	1.27	2.54	3.81	5.08	0.83	1.02
34	1.31	2.62	3.92	5.23	0.85	1.05
35	1.35	2.69	4.04	5.38	0.88	1.08
36	1.38	2.77	4.15	5.54	0.90	1.11
37	1.42	2.85	4.27	5.69	0.93	1.14
38	1.46	2.92	4.38	5.85	0.95	1.17
39	1.50	3.00	4.50	6.00	0.98	1.20
40	1.54	3.08	4.62	6.15	1.00	1.23

Floating holidays – 12-month employees are eligible for three (3) floating holidays per year. Each day is equal to 1/5 of your scheduled workweek. These days are accrued on the first day of the month in January, May and September.

Forty-eight (48) week employees are not eligible for floating holidays.

Employees who work at the Children's Services Program will earn personal time based upon 48 weeks or 24 pay periods.

Effective 9/30/2020 employees will accrue one hour of sick time for every thirty (30) hours worked; the time can be taken starting 1/1/2021.

SICK TIME (Revised May 2021)

It may become necessary for employees to be absent from work due to personal illness or injury. Sick time must be used for the employee's own injury or illness, including pre-scheduled medical, dental, and vision procedures, except as stated in the Family and Medical Leave and/or Personal Leave policies (SOP 5.62.1 and SOP 5.62.3). Effective January 1, 2021, a limited amount of sick time may be used for the additional reasons provided below.

SICK TIME ACCRUAL:

All Departments/Programs:

As of December 31, 2020, employees will accrue sick time up to a maximum of fifty-six (56) hours per calendar year. Effective September 30, 2020 employees will accrue one hour for every thirty (30) hours worked that can be taken as of January 1, 2021 as described in the NYS Labor Law 196-B. Employees who either have been adjusted on their accrual or have not accrued previously will earn no more than 56 hours of sick time in the designated calendar year. ACLD's calendar year will be from January 1 through December 31. Any employee absence that is covered under the reasons listed in this policy for sick time must utilize their sick accruals if already accrued.

WHEN SICK TIME CAN BE TAKEN

Accrued sick time can be taken after the employee has successfully completed the initial orientation period, except that effective January 1, 2021 employees who have worked a minimum of thirty (30) hours beginning September 30, 2020 shall be entitled to take sick time accrued on and after this date. Sick time can only be used in increments of fifteen (15) minutes.

REASONS SICK TIME CAN BE TAKEN PURSUANT TO NYS LABOR LAW 196-B

Effective January 1, 2021, employees may use up to fifty-six (56) hours of accrued sick time per year for any of the following reasons:

1. For the employee's or the employee's family member's mental or physical illness, injury, or health condition, regardless of whether such illness, injury or health condition has been diagnosed or requires medical care at the time the employee requests the sick time. For purposes of use of sick time only, a family member includes a child, spouse, domestic partner, parent, sibling, grandchild, grandparent, and the child or parent of an employee's spouse or domestic partner;
2. For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition of the employee or the employee's family member, or the need for medical diagnosis of, or preventive care for, such a condition.
3. For an absence from work due to any of the following reasons when the employee or employee's family member has been the victim of domestic violence, a family offense, sexual offense, stalking, or human trafficking (all as defined by law):
 - To obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - To participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
 - To meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in, a criminal or civil proceeding;
 - To file a complaint or domestic incident report with law enforcement;
 - To meet with a district attorney's office;
 - To enroll children in a new school; or
 - To take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee, except that a person who has committed the domestic violence, family offense, sexual offense, stalking, or human trafficking is not eligible for leave any of these purposes.
4. Once employees have exhausted up to fifty-six (56) hours of sick leave accumulated pursuant to NYS Labor Law 196-B during any year, they may only utilize any remaining sick leave in that year for their own illness or injury.

MEDICAL CERTIFICATION

In all cases of absence due to illness or injury for three (3) or more consecutive days, employees are required to submit a doctor’s note to the Human Resources Representative clearing them to return to work. ACLD also may request that an employee provide suitable documentation supporting the reason for the employee’s absence and/or a certification by the employee that the absence was for one of the above stated reasons before payment of sick time for one (1) or more days.

ACCRUED UNUSED SICK TIME

Employees will be allowed to carry over unused sick time from year to year. There will be no maximum amount of unused sick time that can be carried over from year to year in either a full or part time position (20 hours or more). Employees moving to a per diem status or less than twenty (20) hours refer to section called “Employees Transferring to Per Diem or less than Twenty Scheduled hours”.

ACCRUED UNUSED SICK TIME UPON CESSATION OF EMPLOYMENT

Accrued but unused sick time will be paid out upon termination as outlined in the chart below to exempt and non-exempt employees: (1) who resign after providing and working through the minimum notice period required by ACLD policies, or those (2) who are separated due to a reorganization, position elimination, or other similar business-related reasons. Eligible employees who depart before the middle of the pay period will not accrue sick time for that pay period. Eligible employees who depart on or after the middle of the pay period will accrue sick time for the pay period.

Employees who are terminated by ACLD other than due to a reorganization, position elimination, or other similar business-related reason are not eligible for payout of accrued sick time. Employees who resign with less than the required notice or who do not work out their entire notice period are not eligible for payout of accrued sick time.

Accrued Unused Sick Time Upon Voluntary Cessation of Employment or who are terminated for business reasons

Status	Accrued Sick Time Payment
<i>Non-exempt and Exempt: less than 10 years of service</i>	<i>No payment</i>
<i>Exempt: 10+ years of service</i>	<i>Half accrued sick time up to 15 days</i>
<i>Non-exempt regularly scheduled 20 or more hours: 10+ years of services</i>	<i>Half accrued sick time up to 15 days</i>
<i>Non-exempt regularly scheduled less than 20 hours</i>	<i>No payment</i>
<i>Per Diem</i>	<i>No payment</i>

EMPLOYEES TRANSFERRING TO PER DIEM or LESS THAN TWENTY (20) SCHEDULED HOURS

Non-exempt employees who are regularly scheduled 20 or more hours and have at least ten years of service transferring to either a Per Diem or a part time position (less than 20 hours) who have accrued sick time, will be paid one-half of their accrued unused sick time to a maximum of fifteen (15) days. Sick time hours paid out only apply to hours accrued prior to September 30, 2020.

Exempt employees with ten (10) or more years of service will also be paid one-half of their accrued sick time to a maximum of fifteen (15) days if transferring to either Per Diem or a part time position less than 20 hours. Sick time hours paid out only apply to hours accrued prior to September 30, 2020.

Exempt and Non-exempt employees who transfer to a Per Diem position will maintain New York State’s sick hours that have been accrued on and after September 30, 2020.

PERSONAL TIME (Revised April 2019)

Personal time is available to enable employees to attend to matters outside of the workplace.

HOW MUCH PERSONAL TIME IS EARNED FOR EMPLOYEES EXCLUDING FORTY- EIGHT WEEKS (48) EMPLOYEES IN THE CHILDREN'S PROGRAM

Employees will accrue personal time in proportion to their regularly scheduled work week and in accordance with SOP 5.21.1 "Time Off Entitlement Chart" attached beginning in January, to a maximum of four (4) days per calendar year. Employees whose employment commences prior to the middle of the pay period will earn personal time for that pay period. Employees whose employment commences on or after the middle of the pay period will not earn personal time for that pay period.

Eligibility for Personal Time

Status	Eligibility
<i>Full Time Employees 35 hours or more per week</i>	<i>Eligible</i>
<i>Part Time hired before Sept. 1, 1994</i>	<i>Eligible pro-rated if scheduled 7- 19 hours</i>
<i>Part Time hired on/after Sept. 1, 1994</i>	<i>Eligible pro-rated if scheduled 20 - 34 hours</i>

CHILDREN'S SERVICES

Employees in the Children's Services Program whose position is budgeted for forty-eight (48) weeks schedule will accrue personal time in proportion to their regularly scheduled work week and in accordance with SOP 5.21.1 "Time Off Entitlement Chart" attached over the course of the school calendar, beginning in July, to a maximum of three (3) days per school year.

WHEN PERSONAL TIME CAN BE TAKEN

Personal time is accrued during and can be taken after the completion of the initial 90-day orientation period. Employees are required to submit requests for personal time in writing, in advance to their supervisors. Employees are expected to schedule personal time to conform to both personal and Agency needs and should plan adequately to use their personal time by the end of the calendar year. Employees in the Children's Services Program whose position is budgeted for a forty-eight (48) weeks schedule must use these days by June, the end of the school year.

Time off requests for more than one consecutive day off that uses a combination of personal, vacation and/or floating holiday must follow the guidelines established by the employee's Program/Department. For example, a residential employee requesting four days off using one personal day, two vacation days and one floating holiday will need to submit the request for approval two weeks in advance to his/her supervisor.

RESIDENTIAL PROGRAM & NURSING DEPARTMENT PROCEDURE FOR PERSONAL TIME

Requests to use one (1) Personal day must be submitted at least twenty-four (24) hours in advance if applicable. When a request for personal time is combined with other accrued time, refer to the vacation guidelines.

ACCRUED UNUSED PERSONAL TIME

- a) Exempt employees may carry forward accrued unused personal time into the next calendar year, converting it to sick time.
- b) Non-exempt employees may carry forward accrued unused personal time into the next calendar year, converting it to sick time.

ACCRUED UNUSED PERSONAL TIME UPON CESSATION OF EMPLOYMENT FOR EMPLOYEES WHO RESIGN AND GIVES THE REQUIRED MINIMUM TWO-WEEKS' NOTICE

- a) Exempt employees will not be paid for accrued unused personal time upon separation of employment.
- b) Non-exempt employees will be paid for one-half of their accrued unused personal time earned that calendar year upon cessation of employment.
- c) Unused personal time for exempt and non-exempt employees in the Children's Services Program will be converted to sick time if not used by June, the end of the school year.

ACCRUED UNUSED PERSONAL TIME FOR EMPLOYEES WHO DO NOT GIVE THE REQUIRED MINIMUM TWO-WEEK'S NOTICE AND EMPLOYEES WHO ARE DISCHARGED

All employees (exempt and non-exempt) who do not give the required notice and those discharged for legal reasons including but not limited to the categories listed in the Standards of Conduct policy in the Employee Handbook will not be eligible to be paid their accrued unused sick time upon cessation of employment.

EMPLOYEES TRANSFERRING TO PER DIEM

Non-exempt employees transferring to Per Diem from a position that accrued personal time will be paid one half of their accrued personal time.

AGENCY DESIGNATED HOLIDAYS (Revised October 2017)

ACLD recognizes eight (8) paid holidays per calendar year. The following holidays will normally be observed as ACLD designated paid holidays; New Years' Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, the day after Thanksgiving and Christmas.

Eligibility: Regular full-time and regular part-time employees, who are regularly scheduled to work twenty (20) or more hours per week, are eligible to receive holiday pay for time not worked on Agency designated holidays. (*Part-time employees hired prior to September 1, 1994 who are regularly scheduled to work seven (7) or more hours per week are eligible for holiday pay for time not worked on Agency designated holidays.*) Part-time employees' holiday eligibility will be determined on a pro-rated basis according to their regularly scheduled hours. Employees, who have multiple positions within the agency, will only be eligible for holiday pay for time not worked in their additional position(s), if they are scheduled to work twenty (20) or more hours, in the additional position(s).

All ACLD employees who work on an Agency designated holiday are eligible to receive holiday pay for hours worked on the holiday.

Eligibility for Agency designated holidays begins with commencement of employment; there is no waiting period.

In the fourth quarter of each year, Human Resources will prepare, distribute and post the Agency Designated Holiday Calendar for the following year.

Employees Working on an Agency Designated Holiday

When an employee works on an agency holiday, the employee will be paid as follows:

Non-exempt employees will be paid their regular hourly rate for all hours worked on the holiday plus holiday pay equal to one (1) times their hourly rate for all hours worked on the holiday. Non-exempt employees who receive holiday pay for working on an Agency designated holiday will not be entitled to an additional day off for working the holiday.

Non-exempt employees who are not normally scheduled to work on the holiday who are required to work on the holiday due to emergencies or to provide assistance to the people supported by ACLD, will be paid for their entire budgeted hours if they worked less than their normal schedule. These employees will be eligible for holiday pay and will not be entitled to an additional day off for working the holiday. Job titles that fall into this category would be job coach, maintenance, etc.

Exempt employees will be paid their regular salary and will be given an additional day off which is to be used within 90 days of the holiday worked.

Employees Not Working on an Agency Designated Holiday

When an Agency holiday falls on the regularly scheduled workday of an employee, and the employee does not work on the holiday, the employee will be paid his/her regular earnings for the hours he/she is normally scheduled to work.

Employees who are not regularly scheduled to work on an agency designated holiday (holiday falls on a regularly scheduled day off) and do not work on such holiday, will receive a day off in lieu of the holiday. This day must be used within ninety (90) days.

Day off In Lieu of Holiday

Employees must take all days off received in lieu of a holiday within ninety (90) calendar days of the associated holiday, and must receive supervisory approval prior to using such day. Unused days off received in lieu of a holiday will not be paid to employees upon cessation of employment.

Specific Program/Department Holiday Pay Guidelines

Residential Programs

Agency designated holidays for the Residential Program will commence with the beginning of the overnight shift on the eve of the holiday and will continue through the end of the afternoon shift on the day of the holiday. For example, if the group home's shifts run 11:00 pm to 7:00 am; 7:00 am to 3:00 pm and 3:00 pm to 11:00 pm, the Agency holiday will begin at 11:00 pm on the eve of the holiday and will end at 11:00 pm on the day of the holiday. Employees will receive holiday pay according to the guidelines stated in this policy for all hours worked during this 24-hour time period. If an employee will be absent for a scheduled shift during an Agency holiday he/she will be required to provide a minimum of twenty four (24) hours notification to his/her supervisor. Employee's in Residential who require time off during an Agency designated holiday must follow the Residential procedures for a time off request. (Refer to SOP 5.21.1)

Children's Services

Children's Services employees who work a forty-eight (48) weeks schedule will be eligible for Agency designated holidays that fall within the forty-eight (48) weeks school calendar. Children's Services follow a school district calendar and is closed on various holidays throughout the school year. Children's Services employees who work a 12-month schedule will be eligible for all designated holidays according to the guidelines stated in this policy.

Employees who are regularly scheduled to work on a school district holiday, that is not an Agency designated holiday, will be paid their regular earnings for the hours they are regularly scheduled to work.

Employees who are not regularly scheduled to work on a school holiday, that is not an Agency designated holiday, will not be paid for the school district holiday and will not be entitled to a day off in lieu of the school district holiday.

Bethpage Respite

A separate holiday schedule will be established for the Bethpage Respite Program that better meets the business needs of the program as well as ensuring that employees are entitled to holiday time off that falls within the operating hours of the program. The holiday schedule for each year will be prepared by Human Resources and distributed to Bethpage Respite Employees within the fourth quarter of the preceding year.

Early Office Closing on Holiday Eve

To assist employees in timely and safe travel home prior to major holidays, ACLD will close its offices at 4:00 p.m. All employees are asked to cooperate in making this possible by limiting their lunch break to one half hour. All official Agency designated holidays will be preceded by an early closing. These days are New Years' Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas.

Floating Holidays (Revised April 2019)

Floating holidays are provided to allow employees to observe personal holidays or other days which are not considered Agency designated holidays. Floating holidays are calculated based on the one-fifth rule.

HOW FLOATING HOLIDAYS ARE EARNED

One floating holiday is earned on the first day of each of the following months: January, May, and September for a total of 3 days per year.

Eligibility for Floating Holidays

Status	Eligibility
<i>Full Time Employees 35 or more hours per week</i>	<i>Eligible for three (3) days per year</i>
<i>Part Time hired before Sept. 1, 1994</i>	<i>Eligible pro-rated if scheduled 7 - 19 hours</i>
<i>Part Time hired on/after Sept. 1, 1994</i>	<i>Eligible pro-rated if scheduled 20 - 34 hours</i>

Employees working in the forty-eight (48) weeks Program at Children's Services are not entitled to floating holidays. They are, however, entitled to Agency designated holidays which are determined prior to the beginning of the school year.

WHEN FLOATING HOLIDAYS CAN BE TAKEN

Floating holidays can be taken once they have been accrued and after the completion of the initial 90-day orientation period. Floating holidays must be taken in their entirety and cannot be broken into increments of hours or portions of days.

Employees are required to submit requests for floating holidays in writing, in advance to their supervisors. Employees are expected to schedule their floating holidays to conform to both personal and Agency needs. Employees who fail to plan adequately to use their floating holidays and are, therefore, unable to use all accrued time by the end of the calendar year will lose the right to take the time. Employees will not be paid for unused accrued floating holidays which have not been taken by the end of the year.

TIME OFF REQUESTS

Time off requests for more than one consecutive day off that uses a combination of personal, vacation and/or floating holiday must follow the guidelines established by the employee's program/department. For example, a residential employee requesting four days off using one personal day, two vacation days and one floating holiday will need to submit the request for approval two weeks in advance to his/her supervisor.

RESIDENTIAL PROGRAM & NURSING DEPARTMENT TIME OFF REQUESTS

Requests to use Floating Holidays must be submitted for approval two (2) weeks in advance. When a request for Floating Holiday time is combined with other accrued time, refer to the vacation guidelines.

UNUSED ACCRUED FLOATING HOLIDAYS

Employees are not permitted to carry over accrued unused floating holidays from one year to the next, nor will employees be paid for unused accrued floating holidays.

