



FOR YOUTH DEVELOPMENT®  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

# EMPLOYEE HANDBOOK

## YMCA of Greater Dayton Association

Camp Kern

Childcare

Coffman

Downtown

Fairborn

Huber Heights

Kleptz

Premier Health

Preble

South

Springfield

Versailles

Xenia

West Carrollton

Grand Lake Health/Premier Health North Branch

Grand Lake Health/Premier Health South Branch

Otterbein Life Enrichment Center

The YMCA of Greater Dayton, based on Christian principles, is a charitable organization with an inclusive environment driven to enrich the quality of family, spiritual, social, mental and physical well-being for all.

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# Welcome to the YMCA of Greater Dayton!

We are glad you are here. Everyone touched by the YMCA is considered a valuable member of our YMCA family. This includes the people in our many programs, the volunteers who donate their time and talents, those who support the YMCA throughout the community and, of course, each person on our staff team. Whatever your responsibilities within the YMCA, your job is important as we work together for youth development, healthy living, and social responsibility.

The goal of the YMCA of Greater Dayton is to consistently attract, develop, motivate, and retain the most competent employees possible to aid the YMCA in the achievement of its mission and objectives. We are looking to you to practice, instill and model – in spirit, mind and body – the YMCA core values of caring, honesty, respect and responsibility.

This handbook has been prepared to help you understand the policies, procedures, and benefits, as well as your responsibilities and obligations as an employee of the YMCA of Greater Dayton. It is also intended to pass along to you the philosophy which forms the basis of these personnel policies. Please take the time to familiarize yourself with its contents and direct any questions you may have to your supervisor, Branch Executive, or the Human Resources Department.

No handbook can anticipate every circumstance or question about policies or procedures. Therefore, the need may arise to change policies in this handbook. The YMCA reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate in our sole and absolute discretion. If changes are made, employees will be notified. All changes must be authorized by the President/CEO of the YMCA of Greater Dayton.

This Employee Handbook is intended as a guide for personnel policy decisions and is not intended to be, nor should it be construed to be, a contract. All employees of the YMCA of Greater Dayton are employed for an indefinite period. All employees are at will, and no agent, supervisor, or employee other than the YMCA President/CEO has the authority to enter into any agreement with you for any specified period. Further, any employment agreement entered into by the YMCA President/CEO shall not be enforceable unless it is in writing.

This handbook is to help you understand your working conditions and to encourage you to improve your competence in the performance of your responsibilities. Through the diversity, constructive discipline, safety, and equal employment opportunity policies, the YMCA of Greater Dayton strives to ensure fair and equitable treatment of all employees and promotes open communication between you and your supervisor.

In order for you to better understand your position with the YMCA of Greater Dayton, a department supplemental handbook may be provided. It is the Association's expectation that you familiarize yourself with the requirements in the department handbook, but at no time shall it supersede the policies set forth in the YMCA of Greater Dayton Employee Handbook.

Once again, "Welcome" and we wish you every success here at the YMCA of Greater Dayton.

Sincerely,



Dale Brunner  
President/CEO

# *Employment Standards*

## **EMPLOYMENT PHILOSOPHY**

Each employee is an at-will-employee. This means that you can leave your employment at any time, with or without cause, and with or without prior notice, although the YMCA of Greater Dayton does request adequate advance notice when possible.

Likewise, the YMCA of Greater Dayton may discharge any employee, with or without cause, and with or without prior notice at any time but will try to provide advance notice when possible.

Further, no representative of the YMCA of Greater Dayton, other than the President/CEO, has the authority to enter into an agreement of employment for any specified period of time or to make any agreement contrary to the foregoing. Any such agreement must be in writing and signed by both parties.

## **EQUAL EMPLOYMENT OPPORTUNITY**

It is the ongoing policy of the YMCA of Greater Dayton to afford equal employment opportunity to employees, volunteers and members/program participants regardless of their race, color, religion, sex, national origin, sexual orientation, gender identification, genetic information (DNA), age, political affiliation, union activity, physical or mental disability, military or veteran status, or because he or she is a disabled veteran, and to conform to applicable laws and regulations. In keeping with the intent of this policy, the YMCA of Greater Dayton will adhere strictly to the following personnel practices:

- a. Recruitment, hiring, and promotion of individuals in all job classifications will be conducted without regard to race, color, religion, national origin, age, sex, sexual orientation, gender identification, genetic information, physical or mental handicap, veteran status, or because he or she is a disabled veteran, except where a bona fide occupational qualification exists.
- b. Employment decisions will be made in such a manner as to further the principle of equal employment opportunity.
- c. Promotional decisions will be made in accordance with the principles of equal employment opportunity through the use of valid job-related criteria.
- d. All other personnel actions such as compensation, benefits, transfers, training and development, educational assistance, and social and recreational programs will be administered without regard to race, color, religion, sex, national origin, sexual orientation, genetic identification, gender identification, age, physical or mental handicap, veteran status, or because he or she is a disabled veteran, except where a bona fide occupational qualification exists.
- e. It is the YMCA's practice to comply with the Americans with Disabilities Act and ensure equal employment opportunity for all qualified persons with disabilities. Reasonable accommodation will be available to all staff members and applicants as long as the accommodation does not cause undue hardship to the YMCA of Greater Dayton.
- f. Thorough and documented analysis of all personnel actions will be conducted to ensure compliance with the concept of equal opportunity.

## **NONDISCRIMINATION POLICY**

The YMCA of Greater Dayton is committed to providing a workplace where all individuals are treated with dignity, respect, and fairness. In keeping with our mission and values, we strive to maintain an environment that is free from unlawful discrimination and harassment.

Employment decisions—including hiring, promotion, training, compensation, and termination—are based on individual qualifications, merit, and job performance. The YMCA does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by applicable federal, state, or local law.

Staff are expected to uphold a culture of professionalism, civility, and mutual respect in all interactions. Any form of unlawful discrimination, harassment, or retaliation is strictly prohibited and may result in disciplinary action. This policy reflects our commitment to equal opportunity and a respectful workplace for all employees and applicants.

# Employment Policies

## **EMPLOYMENT OF MINORS**

The YMCA movement is the largest employer of teenagers in the United States. Fourteen to seventeen year olds who are employed by the YMCA of Greater Dayton may work only in positions and during hours that comply with Federal and State Child Labor Laws. A copy of this law can be obtained from the branch office manager or Human Resources department.

## **MINIMUM AGE, CERTIFICATION, AND OTHER REQUIREMENTS**

Various positions require certification or licensing. Proof of certification must be submitted to the HR Department at time of hire for those persons attesting appropriate certifications are held. Those completing certifications while employed with the YMCA of Greater Dayton are required to submit proof of certification to the Human Resources Department.

### **1. General**

- a. An employee who drives a YMCA vehicle transporting program participants:
  1. Must be at least 21 years of age.
  2. Hold a valid Ohio Driver's License.
  3. Have a safe driving record, as determined by our current insurance carrier and verified by the Ohio Department of Public Safety. Refer to MVR Check Policy for more information.
- b. Redwoods on-line training modules such as Appropriate Touch, Bloodborne Pathogens, and other assigned modules may require completion prior to hire. A renewal of these modules must take place annually.
- c. First Aid and CPR must be completed 60 days following hire date. Employees are required to maintain certification during their employment.
- d. All staff who receive a YMCA of Greater Dayton email address will be required to complete the HIPAA Compliance Staff requirements in Section 7 of this policy.