ACCRUED FLOATING HOLIDAYS UPON CESSATION OF EMPLOYMENT

Employees will not be paid for unused accrued floating holidays upon cessation of employment.

BIRTHDAY (Revised December 2018)

After an employee who is scheduled to work twenty (20) hours or more per week, successfully completes his/her fourth calendar year, and beginning in the employee's fifth calendar year and after, the employee will be entitled to his/her birthday as an extra day off whether or not the employee's birth date comes before or after his/her fifth anniversary date. As an example, an employee is hired September 1, 2006, and has a birthday in May he/she would be eligible in May 2010 (fifth calendar year) for a birthday day off. If possible, employees who qualify for this benefit should consider taking the actual birthday off. However, if the employee's birthday falls on an unscheduled work day the employee may elect to take off either the working day immediately before the birthday or the working day immediately following the birthday. Employees will be eligible to take their birthday off within the pay periods before their birthday and the pay period immediately after their birthday. All birthday requests must be approved by the employee's immediate supervisor or program director. Employees will be paid for their regularly scheduled hours on the day taken as their birthday.

RESIDENTIAL PROGRAM & NURSING DEPARTMENT TIME OFF REQUESTS

Requests to use Birthday time must be submitted for approval two (2) weeks in advance. When a request for Birthday time is combined with other accrued time, refer to the vacation guidelines

An employee on unpaid leave will not be eligible for this benefit.

RELIGIOUS OBSERVANCE

Depending on scheduling and staffing needs, employees are permitted to utilize available personal time, vacation time or a floating holiday for religious observance. If accrued time off has been exhausted, employees may take an unpaid day off. Employees must give written notice to their immediate supervisor and receive approval in advance of the day off.

LEAVES OF ABSENCE (Updated January 1, 2013)

Leaves of absence may be granted to employees and, depending on the circumstances, they may be paid or unpaid. Leaves of absence are generally extended to accommodate employees who encounter unusual or unavoidable circumstances that necessitate an extended period of time away from work.

In all cases of three or more consecutive days of absence due to illness or injury or cases in which a safety or health risk may be present, employees are required to submit a doctor's note to the Human Resources Department at the time the leaves begins. An employee who receives a medical note from his/her medical provider excusing him/her from work must also provide medical certification confirming he/she is able to return to work and the employee's ability to perform the essential functions of the employee's position, with or without reasonable accommodation. ACLD may delay and/or deny job restoration until the employee provides the return to work/fitness for duty certification.

When days away from work are not foreseeable, the Manager **must** notify a Benefits Representative in Human Resources of an employee's absence as soon as possible upon notification from the employee of the need for leave and/or after the third consecutive day away from work in order to begin the leave process. For absences covered under our Family and Medical Leave Policy (FMLA) policy, this policy will apply as well. In addition, and for any use of sick time, ACLD also may request production of a doctor's note prior to payment of sick days.

For regular employees whose work schedule varies from day to day, or consists of nonconsecutive days, the Agency reserves the right, at its discretion, to request a doctor's note at any time prior to the payment of sick time.

Employees must use any personal, vacation and/or floating holiday time upon commencement of an unpaid medical leave. Any use of sick time during a leave, please refer to ACLD leave policies. Employees who are on unpaid leave will not continue accruing paid time (vacation etc.). This includes employees who are receiving income replacement benefits such as short-term disability, workers compensation or New York State paid family leave.

The following section provides an overview of the types of leaves that may be available to employees. Since eligibility and requirements are very detailed and may be subject to continually changing State and Federal regulations, it is recommended that you contact the Human Resources Department for more details.

Family Medical Leave (Revised June 2021)

The Family and Medical Leave Act ("FMLA") is a federal law that allows eligible employees to take up to 12 weeks of unpaid leave from their jobs for certain family or medical reasons, such as the birth or adoption of a child, their own serious health condition that prevents them from working, or to care for a covered family member with a serious health condition. FMLA also entitles eligible employees to take up to 26 weeks of unpaid leave to care for a relative who is a member of the Armed Forces of the United States and who incurs a serious injury or illness in the line of duty (military caregiver leave). Eligible employees will be restored to the same or an equivalent position if they return from leave within the designated time.

Eligibility: If you are an eligible employee under the New York Paid Family Leave Benefits Law ("PFL") and the reason for your leave also is covered under the FMLA, your leave under FMLA will run concurrently (i.e., at the same time) as your leave under PFL. The use of PFL benefits or any other paid leave benefit will not extend the length of an FMLA leave.

To qualify for family or medical leave under this policy, the employee must meet all of the following conditions:

1. The employee must have worked for ACLD for 12 months. The twelve months need not have been consecutive.
2. The employee must have worked at least 1250 hours during the twelve-month period immediately before the date when the leave is requested to begin; and
3. The employee must work in an office or worksite that has 50 or more ACLD employees within 75 miles of that office or worksite.

Eligibility determinations can be made only by the Human Resources Department and are made each time an employee requests FMLA leave for a new purpose.

Eligible employees may take up to twelve (12) work weeks of family/medical leave for any of the following reasons:

1. The birth of the employee's child and in order to care for such child;
2. The placement of a child with the employee for adoption or foster care and in order to care for the newly-placed child;
3. To employee is needed to care for the employee's spouse, child, or parent who has a serious health condition;
4. For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform essential job functions; and/or
5. Because of any "qualifying exigency" arising out of the fact that an employee's spouse, child, or parent is a covered member of the U.S. Armed Forces on covered active duty or has been notified of an impending call or order to active duty status in the National Guard or Reserves in support of contingency operation.

Leave because of reasons "1" or "2" must be completed within the 12-month period beginning on the date of birth or placement.

Definitions:

A "**spouse**" is a lawful husband or wife of the same or opposite sex. Domestic partners of either sex are not covered under federal law.

For reason 1-3 above, a "child" generally is a son or daughter under the age of 18 and includes a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis. Adult children are not covered, even if they are financially dependent on the employee (such as college students), except that a son or daughter age 18 or over who is incapable of self-care because of a disability is covered. For purposes of leave related to a child's military service (reason 4 above and injured servicemember leave discussed below), the son or daughter can be of any age.

A "**parent**" is the biological, adoptive, step, or foster parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child. Parents-in-law are not covered under the FMLA.

A **“serious health condition”** is an illness, injury, impairment or mental or physical condition that requires either:

- An overnight stay in a hospital, hospice, or residential medical facility; or
- Continuing treatment by a health care provider and a period of incapacity (i.e., the inability to work or attend school or perform other usual daily activities).
- In many but not all cases, the medical condition must result in a period of incapacity of more than three (3) full consecutive calendar days. Any period of incapacity may be covered if it is due to pregnancy or prenatal care, a chronic serious health condition, a permanent or long-term condition for which treatment may not be effective, or to receive multiple treatments from a health care provider.

A **“qualifying exigency”** is a situation arising from a military service member’s call or order to covered active duty (as defined below) and may include short-notice deployment, attending certain military events and related activities, arranging for alternative childcare, making certain financial and legal arrangements, attending certain counseling sessions, spending time with a military service member on rest and recuperation leave, and attending post-deployment reintegration briefings.

“Covered active duty” for purposes of a “qualifying exigency” means: (1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and (2) in the case of a member of a Reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a federal call or order to active duty in support of a covered contingency operation.

Additional Military Family Leave Entitlement (Injured Servicemember Leave)

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. An eligible employee who takes leave to care for an injured servicemember and who also takes leave for another FMLA-qualifying reason is limited to a combined total of 26 weeks of leave during a 12-month period.

A “covered servicemember” means a member of the U.S. Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness. A member of the Armed Forces would have a serious injury or illness if he/she has incurred an injury or illness in the line of duty while on active duty in the armed Forces provided that the injury or illness may render the service member medically unfit to perform duties of the member’s office, grade, rank or rating.

The “next of kin” of a covered servicemember means the servicemember’s nearest blood relative (other than the spouse, son, daughter or parent) in the following order: blood relatives who have been granted legal custody, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of injured servicemember leave under the FMLA.

A “serious injury or illness” means:

- in the case of a current member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness incurred by the servicemember in the line of duty while on active military duty, or that existed before the beginning of the servicemember’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, and which may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating; and

- in the case of a covered veteran, an injury or illness that was incurred by the servicemember in the line of duty while on active military duty, or that existed before the beginning of the servicemember's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, and which manifested itself before or after the servicemember became a veteran and is either: (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of his or her office, grade, rank, or rating, or (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) or 50% or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or (3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so without treatment; or (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

A "covered veteran" is an individual who was a member of the U.S. Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the five-year period before the first date the eligible employee takes FMLA leave to care for the covered veteran. An eligible employee must begin leave to care for a covered veteran within five years of the veteran's active duty service, but the "single 12-month period" for leave may extend beyond the five-year period.

A. 12-Month Period; Leave Limits

For leave taken under this policy for reasons other than injured servicemember leave, each eligible employee may take leave for up to twelve (12) workweeks during a rolling twelve (12) month period. For all leave other than injured servicemember leave, this twelve (12) month period is a "rolling year" measured backward from the date the employee's leave begins. ACLD will determine whether an employee has met the length of service and hours requirements by looking back over the 12-month period immediately preceding the requested leave. On each day of the calendar year, an eligible employee's leave entitlement is determined by the amount of leave the employee has used in the 12 months preceding that date and subtracting it from 12 weeks.

For purposes of injured servicemember leave, the "single 12-month period" is measured forward from the first day leave is taken. During the "single 12-month period" an employee's FMLA leave entitlement is limited to a combined total of 26 workweeks of FMLA leave for leave to care for the covered servicemember plus any leave taken for any other qualifying reason.

B. Notice of Leave

If your need for family/medical leave is foreseeable (such as the birth of your child or expected adoption or foster care placement, planned medical treatment, or other anticipated qualifying absence), you must give ACLD at least 30 days prior written notice. If this is not possible, you must give notice as soon as practicable. Usually, this means giving notice the same day you receive notice or the next business day. If you could have given 30 days notice but did not do so, ACLD may delay the beginning of the leave until after 30 days have passed. ACLD also may delay the leave if you had less than 30 days' notice but did not give as much notice as possible.

Additionally, in the case of leave due to planned medical treatment (including follow-up appointments), you must make reasonable efforts to schedule the treatments so as not to unduly disrupt ACLD operations.

Where the need for leave is not foreseeable, you must give as much notice as possible of the need for leave. This means you are expected to notify ACLD the same day you receive notice of the need for leave or the next business day, except in extraordinary circumstances. ACLD may delay the leave if you did not give as much notice as possible.

For leave due to a qualifying exigency, you must provide notice of the leave as soon as practicable, regardless of how far in advance such leave is foreseeable.

All requests for FMLA leave must include enough information for Human Resources to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform job functions, your covered family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. ACLD may ask follow-up questions to determine whether the leave is FMLA-qualifying. If we cannot determine whether the FMLA applies based on the information you provide, the requested leave may be denied. You also must inform ACLD if the requested leave is for a reason for which you previously have been certified to take, or have taken, FMLA leave. This means you must specifically reference either the qualifying reason for the leave or the need for "FMLA leave."

ACLD will respond to the request for leave by providing individual notice of your rights and obligations within five (5) business days or as soon as practicable.

C. Medical Certification

Employees requesting leave because of a serious health condition (their own or that of a covered relative) must supply medical certification from the treating health care provider supporting the need for such leave. If employees provide at least thirty (30) days' notice of medical leave, they should submit the medical certification before leave begins.

Employees may obtain Medical Certification Forms from the Human Resources Department. When employees request leave, ACLD will notify them of the requirement for medical certification and when it is due (within 15 days after the request). If employees provide at least 30 days' notice of medical leave, they should also provide the medical certification before leave begins. While you are obtaining a completed certification from the healthcare provider, ACLD may provisionally designate the leave as FMLA leave. Failure to provide requested medical certification in a timely manner may result in delay or denial of leave.

Employees requesting leave to care for a covered servicemember may provide any of the following: a medical certification from the servicemember's treating health care provider; invitational travel orders (ITOs) or invitational travel authorizations (ITAs) presented by the eligible employee; or documentation of the covered servicemember's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers. As applicable, ACLD also may ask an eligible employee to present a statement of the relationship to the covered servicemember if the employee is requesting leave as "next of kin," or documentation that the veteran's discharge was for reasons other than dishonorable and the date of the discharge.

At its expense, ACLD may require an examination by a second health care provider designated by ACLD concerning the nature, severity, or duration of a serious health condition, the expected frequency of absences, and/or of the employee's need to care for a covered relative. If the second health care provider's opinion conflicts with the original medical certification, ACLD may require the employee to obtain a third, final and binding certification from a health care provider designated or approved jointly by ACLD and the employee. Any third opinion will be at ACLD's expense.

Whenever ACLD requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after ACLD's request, unless it is not practicable to do so despite an employee's diligent good faith efforts. ACLD shall inform employees if the submitted medical certification is incomplete or insufficient and provide the employee at least seven (7) calendar days to cure deficiencies. If an employee does not timely cure deficiencies or otherwise fails to timely submit requested medical certifications, ACLD will delay or deny the requested FMLA leave.

Employees who take intermittent or reduced hours leave may be required to provide periodic re-certification of the continued existence, severity, or duration of a serious health condition, the expected frequency of absences, and/or their continued need to care for a covered relative. Recertification is at the employee's expense and may be requested at reasonable intervals as provided by law. Generally, the Company will not ask an employee to provide recertification more frequently than every 30 days, although in some circumstances recertification may be requested sooner. Employees with long-term or lifelong conditions will be required to recertify at least every six (6) months in connection with an absence.

D. Reporting While On Leave

While you are on leave, you may be required to contact Human Resources periodically regarding your status and intention to return to work. In addition, you must give notice as soon as practicable (within 2 business days if feasible) if your dates of leave change, are extended, or initially were unknown and at least 2 business days' notice before returning to work.

E. Leave Is Unpaid: Requirement to Utilize Paid Time Off

FMLA leave is unpaid leave. However, an employee who has accrued sick, vacation, personal time, or floating holidays will be required to utilize this paid time off during the FMLA leave as follows:

- If you are taking leave because of your own serious health condition, you must use any and all accrued sick time, and then vacation, personal and floating holidays during the leave. NOTE: If you are receiving workers' compensation, or short-term disability benefits, you will not be required to utilize your accrued time. However, you may choose to do so to supplement any paid statutory benefits.
- If you are taking leave for any reason other than your own serious health condition, you must use any and all accrued paid time off that you would otherwise be entitled to use based upon the reason for the leave. For example, if you are on leave for a reason that would entitle you to be paid up to 56 hours of sick time pursuant to the New York State Sick Leave law, you will be required to utilize this paid time off while on the leave. If you would be eligible to utilize vacation, personal or floating holidays for the leave you are taking, you will be required to utilize this paid time off as well.

Any type of paid leave runs concurrently with (i.e., at the same time as) unpaid FMLA. The substitution of paid leave does not extend your FMLA leave period.

Any accrued sick, vacation, personal time and/or floating holiday that is paid to an employee while on leave will be paid on a day-to-day basis via the regular biweekly payroll cycle to substitute unpaid time. Employees will not be paid all accrued time in a lump sum. Employees on unpaid leave will not accrue any additional paid time.

F. Medical and Other Benefits

During an approved FMLA leave, ACLD will maintain your group health insurance benefits under the same terms and conditions as active employees. If you are being paid accrued time in lieu of unpaid FMLA leave, ACLD will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is not being paid through payroll, you must pay your portion of the premium by submitting biweekly premium payments through personal checks or money orders made payable to ACLD and submitted to the Human Resources Department. Premium payments are due on each pay date for which coverage is provided and for which you are not receiving a paycheck from ACLD.

Your health care coverage may end if your premium payment is more than thirty (30) days late. If your payment is more than fifteen (15) calendar days late, we will send you a letter to this effect. If we do not receive your premium payment within fifteen (15) calendar days after the date of the letter, your coverage may end. If you do not return to work for at least thirty (30) calendar days when your leave ends, you will be required to reimburse ACLD for the cost of the health benefit premiums paid by ACLD for maintaining coverage during your leave, unless you cannot return to work because of a serious health condition or other circumstances beyond your control.

If the employee is receiving vacation, sick, floating holiday and/or personal time pay in lieu of unpaid time off, he/she will continue to accrue paid leave benefits as provided by ACLD. An employee on leave will only continue to accrue time off if the employee is being paid for more than half his/her regular scheduled shift.

For example, an employee who is normally scheduled to work 70 hours will need to be paid 35 hours or more in order to continue accruing time off for the next pay period. If this employee is paid for less than 35 hours, he/she will no longer continue accruing time while on leave.

You also will be paid for any ACLD-designated holiday that falls within the paid time off period. During periods of unpaid FMLA leave, employees will not continue to accrue paid leave, consistent with ACLD's policy for all types of unpaid leave.

G. Intermittent and Reduced Schedule Leave

Leave because of a serious health condition (your own or that of a covered family member) may be taken all at once or, if medically necessary, on an intermittent or reduced hours leave schedule. Intermittent leave means leave taken in separate blocks of time rather than all at once; a reduced leave schedule means reducing the usual number of hours per day and/or days per week an employee usually works.

By its very nature, qualifying exigency leave also may be taken on an intermittent basis.

If leave is unpaid, ACLD will reduce your salary based on the amount of time actually worked.

In addition, while the employee is on an intermittent or reduced schedule leave, ACLD reserves the right to temporarily transfer the employee to an available alternative position, which better accommodates the employee's or family member's treatment schedule. Any temporary transfer will be at equivalent pay and benefits.

If you are requesting intermittent leave or a reduced hours work schedule due to your own serious health condition or the serious health condition of a covered relative, ACLD expects you will make reasonable efforts to schedule treatments and appointments so as not to unduly disrupt our operations. You should work with your supervisor and Human Resources to develop a schedule that meets both your needs and the needs of ACLD. Understanding that treatment schedules are subject to the approval of the treating health care provider, if you do not make reasonable efforts to coordinate the treatment schedule with operational needs, ACLD may require you to do so.

The FMLA does not provide for intermittent or reduced hours leave for the birth, adoption, or placement in foster care of a child.

H. Returning From Leave/ Medical Certifications

Employees returning to work from FMLA leaves that were taken because of their own serious health condition must provide ACLD with medical certification confirming they are able to return to work and perform the essential functions of their jobs, with or without reasonable accommodation (and, as applicable, that their condition does not impose an unreasonable risk to health or safety). ACLD may delay and/or deny job restoration until employees provide acceptable return to work/fitness for duty certifications.

The employee may obtain Return to Work/Fitness for Duty Medical Certification Forms from the Human Resources representative.

I. Certification Supporting Need For Leave Related to Military Service

Qualifying Exigency: Upon request, the first time an employee seeks leave due to qualifying exigencies arising out of the active duty or call to active duty status of a covered servicemember, ACLD may require the employee to provide: 1) a copy of the covered servicemember's active duty orders or other documentation issued by the military indicating the covered servicemember is on active duty or call to active duty status and the dates of the active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested; and (3) if applicable, a copy of the covered servicemember's Rest and Recuperation orders or other documentation issued by the military indicating that the covered servicemember has been granted Rest and Recuperation leave and the dates of such leave. Employees must provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different active duty or call to active duty status for the same or a different covered servicemember.

Employee Status After Leave

An employee who takes leave under this policy and is able to return to work within the FMLA period (12 weeks or 26 weeks, as applicable) will be restored to the same position or to an equivalent position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions.

Employees may be permitted to return to work with limitations. If this is the case, medical certification will be required in order to establish that the limitation requires a reasonable accommodation. Please contact Human Resources for guidance.

ACLD may choose to exempt certain highly compensated employees from this requirement and not return them to the same or similar position.

If you do not report to work promptly at the end of the approved leave period and do not contact ACLD, the Agency will assume that you have resigned.

If you will be unable to return to work at the conclusion of FMLA leave, you must request and receive approval to extend FMLA leave (if you have more leave time available) or to remain out of work on a personal leave or as a form of reasonable accommodation for your own serious health condition.

Please contact Human Resources to discuss your situation. You must make a written request for an extended leave as a reasonable accommodation (in the case of the continuation, recurrence, or onset of your own serious health condition) or a written request for a personal leave of absence (if you are caring for a covered family member). You should make this written request as soon as you realize that it may not be possible to return at the expiration of your leave. ACLD may require you to submit medical documentation relating to the requested additional leave.

J. Miscellaneous Provisions

ACLD reserves all rights available to employers under the Family and Medical Leave Act, U.S. Department of Labor regulations, and court interpretations. The policies and guidelines stated in this Family and Medical Leave policy are subject to such other terms and conditions as are provided in the Family and Medical Leave Act of 1993, as amended.

ACLD reserves the right to interpret, modify, and apply this policy, consistent with the FMLA.

ACLD will not discriminate or retaliate against an employee for requesting or taking leave to which the employee is entitled under FMLA. It is unlawful under the FMLA for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA, or to discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to the FMLA. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

An employee on FMLA leave is subject to all generally-applicable changes in policies, procedures, benefits, and other terms and conditions of employment. For example, employees on Family and Medical Leave are subject to any change in or elimination of any benefit plan or insurance premium. Employees on Family and Medical Leave also are eligible for any layoff or reduction in force that occurs during the leave, as if the employee were actively working.

Where state or local family and medical leave laws, ACLD policies, or a collective bargaining agreement offer more protections or benefits to employees, the protections or benefits provided by such laws, policy, or agreement will apply.

Employees who have questions or who would like further clarification about their rights under the FMLA or other types of leave, or about the interpretation or application of this policy should contact Human Resources.

Paid Family Leave (PFL) (Revised June 2021)

ACLD will provide paid leave (up to a certain percentage of weekly wages) to eligible employees pursuant to New York's Paid Family Leave Benefits Law.

In all cases where an employee is eligible for both PFL and leave under the Family and Medical Leave Act (FMLA), these leaves will run concurrently (*i.e.*, at the same time).

Qualifying Purposes for Leave

Eligible employees may request leave for any of the following reasons:

1. To provide care to the employee's Spouse, Domestic Partner, Child, Parent, Parent-in-law, Grandparent, or Grandchild who has a Serious Health Condition;
2. To bond with a Child after the Child's birth or placement for adoption or foster care within the first 12 months after the birth or placement; or
3. Because of any qualifying exigency arising from the fact that an employee's Spouse, Domestic Partner, Child, or Parent is on active duty (or has been notified of an impending call or order to active duty) in the U.S. Armed Forces.

Unlike under the FMLA, an employee may **not** take leave under the PFL due to their own serious health condition.

Eligibility:

To be eligible for this job-protected leave, an employee must:

1. Be regularly-scheduled to work at least 20 hours per week. Eligibility begins after being employed at least 26 consecutive weeks.
2. Be regularly-scheduled to work fewer than 20 hours per week. Eligibility begins after working 175 days in a consecutive 52-week period.

Absences during which the employee is receiving New York State disability benefits are **not** counted as continuous weeks of employment or days worked.

Eligibility for PFL will be determined by ACLD's Disability Insurance Carrier.

Definitions

"Child" means an employee's biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, a son or daughter of a Domestic Partner, or a person to whom the employee stands *in loco parentis*.

"Domestic Partner" means an individual who is at least 18 years of age, who is not related by blood to the employee in a fashion that would bar marriage to the employee in New York, and who is either (1) registered as the employee's domestic partner with the employer of either party, the state, or any county, city, town or village; or (2) an individual who is dependent upon the employee for support, as shown by either unilateral dependence or mutual interdependence, based on a "nexus" of the factors, including but not limited to:

- common ownership of real or personal property;
- common house-holding;
- children in common;
- signs of intent to marry;
- shared budgeting; and
- the length of the personal relationship with the employee.

"Grandchild" means a Child of the employee's Child.

"Grandparent" means a parent of the employee's Parent.

"Parent" means a biological, foster, or adoptive parent, parent-in-law, step-parent, legal guardian, or other person who stood *in loco parentis* to the employee when the employee was a child.

"Providing Care" includes providing necessary physical care, emotional support, visitation, assistance in treatment, transportation, arranging for a change in care, and assistance with essential daily living matters or personal attendant services, and requires that the employee be in close and continuing physical proximity to the care recipient.

"Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves either: (a) an overnight stay in a hospital, hospice, or residential health care facility, or (b) continuing treatment or continuing supervision by a health care provider. "Continuing treatment or continuing supervision by a health care provider" means one or more of the following:

- A period of more than three consecutive, full calendar days during which a qualifying family member is unable to work, attend school, perform regular daily activities, or is otherwise incapacitated due to illness, injury, impairment, or physical or mental conditions, and any subsequent treatment or period of incapacity relating to the same condition, that also involves: (1) treatment two or more times by a health care provider; or (2) treatment on at least one occasion by a health care provider, which results in a regimen of continuing treatment under the supervision of the health care provider.
- Any period during which a qualifying family member is unable to work, attend school, perform regular daily activities, or is otherwise incapacitated due to a chronic serious health condition. A chronic serious health condition is one which: (1) requires periodic visits for treatment by a health care provider; (2) continues over an extended

period of time (including recurring episodes of a single underlying condition); and (3) may cause episodic rather than a continuing period of incapacity. Examples of such episodic incapacity include, but are not limited to, asthma, diabetes, and epilepsy.

- A long-term or permanent period during which a qualifying family member is unable to work, attend school, perform regular daily activities, or is otherwise incapacitated due to an illness, injury, impairment, or physical or mental condition for which treatment may not be effective. The family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include, but are not limited to, Alzheimer's, a severe stroke, or the terminal stages of a disease.
- A period during which a qualifying family member is unable to work, attend school, perform regular daily activities, or is otherwise incapacitated because he or she is receiving treatment (including any period of recovery therefrom) by a health care provider for: (1) restorative surgery after an accident or other injury; or (2) a condition that would likely result in a period of incapacity of more than three consecutive full days in the absence of medical intervention or treatment. Examples include, but are not limited to, cancer (chemotherapy and radiation), severe arthritis (physical therapy), or kidney disease (dialysis).

“Qualifying Exigency” has the same meaning as in the FMLA, and may include the need to address issues arising from short-notice deployment, attending certain military events and related activities, arranging for alternative childcare, providing care for the parents of the service-member who are incapable of active care, addressing certain financial and legal arrangements, attending certain counseling sessions, spending time with a covered service-member who is on a short-term temporary rest and recuperation leave during deployment, attending post-deployment activities.

Length and Nature of Leave

The maximum leave and maximum payment under the PFL are both set by State law. Benefits are based on a percentage of the employee's average weekly wage, up to a maximum set by law based on the New York State average weekly wage.

Protected leave and maximum payments are scheduled to increase on January 1 of each year through January 1, 2021, per the schedule below. If the New York State Department of Financial Services (“DFS”) delays any of the increases described below, ACLD reserves the right to modify its benefit schedule consistent with applicable law.

Employees who take PFL in weekly increments are eligible for the maximum number of weeks of leave, as indicated in the above chart, using a 12-month rolling look-back period.

Employees who take PFL in daily increments are eligible for paid leave based on the average number of days worked per week during the applicable 8-week base period. For example, a part-time employee who works 3 days per week during the base period would be entitled to 30 days of PFL in 2020 (10 weeks x 3 days per week).

An employee is not entitled to be paid for leave under the PFL under the following circumstances, and for any other circumstance outlined in ACLD's PFL certificate of insurance:

- The employee otherwise received full pay for the leave;
- The employee performed any work for pay on that day;
- The employee is receiving workers' compensation benefits;
- The employee is receiving New York State statutory disability benefits;
- The employee does not provide the required notice or certification, as described below; or
- Any other reason permitted by law.

Any period of Paid Family Leave does not count towards work time for purposes of benefits that require specific work hours for eligibility.

For all leave under the PFL, the 12-month period is a “rolling” 12-month period measured backward from each day that leave is taken. Later 12-month periods begin the first time the employee takes PFL leave after completing any previous 12-month period.

Procedures:

You must provide thirty (30) days advance notice to the Human Resources Department of your intent to use paid leave in a foreseeable situation, and to provide the nature of the qualifying event and the anticipated timing and duration of the leave. If the event is not foreseeable, you must notify the Human Resources Department as soon as practicable under the facts and circumstances and within the time prescribed by our usual notice requirements. Usually, this means giving notice the same day you receive notice or the next business day. If you do not provide timely notice, your request for leave may be delayed or denied.

In giving notice, you must provide sufficient information for ACLD's PFL insurance carrier to determine if the leave qualifies for PFL protection and the anticipated timing and duration of the leave. Employees requesting leave must complete and submit a Request for Paid Family Leave Form (PFL-1), along with the appropriate certification form and supporting documentation, to the insurance carrier.

The insurance carrier may deny or partially deny a foreseeable claim that was not delivered to the Human Resources Department at least thirty (30) days prior to the leave request or an unforeseeable claim that was not delivered as soon as practicable.

Once the insurance carrier receives a completed request for PFL leave with the necessary certification, the carrier will either pay or deny the claim within 18 days of receipt of a completed claim.

Employees are not required to use accrued paid time off (vacation, sick, personal or floating holiday) while on PFL. However, should they elect to use their accrued time, ACLD may seek reimbursement from the insurance carrier.

Benefits Continuation

While on approved leave, employees will continue to receive existing group health insurance coverage under the same conditions as active employees, provided that they continue to pay their share of health insurance premiums while on PFL. Group health insurance coverage will end if an employee's premium payment is more than 30 days late. If your health care premium is overdue, ACLD will notify you in writing at least 15 days before coverage is scheduled to end, advising you that coverage will be dropped on a specified date at least 15 days after the date of the letter unless payment has been received by that date.

If group health plan benefits lapse because you have not made the required premium payments, then upon your return from PFL you will be restored to coverage/benefits equivalent to those you would have had if you had not taken PFL and had not missed premium payments.

If you choose not to retain group health plan coverage during PFL leave, then you will be reinstated into the health plan upon your return from leave.

Your use of PFL leave will not result in the loss of any employment benefits that accrued before the start of the PFL leave (unless accrued benefits, such as paid time off, were used during PFL leave). However, you will not accrue any additional benefits or service credit during any period of PFL leave that is not paid through use of accrued leave benefits, unless otherwise required by law.

Periodic Status Reports

While you are on leave, you may be required to contact Human Resources periodically regarding your status and intention to return to work.

Job Restoration

Leave taken under this policy is job protected. Eligible employees who are able to return to work at or before the end of the PFL period generally will be restored to the same position or to a comparable position with equivalent pay, benefits, and other terms and conditions of employment.

Employees working two different jobs for two different employers can waive PFL deduction with one (1) employer, as can an employee who is scheduled to work at least twenty (20) hours per week but will not work for twenty-six (26) consecutive weeks and employees who are scheduled to work less than twenty (20) hours per week but will not work one hundred seventy-five (175) days in a consecutive fifty-two (52) week period.

Limitations and Rules Related to Use of Paid Family Leave

Intermittent PFL is available in **full day increments only**. Employees may not take partial-day leave under the PFL.

Disability benefits and PFL benefits may not be used at the same time. You will not be entitled to paid family leave if your family leave combined with disability benefits previously received exceeds 26 weeks during the same 52 consecutive calendar weeks.

Leave for foster care or adoption may be taken before the actual placement or adoption if the absence is required for the placement or adoption to proceed.

If more than one family member works for ACLD, the Agency may limit PFL usage so that no more one employee may use PFL to care for the same family member at the same time. In that situation, employees may be required to stagger their PFL usage, but all eligible employees will retain their full PFL entitlement.

All PFL leave that also qualifies as FMLA leave will be counted toward both PFL and FMLA leave simultaneously.

Funding of Paid Family Leave Benefits

PFL benefits are provided by ACLD's insurance carrier. Details regarding the terms and conditions of PFL benefits are described in the PFL certificate of insurance.

In accordance with State law, paid leave benefits are funded through payroll deductions at a prescribed amount from each eligible employee. The employee contribution rate is set annually by New York State. Per State law, these payroll deductions are collected from after-tax wages. Once an employee's contributions during the calendar year reach the maximum, no further contributions will be taken for the remainder of the calendar year. Employees on PFL leave must continue to make contributions during the PFL leave.

Employees who are ineligible for paid family leave will be given the option of filing a waiver of benefits, exempting them from payroll deductions. By law, only the following employees have the ability to opt out of PFL benefits:

- Employees who are regularly scheduled to work 20 hours or more per week, but who will not work 26 consecutive weeks (such as seasonal employees); or
- Employees who are regularly scheduled to work fewer than 20 hours per week and will not work 175 days in a 12-month consecutive period.

Employees who are eligible to waive PFL benefits and wish to do so must file a waiver form with Human Resources. Employees who file a waiver form will not make any contributions for PFL benefits and will not be eligible to receive PFL benefits. If the schedule of an employee who has waived PFL benefits changes such that it is anticipated that the employee will become eligible to receive PFL benefits, the waiver will be revoked and the employee must start making contributions on a going-forward basis and must pay retroactive contributions to the earlier of the employee's date of hire or January 1, 2018.

Anti-Retaliation; Non-Discrimination; Federal, State, and Local Laws

ACLD will not retaliate against an employee for requesting, using, or attempting to use leave under this policy.

The PFL does not affect any federal, state, or local law prohibiting discrimination or retaliation, or supersede any federal, state, or local law or collective bargaining agreement that provides greater family or medical leave rights. Employees covered by the PFL and any applicable federal, state, or local leave law or collective bargaining agreement will receive the greater benefit. However, there will be no duplication of leave or benefits.

The policies and guidelines stated in this policy shall be subject to such other terms and conditions as are provided in the Family and Medical Leave Act of 1993, the New York State Paid Family Leave Benefits Law, their respective implementing regulations, and any other applicable federal, state, and local leave laws, and the PFL certificate of insurance or governing plan documents.

ACLD will not interfere with, restrain, or deny the exercise of any right provided under PFL; or discharge or discriminate against any person for opposing any practice made unlawful by PFL or for involvement in any proceeding under or relating to these statutes.

MEDICAL LEAVE

Depending upon the circumstances, medical leave may be available to employees who do not qualify for or who have exhausted their policy. Please contact a benefits representative in the Human Resources Department for more information.

Employees must use any accrued sick, personal, vacation and/or floating holiday time upon commencement of an unpaid medical leave.

PERSONAL LEAVE

A leave of absence may be granted at ACLD's discretion for legitimate non-medical personal reasons for employees who have completed the orientation period. Such leaves are without pay, although accrued vacation, personal time and floating holidays must be substituted for unpaid time off. Any use of sick time during a personal leave would be reviewed by an HR professional in order to ensure it meets the New York State Sick Leave standard. Approved personal leaves are for a maximum of 30 days in a rolling 36-month period.