### **2. Aquatic Certifications**

- a. Lifeguard
  1. Must be at least 15 years of age. Those under the age of 15 may only be secondary guards on duty. A 15-year old lifeguard is only authorized to guard the therapy pool, zero entry areas, and the bottom entry level of a water slide.
  2. Complete General requirements listed above.
  3. All lifeguards must hold a current American Red Cross Lifeguarding Certification, which includes CPR/AED and First Aid components. Lifeguards certified through the YMCA Lifeguard program at the time of hire must obtain an American Red Cross certification within 90 days of their start date to remain eligible for scheduling. It is the employee's responsibility to maintain active certification status and submit updated documentation to their supervisor. Failure to obtain or maintain required certification may result in suspension from the schedule or termination of employment.
  4. Hold a current Cardiopulmonary Resuscitation certificate.
  5. Hold current First Aid certificate.
  6. Lifeguard In-Service Training - All lifeguards are required to complete a minimum of four (4) hours of in-service training per month to maintain readiness and certification. Missing two consecutive in-service trainings without an approved make-up session will result in a temporary suspension of scheduled hours until training is completed. Make-up sessions must be completed within 14 days of the missed training. Continued non-compliance may result in further disciplinary action.
- b. Charge Lifeguard

Charge Lifeguard is required when no other adult staff is on duty. A minimum of one qualified person must be present any time a "Y" managed pool is open.

  1. Must be at least 18 years of age.

2. Must meet all lifeguard certification requirements.
  - c. Aquatic Instructor
    1. Must be at least 15 years of age. Those under the age of 16 must be paired with an older instructor who they will assist during the sessions.
    2. Complete General requirements listed above.
  - d. Aquatic Coordinator & Director
    1. Must be at least 21 years of age.
    3. Must meet all YMCA lifeguard and YMCA aquatic instructor certification requirements (or complete within six months of employment).
- 3. Health and Wellness Staff**
- a. Complete General requirements listed in the above section.
  - b. Fitness Counselors and Group Exercise Instructors must complete Orientation to Healthy Living, Foundations of Listen First, Principles of Member Health and Wellness, and the job specific technical component within six months of employment. This could include Group Exercise at the Y, Wellness Center at the Y, or an appropriate transition course.
  - c. Complete Health and Wellness employee in-service requirements each year.
  - d. Maintain all required instructor "specialty" certifications.
  - e. Health and Wellness Staff must be 18 and older.
  - f. Fitness Center Attendants may be 16 years of age for the sole purpose of assisting with the cleanliness of the facility and aid in general assistance
- 4. Sports Staff**
- a. Complete General requirements listed above.
  - b. Must complete concussion training and Lindsay's Law training prior to working in a sports related activity.
  - e. Youth sports officials may be 15 years of age and should officiate leagues that are 6 years of age or under.
- 5. Child Care Staff**
- a. Must be 18 years of age and have a high school diploma or equivalent.
  - b. Junior staff 15 – 17 years of age may be hired to assist in programming. They may not be alone with children.
  - c. Must complete General requirements listed above.
  - d. Must complete trainings, vaccinations, and other requirements of the Ohio Department of Job and Family Services.
  - e. All Child Care staff, including child day care centers, residential camps and day camps is required to be fingerprinted. Employment is conditional until the successful return of the record check and a JFS 01176 notification is obtained.
- 6. Nursery Staff**
- a. Must be 15 years of age.
  - b. Complete General requirements listed above.
  - c. Volunteers may assist in the nursery with the supervision of a staff member. Volunteers and employees who are minors must be supervised by a staff member 18 years of age or older.
- 7. HIPAA Compliance Staff**
- a. All employees required to complete HIPAA privacy and security training must become certified within 30 days of hire.
  - b. Annual renewal of the certification is required. An employee will have 30 days to complete recertification once notified by the HIPAA Security Officer.
  - c. Employment is conditional until approved by the HIPAA Security Officer and a verification of certification is obtained.
- 8. Building Supervisor Staff**
- a. Must be 21 years of age or older.
  - b. Must complete the YMCA of Greater Dayton, Director on Duty Training/Orientation prior to serving as a Building Supervisor. Both the employee and the Branch Executive must sign off

on the completed training form prior to working the first shift as a Building Supervisor. Additional requirements and certifications may be required and will be communicated to the employee through his/her supervisor. It is the responsibility of the employee to attend required trainings in order to maintain certifications. Failure to maintain certifications may result in disciplinary action up to and including termination.

## **PERSONAL PROPERTY**

The YMCA of Greater Dayton provides all essential items required to perform one's duties. Any personal property which is brought onto the YMCA of Greater Dayton premises, including but not limited to bags, cell phones, computers, cash, clothing is at the employee's sole risk. Theft of personal items from locked desks, rooms, lockers, and vehicles is also the employee's risk and not covered by Y insurance.

Employees are responsible for any loss or damage that occurs to their personal vehicles parked on or near the YMCA of Greater Dayton premises or while being used for business purposes. Employees who drive personal vehicles for YMCA of Greater Dayton are required to carry the state minimum required motor vehicle insurance on their personal vehicles. In all cases, including parking the employee is responsible for the care and coverage of their vehicle.

## **MOTOR VEHICLE RECORDS CHECK**

The purpose of this policy is to ensure the safety of those who drive YMCA vehicles or personal vehicles while performing business for the YMCA. Vehicle accidents are costly to the Association, but more importantly, they may result in injury to employees and participants. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage.

As such, the YMCA endorses all applicable state motor vehicle regulations relating to driver responsibility. The YMCA expects each driver to drive in a safe and courteous manner pursuant to the following safety rules. The attitude you take when behind the wheel is the single most important factor in driving safety.

### **A. Driver Eligibility**

- YMCA owned or rented vehicles are to be driven by authorized employees only.
- Any employee who has a driver's license revoked or suspended shall immediately notify their supervisor and discontinue operation of YMCA vehicles or a personal vehicle for business purposes. Failure to do so may result in disciplinary action up to and including termination.
- All accidents involving a YMCA vehicle or personal vehicle while on YMCA business, regardless of severity, must be reported to the police and to immediate supervisors. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action up to and including termination.
- Drivers must immediately report all court summonses received for moving violations during the operation of a YMCA vehicle or personal vehicle while on YMCA business.
- All CDL (Commercial Driver License) drivers must comply with all applicable D.O.T. regulations, including successful completion of medical, drug, and alcohol evaluations.
- All employees who will be transporting program participants and guests in YMCA vehicles will be required to successfully complete drug and alcohol evaluations including but not limited to confidential random drug screening procedures.
- If an employee is transporting children, the employee must be at least 21 years of age.
- Motor Vehicle Records will be ordered at a minimum of once per year to assess employees' driving records. An unfavorable record determined by the YMCA of Greater Dayton's insurance carrier will result in a loss of privileges of driving a YMCA owned vehicle and rented or personal vehicles used for YMCA business.

The following guidelines have been provided by the YMCA insurance carrier. The YMCA of Greater Dayton may deviate from these guidelines when circumstances indicate it is appropriate.