JURY SERVICE

Employees selected for jury duty will receive full pay for the first three days of jury service that falls when the employee was scheduled to work upon submission of the proper documentation to the Agency. After the third day of service, ACLD will reimburse the difference between the jury duty pay and your regular salary for up to 12 days. ACLD will reimburse for those hours of jury service that directly conflict with your normal working hours.

You should notify your program supervisor and the Payroll Department as soon as you receive notice that you have been called for jury duty. You must also notify your program supervisors with the official notice that you have received from the court.

MILITARY LEAVE

ACLD is committed to protecting the employment rights of employees serving in the armed forces. In accordance with federal and state law, it is ACLD's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or an adverse employment action because such person has exercised his or her rights under this policy. If any employee believes that he or she has been subjected to discrimination in violation of this policy, the employee should immediately contact the Director of Human Resources.

Written details of any military service commitments you may have should be sent to the Human Resources Department. Duty orders should be submitted upon receipt from the military. Please contact Human Resources regarding an employee's rights.

Bereavement Leave (Revised June 2019)

ACLD offers bereavement leave to provide a time for mourning after the loss of an immediate family member. An eligible employee may take up to three (3) consecutive working days of paid leave for a death in the immediate family. Leave must be taken within a reasonable timeframe of the family member's death. The immediate family includes: spouse, child, mother, father, or legal guardian, sister, brother, mother and father-in-law, grandparent, grandparent-in-law, or step family member.

ACLD also offers one (1) working day of bereavement leave to eligible employees for the loss of an aunt or uncle.

ACLD reserves the right to request documented proof of the death, including but not limited to the original death certificate in order to receive the bereavement benefit. Eligible to all regular full-time and regular part-time employees.

WORKERS' COMPENSATION

If you should suffer a work-related injury or disease, you may receive benefits through ACLD's Workers' Compensation Policy, which is paid for entirely by the Agency. This program provides for payment of medical expenses and compensation payments.

If you are unable to complete the workday because of a work-related injury, you will be paid for the balance of the regular workday.

If you request a leave because of your own serious health condition, any accrued sick time must first be substituted for unpaid time. Accrued personal time, vacation time and floating holidays must be taken after accrued sick time is exhausted. **NOTE: If you are receiving workers' compensation payments, you will not be required to take your accrued personal time, vacation time and floating holidays but may choose to do so.**

If you are injured, you must notify your immediate supervisor and the Human Resources Department immediately. If you are injured during a weekend, you must notify your supervisor and the Human Resources Department as soon as possible, but no later than 48 hours after the accident. Human Resources will refer you for medical treatment. After receiving medical treatment, you must contact a benefits representative in the Human Resources Department to complete the necessary Workers' Compensation forms to assure proper payment for medical expenses and compensation for time lost. If you are unable to return to work, you should contact the Human Resources Department as soon as possible so that arrangements may be made to have the proper forms sent home.

If, as a result of an injury, you require a medical leave of absence, you may be eligible for leave under one of ACLD's Leave of Absence policies. Please contact the Human Resources Department with any further questions.

Statutory Short Term Disability (STD)

New York State provides for the payment of benefits to employees who become disabled because of injuries or sicknesses, which have no connection to their employment. Short Term Disability (sometimes referred to herein as "STD") benefits are paid for off-the-job injury, sickness and for disabilities arising from a pregnancy. These benefits go into effect after the seventh consecutive calendar day of disability. Employees are eligible for the state mandated amounts for the first six months of disability in accordance with state law.

Employees receiving short term disability will first be compelled to use their accrued sick, vacation, personal, and/or floating holiday time prior to the commencement of payments from the disability insurance carrier.

Contact the Human Resources Department to see if you are eligible for this benefit and for further details.

TRAINING AND DEVELOPMENT

PHILOSOPHY

ACLD has a strong commitment to the professional development of its employees. In keeping with this philosophy, numerous efforts are made to encourage and support continued education.

Besides the Tuition Reimbursement and Reaching Up Program, ACLD maintains relationships with certain universities in our area that may offer special discount programs to ACLD employees. Please contact the Human Resources Department for more information.

ACLD staff also has access to training program through Northwell Health's Center for Learning.

Personnel Development and Training (Revised 10/2020)

ACLD provides a comprehensive Orientation and In-Service Training Program designed to educate staff in the treatment of the people we support, enhance job performance and foster personal development. Certain trainings are mandated by state regulations. Failure to participate in and satisfactorily complete all required training, including all assigned online coursework, may result in disciplinary action up to and including termination. This includes the expectation of maintaining all required certifications.

In addition, employees may be granted time to attend relevant conferences or other professional activities. Prior approval must be obtained from the Program Director.

Online training and coursework:

ACLD provides online training and education to its employees. These learning assignments are important vehicles for employees to understand their responsibilities and perform successfully. Online courses are assigned to newly-hired employees. In addition, existing employees may be assigned annual refresher training (e.g.: Corporate Compliance, NYS Justice Center's Code of Conduct, etc.) or new online coursework to meet regulatory or agency goals. All online trainings must be completed within established regulatory, agency and/or program timeframes. Employees should only complete online trainings within their regularly scheduled hours. If online trainings are being done outside of their normal business hours they will need to receive approval from a supervisor.

Training for ACLD supervisors:

ACLD provides specialized training for supervisors. These training sessions are designed to help supervisors perform their unique duties in a capable way. These courses cover a variety of topics including: interviewing techniques, supervisory skills, time management and more. Supervisors are mandated to complete all available trainings of this type, unless otherwise exempted by their Director or designee. All supervisory trainings must be completed within established agency and/or program timeframes.

ADULT SERVICES STAFF ONLY:

As of October 2017, all newly-hired employees are required to attend New Hire Orientation on their first day of employment. Exceptions are made for new hires in the In-Home Respite and Recreation programs, where new hire orientation training would be completed by the program supervisor. Newly-hired employees in Residential and Day Services attend an additional day of Orientation training provided on the second day of employment for employees below the Coordinator level, prior to beginning work at their assigned location. Exceptions will only be made by the Program Director or designee.

Additionally, as of January 13, 2020, all newly-hired employees are required to complete their initial training for AMAP, SCIP-R, and CPR/First Aid within their first two weeks of employment. Upon hire, the Human Resources representative will notify the new hire of his/her assigned training schedule for the first two weeks of employment. Following the two-week certification period, the employee will work with his/her program supervisor and nursing department to complete the required pouring function to finalize his/her certification. (See the AMAP section detailed below).

Direct care staff will be required to attend all annual in-service trainings within the first year of employment and will receive updated trainings on an ongoing basis. Supervisory and clinical staff will receive ongoing trainings, at least annually.

Approved Medication Administration Personnel Training Course (AMAP):

Employees With No Prior Certification:

ACL D requires all employees in the Residential and Day Programs to take the Approved Medication Administration Personnel (AMAP) course within their first two weeks of employment. The vital signs and pouring functions must be completed within four weeks of that initial AMAP course. If an employee is unsuccessful in passing the course, he/she may be allowed no more than one (1) additional opportunity to successfully obtain certification. For continued employment in the Residential and Day Programs employees must receive AMAP certification within their first three (3) months of employment.

AMAP trainings will be offered on a regular basis, at a minimum of twice every month.

Employees With Certification From Another OPWDD Facility:

Employees currently certified as an AMAP from another OPWDD certified agency shall be required to attend an AMAP recertification and AMAP Practicum class at ACL D as a refresher and will not be required to complete the recertification and practicum portion within their first two weeks of employment. In this instance, the employee will be registered for the first available AMAP Recertification and AMAP Practicum classes during New Hire Orientation Day 2. After successfully completing the classes, and performing three (3) errorless pouring functions with an ACL D Registered Nurse, the employee will be authorized to administer medications in ACL D programs. These requirements must be completed within two (2) months of their hire date, or before the employee's existing certification expires, whichever comes first.

Employees who fall into this category will be required to provide official documentation as proof of current AMAP Certification. The documentation must be reviewed and approved by a Center For Learning (CFL) representative.

All Eligible Employees:

Employees will also be required to attend the "AMAP Re-Certification Course" within one year of their original certification date; obtain a score of at least 80% on the re-certification examination; and have a successful clinical practicum (1 observed pouring) with a Registered Nurse to maintain their certification.

Strategies in Crisis Intervention and Prevention-Revised Training (SCIP-R):

Employees With No Prior Certification:

ACL D requires all employees in the Day and Residential Programs to successfully complete the Strategies in Crisis Intervention and Prevention-Revised (SCIP-R) course within the first two weeks of employment. If an employee is unsuccessful in passing the course, he/she may be allowed no more than one (1) additional opportunity to successfully obtain certification. For continued employment in the Day and Residential Programs employees must receive SCIP-R certification within their first three (3) months of employment.

SCIP-R trainings will be offered on a regular basis, at a minimum of twice every month. SCIP-R courses are between 2-3 sessions in length. Staff will be registered in the appropriate SCIP-R course based on the needs of the Program to which they are assigned.

Employees With Certification From Another OPWDD Facility:

Employees currently certified in SCIP-R from another OPWDD certified agency shall be required to complete an online course and attend a SCIP-R recertification class in order to be certified at ACL D. Employees will be offered one (1) opportunity to complete the online

SCIP-R course. If the employee successfully completes the online course, the employee will be approved to attend the SCIP-R recertification class and will not be required to complete the full certification course in the first two weeks of employment. Both of these requirements must be completed within two (2) months of the employee's hire date, or before the employee's existing certification expires, whichever comes first. If the employee does not successfully complete the online SCIP-R course, he/she will be required to complete the SCIP-R Certification class at the next available session within the first two months of employment. Employees who fall into this category will be required to provide official documentation as proof of current SCIP Certification. The documentation must be reviewed and approved by a Center for Learning (CFL) representative.

All Eligible Employees:

Employees will also be required to attend a "SCIP-R Re-Certification Course" within one year of their original certification date; obtain a score of at least 80% on the re-certification examination; and successfully demonstrate the physical aspects of the course with certified SCIP-R Instructors to maintain their certification.

Cardiopulmonary Resuscitation and First Aid Training (CPR, FA):

Employees With No Prior Certification:

ACLD requires all eligible employees in the Day and Residential Programs to successfully complete a CPR/FA course within their first two weeks of employment. If an employee is unsuccessful in passing the course, he/she may be allowed no more than one (1) additional opportunity to successfully obtain certification. For continued employment in the Day and Residential Programs employees must receive CPR/FA certification within their first three (3) months of employment.

CPR/FA trainings will be offered on a regular basis, multiple times per month.

Employees With Certification From Another Recognized Organization:

ACLD accepts current CPR/FA certification documentation from other nationally recognized organizations such as American Red Cross, National Safety Council, American Heart Association, etc. Employees who fall into this category will be required to provide official documentation as proof of current CPR/FA certification. The documentation submitted must be reviewed and approved by a CFL representative.

All Eligible Employees:

Employees are required to maintain certification by attending a "CPR/FA Course" prior to the expiration of CPR/FA certification. Employees must successfully demonstrate the physical aspects of the course with certified CPR/FA Instructors.

Choking Prevention Training and Food Preparation Competency:

All Eligible Employees:

ACLD requires all employees in the Residential and Day Programs to successfully complete the online Choking Prevention course, as well as complete the Food Preparation Competency training. These trainings are provided to new hires in New Hire Orientation Day 2. If an employee is unsuccessful in completing the online Choking Prevention course, he/she may be allowed the opportunity to retake the course. If an employee is unsuccessful

in passing the Food Preparation Competency, he/she may be allowed no more than one (1) additional opportunity to successfully complete it. Completion of these requirements must occur within the employees' first ninety (90) days of employment.

REGISTERED NURSES ONLY:

OPWDD requires all RN's to take:

- OPWDD Two-Day Nursing Orientation
- OPWDD Diabetes Train the Trainer with Annual Diabetes update
- OPWDD Telephone Triage

These trainings must be completed within one (1) year of employment.

CHILDREN'S SERVICES ONLY:

As per Office of Children and Family Services (OCFS): (418-1.11(e) (1) any staff (other than the school Registered Nurses) who are to be responsible and may be designated to administer medication must complete the OCFS approved Medication Administration Training (MAT) or an OCFS approved equivalent before administering medication to children. The certification of training in the administration of medications to children in day care shall be effective for a period of 3 years from date of issuance. The staff must complete a recertification training approved by OCFS in order to extend the certification for each additional 3-year period. Where a certification lapses, the staff may not be recertified unless the staff completes the initial MAT, or the recertification training, as required by OCFS.

OCFS requires (418-1.14 (a)-(m)) each site Director and each staff person working in a classroom must complete a minimum of 30 hours of training every 2 years, to include a required 5-hours (effective 9/2017) e-learning course on Foundations in Health and Safety. Such training requirements shall also apply to any volunteer in such program who has the potential for regular and substantial contact with children. Fifteen of the required thirty hours of training must be obtained during the person's first 6 months of employment by the program. The 30 hours of required training must address (and be approved by OCFS) on these identified topics: principles of childhood development, nutrition and health needs, child day care program development, safety and security procedures, business record maintenance and management, child abuse and maltreatment identification and prevention, statutes and regulation pertaining to child day care and child abuse and maltreatment, and education and information on the identification, diagnosis and prevention of shaken baby syndrome.

In addition, the Suffolk County Department of Health requires an Ethics training for all professional staff, and State Education department (SED) requires ongoing training or CEUs to maintain specific (and varied) professional licensures within our schools, in addition to what OCFS requires for our centers to maintain licensure. SED also requires Child Abuse training that must be conducted by an approved SED trainer.

Failure to achieve and/or maintain certification:

ACLD employees must meet expectations for achieving and maintaining training certification as determined by regulatory, agency or program needs. This would include expectations for type and timeframes of certification(s).

Employees must maintain uninterrupted certification. Failure to achieve initial certification(s), or losing a certification, may result in disciplinary action up to and including termination of employment.

Adult Services

Online courses:

An employee who is required to complete online mandated courses must comply within the assigned deadline(s). If an employee does not meet the deadline then the first step (verbal warning) in the disciplinary action will be issued. After receiving the verbal warning, the employee will receive a second deadline to complete the online training. If the second deadline is not met, the employee will be suspended without pay until such time that the online course is completed. Employees will be paid for all time when completing online coursework.

Class attendance:

Employees are required to attend trainings as scheduled by their supervisor or designee. If an employee fails to attend a class for which he/she is registered, the employee will receive a verbal warning. If an employee fails to attend subsequent classes for which he/she is registered, the program will work jointly with a Human Resources Supervisor on disciplinary action up to and including termination. Exceptions will only be made by the Program Director.

Class performance and conduct expectations:

During instructional time an employee is expected to provide their undivided attention and participate in the class. If there are any performance or conduct issues during the training session the instructor can address an employee and determine if they can remain in class. Issues that may lead to dismissal from a class may include but not limited to: excessive use of a cell phone, significant interruptions such as personal conversations, sleeping and not returning back from break on time. Employees are expected to conduct themselves in accordance with ACLD's policies as per the employee handbook. If an employee can no longer stay for class it is the employee's responsibility to notify the instructor and supervisor the same day.

Remote learning via video or audio conference classes:

Certain ACLD trainings may be conducted via video and/or audio technology for education, skill enhancement and professional development (MS Teams, Zoom, WebEx, etc.). Employees are required to attend remote trainings as scheduled by their supervisor or designee. Participation in remote learning is to be viewed as no different than attending an in-person classroom setting with a live trainer/presenter. When participating in remote learning the following criteria would be required for an employee:

- Sufficient equipment and internet service that would support video and/or audio transmission during the entire session.
- If participating in a video training an employee must activate the camera, leave the lens unblocked or uncovered and stay in full view of the camera during all active portions of the training. Employees will be provided short breaks for personal needs.

- An employee should have appropriate seating, materials (pen, paper), and a private location in order to maximize classroom learning activities. This location should have sufficient lighting, be safe from hazards and be free of distractions so an employee can be successful in learning the classroom material.
- If an employee is unable to meet the remote learning criteria during the classroom session it is the employee's responsibility to notify the instructor and a supervisor.

Attending remote learning is considered work time for an employee. Employees should not attend to personal matters during training hours. This would include but not limited to travel, shopping, non-work conversations, working at another job, or any other activities which interfere with successfully participating in class. An instructor/presenter has the discretion to ask an employee to leave a class if there are any issues identified that are hampering the remote learning process during instructional time.

Decertification or failure to complete a course certification:

An employee who fails to either maintain his/her certification, or does not successfully complete a required certification, will receive a verbal warning for the first occurrence. If an employee continues to be unsuccessful in obtaining a certification the program will work jointly with a Human Resources Supervisor on disciplinary action up to and including termination.

Any exceptions to an employee training issue(s) will be determined on a case by case basis by the Program Director and Human Resources.

THE DIRECT SERVICE PROFESSIONAL CREDIT PROGRAM

The Direct Service Professional Credit Program (DSPCP) is a customized and flexible continuing education program for employees caring for people with developmental disabilities. The DSPCP provides ACLD employees the opportunity to follow an educational pathway to successful career options.

The DSPCP is currently available at both Nassau and Suffolk County Community College Campuses. Participating employees will attend college classes which educate and inform on the unique needs of people with developmental disabilities and how best to provide care. The credits earned can be applied to a college certificate program, Associates and Bachelors degrees. Tuition costs for attending these classes are paid for by ACLD. Other special incentives are also made available to participating employees.

Assistance in navigating this and other educational opportunities can be provided through ACLD's "Reaching Up" program. "Reaching Up" is a Mentoring and Student Support Service established by ACLD to ensure student success. It is available to ACLD employees enrolled in the Direct Service Professional Credit Program and other education and training programs recognized by the Agency.

For more information about these programs, please contact the Education Consultant at 516-822-0028 ext. 165 or the Associate Director of ACLD's Center for Learning at 516-822-0028 ext. 164.

CONFERENCES

Where appropriate, and if approved by the Program Director, ACLD will cover the cost to attend a conference or seminar on a topic directly relevant to your position or that will aid in performing your job more effectively.

Business Travel and Related Expense and Mileage Reimbursement Guidelines

(Revised October 2017)

To ensure consistency and fairness in reimbursing employees for business travel and related expenses.

It is the Agency's policy to reimburse employees for travel and mileage expenses incurred in fulfilling the responsibilities and duties of their positions. To be reimbursed, these costs must be reasonable in nature and fully documented, supported by receipts, properly approved and submitted in accordance with this policy.

This policy is applicable to all programs/departments.

It is imperative that proper documentation and support, including an explanation of the business purpose for the expenditures for non-local travel be submitted within thirty (30) days of the employee's return. If business expenses are not properly documented and supported, the Internal Revenue Service (IRS) could disallow these expenses and consider them taxable income to the employee.

Primary Location

An employee's primary location is defined by the location in which the employee works. Employees who work in multiple locations will have a primary location defined by their supervisor. This information must be communicated to the employee by the employee's supervisor.

This policy is applicable to all ACLD employees.

All approved local travel (including, but not limited to mileage reimbursement, carfare, parking, Long Island Railroad/Subway and tolls) must be submitted to the Payroll Department by means of the ACLD Employee Travel Reimbursement Form. This form is available on ACLD Today or from the Human Resources Department. A separate form is required for each payroll.

All local travel expenses are to be paid for by the employee and will be reimbursed through the Payroll Department as noted above. Expenses must be reported bi-weekly in accordance with ACLD's Payroll schedule. There will be no exceptions to this procedure.

All non-local travel related reimbursement requests must be submitted on an ACLD Accounts Payable Expense report. The form can be found on ACLD Today. The form should identify the appropriate program to be charged for the expense.

I. Mileage Reimbursement

• Commuting from home to first assignment

Employees traveling from home to their first assignment will be reimbursed the mileage from their primary location to and from the first business related stop. For example, an employee whose normal commute to the primary location is twenty (20) miles, who then travels thirty-five (35) miles to an Agency related business stop, will be reimbursed for fifteen (15) miles. Conversely, if the employee's first stop is fifteen (15) miles there will be no reimbursement.

• Commuting from primary location

Employees who report first to their primary location and later travel to other locations on Agency business will receive mileage reimbursement for the additional travel. If an employee's last stop of the day is further away from the employee's home and the employee's primary location, the employee will be reimbursed for the difference in mileage.

• Business Travel during working hours

Employees who start work at their primary location and travels on Agency business throughout the day, and then returns to their primary location before the end of the day, will be eligible for mileage reimbursement for business related travel to and from locations other than their primary location.

• Employees working more than one position at ACLD

Employees commuting from one work location to perform their job functions at another location for a second or third job within the Agency will not be eligible for mileage reimbursement.

- **Vehicular Accidents**

Any accident or claim occurring while traveling on Agency business (property damage, liability, injury, etc.) must follow the ACLD Accident Review Process. This applies to all vehicular accidents whether in a rented, leased, or personally owned vehicle.

II. Estimated Mileage from Bethpage to other ACLD Locations

To ensure consistency as well as providing assistance with the documentation of miles from the Bethpage location to other ACLD locations, general guidelines for estimated mileage can be found on ACLD Today under 'Top Docs'.

III. Other Travel Expenses

These reimbursements will be paid by the Accounts Payable Department by submitting an ACLD Check Request Form. This form can be found on ACLD Today.

A. Traveling by airplane or rail

The least expensive practical class of service must be used.

B. Rental Vehicles

Any rental vehicles used for Agency business, must be limited to situations where public transportation is either unavailable, or if the employee's current mode of transportation will prohibit effective completion of business requirements. As a general rule, economy vehicle must be used, unless the cost between economy and luxury vehicles is equal. Prior approval by the employee's Program Director is required for all Agency related vehicle rentals.

Any employee anticipating renting a vehicle for Agency business must possess a clean and valid New York State Driver's license. If driving is not an essential function of the employee's job requirement, a request must be submitted to the Human Resources Department to have a Department of Motor Vehicle (DMV) license check done on the employee. At least two (2) business days prior to the anticipated date of renting a vehicle is required to process the DMV report.

C. Transportation Service

A reasonable amount may be reimbursed for the use of transportation service to and from the airport when traveling on Agency business. Prior approval by Program Director is necessary to determine whether an employee should use transportation service or park at the airport.

D. Lodging

When traveling out-of-town (or when business requires overnight stays away from home) on Agency business, employee will be reimbursed a reasonable amount for accommodations. All receipts must be submitted to the Accounts Payable Department within thirty (30) days of the employee's return.

E. Meals

When traveling out-of-town on Agency business, employees will be reimbursed a reasonable amount per day for meals and non-alcoholic beverages. All receipts must be submitted to the Accounts Payable Department within thirty (30) days of the employee's return.

F. Telephone Calls While on Business Trips

When traveling out-of-town on Agency business, employees will be reimbursed for all necessary business calls. In the event an employee has not been provided with an Agency cellular telephone, all calls must be placed on the employee's personal cellular telephone, (if applicable). Employees will be reimbursed a reasonable amount for all business related calls. The Program Director or designee must approve all charges.

G. Miscellaneous Tips

Services such as porter, red cap, housekeeping, etc. are considered business expenses. Employees will be reimbursed a reasonable amount for these services. Details are to be included on the expense report, and submitted to the Accounts Payable Department.

H. Loss of Personal Property

When traveling out-of-town on Agency business, an employee may be reimbursed for the loss or damage of personal property if such damage or loss is through no fault of the employee, providing approval is received from the Executive Director. Reimbursement for property loss would only apply to costs not covered by the employee's own insurance or by the responsible party (*i.e.*, airline, hotel, etc.). Such reimbursements will be charged to the employee's program/department. Cash losses will not be reimbursed.

I. Accompanying Party

When traveling out-of-town on Agency business, expenses incurred by an employee's accompanying spouse or other accompanying party will not be reimbursed unless the presence of the accompanying party is specifically required for business purposes. This requires prior approval by the Executive Director. As long as both conditions are met, expenses incurred by the accompanying party will be reimbursed.

J. Internet Access/Movie Rental

When traveling out-of-town on Agency business, employees will be reimbursed for the cost of business related Internet access. Employees will not be reimbursed for the cost of movie rentals.

K. Laundry/Dry Cleaning

When traveling out-of-town on Agency business, employees will not be reimbursed for dry cleaning or laundry service.

L. Credit Card Use

When traveling out-of-town on Agency business, employees will be reimbursed for business related charges placed on their credit cards providing itemized receipt(s) substantiating the travel related expense is submitted to the Accounts Payable Department within thirty (30) days of the employee's return.

M. Personal Travel Expenses

When traveling out-of-town on Agency business, employees who chose to extend their trip for personal reasons will only be reimbursed for the business related portion of the trip.

IV. Requests for Advances of Expenses

Advances may be requested for hotel and airline tickets providing the employee has obtained prior approval from the Program Director or designee. The request must be submitted to the Accounts Payable Department at least four (4) weeks prior to the date the advance is required.

Receipts/Documentation of Expenses

The following documentation must be provided for all Agency related business reimbursements:

All original receipts for travel and entertainment expenses must be submitted to the Accounts Payable Department within thirty (30) days of the employee's return. All credit card receipts, hotel and/or other invoices must be in the name of the employee submitting the request for reimbursement.

The specific business purpose of all expenses must be clearly documented.

Business meeting expenses must include:

- The specific business purpose of the meeting
- The name and location of the meeting place
- The names and titles of the attendees
- The name of the attendee's firm

In the unlikely event only a copy of a receipt (or no receipt) is available, the employee must provide a written explanation why the original receipt is not available. This documentation is to be approved by the Program Director.

V. Approvals

The employee's Program Director or designee must approve each request for reimbursement.

VI. Submission of Expense Reports

All approved requests for reimbursement must be submitted to the Accounts Payable Department within thirty (30) days of the employee's return. Providing there are no questionable requests on the submission, the Accounts Payable Department will return a check to the employee within thirty (30) business days after receipt by Accounts Payable. As part of the payment process, the Accounts Payable Department will audit the expense reports. The audit will search for the following:

- Review of proper level(s) of approval
- Review of all receipts provided including appropriateness of the expense
- Accuracy of calculation and program coding
- Review of any altered (crossed out) and/or revised amounts not initialed by authorized person

Expense reports found to be inconsistent with ACLD's policy will be returned by the Accounts Payable Department with a memo identifying the error. The employee is to correct any inaccuracies, and have the changes approved by a Supervisor, Program Director or designee. The request for reimbursement may be resubmitted for payment. Requests made with errors will delay the reimbursement.

Failure to comply with this policy may result in disciplinary actions up to and including termination.

EMPLOYEE SAFETY AND HEALTH

GENERAL POLICY

We make every effort to provide safe working conditions for our employees. We observe federal, state and local safety laws. Safety is everybody's responsibility. Therefore, you are requested to do everything reasonable and necessary to keep the Agency a safe place to work. All hazardous or potentially hazardous situations should immediately be brought to the attention of your supervisor so it may be corrected.

FIRES AND EMERGENCIES

The facility in which you work has an emergency procedure to follow in the event of fire or disaster. Located throughout the building are emergency areas, exits, fire extinguishers and first aid kits. Please familiarize yourself with the emergency procedures at your facility. In addition, ACLD has a detailed and comprehensive emergency preparedness plan that can be activated in the event of a serious emergency.

IN CASE OF EMERGENCY, DIAL 911.

Inclement Weather Related Closings/Emergency Closing

(Revised May 21, 2020)

ACLD has established special procedures to be followed in the event of inclement weather or another emergency that occurs outside of normal business hours (e.g., a snowstorm, hurricane, power failure, etc.). In such situations, information about building/facility closure or delayed opening will be sent to the telephone number and/or email address on record for employees; except the employees who work in the residential homes. Unless an announcement is received, all employees are expected to report to work.

Residential homes remain open at all times and employees are expected to make every effort to report to work as scheduled.

Day Program non-exempt staff will be given the option of working at an alternate location that is open for business; to provide relief in other programs such as Residential. If they chose not to be assigned to work at another location, they will be required to use accrued Vacation Time, Personal Time or Floating Holiday.

When ACLD determines that emergency conditions exist, the following policy with respect to the payment of non-exempt employees will normally apply:

A weather related emergency will be determined and defined based upon up-to-date information following the declaration of an emergency and will continue to be evaluated during the state of emergency.

Emergency Staffing compensation for COVID-19 for Residential homes (Effective 3-17-20, revised 5/21/20)

COVID-19 is a highly communicable and rapidly evolving respiratory illness caused by the Corona Virus. The virus is contagious for approximately fourteen (14) days. If a person supported is diagnosed with COVID-19 and required to be quarantined for fourteen (14) days, additional compensation will be provided to an employee who works in a service provider (ex. Direct Support professional) capacity in a group home. Any employee on shift during this fourteen-day period will be provided additional compensation per shift. Once the fourteen-day period is completed or a medical professional decides the person supported is no longer required to be quarantined then the additional compensation will no longer be offered. As ACLD continues to return to normal business operations, effective May 21, 2020 the use of Premium Pay for a confirmed case of Covid-19 **will be evaluated on a case by case basis**.

CLOSINGS FOR EMERGENCY

- Employees who do not provide direct care to our person's supported by ACLD will adhere to the closing or delayed opening of the Lindner 807 Building. For example, if the Lindner 807 Building is open for business, non direct care employees on the Lindner Campus and the Day Program in Hauppauge will report to work.
- If all ACLD buildings (other than the Residential homes) are closed and you were scheduled to work on the day of the closure, you will not be required to use your accrued time. You will be paid for the day.

- You are required to report to work if your program/location is open. If you do not report to work, you will be required to take accrued Vacation Time, Personal Time, or a Floating Holiday. An employee who does not have accrued Vacation Time, Personal Time or a Floating Holiday will not be paid for the day. In addition, if you are required to report to work and you do not report as scheduled, your absence will be reflected on your records as an unscheduled day off.
- If your Home Base is closed and you are assigned to report to a location that is open, you will be paid your normal wage based on your scheduled workday, for up to two (2) workdays. Payment for closings of more than two (2) days will be determined on a case-by-case basis.
- If there is a delayed facility opening and you report for work as required, you will be paid for your regularly scheduled workday. However, if you report to work more than one (1) hour later than the scheduled starting time for any such day, you will only be paid for your actual hours worked.*
- If the facility closes early, all employees who reported to work at the beginning of their shift will be paid through the end of their regularly scheduled workday.
- If the facility closes early and you did not report to work on that day, you will be required to use Vacation Time, Personal Time or a Floating Holiday. If you do not have Vacation Time, Personal Time or a Floating Holiday, you will not be paid for the day.
- If the facility is not closed and you call in sick, you may be required to provide ACLD with a note from a physician to substantiate your illness.
- If you were approved for a scheduled day-off prior to an emergency where your Home Base building is closed, you will be paid for the day of the closure(s). You will not be required to use your accrued time.
- If you are scheduled to work at an alternate location (not your Home Base) that is closed, you must report to your Home Base if it is open. As an example, Employee A's Home Base is the Lindner Building in Bethpage. If Employee 'A' was scheduled to work in the Hauppauge Day Services and the Hauppauge location is closed, Employee 'A' must report to the Lindner Building in Bethpage (Home Base), if it is open.
- If the Agency is closed for a full day during the last two (2) pay periods of the calendar year and you were previously approved for a scheduled day off (Vacation Time, Personal Time or Floating Holiday), you will be allowed to carry over the day(s) resulting from the facility being closed, regardless of whether or not you were already approved to carry over the maximum ten (10) days. The additional day(s) being carried over as a result of the emergency must be taken/used by the allowable deadline.

Premium Pay

•Eligible job titles for Premium Pay include:

- Non-exempt Residential, Job Coach, Respite, Maintenance and Day Program employees who are required or voluntarily agree to provide coverage starting with the next regularly scheduled shift, after the emergency has been declared.
- Day Program non-exempt staff that provides transportation services for our people supported may also be eligible for Premium Pay if their shift needed to be extended by three (3) or more hours due to the emergency.
- Maintenance staff that may be required to prepare the buildings before the next shift/working day during or after a declared emergency.

Premium Pay is in addition to the employee's regular rate of pay and any overtime pay the employee might be entitled to. Premium Pay will be \$100 within a 24-hour period. Premium Pay will be added to the employee's gross income and subject to all applicable taxes.

- For non-exempt Maintenance and other non-exempt staff who are required to report to work when their primary location is closed due to an emergency, the staff will be paid for their regularly scheduled hours. In addition, the staff will be paid for the hours they worked during the emergency. The staff will receive Premium Pay if applicable. For example, Employee 'A' whose primary location is the Lindner Building in Bethpage

normally works seven (7) hours per day. The Lindner Building in Bethpage is closed due to a snow storm. Employee 'A' is required to report to work for snow removal. Employee 'A' worked for five (5) hours on the day the Lindner Building in Bethpage is closed. Employee 'A' should be paid for the seven (7) hours he/she would normally have worked if the building was not closed; the five (5) hours he/she worked; and Premium Pay if applicable.

The following is the criteria for Premium Pay eligibility for non-exempt Residential staff:

Any employee required or voluntarily agreeing to cover a shift must work for a minimum of four (4) hours to be eligible for Premium Pay. Eligibility for voluntary shift coverage and Premium Pay will be determined by a rotation list. Employees will be listed by order of seniority; the most senior employee will be called first. The calling order will be as follows:

- (1) House part-time employees (3) House full-time employees
- (2) House per diem employees (4) House staff currently on duty to voluntarily extend shift

If an employee refuses to voluntarily cover the shift, his/her name will be dropped to the bottom of the list. In the event that an employee refuses to cover a shift twice during the time period from June 1 of one year through June 1 of the following year, that employee will be removed from the Premium Pay eligibility list for the remainder of that year.

In the event that there is no one available to voluntarily cover a shift during a declared emergency, the most senior house employee on duty will be mandated to stay to provide coverage. This employee will be eligible for Premium Pay.

During emergency conditions and on Agency designated holidays if an employee in the Residential Program is unable to report to work he/she must report his/her absence at least eight (8) hours prior to the scheduled starting time of his/her shift. The notice requirement is needed to allow adequate time to arrange appropriate staff coverage. (Refer to SOP 5.13 for more details).

All determinations regarding an employee's pay status during a delayed opening or closing will be made by ACLD solely at its discretion.

Residential Managers who are required to cover a direct care shift in the residence may receive premium pay for covering in an emergency situation. This will be at the discretion of the Executive Director or his/her designee.

*Exempt employees will be paid their normal salaries on such days in accordance with applicable federal and state wage and hour laws.

Note: For Premium Pay purposes the Human Resources Department, after consultation with the Executive Director or designee will notify Directors and the Payroll Department of the period of time designated as the emergency.

ACCIDENTS

No matter how insignificant an accident or injury may seem at the time of occurrence, you should immediately notify your supervisor and the Human Resources Department so that the appropriate forms can be completed for Workers' Compensation benefits.

EMPLOYEE HEALTH

You should immediately report to your supervisor any signs or symptoms of personal illness, especially if a health or safety risk exist to you or others. Specific safeguard examinations or tests are required by New York State Health Code for continued employment in certain jobs. You will be notified by your supervisor if such requirements apply to you.