1. **Drivers OVER 25 years of age**
  - 3 violations in a 3-year period will be placed on a "restricted" basis
  - 4 or more violations in a 3-year period will be uninsurable
  - A major violation (DUI, vehicular homicide, etc.) will be uninsurable
  - 2 or more at-fault accidents will be uninsurable

## **2. Drivers UNDER 25 years of age**

- 2 violations in a 3-year period will be placed on a "restricted" basis
- 3 or more violations in a 3-year period will be uninsurable
- A major violation (DUI, vehicular homicide, etc.) will be uninsurable

Some individuals who are placed on a driving status may be terminated from employment should their position require driving as a primary function (bus driver, maintenance director, etc.).

### **B. Notification Requirements**

An employee who is required to drive while conducting authorized YMCA business is required to inform his/her supervisor within 24 hours of receipt of violations that reflect a serious hazard or disregard for public safety, including but not limited to the following offenses. Failure to report such occurrences may result in disciplinary action up to and including termination.

- Receiving a citation for operating a vehicle while under the influence of alcohol or any controlled substance
- Receiving a citation for leaving the scene of an accident
- Receiving a citation for driving while under suspension or revocation of any driver's license
- Receiving a citation for reckless operation of a motor vehicle resulting in bodily injury or property damage

### **RELATIVES**

It is the policy of the YMCA to permit the hiring of relatives of employees, including spouses. However, members of an immediate family may not supervise one another directly or indirectly. No relative should be employed where such employment would place one such employee in a position that is responsible for the audit or control of another relative's work activities, even though a supervisor/subordinate relationship may not exist between the positions.

The Association President/CEO must approve any exceptions to this policy. If the exception involves the President's family, it must be approved by the Executive Committee of the Association Services Board of Directors.

### **PERSONAL RELATIONSHIPS**

Many friends and relationships can exist while maintaining professionalism at work; relationships can provide a more enjoyable work experience and should not pose a problem. Personal relationships among co-workers that negatively impact the work environment of the YMCA or member experiences will not be tolerated. If any relationship begins to disrupt any aspect of work, the YMCA reserves the right to transfer or remove one or both parties from the work department/branch/location, etc.

Supervisors are not to date or have romantic relationships with the employees they supervise. It is the responsibility of both individuals involved in such relationships to notify the Branch Executive or Vice President of Operations should this type of relationship develop. Failure to report may result in disciplinary action up to and including termination. The YMCA is committed to providing a safe and professional work environment for minors. Therefore, regardless of the legal age of consent, YMCA staff members over the age of 18 are to adhere to all applicable policies when working with minors. See Child Abuse Prevention Code of Conduct and Appropriate Affection Toward Children. Failure to do so may result in disciplinary action up to and including termination.

### **FITNESS FOR DUTY EVALUATION POLICY**

#### **PURPOSE**

The purpose of this policy is to establish procedures by which the YMCA of Greater Dayton will evaluate an employee's fitness for duty ("FFD"). The YMCA's policies and procedures for appropriate employee behavior are predicated on the need to provide a safe, healthy and secure work environment for employees.

#### **POLICY**

The YMCA expects its employees to report to work in a mental and physical condition that enables them to perform their duties safely, effectively and efficiently, and to remain able to do so throughout the entire

time they are working. In implementing this policy, the YMCA will follow all state and federal laws, and will provide reasonable accommodations to known physical or mental disabilities, if applicable.

1. The supervisor who receives reliable information that an employee may be unfit for duty, or through personal observation believes an employee to be unfit for duty, will validate and document the information or observations as soon as practicable and consult with the Human Resources Department. Actions or behavior that may trigger the need to evaluate an employee's fitness for duty include, but are not limited to, problems with dexterity, coordination, speech, vision, alertness, aggressive behavior, confusion, involvement in an accident, or any other behavior that reasonably causes the YMCA to believe that the employee poses a direct threat to his or her own health or safety or that of others.
2. Unless not possible or practical, the supervisor will present the information or observations to the employee at the earliest possible time in order to validate them; and will allow the employee to explain his or her actions, or correct any mistakes of fact contained in the description of those actions. The supervisor will then determine whether an FFD evaluation is needed.
3. If an FFD evaluation is required, the employee may be placed on leave pending the scheduled evaluation and the YMCA's receipt of the information requested.
4. There are generally two types of FFD evaluations which the YMCA may require. The first is a statement or certification from the employee's own treating medical or mental health provider concerning the employee's ability to perform his or her job duties safely, with or without restrictions. This is, in essence, a "doctor's release." The employee bears the cost of this type of fitness for duty evaluation. The second type of evaluation is an independent medical examination by a medical or mental health provider of the YMCA's choice. This type of evaluation is paid for by the YMCA. In some instance, both types of evaluations may be required.
5. The YMCA may provide a description of the circumstances which prompted the YMCA's need for the evaluation, as well as a written job description for the employee's position, to the provider with either type of FFD evaluation.
6. If an employee refuses to cooperate in the FFD evaluation process (including furnishing any necessary consent and release forms), he or she may be disciplined, up to and including termination.

In addition to the above circumstances, there are other times that the YMCA may require an FFD evaluation, such as when an employee is injured on the job or is returning from a leave of absence. Also, when an employee is being transferred or promoted to a different position within the organization, he or she may be required to undergo an FFD evaluation, if either: (1) all persons entering that same job category are required to do so; or (2) the individual's circumstances are such that an FFD evaluation request is job related and consistent with business necessity.

## **CONFIDENTIALITY**

Information provided to the YMCA, including the Human Resources Department and/or management, regarding any fitness for duty issue of an employee will be strictly confidential, except as may be required by law. A "need to know" will be carefully observed so that only those persons with the need to know the information to ensure a safe working environment will be informed.

## **JOB DESCRIPTIONS, GRADES, AND CONDITIONS OF EMPLOYMENT**

Periodically, all positions in the Association are evaluated relative to other positions and assigned a grade. At the time of hire, an employee may receive a copy of his/her job description and the grade and salary range of the position.

## **ORIENTATION**

The YMCA of Greater Dayton believes proper orientation to the job is essential to good performance on the job. New employees are required to attend a new employee orientation within their first 30 days of employment. Failure to do so can result in suspension without pay until such time as the employee attends the orientation. Check with your supervisor for scheduled times.

## **BACKGROUND CHECKS, FALSE INFORMATION, CRIMINAL CONVICTIONS & EMPLOYMENT**

Applicants for employment with the YMCA of Greater Dayton are expected to provide complete and accurate information regarding their background, employment history, credentials and qualifications for employment. If, following employment, the YMCA learns that an employee intentionally provided false or misleading information or intentionally omitted pertinent information regarding essential background, employment history, credentials or qualifications for employment, or criminal background, the YMCA of Greater Dayton may discipline the employee, up to and including termination, regardless of the time elapsed before the discovery.

As a part of pre-employment screening, the YMCA of Greater Dayton will investigate an employee's background, employment history, credentials and qualifications through fingerprinting, criminal background checks, and reference checks. The Association also reserves the right to conduct background checks for **current** employees for any permitted employment related purpose.

Employees who are arrested for (including cited or charged), or who are convicted of (including no contest or guilty plea) a crime, as defined below, **during** employment must inform the Association Services Human Resources Department of the arrest or conviction as soon as possible no later than 48 hours after arrest and/or conviction. Failure to report the arrest and/or conviction will subject the employee to discipline up to and including termination.

For the purposes of this Policy, a "crime" includes any felony or first-degree misdemeanor (or State equivalent), or any crime (no matter the degree) involving minors, sex offenses, theft, drugs or alcohol, or bodily harm or threat of bodily harm against others.