Hero Act Plan for ACLD (Effective September 4, 2021, Revised September 6, 2021)

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

Employees should report any questions or concerns with the implementation this plan to the designated contact.

This plan applies to all "employees" as defined by the New York State HERO Act, which means any person providing labor or services for remuneration for a private entity or business within the state, without regard to an individual's immigration status, and shall include part-time workers, independent contractors, domestic workers, home care and personal care workers, day laborers, farmworkers and other temporary and seasonal workers.

The term also includes individuals working for digital applications or platforms, staffing agencies, contractors or subcontractors on behalf of the employer at any individual work site, as well as any individual delivering goods or transporting people at, to or from the work site on behalf of the employer, regardless of whether delivery or transport is conducted by an individual or entity that would otherwise be deemed an employer under this chapter. The term does not include employees or independent contractors of the state, any political subdivision of the state, a public authority, or any other governmental agency or instrumentality.

As of **September 6, 2021**, New York State designated COVID-19 as a highly contagious communicable disease that presents a serious risk of harm to the public health. In the future, employees can check the websites of Departments of Health and Labor for up to date information on whether a designation has been put into effect, as any such designation will be prominently displayed. No employer is required to put a plan into effect absent such a designation by the Commissioner of Health.

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I. RESPONSIBILITIES

This plan applies to **all employees of ACLD**, and [all]/[the following work sites]:

- All Nassau and Suffolk County ACLD Residences and Apartments.
- All Nassau and Suffolk County Day Programs.
- All Suffolk County Children's Services.
- All ACLD business offices in Nassau and Suffolk Counties.

This plan requires commitment to ensure compliance with all plan elements aimed at preventing the spread of infectious disease. The following supervisory employee(s) are designated to enforce compliance with the plan. Additionally, these supervisory employees will act as the designated contacts unless otherwise noted in this plan:

Name	Title	Location	Phone
Alex Cohen	Director of Human Resources	Bethpage, NY	516-822-0028, ext. 135
Mary Candela	Administrator & Safety Officer	Bethpage, NY	516-822-0028, ext. 144
Gerard DiMuro	Assistant Exec. Director Admin	Bethpage, NY	516-822-0028, ext. 110
Anne Marie Sime	Assistant Exec. Director Day & Residential	Bethpage, NY	516-822-0028, ext. 149

I. EXPOSURE CONTROLS DURING A DESIGNATED OUTBREAK

A. MINIMUM CONTROLS DURING AN OUTBREAK

During an airborne infectious disease outbreak, the following minimum controls will be used in all areas of the worksite:

1. General Awareness: Individuals may not be aware that they have the infectious disease and can spread it to others. Employees should remember to:
 - Maintain physical distancing;
 - Exercise coughing/sneezing etiquette;
 - Wear face coverings, gloves, and personal protective equipment (PPE), as appropriate;
 - Individuals limit what they touch;
 - Stop social etiquette behaviors such as hugging and hand shaking, and
 - Wash hands properly and often.
2. "Stay at Home Policy": If an employee develops symptoms of the infectious disease, the employee should not be in the workplace. The employee should inform the designated contact and follow New York State Department of Health (NYSDOH) and Centers for Disease Control and Prevention (CDC) guidance regarding obtaining medical care and isolating unless otherwise directed by ACLD.
3. Health Screening: Employees will be screened for symptoms of the infectious disease at the beginning of their shift. Employees are to self-monitor throughout their shift and report any new or emerging signs or symptoms of the infectious disease to the designated contact. An employee showing signs or symptoms of the infectious disease should be removed from the workplace and should contact a healthcare professional for instructions. The health screening elements will follow guidance from NYSDOH and CDC guidance, if available.
4. Face Coverings: To protect your coworkers, employees will wear face coverings throughout the workday to the greatest extent possible. Face coverings and physical distancing should be used together whenever possible. The face covering must cover the nose and mouth, and fit snugly, but comfortably, against the face. The face covering itself must not create a hazard, e.g. have features could get caught in machinery or cause severe fogging of eyewear. The face coverings must be kept clean and sanitary and changed when soiled, contaminated, or damaged.
5. Physical Distancing: Physical distancing will be followed as much as feasible. Avoid unnecessary gatherings and maintain a distance of at least six feet (or as recommended by the NYSDOH/CDC for the infectious agent) from each other. Use a face covering when physical distance cannot be maintained.

In situations where prolonged close contact with other individuals is likely, use the following control methods:

- restricting or limiting customer or visitor entry;
 - limiting occupancy;
 - allowing only one person at a time inside small enclosed spaces with poor ventilation;
 - reconfiguring workspaces;
 - physical barriers;
 - signage;
 - floor markings;
 - telecommuting;
 - remote meetings;
 - preventing gatherings;
 - restricting travel;
 - creating new work shifts and/or staggering work hours;
 - adjusting break times and lunch periods;
 - delivering services remotely or through curbside pickup;
 - ACLD will utilize the above controls as applicable.
6. Hand Hygiene: To prevent the spread of infection, employees should wash hands with soap and water for at least 20 seconds or use a hand sanitizer with at least 60% alcohol to clean hands BEFORE and AFTER:
 - Touching your eyes, nose, or mouth;
 - Touching your mask;

- Entering and leaving a public place; and
- Touching an item or surface that may be frequently touched by other people, such as door handles, tables, gas pumps, shopping carts, or electronic cashier registers/screens.

Because hand sanitizers are less effective on soiled hands, wash hands rather than using hand sanitizer when your hands are soiled.

7. Cleaning and Disinfection: See Section V of this plan.

8. "Respiratory Etiquette": Because infectious diseases can be spread by droplets expelled from the mouth and nose, employees should exercise appropriate respiratory etiquette by covering nose and mouth when sneezing, coughing or yawning.

9. Special Accommodations for Individuals with Added Risk Factors: Some employees with underlying health condition, or other factors, may be at increased risk of severe illness if infected. Please inform your supervisor or the HR department if you fall within this group and need an accommodation.

B. ADVANCED CONTROLS DURING AN OUTBREAK

For activities where the Minimum Controls alone will not provide sufficient protection for employees, additional controls from the following hierarchy may be necessary. Employers should determine if the following are necessary:

1. Elimination: Employers should consider the temporary suspension or elimination of risky activities where adequate controls could not provide sufficient protection for employees.

2. Engineering Controls: Employers should consider appropriate controls to contain and/or remove the infectious agent, prevent the agent from being spread, or isolate the worker from the infectious agent. Examples of engineering controls include:

i. Mechanical Ventilation:

a. Local Exhaust Ventilation, for example:

- Ventilated booths (lab hoods);
- Kitchen Vents; and
- Vented biosafety cabinets.

b. General Ventilation, for example:

- Dedicated ventilation systems for cooking areas, malls, atriums, surgical suites, manufacturing, welding, indoor painting, laboratories, negative pressure isolation rooms;
- Increasing the percentage of fresh air introduced into air handling systems;
- Avoiding air recirculation;
- Using higher-efficiency air filters in the air handling system;
- If fans are used in the facility, arrange them so that air does not blow directly from one worker to another; and

ii. Natural Ventilation, for example:

- Opening outside windows and doors to create natural ventilation; and
- Opening windows on one side of the room to let fresh air in and installing window exhaust fans on the opposite side of the room so that they exhaust air outdoors. (Note: This method is appropriate only if air will not blow from one person to another.)

iii. Install automatic disinfection systems (e.g., ultraviolet light disinfection systems).

iv. Install cleanable barriers such as partitions and/or clear plastic sneeze/cough guards.

v. Change layout to avoid points or areas where employees may congregate (e.g., install additional timeclocks).

Subject to changes based on operations and circumstances surrounding the infectious disease, engineering controls that are anticipated to be used are listed in the following table:

Engineering Controls Utilized/Location:
ACLD has maximized air filters and/or UV lights in HVAC mechanicals as applicable.
ACLD has service contracts in place for HVAC mechanicals providing inspections and replacements as required and recommended by the manufacturer.
ACLD has installed barriers in main reception areas for designated locations that have high traffic.
<i>Note to Employer: One of the best ways to reduce exposure to infectious agents is to improve ventilation. The aim is to deliver more "clean air" into an occupied area and exhaust the contaminated air to a safe location. In some cases, the air may have to be filtered before it enters the work area and/or before it is exhausted. Direct the contaminated air away from other individuals and from the building's fresh air intake ports. Consult your ventilation system's manufacturer or service company to determine if improvements are possible for your system.</i>

3. "Administrative Controls" are policies and work rules used to prevent exposure. Examples include:

- Increasing the space between workers;
- Slowing production speed to accommodate fewer workers at a time;
- Disinfecting procedures for specific operations;
- Not shaking out soiled laundry;
- Employee training;
- Identify and prioritize job functions that are essential for continuous operations;
- Cross-train employees to ensure critical operations can continue during worker absence;
- Limit the use of shared workstations;
- Post signs reminding employees of respiratory etiquette, masks, handwashing;
- Rearrange traffic flow to allow for one-way walking paths;
- Provide clearly designated entrance and exits;
- Provide additional short breaks for handwashing and cleaning;
- Establishing pods or cohorts working on same shift;

Subject to changes based on operations and circumstances surrounding the infectious disease, the following specific administrative controls are anticipated to be used

Administrative Controls Utilized/Location:
ACLD will follow all the CDC and NY State requirements recommended for Administrative controls.
ACLD will provide required PPE as designated by the CDC, OPWDD and/or any other governing agency.
ACLD may increase/modify work space between workers and provide alternate schedules to reduce people in the shared work area where applicable.

4. Personal Protective Equipment (PPE) are devices like eye protection, face shields, respirators, and gloves that protect the wearer from infection. PPE will be provided, used and maintained in a sanitary and reliable condition at no cost to the employee. The PPE provided to an employee will be based on a hazard assessment for the workplace.

PPE Required - Activity Involved/Location:
ACLD will provide the necessary PPE to all staff as required by the CDC, OPWDD and NY State requirements.
ACLD will maintain all PPE that is stored in a climate controlled and sanitary area. PPE will be made available as needed to all staff at no cost
<ol style="list-style-type: none"> 1. <i>The use of respiratory protection, e.g. an N95 filtering facepiece respirator, requires compliance with the OSHA Respiratory Protection Standard 29 CFR 1910.134 or temporary respiratory protection requirements OSHA allows for during the infectious disease outbreak.</i> 2. <i>Respirators with exhalation valves will release exhaled droplets from the respirators. Respirators are designed to protect the wearer. Surgical masks and face coverings, which are not respirators, are designed to protect others, not the wearer.</i>

C. EXPOSURE CONTROL READINESS, MAINTENANCE AND STORAGE:

The controls we have selected will be obtained, properly stored, and maintained so that they are ready for immediate use in the event of an infectious disease outbreak and any applicable expiration dates will be properly considered.

II. HOUSEKEEPING DURING A DESIGNATED OUTBREAK

A. Disinfection Methods and Schedules

Objects that are touched repeatedly by multiple individuals, such as door handles, light switches, control buttons/levers, dials, levers, water faucet handles, computers, phones, or handrails must be cleaned frequently with an

appropriate disinfectant. Surfaces that are handled less often, or by fewer individuals, may require less frequent disinfection.

The disinfection methods and schedules selected are based on specific workplace conditions.

The New York State Department of Environmental Conservation (NYSDEC) and the Environmental Protection Agency (EPA) have compiled lists of approved disinfectants that are effective against many infectious agents (see dec.ny.gov and epa.gov/pesticide-registration/selected-epa-registered-disinfectants). Select disinfectants based on NYSDOH and CDC guidance and follow manufacturer guidance for methods, dilution, use, and contact time.

B. Adjustments to Normal Housekeeping Procedures

Normal housekeeping duties and schedules should continue to be followed during an infectious disease outbreak, to the extent practicable and appropriate consistent with NYSDOH and/or CDC guidance in effect at the time. However, routine procedures may need to be adjusted and additional cleaning and disinfecting may be required.

Housekeeping staff may be at increased risk because they may be cleaning many potentially contaminated surfaces. Some housekeeping activities, like dry sweeping, vacuuming, and dusting, can resuspend into the air particles that are contaminated with the infectious agent. For that reason, alternative methods and/or increased levels of protection may be needed.

Rather than dusting, for example, the CDC recommends cleaning surfaces with soap and water before disinfecting them. Conducting housekeeping during "off" hours may also reduce other workers' exposures to the infectious agent. Best practice dictates that housekeepers should wear respiratory protection. See cdc.gov for more guidance.

C. If an employee develops symptoms of the infectious disease at work, it is ideal to isolate the area in accordance with guidance issued by NYSDOH or the CDC, before cleaning and disinfecting the sick employee's work area. This delay will allow contaminated droplets to settle out of the air and the space to be ventilated.

D. As feasible, liners should be used in trash containers. Empty the containers often enough to prevent overflowing. Do not forcefully squeeze the air out of the trash bags before tying them closed. Trash containers may contain soiled tissue or face coverings.

IV. INFECTION RESPONSE DURING A DESIGNATED OUTBREAK

If an actual, or suspected, infectious disease case occurs at work, take the following actions:

- Instruct the sick individual to wear a face covering and leave the worksite and follow NYSDOH/CDC guidance.
- Follow local and state authority guidance to inform impacted individuals.

V. TRAINING AND INFORMATION DURING A DESIGNATED OUTBREAK

A. **ACLD Management** will verbally inform all employees of the existence and location of this Plan, the circumstances it can be activated, the infectious disease standard, employer policies, and employee rights under the HERO Act. (Note: training need not be provided to the following individuals: any individuals working for staffing agencies, contractors or subcontractors on behalf of the employer at any individual work site, as well as any individual delivering goods or transporting people at, to or from the work site on behalf of the employer, where delivery or transport is conducted by an individual or entity that would otherwise be deemed an employer under this chapter)

B. When this plan is activated, all personnel will receive training which will cover all elements of this plan and the following topics:

1. The infectious agent and the disease(s) it can cause;
2. The signs and symptoms of the disease;
3. How the disease can be spread;
4. An explanation of this Exposure Prevention Plan;
5. The activities and locations at our worksite that may involve exposure to the infectious agent;
6. The use and limitations of exposure controls
7. A review of the standard, including employee rights provided under Labor Law, Section 218-B.

C. The Training will be

1. Provided at no cost to employees and take place during working hours. If training during normal work hours is not possible, employees will be compensated for the training time (with pay or time off);
2. Appropriate in content and vocabulary to your educational level, literacy, and preferred language; and
3. Verbally provided in person or through telephonic, electronic, or other means.

VI. PLAN EVALUATIONS DURING A DESIGNATED OUTBREAK

The employer will review and revise the plan periodically, upon activation of the plan, and as often as needed to keep up-to-date with current requirements. Document the plan revisions below:

Plan Revision History			
Date	Participants	Major Changes	Approved By

VII. RETALIATION PROTECTIONS AND REPORTING OF ANY VIOLATIONS

No employer, or his or her agent, or person, , acting as or on behalf of a hiring entity, or the officer or agent of any entity, business, corporation, partnership, or limited liability company, shall discriminate, threaten, retaliate against, or take adverse action against any employee for exercising their rights under this plan, including reporting conduct the employee reasonably believes in good faith violates the plan or airborne infectious disease concerns to their employer, government agencies or officials or for refusing to work wherean employee reasonably believes in good faith that such work exposes him or her, other workers, or the public to an unreasonable risk of exposure, provided the employee, another employee, or representative has notified the employer verbally or in writing, including electronic communication, of the inconsistent working conditions and the employer’s failure to cure or if the employer knew or should have known of the consistent working conditions.

Notification of a violation by an employee may be made verbally or in writing, and without limitation to format including electronic communications. To the extent that communications between the employer and employee regarding a potential risk of exposure are in writing, they shall be maintained by the employer for two years after the conclusion of the designation of a high risk disease from the Commissioner of Health, or two years after the conclusion of the Governor’s emergency declaration of a high risk disease. Employer should include contact information to report violations of this plan and retaliation during regular business hours and for weekends/other non-regular business hours when employees may be working.

SOP 6.80

Hero Act Plan for Children's Services (Effective September 4, 2021)

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

Employees should report any questions or concerns with the implementation this plan to the designated contact.

This plan applies to all "employees" as defined by the New York State HERO Act, which means any person providing labor or services for remuneration for a private entity or business within the state, without regard to an individual's immigration status, and shall include part-time workers, independent contractors, domestic workers, home care and personal care workers, day laborers, farmworkers and other temporary and seasonal workers.

The term also includes individuals working for digital applications or platforms, staffing agencies, contractors or subcontractors on behalf of the employer at any individual work site, as well as any individual delivering goods or transporting people at, to or from the work site on behalf of the employer, regardless of whether delivery or transport is conducted by an individual or entity that would otherwise be deemed an employer under this chapter. The term does not include employees or independent contractors of the state, any political subdivision of the state, a public authority, or any other governmental agency or instrumentality.

As of **September 6, 2021**, New York State designated COVID-19 as a highly contagious communicable disease that presents a serious risk of harm to the public health. In the future, employees can check the websites of Departments of Health and Labor for up to date information on whether a designation has been put into effect, as any such designation will be prominently displayed. No employer is required to put a plan into effect absent such a designation by the Commissioner of Health.

I. RESPONSIBILITIES

This plan applies to all **employees of ACLD**, and [all]/[the following work sites]:

Children's Services locations in Suffolk County

This plan requires commitment to ensure compliance with all plan elements aimed at preventing the spread of infectious disease. The following supervisory employee(s) are designated to enforce compliance with the plan. Additionally, these supervisory employees will act as the designated contacts unless otherwise noted in this plan:

Name	Title	Location	Phone
Robin Stevens	Principal	Bayshore, NY	631-665-1900 ext. 312
Alex Cohen	HR Director	Bethpage, NY	516-822-0028 ext. 135
Kim Leonard	CFO	Bethpage, NY	516-822-0028, ext. 123

II. EXPOSURE CONTROLS DURING A DESIGNATED OUTBREAK

A. MINIMUM CONTROLS DURING AN OUTBREAK

During an airborne infectious disease outbreak, the following minimum controls will be used in all areas of the worksite:

1. General Awareness: Individuals may not be aware that they have the infectious disease and can spread it to others. Employees should remember to:

- Maintain physical distancing;
- Exercise coughing/sneezing etiquette;
- Wear face coverings, gloves, and personal protective equipment (PPE), as appropriate;
- Individuals limit what they touch;
- Stop social etiquette behaviors such as hugging and hand shaking, and
- Wash hands properly and often.

1. "Stay at Home Policy": If an employee develops symptoms of the infectious disease, the employee should not be in the workplace. The employee should inform the designated contact and follow New York State Department of Health (NYSDOH) and Centers for Disease Control and Prevention (CDC) guidance regarding obtaining medical care and isolating unless otherwise directed by ACLD.

3. **Health Screening:** Employees will be screened for symptoms of the infectious disease at the beginning of their shift. Employees are to self-monitor throughout their shift and report any new or emerging signs or symptoms of the infectious disease to the designated contact. An employee showing signs or symptoms of the infectious disease should be removed from the workplace and should contact a healthcare professional for instructions. The health screening elements will follow guidance from NYSDOH and CDC guidance, if available.

4. **Face Coverings:** To protect your coworkers, employees will wear face coverings throughout the workday to the greatest extent possible. Face coverings and physical distancing should be used together whenever possible. The face covering must cover the nose and mouth, and fit snugly, but comfortably, against the face. The face covering itself must not create a hazard, e.g. have features could get caught in machinery or cause severe fogging of eyewear. The face coverings must be kept clean and sanitary and changed when soiled, contaminated, or damaged.

5. **Physical Distancing:** Physical distancing will be followed as much as feasible. Avoid unnecessary gatherings and maintain a distance of at least six feet (or as recommended by the NYSDOH/CDC for the infectious agent) from each other. Use a face covering when physical distance cannot be maintained.

In situations where, prolonged close contact with other individuals is likely, use the following control methods:

- restricting or limiting customer or visitor entry;
- limiting occupancy;
- allowing only one person at a time inside small enclosed spaces with poor ventilation;
- reconfiguring workspaces;
- physical barriers;
- signage;
- floor markings;
- telecommuting;
- remote meetings;
- preventing gatherings;
- restricting travel;
- creating new work shifts and/or staggering work hours;
- adjusting break times and lunch periods;
- delivering services remotely or through curbside pickup;
- ACLD will utilize the above controls as applicable.

6. **Hand Hygiene:** To prevent the spread of infection, employees should wash hands with soap and water for at least 20 seconds or use a hand sanitizer with at least 60% alcohol to clean hands BEFORE and AFTER:

- Touching your eyes, nose, or mouth;
- Touching your mask;
- Entering and leaving a public place; and
- Touching an item or surface that may be frequently touched by other people, such as door handles, tables, gas pumps, shopping carts, or electronic cashier registers/screens.

Because hand sanitizers are less effective on soiled hands, wash hands rather than using hand sanitizer when your hands are soiled.

6. **Cleaning and Disinfection:** See Section V of this plan.

7. **“Respiratory Etiquette”:** Because infectious diseases can be spread by droplets expelled from the mouth and nose, employees should exercise appropriate respiratory etiquette by covering nose and mouth when sneezing, coughing or yawning.

9. **Special Accommodations for Individuals with Added Risk Factors:** Some employees with underlying health condition, or other factors, may be at increased risk of severe illness if infected. Please inform your supervisor or the HR department if you fall within this group and need an accommodation.

B. **ADVANCED CONTROLS DURING AN OUTBREAK**

For activities where the Minimum Controls alone will not provide sufficient protection for employees, additional controls from the following hierarchy may be necessary. Employers should determine if the following are necessary:

1. Elimination: Employers should consider the temporary suspension or elimination of risky activities where adequate controls could not provide sufficient protection for employees. Examples include:

1. Limiting or eliminating in-person learning,
2. Limiting gatherings by location (outdoors), and scale
3. Limiting or eliminating in-person recreational and/or sporting events.

2. Engineering Controls: Employers should consider appropriate controls to contain and/or remove the infectious agent, prevent the agent from being spread, or isolate the worker from the infectious agent. Examples of engineering controls include:

- Mechanical Ventilation such as local exhaust ventilation, for example:
 - Local duct.

a. General Ventilation, for example:

- Increasing the percentage of fresh air introduced into air handling systems;
- Avoiding air recirculation;
- Utilize air filters with rating of Minimum Efficiency Reporting Value (MERV) 13 or higher, if compatible with the HVAC system(s). If MERV-13 or higher filters are not compatible with the HVAC system(s), use filters with the highest compatible filtering efficiency for the HVAC system(s);
- If fans are used in the facility, arrange them so that air does not blow directly from one worker to another. Remove personal fans as necessary but keep heat hazards in mind and address in other methods if appropriate; and
- Air purifiers.

3. Natural Ventilation, for example:

- Opening outside windows and doors; and
- Opening windows on one side of the room to let fresh air in and installing window exhaust fans on the opposite side of the room so that they exhaust air outdoors.
- Automatic disinfection systems such as ultraviolet light disinfection systems.
- Install cleanable barriers such as partitions and clear plastic sneeze/cough guards.
- Establish entry to building protocols that are contactless.
- Install hand washing or sanitizing stations throughout facility.

Subject to changes based on operations and circumstances surrounding the infectious disease, engineering controls that are anticipated to be used are listed in the following table:

Engineering Controls Utilized/Location:
ACLD has maximized air filters and/or UV lights in HVAC mechanicals as applicable.
ACLD has service contracts in place for HVAC mechanicals providing inspections and replacements as required and recommended by the manufacture.
ACLD has installed barriers in main reception areas for designated locations that have high traffic.
<i>Note to Employer: One of the best ways to reduce exposure to infectious agents is to improve ventilation. The aim is to deliver more "clean air" into an occupied area and exhaust the contaminated air to a safe location. In some cases, the air may have to be filtered before it enters the work area and/or before it is exhausted. Direct the contaminated air away from other individuals and from the building's fresh air intake ports. Consult your ventilation system's manufacturer or service company to determine if improvements are possible for your system.</i>

4. "Administrative Controls" are policies and work rules used to prevent exposure. Examples include:

- Increasing the space between employees and students;
- Disinfecting procedures for specific operations;
- Employee training;
- Identify and prioritize job functions that are essential for continuous operations;
- Cross-train employees to ensure critical operations can continue during worker absence;
- Limit the use of shared workstations;
- Close break rooms;
- Prohibiting eating and drinking in the work area;
- Do not utilize drinking fountains;
- Post signs reminding of respiratory etiquette, masks, hand hygiene;
- Rearrange traffic flow to allow for one-way walking paths;

- Provide clearly designated entrance and exits;
- Provide additional short breaks for handwashing and cleaning;
- Establishing pods or cohorts of staff and students to limit exposure;
- Minimize elevator use, post signage of limitations;
- Increase time between classes to allow for cleaning and ventilation;
- Utilize remote learning methods;
- Require health screening of students upon entry to facilities; and
- Limit attendance of in-person meetings. Host the meetings outdoors or electronically.

Subject to changes based on operations and circumstances surrounding the infectious disease, the following specific administrative controls are anticipated to be used:

Administrative Controls Utilized/Location:
ACLD will follow all the CDC and NY State guidelines recommended for Administrative controls. ACLD will provide required PPE as designated by the CDC.
ACLD may increase/modify work space between workers and provide alternate schedules to reduce people in the shared work area.

5. Personal Protective Equipment (PPE) are devices like eye protection, face shields, respirators, and gloves that protect the wearer from infection. PPE will be provided, used and maintained in a sanitary and reliable condition at no cost to the employee. The PPE provided to an employee will be based on a hazard assessment for the workplace. The following PPE that are anticipated to be used are in the following table:

PPE Required - Activity Involved/Location:
ACLD will provide the necessary and required PPE to all staff as recommend and required by the CDC and NY State guidelines.
ACLD will maintain all PPE that is stored in a climate controlled and sanitary area. PPE will be made available as needed to all staff at no cost.
<p>1 <i>The use of respiratory protection, e.g. an N95 filtering facepiece respirator, requires compliance with the OSHA Respiratory Protection Standard 29 CFR 1910.134 or temporary respiratory protection requirements OSHA allows for during the infectious disease outbreak.</i></p> <p>2 <i>Respirators with exhalation valves will release exhaled droplets from the respirators. Respirators are designed to protect the wearer. Surgical masks and face coverings, which are not respirators, are designed to protect others, not the wearer.</i></p>

C. EXPOSURE CONTROL READINESS, MAINTENANCE AND STORAGE:
 The controls we have selected will be obtained, properly stored, and maintained so that they are ready for immediate use in the event of an infectious disease outbreak and any applicable expiration dates will be properly considered.

III. HOUSEKEEPING DURING A DESIGNATED OUTBREAK

A. Disinfection Methods and Schedules
 Objects that are touched repeatedly by multiple individuals, such as door handles, light switches, control buttons/levers, dials, levers, water faucet handles, computers, phones, or handrails must be cleaned frequently with an appropriate disinfectant. Surfaces that are handled less often, or by fewer individuals, may require less frequent disinfection.

The disinfection methods and schedules selected are based on specific workplace conditions.

The New York State Department of Environmental Conservation (NYSDEC) and the Environmental Protection Agency (EPA) have compiled lists of approved disinfectants that are effective against many infectious agents (see dec.ny.gov and epa.gov/pesticide-registration/selected-epa-registered-disinfectants). Select disinfectants based on NYSDOH and CDC guidance and follow manufacturer guidance for methods, dilution, use, and contact time.

B. Adjustments to Normal Housekeeping Procedures

Normal housekeeping duties and schedules should continue to be followed during an infectious disease outbreak, to the extent practicable and appropriate consistent with NYSDOH and/or CDC guidance in effect at the time. However, routine procedures may need to be adjusted and additional cleaning and disinfecting may be required.

Housekeeping staff may be at increased risk because they may be cleaning many potentially contaminated surfaces. Some housekeeping activities, like dry sweeping, vacuuming, and dusting, can resuspend into the air particles that are contaminated with the infectious agent. For that reason, alternative methods and/or increased levels of protection may be needed.

Rather than dusting, for example, the CDC recommends cleaning surfaces with soap and water before disinfecting them. Conducting housekeeping during "off" hours may also reduce other workers' exposures to the infectious agent. Best practice dictates that housekeepers should wear respiratory protection. See cdc.gov for more guidance.

C. If an employee develops symptoms of the infectious disease at work, it is ideal to isolate the area in accordance with guidance issued by NYSDOH or the CDC, before cleaning and disinfecting the sick employee's work area. This delay will allow contaminated droplets to settle out of the air and the space to be ventilated.

D. As feasible, liners should be used in trash containers. Empty the containers often enough to prevent overfilling. Do not forcefully squeeze the air out of the trash bags before tying them closed. Trash containers may contain soiled tissue or face coverings.

IV. INFECTION RESPONSE DURING A DESIGNATED OUTBREAK

If an actual, or suspected, infectious disease case occurs at work, take the following actions:

- Instruct the sick individual to wear a face covering and leave the worksite and follow NYSDOH/CDC guidance.
- Follow local and state authority guidance to inform impacted individuals.

V. TRAINING AND INFORMATION DURING A DESIGNATED OUTBREAK

A. **ACLD management** will verbally inform all employees of the existence and location of this Plan, the circumstances it can be activated, the infectious disease standard, employer policies, and employee rights under the HERO Act. (Note: training need not be provided to the following individuals: any individuals working for staffing agencies, contractors or subcontractors on behalf of the employer at any individual work site, as well as any individual delivering goods or transporting people at, to or from the work site on behalf of the employer, where delivery or transport is conducted by an individual or entity that would otherwise be deemed an employer under this chapter)

B. When this plan is activated, all personnel will receive training which will cover all elements of this plan and the following topics:

1. The infectious agent and the disease(s) it can cause;
2. The signs and symptoms of the disease;
3. How the disease can be spread;
4. An explanation of this Exposure Prevention Plan;
5. The activities and locations at our worksite that may involve exposure to the infectious agent;
6. The use and limitations of exposure controls
7. A review of the standard, including employee rights provided under Labor Law, Section 218-B.

C. The training will be

- i. Provided at no cost to employees and take place during working hours. If training during normal work hours is not possible, employees will be compensated for the training time (with pay or time off);
- ii. Appropriate in content and vocabulary to your educational level, literacy, and preferred language; and
- iii. Verbally provided in person or through telephonic, electronic, or other means.

VI. PLAN EVALUATIONS DURING A DESIGNATED OUTBREAK

The employer will review and revise the plan periodically, upon activation of the plan, and as often as needed to keep up-to-date with current requirements. Document the plan revisions below:

Plan Revision History			
Date	Participants	Major Changes	Approved By

VII. RETALIATION PROTECTIONS AND REPORTING OF ANY VIOLATIONS

No employer, or his or her agent, or person, , acting as or on behalf of a hiring entity, or the officer or agent of any entity, business, corporation, partnership, or limited liability company, shall discriminate, threaten, retaliate against, or take adverse action against any employee for exercising their rights under this plan, including reporting conduct the employee reasonably believes in good faith violates the plan or airborne infectious disease concerns to their employer, government agencies or officials or for refusing to work wherean employee reasonably believes in good faith that such work exposes him or her, other workers, or the public to an unreasonable risk of exposure, provided the employee, another employee, or representative has notified the employer verbally or in writing, including electronic communication, of the inconsistent working conditions and the employer's failure to cure or if the employer knew or should have known of the consistent working conditions.

Notification of a violation by an employee may be made verbally or in writing, and without limitation to format including electronic communications. To the extent that communications between the employer and employee regarding a potential risk of exposure are in writing, they shall be maintained by the employer for two years after the conclusion of the designation of a high-risk disease from the Commissioner of Health, or two years after the conclusion of the Governor's emergency declaration of a high-risk disease. Employer should include contact information to report violations of this plan and retaliation during regular business hours and for weekends/other non-regular business hours when employees may be working.

COVID-19 Vaccination policy for CMS as per Federal requirements

(Effective January 1, 2022)

LEGAL REQUIREMENT

Pursuant to the emergency regulations issued by the Center for Medicare and Medicaid Services (CMS), all personnel of a covered entity, which includes ACLD's programs covering Article 16 and ICF residential homes are required to be fully vaccinated against COVID-19. This mandate applies to all personnel employed or affiliated with ACLD including but not limited to independent contractors, volunteers, students, interns and temporary staff. The mandate also covers people who are physically present at the same work location with the staff associated with these programs. ACLD personnel must receive their first dose of the vaccine **no later than January 27, 2022**, and their second dose by **February 28, 2022**, if required, within the time frame they are provided.

Applicants for employment will be required to receive at least the first dose of the COVID-19 vaccine, or have an approved exemption, to be employed at an ACLD facility.

DOCUMENTATION OF VACCINATION

Upon receipt of the first dose as well as the second dose, if applicable, employees shall provide documentation of the vaccination(s) to the Human Resources Department. This documentation will be forwarded either to Alex Cohen, Director of Human Resources or Joseph Cipriano, Benefit Manager, at 807 South Oyster Bay Road, Bethpage, New York 11714 or by email at cohen@acld.org, or ciprianoj@acld.org, or fax at 516-495-7070, which shall be kept in the employee's confidential health records. The documentation must set forth the manufacturer of the vaccine, lot number(s), date(s) of vaccination, and vaccinator or vaccine clinical site in one of the following methods: 1) a record prepared and signed by the licensed health practitioner who administered the vaccine, which may include a CDC COVID-19 vaccination card, 2) an official record from one of the following, which need not have a health practitioner signature: a foreign nation, NYS Countermeasure Data Management System (CDMS), the NYS Immunization Information System (NYSIIS), City Immunization Registry (CIR), a NYS Department of Health recognized immunization registry of another state, or an electronic health record system, or 3) any other documentation which has been determined to be acceptable by the Department of Health and Human Services.

MEDICAL AND RELIGIOUS EXEMPTION

An employee who is seeking either religious or medical exemption can request an exemption form from a Human Resources Representative. The information must be completed in its entirety in order to be considered for an exemption.

An employee may seek a medical exemption from receiving the COVID-19 vaccination. An employee must provide a written certification by a licensed physician or certified nurse practitioner that it is detrimental to the employee's health, based upon a pre-existing health condition, which shall also set forth the length and nature of the medical

exemption in accordance with generally accepted medical standards. The medical exemption shall be applicable until the immunization is found to no longer be detrimental to the employee's health.

The written certification from the licensed physician or certified nurse practitioner must be submitted to Alex Cohen, Director of Human Resources or Joseph Cipriano, Benefit Manager, for review. Upon receipt of the certification, which shall be kept in the employee's confidential health records, the employee will be engaged in an interactive process to determine if and how they may be accommodated to ensure their safety and health, and that of other employees.