A criminal conviction or an arrest does not necessarily preclude continued employment with the YMCA of Greater Dayton. The Association has the sole and absolute discretion to determine whether the conduct underlying an arrest or a conviction will result in employment action to include the decision to terminate employment. Likewise, the dismissal of a criminal offense or arrest does not necessarily preclude the Association from taking employment action.

The Association may place employees deemed to be in safety sensitive positions (including, but not limited to, supervision of or contact with children) on leave pending the outcome of any investigation upon receipt of information concerning alleged offenses which may endanger children and/or present a special risk of bodily harm to others. The safety and security of members, employees, volunteers and/or visitors is the Association's foremost consideration in such matters.

The Association shall consider each circumstance on a case-by-case basis.

Former or returning employees are required to re-complete an employment application and to have a criminal background and reference checks conducted if they have been away from the YMCA of Greater Dayton for 6 months.

## **EMPLOYEE RECORDS**

The Human Resources Department maintains personnel files for each employee and this information needs to be kept current so that a smooth-running operation can be obtained. To view your personnel file, contact Human Resources to schedule an appointment. All documentation within an employee file is the property of the YMCA of Greater Dayton.

You are to report to your Supervisor any changes you have in your name, address, phone numbers, e-mail, marital status, number of dependents, income tax allowances, insurance beneficiaries, who to notify in case of an emergency, etc. In addition, all employees are required to update such changes through the Employee Self Service portal within 30 days. Failure to update as required may result in failure to receive important communication, improper reporting to governing agencies, interruptions, disciplinary action, and potential financial penalties at the employee's expense.

## **PRIVACY**

In accordance with state and federal law, the YMCA of Greater Dayton, its executives, supervisors and Human Resources Department strives to ensure that all personal information regarding its employees is kept confidential. Some examples of such confidential information include medical conditions, job

performance, wage and salary rates, etc. which will only be revealed to management members, benefits administrators or government officials with a business need to know.

## **VERIFICATION OF EMPLOYMENT**

In order to protect current and former employee confidentiality, the YMCA of Greater Dayton generally maintains a "no comment" policy when receiving outside requests for verification of employment. The Payroll Department and in some cases, Human Resources Department will verify employment data; no other supervisor or employee has authorization to respond to such requests. The only information which will be provided will be verification of dates of employment, position, employment category, and verification of salary, if given by the employee. Additional information will be provided only if the department receives a signed release from the employee and/or if the Association, in its sole discretion, then chooses to release the information. Should the YMCA receive a subpoena or some other legal or government documentation request, additional information may be disclosed regarding an employee's employment at the YMCA of Greater Dayton.

## **ATTENDANCE**

Each YMCA employee is expected to be on the job, when scheduled, unless prior arrangements have been made. Employees' daily presence is vital to the efficient operation of the organization. Staff members are required to share primary contact phone numbers (either home phone or cell) to other staff members for making business-related calls such as for the purpose of finding substitutes when unable to report to work.

Constructive disciplinary action will be taken to correct the attendance and/or punctuality of any employee who fails to meet the Association's reliability standards. Such discipline will ordinarily be progressive; however, the Association reserves the right to skip any level of discipline and move directly to termination for any offense, particularly where other performance issues exist. The action taken will depend upon the seriousness, nature, and frequency of the offense and may range from verbal notice to termination of employment.

### **GUIDELINES**

1. An unexcused absence is defined as an unscheduled or unapproved absence from work on any scheduled workday due to such circumstances as sick or personal emergency absences. Unexcused absences are considered as such even if the employee has notified his or her supervisor, or even if the employee has PTO to cover the absence. However, approved leaves of absence such as disability or family/medical leaves are not considered unexcused absences.
2. An employee who has not scheduled time off and who is going to be absent from or late to work must notify his or her supervisor, or appropriate member of the management staff, at least 2 hours prior to the beginning of his or her shift when possible. Messages left with co-workers or other staff members, or on a supervisor's voicemail, are not acceptable. Not reporting an absence, late arrival, or an early departure from work may be cause for constructive discipline up to and including termination.
3. Employees who are absent 2 work days without notifying their supervisor (a no-call/no-show) will be considered to have voluntarily resigned.
4. Unexcused absences or late arrivals are monitored on an annual basis (specifically, on a rolling, 12-month basis). This excludes seasonal staff.
5. Unexcused absences and late arrivals are normally monitored separately. However, should the employee's overall attendance record become excessive, the Association reserves the right to follow the constructive disciplinary action procedure for a combination of both attendance issues.
6. Some situations may require that staff members who are going to be absent find qualified staff substitutes to cover their job responsibilities. Each Department may have specific procedures on finding a substitute. An employee who fails to find a substitute may still be required to fill the scheduled shift. Failure to fill a scheduled shift may result in disciplinary action. It is the employee's responsibility to understand what is expected and comply.
7. An employee who has 2 or more unscheduled absences from work due to illness may be asked by their supervisor to provide medical documentation from their physician for the absence.

### **LEVELS OF DISCIPLINE PERTAINING TO ATTENDANCE**

The YMCA of Greater Dayton may deviate from this plan when circumstances indicate more severe discipline is appropriate. This may include incidents where attendance and tardiness conflicts with YMCA policies regarding ratio, safety, mandatory events, or the opening of branch locations.

**4 unexcused absences/late arrivals – Documented Counseling.** The documented counseling is an acknowledgement by both the employee and the supervisor that notification to the employee has been given regarding an attendance issue.

**5 unexcused absences/late arrivals – Written Warning.** The writing warning will be given to the employee during an individual conference with the employee and his or her supervisor and will be signed by both parties with a copy submitted to Association Services Human Resources.

**6 unexcused absences/late arrivals – Final Written Warning.** This warning will be distributed in the same manner as that described above. This warning will reiterate to the employee that his or her attendance or punctuality is substandard and that, should there be any further incidents, termination may occur.

**7 unexcused absences/late arrivals – Termination.** The employee's supervisor and another member of the management staff will conduct the final conference with the employee. The employee will be provided with information regarding his or her final paycheck, benefit continuation rights, return of property, etc.

## **BREAKS AND MEALS**

Breaks of short duration, ranging from 5-20 minutes, are compensable and counted towards work time. The general rule is a 15-20 minute break for every four consecutive hours worked, to be determined at manager's discretion. A staff member working eight (8) hours or more per day may also be given meal break time at manager's discretion. If the meal break is scheduled for 20 minutes or less, it is compensable. If the meal is taken while work is being conducted, the time is counted as compensable. Staff who leave YMCA premises in order to take a break, must clock out prior to leaving.

Minors under the age of 18 who are employed with the YMCA of Greater Dayton must be granted a meal break of 30 minutes for shifts of 5 or more consecutive hours, according to state requirements. Lifeguards should speak with their supervisor regarding eating and break protocol.

## **PREGNANT WORKERS AND BREASTFEEDING EMPLOYEES**

### 1. Introduction

The YMCA is committed to promoting a diverse and inclusive workplace where all employees are treated with respect and provided with equal employment opportunities. This policy outlines the YMCA's compliance with the Pregnant Workers Fairness Act (PWFA) and the Providing Urgent Maternal Protections (PUMP) Act, federal laws that protect the rights of pregnant employees, new mothers, and breastfeeding employees. The YMCA is committed to ensuring compliance with the PWFA and the PUMP Act. Any violations of this policy or the related laws will be promptly addressed, and appropriate corrective action will be taken.

### 2. Scope

This policy applies to all employees, including full-time, part-time, temporary, and seasonal workers, and will be implemented consistently and without discrimination.

### 3. Nondiscrimination and Accommodation

#### 3.1. Nondiscrimination

The YMCA does not discriminate against employees on the basis of pregnancy, childbirth, or related medical conditions. Discrimination on these grounds is strictly prohibited, and any such actions will be subject to disciplinary action.

#### 3.2. Reasonable Accommodations

The YMCA is committed to providing reasonable accommodations to pregnant employees, which may include pregnancy related medical conditions arising from past pregnancies and potential or intended pregnancy, and nursing mothers in compliance with the PWFA and the PUMP Act. If an employee requests an accommodation related to pregnancy, childbirth, related medical conditions, or breastfeeding, the YMCA will engage in an interactive process to determine the appropriate accommodation based on the individual's needs.

#### 3.3. Examples of Accommodations

Accommodations may include, but are not limited to:

- Allowing additional restroom breaks as needed;
- Allowing additional breaks to eat and drink;
- Allowing an employee to carry water and drink water in the work area;
- Allowing an employee to stand as needed;
- Modification of work hours or schedules;
- Providing a private space for expressing breast milk (other than a restroom or locker room);
- Providing seating or assistance for employees who need to sit during extended periods;
- Providing appropriately sized uniforms when required to wear a uniform;
- Providing a closer parking space;
- Temporary job reassignment or temporary job restructuring, if feasible;
- Excused from strenuous activities or activities that involve exposure to compounds not safe for pregnancy when excused by a physician

#### 4. Communication and Notification

##### 4.1. Employee's Obligation to Notify

Employees are encouraged to notify their supervisor or the HR department as soon as they are aware of their pregnancy or need for a breastfeeding-related accommodation. The YMCA will work with employees to ensure that their needs are met. The YMCA may request reasonable documentation from an employee requesting an accommodation for the purposes of describing or confirming the physical or mental condition, confirming that the condition is related to, affected by, or arises out of pregnancy, childbirth or related medical conditions, and confirming that a change or adjustment is needed.

##### 4.2. Confidentiality

All information related to pregnancy, childbirth, or breastfeeding will be kept confidential, to the extent permitted by law. Supervisors and HR personnel will respect the privacy of employees.

#### 5. Lactation Accommodations

##### 5.1. Private Space

The YMCA will provide a private space that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk. This space will not be a bathroom or locker room and will be equipped with an electrical outlet for breast pump use.

The location provided must be functional as a space for expressing breast milk. If the space is not dedicated to the nursing employee's use, it must be available when needed by the employee. A space temporarily created or converted into a space for expressing breast milk or made available when needed by the nursing employee is sufficient provided that the space is shielded from view and free from any intrusion from co-workers and the public.

##### 5.2. Break Time

Employees will be allowed reasonable break time to express breast milk for up to one year after the birth of their child. Breaks may be unpaid if they extend beyond regular paid breaks that are granted by the YMCA to employees under our current break policy. Any employee using unpaid time to express breast milk must be completely relieved from duty.

#### 6. Questions and Reporting

Employees with questions or concerns about their rights under this policy, or those who believe that they have experienced discrimination or non-compliance with this policy, should contact the HR department.

## **PERSONAL APPEARANCE**

Employees are personal representatives of the YMCA and should be well groomed and appropriately dressed for the duties they are required to perform. A friendly smile and an attitude of interest and helpfulness are essential. The YMCA of Greater Dayton's objective in establishing a business casual dress code is to allow our employees to work comfortably in the workplace, Yet, we still need employees to project a professional image for our members, potential employees, and community. All employees are to adhere to the below guidelines when working virtually including conference calls and teaching remote classes.

### 1. Member Services, Building Supervisors

**Pants** - (Khaki, Navy, Blue, Black)

\*Pants should be along the lines of dress or casual type (excluding cargo)

**Shirts** – Approved YMCA shirts, Collared shirts – short or long sleeves

The above guidelines are minimum requirements. Member Services and Building Supervisors may wear appropriate business attire clothing when approved by supervisor or Branch Executive Director.

2. Fitness/Wellness Center, Maintenance, Sports, Coaches, Teen Center

**Pants** - (Khaki, Navy, Blue, Black)

**Shorts** - (Mid-thigh minimal-same colors as pants)

\**Pants and shorts* should be along the lines of dress, casual type (excluding cargo,) or workout pants

**Shirts** - Approved YMCA Shirts, Collared shirts - short or long sleeves.

\* Maintenance and housekeeping staff only may wear blue jeans, with the understanding that they are not to be "ragged", and they must be worn with staff shirts.

\*\*No open toed shoes or sandals are permitted.

\*\*\*Group Exercise Instructors may wear tights or spandex pants if deemed appropriate by the Branch Executive.

3. Aquatics Staff

**Swimsuits** - Women- One Piece; Men- Mid-thigh or longer shorts

\*Swimsuits and shorts must be in good condition, not severely faded, or "ragged"

\*\*Female swimsuits should not reveal excessive cleavage or abdomen

**Shirts**- Approved YMCA Shirts

**Shoes** - Those who decide to wear shoes on the pool deck, must have non-slip soles. Shoes should be a slide style shoe to easily come off should the employee need to enter the water in case of emergency. Shoes similar to a sneaker or a tied shoe are not acceptable for those working on the pool deck as lifeguards.

4. Child Care Staff, Nursery

**Pants** - (Khaki, Navy, Blue, Black)

**Shorts** - (Mid-thigh minimal-same colors as Pants.)

\**Pants and shorts* should be along the lines of dress, casual type (excluding cargo). When approved by their supervisor for outside fieldtrips, Child Care staff may wear blue jeans, with the understanding that they are not to be "ragged", and they must be worn with staff shirts.

**Shirts** - Approved YMCA Shirts, Collared shirts-short or long sleeves.

The above guidelines are minimum requirements. Child Care and Nursery staff may wear appropriate business attire clothing when approved by supervisor or Branch Executive Director.

**Shoes** - Child Care staff are to wear non-slip flat shoes.

5. Additional Guidelines

At a minimum, exempt and director level staff members when not in business attire, along with Member Services, Child Care, and Building Supervisors, should be dressed appropriately in business casual attire.

Business casual attire may include:

- Leggings with mid-thigh top, skirt, or dress
- Pants (no jeans) with collared shirt or sweater
- Tattoos and body piercings that are deemed inappropriate must be covered
- Open toe sandals are not to be worn with shorts, only with pants, capris, or dress attire.
- Tennis shoes must be worn with socks.
- Appropriate undergarments must be worn under clothing to maintain a professional appearance
- All shirts must be worn with an approved YMCA logo, when provided.

Employees who wear attire that is deemed inappropriate will be addressed on an individual basis rather than subjecting all employees to a more stringent dress code. Failure to comply once addressed may be result in disciplinary action.

## **OUTSIDE EMPLOYMENT**

The YMCA of Greater Dayton hopes that its employees will find it unnecessary to acquire outside employment. However, if an employee chooses to work outside the YMCA, he/she may do so, as long as it does not interfere with their work schedule or performance at The YMCA of Greater Dayton.