Should a request for a medical exemption be denied due to the lack of required information from the licensed physician or certified nurse practitioner, the employee shall be given up to seven days to provide the required information. Pending receipt of this information, and if after **January 27, 2022**, the employee will not be permitted to work, but may use accrued sick leave, if any. A failure to provide the required information may subject the employee to disciplinary action up to and including termination.

Employees who are permitted to seek a religious exemption from receiving the COVID-19 vaccination will need to provide the request in writing to Alex Cohen, or designee, by no later than **January 27, 2022**. Additionally, information from an employee may be request from the employee in order to determine if the exemption will be granted. Upon review of the written documentation the Human Resources Director will make a joint decision with the Executive Director if the exemption will be granted. If an employee is denied the religious exemption the employee will not be permitted to work after **January 27, 2022**.

Employees who receive exemptions, whether medical or religious, will be required to wear facemasks **at all times** if and when while on duty in all work locations at ACLD and in vehicles, if occupied by another person, while working, or traveling to/from an ACLD worksite. Employees who are exempted who fail to have regular testing performed and results submitted as set forth below, will be subject to disciplinary action up to and including termination.

REASONABLE ACCOMMODATION:

If a person requires a reasonable accommodation due to being approved for a medical or religious exemption to the COVID-19 vaccination, that person should contact a Human Resources Management Personnel or designee to discuss further. After the information is received a joint decision will be made with the Executive Director and the Human Resources Management Personnel about the reasonable accommodation request. A person who is granted a reasonable accommodation will be subject to weekly testing as set forth below.

TESTING REQUIREMENT FOR A PERSON WHO IS NOT FULLY VACCINATED FOR COVID-19

A person who is not fully vaccinated for COVID-19, as a result of being granted a medical or religious exemption, must be tested at least once every seven (7) days, and documentation of the test result must be provided to Human Resources no later than the seventh (7th) day following the day the employee last provided a test result. If an employee is absent for seven (7) days or more, they must be tested within seven (7) days prior to their return to the workplace. This documentation must be provided in order to continue to work at an ACLD worksite. Testing costs associated with this process is the responsibility of the person and not ACLD.

Acceptable testing must include a cleared, approved, or authorized, including in an Emergency Use Authorization (EUA), by the U.S. Food and Drug Administration (FDA) to detect current infection with the SARS-CoV-2 virus (e.g., a viral test); administered in accordance with the authorized instructions; and not both self-administered and self-read unless observed by the employer or an authorized telehealth proctor. A person who is administering a home test must have a medical provider proctoring the test for the entire duration of the test and provide documentation from a medical provider to confirm the results of the test.

If an employee tests positive, or has been diagnosed with COVID-19 by a licensed health-care provider, the weekly testing will not be required for ninety (90) days following the date of the positive test or diagnosis.

FAILURE TO SUBMIT DOCUMENTATION OF VACCINATION OR MEDICAL/RELIGIOUS EXEMPTION

A person who fails to submit documentation of receipt of each dose of the COVID-19 vaccination as set forth herein, fails to submit the written certification from a licensed physician or certified nurse practitioner in support of

a medical exemption, resulting in the denial of such exemption, or who has not been granted a religious exemption, may be subject to disciplinary action up to and including termination. Employees, volunteers, students, interns and temporary staff who fail to submit documentation will not be allowed on any ACLD worksites.

EMPLOYEE NOTIFICATION TO ACLD

Regardless of vaccination status, employees who receive a positive test or a diagnosis of COVID-19 must immediately notify Human Resources and must be removed from the workplace and/or not be permitted to return to the workplace until they obtain a negative Nucleic Acid Amplification Test (NAAT) following a positive result on a COVID-19 antigen test if the employee chooses to seek a NAAT test for confirmatory testing, or the employee meets the CDC's isolation guidance or, if stricter, ACLD's quarantine/isolation criteria for returning to work, or the employee receives a recommendation to return to work from a licensed health-care provider.

MAINTENANCE OF RECORDS

The Human Resources Department is charged with maintaining all records of COVID-19 immunizations and exemptions, with due regard to confidentiality, but shall submit information as requested by and required to be submitted to the Department of Health and Human Services.

FACE COVERINGS

Should any Federal, State or Local government entities or ACLD require that employees wear appropriate face coverings while at work, whether or not the employee is vaccinated, employees shall comply. Those who cannot do so due to a disability as defined by applicable New York State or Federal Law, should contact Alex Cohen or designee in order to request a reasonable accommodation. Upon such request, the employee shall be engaged in an interactive process to determine if a reasonable accommodation is required, and if it is, whether it can be granted.

This policy is subject to revision as may be determined by any Federal, State or local government entities and/or ACLD.

PROGRAM SERVICES PROVIDED BY ACLD

SERVICES FOR CHILDREN

CHILDREN'S SERVICES PROGRAM (631) 665-1900

Preschool Education:

KRAMER LEARNING CENTER
1428 FIFTH AVENUE, BAY SHORE, NY 11706

SPIEGEL CHILDREN'S CENTER
67 Greenwood Rd., Bay Shore, NY 11706

ACLD's Preschool Education Programs are designed to meet the individual needs of preschool children with developmental disabilities. Education and Therapeutic services are provided in a full day (5 ½ hours) by a highly trained, dedicated staff of professionals.

SEIS (Special Education Itinerant Services)

SEIS is designed to provide children the necessary special education supports in order for them to successfully participate in a community early childhood program.

Related Services

Related Services are individual therapeutic services which can include Speech Therapy, Occupational Therapy, Physical Therapy and Counseling. Related services can be provided at ACLD's centers or in the child's community preschool.

Evaluation Services

ACLD is an approved evaluation site. Evaluations are authorized by the child's school district and are completed to show eligibility for the above-mentioned programs.

After School Program

Spiegel Children's Center
67 Greenwood Rd., Bay Shore, NY 11706

ACLD's After School Program provides recreation and socialization opportunities for school-age children with disabilities. The program runs from 2:30 PM-5:45 PM and follows a school calendar.

Provides information, applications and literature about ACLD programs as well as other educational, camp and related services available for children. Provides information about ACLD Programs and other services available for people with learning and developmental disabilities.

SERVICES FOR ADULTS

DAY SERVICES (Revised April 2016)

ACLD's Day Habilitation Programs provide habilitative and vocational training to adults with developmental disabilities, over the age of 21, who reside in Nassau and Suffolk counties. Day services are designed to assist adults with developmental disabilities to actualize their personal goals and dreams and to be recognized as contributing members of society, a key component of an "enviable life". Day Habilitation programs are certified by the New York State Office for People with Developmental Disabilities (OPWDD) and are Medicaid Waiver (HCBS) funded programs. The programs foster individualization, independence, integration, and productivity by supporting adults with developmental disabilities to actualize their personal goals and dreams and to become valued as contributing members of society. All programs operate year round, Monday through Friday with program hours from 9:00 a.m. to 3:00 p.m. Door to door transportation services are arranged for all people we support. The daily activities are a reflection of the many skills and interests of the people we support. The activities may include volunteerism, travel training, educational opportunities, hobbies, and social/recreational activities. Choice by people we support is encouraged during all aspects of the program.

Community inclusion is a major component of all ACLD Day Service Programs curriculum. The people we support are encouraged to select community activities such as volunteer work, recreational outings and functional opportunities such as shopping and learning to use public transportation. People who participate at volunteer sites are performing

valuable services for other charitable organizations while acquiring a variety of vocational skills. Community activities give the people we support the opportunity to develop, improve, and refine a wide range of skills in real life settings.

Center Based Day Habilitation Programs

CHOICES, our center-based Day Habilitation Programs located in both Nassau and Suffolk, are designed to promote in-house as well as community based opportunities. Program activities include but are not limited to gardening, cooking, computers, physical fitness, volunteer work, shopping and a variety of entertainment events. Specialty staff in the areas of music, art, and community integration provides specialty instruction within the program to help organize and support the participation of the people we support in community based activities within these specialty areas as well. Clinical support in Nursing and Psychology are also on site daily.

CHOICES-BETHPAGE CHOICES-HAUPPAUGE
(516) 681-4500 (631) 434-1715
837 SOUTH OYSTER BAY ROAD 305 OSER AVENUE
BETHPAGE, NY 11714 HAUPPAUGE, NY 11788

CONNECTION'S is a center-based specialty Day Habilitation Program designed for people who have an Autism Spectrum Diagnosis (ASD) or present similar strengths and challenges.

GOLDEN OPPORTUNITIES is a center-based specialty Day Habilitation Program designed for people who are aging and/or medically frail.

CONNECTIONS/GOLDEN OPPORTUNITIES
(516) 681-4500
837 SOUTH OYSTER BAY ROAD
BETHPAGE, NY 11714

Community Based Day Habilitation Programs and Program Without Walls (PWW)

BRIDGES- (NASSAU) & OASIS- (SUFFOLK) our community based Day Habilitation programs, are located within the midst of the community to facilitate access to community resources on a daily basis. Clinical staff in the areas of Nursing and Psychology are scheduled to interface with the program weekly.

BRIDGES-FARMINGDALE BRIDGES-LEVITTOWNPWW
(516) 293-2919 (516) 735-2955 (516) 336-5909
335A MAIN STREET 2940-42 HEMPSTEAD TURNPIKE 857 S. Oyster Bay Road
FARMINGDALE, NY 11735 LEVITTOWN, NY 11756 Bethpage, NY 11714

BRIDGES-WESTBURY BRIDGES-GLEN COVE OASIS-HAUPPAUGE
(516) 338-1957 (516) 674-0441 (631) 434-1715
141 POST AVENUE 200 GLEN COVE AVENUE 305 OSER AVENUE
WESTBURY, NY 11590 GLEN COVE, NY 11542 HAUPPAUGE, NY 11788

VOCATIONAL SERVICES

ACLD's Vocational program provides diagnostic vocational evaluation and supported employment services including job development, job placement, job coach services, travel training and career development to people with mental retardation, learning and developmental disabilities throughout Nassau and Suffolk Counties. The Career and Community Services Center works with local school districts to provide vocational preparation for children with disabilities from middle school through high school. The PACE (Partnership for Advancement and Choices in Employment) Program facilitates promotions and career paths for our workers.

ACLD's Supported Employment program is one of the largest on Long Island. It has grown continuously over the past fifteen years to its current level of placing nearly 50 people into competitive employment each year. We also evaluate 50 people annually and maintain more than 150 people in extended services through OPWDD and VESID.

The Gail and Don Mitzner Day Services Pavilion
(516) 336-5909 ext. 286
857 SOUTH OYSTER BAY ROAD, BETHPAGE, NY 11714

FAMILY SUPPORT SERVICES

ACLD's Family Support Programs focus on supporting and assisting the families of people with developmental disabilities to enhance, strengthen and maintain the family unit.

RECREATION is a fee for service program which offers a variety of weekend activities throughout the year as well as weekend excursions and summer and winter organized vacations. The program is designed for people who are looking to socialize with their peers and increase their community participation. There are Recreation Groups in both Nassau and Suffolk Counties.

The Helen and Arthur Paschow Day Services Center
837 South Oyster Bay Road, BETHPAGE, NY 11714
(516) 822-0028, ext. 319

MAIN STREET RESPITE is a site based waiver program offered to adults living at home in Nassau County in an effort to provide the daily caregiver with some relief from those responsibilities. The people we support are over the age of twenty-one (21) and have a documented developmental disability. The program operates Thursday and Friday evenings and Saturday and Sunday during the day.

335a Main Street
Farmingdale, NY 11735

IN HOME RESPITE PROGRAM provides short-term relief for caregivers who have people over the age of three (3) with a developmental disability living at home. This service is provided in the person's home environment. The respite program allows the caregiver free time away from care-giving responsibilities up to fifteen (15) hours per month.

SCHOOL VACATION RESPITE PROGRAMS provides inclusionary camp experiences to school aged children, ages five (5) to twelve (12) who have a documented disability and reside at home with a primary caregiver.

SCHOOL VACATION CAMPS runs during Winter break (December) and Spring break (April) at two (2) local community sites.

SUMMER CAMP runs during the Summer months providing two three-week sessions of inclusionary camp experience for children aged five (5) to twelve (12). Ages fourteen (14) through seventeen (17) may also participate in Counseling Training Program.

CHILDREN'S SERVICES
1428 FIFTH AVENUE, BAYSHORE, NY 11706
(631) 665-1900

RESIDENTIAL SERVICES: HOMES & INDEPENDENT LIVING (Revised April 2016)

APARTMENT PROGRAM

Supported apartment living in which people who we support share an apartment, two (2) or three (3) people per unit. They are assisted daily by counseling staff.

SUPERVISED INDIVIDUAL RESIDENTIAL ALTERNATIVES

Twenty-four hour supervised living opportunities are provided in residential homes throughout Nassau and Suffolk Counties. People we support are provided with patterns of daily living that enhance their growth and development. People we support are encouraged, guided and supported as they work, travel and interact within their communities. All activities and goals are designed to create an enviable life for each person. As of 2016 we currently serve a total of 240 people in our supervised settings.

SUPPORTED INDIVIDUAL RESIDENTIAL ALTERNATIVES

This program provides independent apartment living for adults. As of 2016, we have a total of 38 apartments throughout Nassau and Suffolk counties. Person's supported either share or lives alone in an apartment in the community and are provided staff support based upon their needs. Through this program people gain the necessary

skills to live, work, and interact within their communities as independently as possible. The ultimate goal of this program, and for each person, is to become completely independent of staff support. This program currently serves as total of 67 people.

COMMUNITY HABILITATION/ISS GRANT/SATELLITE

The Community Habilitation program provides residential habilitation services within a person's private home. The number of hours provided by staff varies based on an person's needs. One of the main goals of this program is to increase a person's independence while also providing support to both the person and their family (if applicable). This program encourages people we support to strive to live independently in the community with minimal staff support. As of 2016 we currently serve 71 people in this program.

The ISS Grant program provides financial assistance to people who possess the skills necessary to live independently, but require minimal financial support to live on their own. The amount of financial assistance that a person receives is based upon a review of their income and their expenditures. As of 2016 there are 34 people who currently participate in this program.

The Satellite program provides residential habilitation on a "fee for service" basis for those people we support who do not have Medicaid.

The Gail and Don Mitzner Day Services Pavilion

857 SOUTH OYSTER BAY ROAD, BETHPAGE, NY 11714
(516) 336-5909 ext. 246

THE CHARLES EVANS CENTER (Revised December, 2019)

Charles Evans Center, Inc., is a Federally Qualified Health Center licensed by the New York State Department of Health. The center provides a variety of medical, mental health, dental and related services that are designed to meet the needs of children and adults. The medical staff are highly qualified licensed professionals who have devoted themselves to the care of the people with developmental disabilities. The support staff is committed to helping those in need with compassion and understanding.

Charles Evans Center locations include:

857 South Oyster Bay Road, Bethpage, NY 11714

113 Glen cove Avenue, Glen Cove, NY 11542

Services Offered Include:

Primary Care, Mental Health, Neurology, Podiatry, Women's Health, Dental Services, Nutritional Group Therapy, Psychological Testing, Psychosocial and Residential services.

ADMINISTRATIVE SERVICES

THE FAY J. LINDNER CENTER FOR INDEPENDENT LIVING

807 SOUTH OYSTER BAY ROAD, BETHPAGE, NY 11714

(516) 822-0028

ACCOUNTING ext. 209

DEVELOPMENT/COMMUNITY AFFAIRS ext. 139

EXECUTIVE OFFICE ext. 229

HUMAN RESOURCES ext. 216

BENEFITS MANAGER ext. 203

EMPLOYMENTMANAGER ext. 231

EMPLOYEE RELATIONS MANAGER ext. 135

EMPLOYEE BENEFITS-WORKERS' COMPENSATION extensions either 203 or 205

401(k)/LEAVES OF ABSENCE/DISABILITY extensions either 203 or 205

EMPLOYEE BENEFITS-MEDICAL BENEFITS-HEALTH

& WELFARE PLANS (MEDICAL/DENTAL) ext. 203 or 205

PAYROLL ext. 184



Employee Acknowledgement

PLEASE READ CAREFULLY BEFORE SIGNING BELOW

I acknowledge that I have received ACLD's Employee Handbook. I understand that it is my responsibility to read the contents and to comply with all Agency policies, procedures and rules. I understand that it is my responsibility to discuss with my manager or Human Resources any questions that I may have.

I also understand and agree that my employment relationship with ACLD is at-will, with respect to its duration, terms and conditions. This means that ACLD reserves the right in its absolute discretion to change any of the terms and conditions of the employment relationship and that ACLD or I may terminate the employment relationship at-will, with or without cause, with or without prior notice, at any time. I understand that nothing in the Employee Handbook shall be construed to modify, change or vary the at-will nature of my employment or create a contract of employment for a specified period of time, a guarantee of any terms, conditions or benefits of employment, or a contractual obligation of any kind, express or implied, on the part of the agency.

This is to inform you that from time to time ACLD may need to use your photograph taken at one of our events for ACLD's newsletter, advertising, or for other Agency-related purposes.

I further understand and agree that no agent or other representative of the Agency, other than the Executive Director, has authority to enter into any agreement for employment for any specified period of time and such agreement must be in writing signed by me and an authorized representative of the Agency.

I further understand that the Agency reserves the right, in its absolute discretion, to modify or rescind all or any part of these policies, procedures, and standards at any time without prior notice to me.

In consideration of my employment, I agree to conform to the policies, procedures, and standards of ACLD.

Name (print): _____

Signature: _____

Program: _____

Date: _____