Full-time employees are expected to consider The YMCA of Greater Dayton to be their primary employer. Outside employment that affects an employee's attendance, work performance, productivity, or conduct, either directly or indirectly, or that creates a conflict of interest of any kind, is strictly prohibited. The YMCA relies on the best efforts of all our employees; therefore, work schedules will not be adjusted and special considerations cannot be made for employees who have outside employment.

If considering outside employment, the employee must consult with their supervisor and the Branch Executive to determine whether a conflict of interest could arise. The employee may be asked to refrain from accepting the outside employment, if it is determined that there is a conflict of interest. YMCA employees are not permitted to promote programs not sponsored by or partnered directly with the YMCA of Greater Dayton. This includes but is not limited to wellness programs, fitness classes, child care centers, chronic disease programs, etc. Instead, employees are encouraged to notify their supervisor of a partnership and/or programs that may be of interest to the YMCA, our members, and staff.

## **INTERNAL EMPLOYMENT OPPORTUNITIES**

The YMCA of Greater Dayton recognizes the distinct advantage of talented employees seeking job and career advancement within the Association. Therefore, every job opening will be posted internally for a minimum of 5 days. All employees who are seeking job advancement or considering a job change are encouraged to use the job posting system as a method for seeking a suitable position with the YMCA of Greater Dayton. Employees are also encouraged to refer qualified candidates for employment as part of their contribution to the success of the Association.

Employees who wish to pursue an internal employment opportunity are responsible for satisfying the following qualifications:

- Responding to the job posting by providing the appropriate documentation in a timely manner;
- Maintaining "Meets Goals at Standard Level" on the last performance evaluation;
- Have current satisfactory work performance;
- Performing in their current job for a minimum of one year (exempt and nonexempt staff only);
- Notifying current supervisor of interest prior to submitting application.

Meeting the above qualifications does not guarantee movement within the Association. It is required that the hiring supervisor contact the current supervisor and Branch Executive Director for pertinent information prior to the beginning of the interview process. All hiring supervisors, with the consultation of their Branch Executive Director, must take into consideration all criteria when interviewing an internal applicant. The Human Resources Department and the Vice President of Operations may be consulted when an employee is applying to work at another branch and may make recommendations/decisions on the movement of employees. Only applicants meeting the job qualifications will be interviewed.

The YMCA of Greater Dayton maintains the right to move employees across the Association as needed. A predetermined change in position may only be done at the discretion of the President/CEO.

## **SOCIAL MEDIA POLICY**

The YMCA of Greater Dayton Social Media Policy encompasses websites and all internet activity related to both YMCA business social media sites such as branch & association *Facebook* pages, and individual social media sites such as personal *Facebook* pages, *Instagram*, *Snapchat*, *Twitter* and others. Managed appropriately, the YMCA believes in online communities and acknowledges them as a valuable component of shared media.

## **PERSONAL SOCIAL MEDIA CONDUCT**

This policy has been developed for employees who maintain personal sites or utilize social media applications (i.e. *Facebook, Instagram, Snapchat, Twitter*, etc.) that may contain postings about YMCA's business, programs, fellow employees and the work they do, and the content that violates the YMCA personnel policy, or code of conduct. Many staff members may have personal pages or write blogs or post to sites. Although individuals have the right to express themselves as they deem fit, certain social media activity may lead to discipline, up to and including termination from employment. Also, employees should be aware that under some circumstances, they will be individually responsible for their actions.

When an employee chooses to post information for the public via a social media site, the employee is legally responsible for everything posted. Individuals can be held personally liable for posting any comments or media deemed to be in violation of any applicable laws (whether pertaining to the YMCA, individuals, or any other entity). For these reasons, employees should exercise caution with regard to obscenity, harassment, threats, or copyrighted materials for example. In some cases, outside parties can pursue legal action against the employee for postings.

Staff that post to websites must be aware that, although some sites offer privacy settings, the Internet is a public domain and all the information you publish can be accessible to the public. Posting information on these pages is conceptually similar to sending a letter to the editor. You are advised to be mindful that the information you post on the internet will likely be seen by members of the YMCA community and could reflect poorly upon your character or upon the YMCA. As an organization that holds personal character in the highest regard, the YMCA is obligated to take actions to preserve its core values. Therefore, it is not advised for YMCA employees to be online "friends" or contacts with members of the YMCA on personal social media pages. When posting, it is important that employees follow these guidelines inside and outside the YMCA and both on or off duty:

- A. If you choose to discuss YMCA matters, you should identify yourself and your role at the YMCA, but make it clear that you are speaking for yourself (by using first person) and not on behalf of the YMCA. An employee could add a content disclaimer such as "unless otherwise noted, the views expressed here are mine alone and not those of my employer."
- B. Any postings in violation of the YMCA's policies, including the YMCA's sexual harassment, equal employment opportunity, and/or workplace violence policies, or any other policy set forth in the YMCA's Employee Handbook are prohibited and may lead to discipline, up to and including discharge.
- C. If an employee chooses to participate in public social media activity, they must ensure that their profiles and online behavior are consistent with the YMCA handbook's Code of Conduct as well as the Child Abuse Prevention Code of Conduct. All behavior must demonstrate the YMCA's core values of respect, caring, honesty, and responsibility and be consistent in presentation to colleagues, donors, volunteers, co-workers, members, and leadership.
- D. It is recommended that you choose the highest security/privacy settings on pages such as Facebook so that only those you have carefully selected as friend connections can view your content. It is your responsibility to monitor your page diligently. Should content or an image be posted without your consent by a "friend" that is not in keeping with YMCA core values, it is your responsibility to remove it from your page.
- E. Be mindful of copyright laws when copying content and quoting others. Always use caution in connection with posting content (text, images, videos, or any other copyrightable works). Do not post the YMCA of Greater Dayton logo or any other logo belonging to the YMCA to your personal website, blog, or any other social computing platform. Please refer to the YMCA's Confidentiality Policy in the Employee Handbook for a description of confidential and proprietary information.
- F. Protect the confidential and proprietary information belonging to the YMCA of Greater Dayton, its partners, suppliers, employees, members, volunteers, or other people or companies in any online social computing platform.
- G. Do not post pictures of members or guests enrolled in YMCA programs or participating in activities at the YMCA, especially those of children. Using cell phones or other devices to record and

photograph on YMCA property without the approval of the Branch Executive is prohibited. Employees with children or family members participating in a program/event are allowed to take pictures and recordings of their children in accordance with membership policies.

- H. Report unsanctioned contact – In the Child Abuse Prevention Code of Conduct that you signed, you agreed to no contact with YMCA-related children apart from YMCA programs. If you receive email, social media, or blog entries from any children whom you know from YMCA programming, you should contact your supervisor immediately. Any response to them is in violation of your no-contact promise to the YMCA. If you do receive such a communication, you should determine how the child got your email or blog address and you should correct the deficiency and block further correspondence.
- I. Postings may generate media coverage. If a member of the media contacts you about a YMCA-related blog posting or requests YMCA information of any kind, do not respond and contact the CEO or Vice President of Operations at the Association Services office. You should also contact your Human Resources manager for clarification on whether specific information has been publicly disclosed before you blog about it.
- J. If you are aware of another employee violating the Social Media Policy it is your duty to report such violations to your supervisor, Branch Executive Director, or the Human Resources Department.

### **YMCA BUSINESS SOCIAL MEDIA STANDARDS**

The YMCA of Greater Dayton recognizes the value of social media in marketing its vision and mission, programs and in communicating special events. Our YMCA maintains both an Association *Facebook* page, Twitter account and holds other social media presence. Each branch maintains their own social media presence as well with the help off the Association Marketing Department. These pages are designed only to announce happenings at our Y's and to accept "fans", but not to connect with individuals directly or communicate privately with others. When managing YMCA of Greater Dayton social media sites for business purposes, it is important that employees follow these guidelines:

- A. Do not cite or reference members, children, guests, partners, employees, or suppliers without the prior written approval from the individual being referenced and/or the supplier. A written release must be obtained by a parent or guardian for those under age 18. A child under the age of 18 years old cannot give approval to be contacted or communicated about.
- B. Do not post pictures or videos of members or guests enrolled in YMCA programs or participating in activities at the YMCA, especially those of children, unless prior written approval by that individual or guardian has been given and your supervisor has authorized the posting. A written release must be obtained by a parent or guardian for those under age 18. A child under the age of 18 years old cannot give approval. Refer to the YMCA of Greater Dayton Photo and Video Recording Release Form.
- C. Protect the confidential and proprietary information belonging to the YMCA of Greater Dayton, its partners, suppliers, employees, members, volunteers, or other people or companies in any online social computing platform. Please refer to the YMCA's Confidentiality Policy in the Employee Handbook for a description of confidential and proprietary information.
- D. The YMCA of Greater Dayton may not use Personal Health information for marketing or fundraising purposes without written authorization or a notice of privacy practices has been shared between the YMCA and the participant. The YMCA of Greater Dayton adheres to HIPAA privacy and security laws. This policy will not be construed or applied in a manner that improperly interferes with employees' rights under Section 7 of the National Labor Relations Act.

Use good judgment. If information seems questionable or makes you feel uncomfortable, discuss the content with your supervisor, Branch Executive Director, or the Marketing Department. Violation of this policy is a serious offense and may lead to discipline or discharge.

### **GENERAL RULES OF CONDUCT FOR ALL EMPLOYEES**

In keeping with our core values, the YMCA of Greater Dayton's promise to our members, families, program members and the general community is that we are committed to providing a safe environment in which all participants are treated in a caring, honest, respectful and responsible way. Our mission commands us

to “build a healthy spirit, mind and body for all.”

It is every staff member’s responsibility to deliver on this promise and to project and further the mission. This includes all dealings with the community; inside and outside of our workplace and both on and off duty. Y staff members should avoid any inappropriate speech or behavior in the presence of our community members at all times. No one should have reason to be offended or embarrassed by YMCA staff’s speech, appearance or conduct. The YMCA of Greater Dayton has zero tolerance when it comes to the abuse and mistreatment of children, seniors, and other members of the Y family. Any YMCA employee who abuses or mistreats individuals will be disciplined up to and including termination of employment.

Of course, the YMCA does not mean to interfere with anyone’s private life, but publicly observable communications, actions or words are not private. Staff needs to use good judgment and discretion. If you want something to be private, do not expose it to public access. If you or your words are in public, make sure they are not interfering with your role at the YMCA. If an employee does not demonstrate reasonable personal conduct and the core values of the YMCA, disciplinary action may be necessary.

Since most rules are common sense, the number of written rules is kept at a minimum to assure protection for every employee’s health, safety and job security. It is the responsibility of all employees to know and maintain the standards of conduct which have been established by the YMCA. If you have any questions, ask your supervisor or the Human Resources department. The following behaviors fall within YMCA of Greater Dayton standards of conduct:

1. Honesty.
2. Caring, attentive, courteous and polite treatment of members at all times.
3. Respect and consideration for members and fellow employees regardless of race, religion, sex, age or color.
4. Responsibility to accept all reasonable rules of personal conduct, including attention to one's own good health, work habits, attendance, and punctuality.
5. Proper care and safe keeping of member, Association, and employee property and records.
6. Cooperation with others.
7. Maintenance of all commonly accepted, reasonable rules of responsible personal conduct, including the prohibition of the use of or being under the influence of alcohol or illegal drugs at the work place.

The following behavior without limitation could lead to disciplinary action up to or including termination:

1. Breach of trust or dishonesty
2. Conviction of a felony
3. Willful violation of an established policy or rule
4. Falsification of Company records
5. Gross negligence
6. Insubordination
7. Violation of the Anti-Harassment and/or Equal Employment Opportunity Policies
8. Timecard or sign-in book violations
9. Undue and unauthorized absence from duty during regularly scheduled work hours
10. Deliberate non-performance of work
11. Larceny or unauthorized possession of, or the use of, property belonging to the YMCA, or any co-worker, visitor, or customer of the YMCA
12. Possession of dangerous weapons and/or ammunition on the premises illegally
13. Unauthorized possession, use or copying of any records that are the property of YMCA
14. Unauthorized posting or removal of notices from bulletin boards
15. Excessive absenteeism or lateness
16. Marring, defacing or other willful destruction of any supplies, equipment or property of the YMCA
17. Failure to call or directly contact your supervisor when you will be late or absent from work
18. Fighting or serious breach of acceptable behavior
19. Violation of the Alcohol or Drug Policy
20. Theft
21. Violation of the YMCA's Confidentiality Policy
22. Illegal gambling, conducting games of chance or possession of such devices on the premises or during work hours

23. Leaving the work premises without authorization during work hours
24. Sleeping on duty
25. Using cell phones or other devices to record and photograph on YMCA property without the approval of the Branch Executive
26. Inappropriate or unprofessional interactions with members, program participants, or YMCA stakeholders
27. Allowing a YMCA member or participant (regardless of age who is not related to you) entry into your personal vehicle prior to, during or after your shift at the YMCA
28. Using keys or pool or other facilities when the building is not open and you are not scheduled to work without approval from management.

This list is intended to be representative of the types of activities that may result in disciplinary action. It is not exhaustive and is not intended to be comprehensive and does not change the employment-at-will relationship between the employee and the YMCA.

### **CHILD ABUSE PREVENTION CODE OF CONDUCT**

1. In order to protect YMCA staff, volunteers, and program participants – at no time during a YMCA program may a staff person be alone with a single child where they cannot be observed by others. As staff supervise children, they should space themselves in a way that other staff can see them. If in a situation where staff may be left alone with a child, staff are to immediately move to a public area where the staff member and the child may be viewed by others. This could include a lobby, hallway, or designated area.
2. Staff shall never leave a child unsupervised.
3. Restroom supervision: Staff will make sure the restroom is not occupied by suspicious or unknown individuals before allowing children to use the facilities. Staff will stand in the doorway while children are using the restroom. This policy allows privacy for the children and protection for the staff (not being alone with a child). If staff are assisting younger children, doors to the facility must remain open. If a restroom is only accessible through a class room and a teacher is in the classroom, it is permissible to allow one child at a time into the restroom. No child regardless of age should ever enter a bathroom alone on a field trip. Children should not be sent in pairs without staff supervision.
4. Staff should conduct or supervise private activities in pairs - diapering, putting on bathing suits, taking showers, etc. When this is not feasible, staff should be positioned so that they are visible to others.
5. Staff shall not abuse children including:
  - physical abuse – strike, spank, shake, slap;
  - verbal abuse – humiliate, degrade, threaten;
  - sexual abuse – inappropriate touch or verbal exchange;
  - mental abuse – shaming, withholding love, cruelty;
  - neglect – withholding food, water, basic care, etc.

Any type of abuse will not be tolerated and may be cause for immediate dismissal.
6. Staff must use positive techniques of guidance, including redirection, positive reinforcement and encouragement rather than competition, comparison and criticism. Staff will have age appropriate expectations and set up guidelines and environments that minimize the need for discipline. Physical restraint is used only in pre-determined situations (necessary to protect the child or other children from harm), is only administered in a prescribed manner and must be documented in writing.
7. Staff will conduct a health check of each child, each day, as they enter the program, noting any fever, bumps, bruises, burns, etc. Questions or comments will be addressed to the parent or child in a non-threatening way. Any questionable marks or responses will be documented.
8. Staff respond to children with respect and consideration and treat all children equally regardless of sex, race, religion, culture.
9. Staff will respect children's rights to not be touched in ways that make them feel uncomfortable, and their right to say no. Other than diapering, children are not to be touched in areas of their bodies that would be covered by a bathing suit.
10. Staff will refrain from intimate displays of affection towards others in the presence of children, parents,

and staff.

11. While the YMCA does not discriminate against an individual's lifestyle, it does require that in the performance of their job they will abide by the standards of conduct set forth by the YMCA.
12. Staff must appear clean, neat, and appropriately attired.
13. Using, possessing, or being under the influence of alcohol or illegal drugs during working hours is prohibited.
14. Smoking or use of tobacco in the presence of children or parents during working hours is prohibited.
15. Profanity, inappropriate jokes, sharing intimate details of one's personnel life, and any kind of harassment in the presence of children or parents is prohibited.
16. Staff must not adversely affect children's physical or mental health and may be required to submit medical documentation should there be a concern regarding their ability to perform the job, with or without reasonable accommodation and without posing a direct threat to themselves or others.
17. Staff will portray a positive role model for youth by maintaining an attitude of respect, loyalty, patience, courtesy, tact, and maturity.
18. Staff may not be alone or communicate externally with children they meet in YMCA programs outside of the YMCA. This includes babysitting, sleepovers, social media, texting, and inviting children to your home. Any exceptions require a written explanation before the fact and are subject to administrator approval.
19. Staff are not to transport children in their own vehicles. Under no circumstances are staff to transport a child without permission from a parent/guardian and their YMCA supervisor in a YMCA of Greater Dayton vehicle.
20. Staff may not date program participants under the age of 18 years of age.
21. Under no circumstance should staff release children to anyone other than the authorized parent, guardian, or other adult authorized by the parent or guardian (written parent authorization on file with the YMCA).
22. Staff is required to read and sign all policies related to identifying, documenting, and reporting child abuse and attend trainings on the subject, as instructed by a supervisor.

All employees are required, under Section 2151.421 of the Ohio revised Code, to report their suspicions of child abuse or child neglect to the local public children's services agency. Please notify your supervisor if you suspect a child is being abused or neglected so the proper agency can be notified. Notifying your supervisors in no way replaces your responsibility to report child abuse or neglect to the local public children's service agency.

YMCA of Greater Dayton employees are to gain assistance from a supervisor in the event a child has informed them of abuse. Employees who have been accused will be removed from the program until an investigation of the accusation has been conducted. YMCA employees are required to cooperate during investigations. If the child has experienced youth on youth abuse, the child should be removed from contact with the accused until an investigation of the accusation has been conducted.

Failure to comply with this policy and all other requests made by management in order to protect those we serve may result in disciplinary action up to and including termination.

### **APPROPRIATE AFFECTION TOWARD CHILDREN**

The YMCA of Greater Dayton encourages staff who interact with children to be affectionate with those children in a manner that is safe for both the children and the employee. Employees should not demonstrate preferential treatment toward select children. Staff members should not make promises to children or give gifts to individual children separate from other participants within the program.

A child may initiate contact that a staff member never would. Examples include a child choosing to hold hands with a staff member, or climbing in a staff member's lap. Staff should respond very briefly (although warmly) to full frontal hugs. Setting gentle yet firm limits are the way to make children's spontaneous affectionate behavior safe for you. For example, if a child initiates lap sitting, kindly ask the child to sit next to you.

- Touching should be in a response to the need of the child and not the need of the adult
- Touching should be with the child's permission; resistance from the child should be respected
- Touching should avoid breasts, buttocks, and groin
- Touching should be open and not secretive
- Touching or other physical contact should be governed by the age and developmental stage of the child (see examples below)
  - Holding hands – most children over the age of 8 will not want to hold your hand
  - Lap sitting – most children over the age of 8 will not want to initiate this activity
  - Buttoning pants – unless children have special needs, they will not require your assistance with this activity past the age of 7

Appropriate ways that employees may touch children include; pat on the shoulder, sideways hugging, high fives, special handshake, applying sunscreen to a child (with parent permission) in areas a child cannot reach.

When a situation merits having unusual contact with a child, make sure you have a witness to verify your appropriate actions and responses. This circumstance may come up frequently when young children may need help with clothing or in programs where physical contact is part of instruction like aquatics, gymnastics, and other selected sports.

If you would feel uncomfortable about what is happening if an authority figure or family member would enter the room, you need to change the situation immediately. Violation of this policy is a serious offense and may lead to discipline or discharge. For questions regarding this policy, speak to your supervisor or Branch Executive Director.

### **LIMITING STAFF CONTACT WITH PROGRAM PARTICIPANTS OUTSIDE WORK**

Staff may not be alone with children they meet in YMCA programs outside of the YMCA. This includes baby-sitting, sleepovers, and inviting children to their home. Any exceptions require a written explanation before the fact and are subject to their Branch Executive Director's approval and signed waiver by parents.

### **EXTERNAL COMMUNICATION WITH PROGRAM PARTICIPANTS UNDER 18**

The YMCA does not approve social communication with program participants under the age of 18 outside the YMCA. However, some programming such as swim team, leadership club, sports, etc. requires coaches, program directors, and other Y employees to interact with children and their parents.

It is in the best interest of all parties to ensure this communication is monitored and observed by a third party. It is also important that a record be kept in order to protect those involved in the communication. At any time, a supervisor or member of the management team may ask to see a record of external communication with participants.

The YMCA of Greater Dayton has established guidelines and recommends tools to use when this communication is required:

- Remind.com – interactive tool to reach parents and children. This can be viewed on the internet or via text and sends out general announcements to everyone.
- Group Me.com – interactive tool allowing two-way observable communication by the group.
- Playerspace – web based tool to reach parents and children. This can be viewed on the internet or via text and sends out general announcements to everyone.

For individual communication, a Y employee or volunteer should first let their supervisor know they will need to contact program participants individually. The Y representative should then contact the parent directly and ask for permission to contact the child. The representative should explain YMCA policy, the fact only needed Y information will be discussed, and let the parent know they will be copied on any communication. If the parent is uncomfortable with this, the Y representative should ask if the parent minds being a liaison between the child and the Y representative. If the parent agrees to the communication, verify both the child's contact information and the parent's contact information. Follow

up in writing that it is acceptable to communicate with the child via text or email. Save a copy of the verification and any notes taken during the conversation with the parent. This communication file is for your own protection.

Supervisors who work with minor staff members are encouraged to follow the above guideline.

## **HARASSMENT**

The YMCA of Greater Dayton prohibits employees, volunteers, members, program participants, guests and consumers from doing anything that intimidates, insults, coerces, or harasses another employee, member, program participant, or guest. There is zero tolerance for any harassment including those being harassed base upon their race, color, religion, sex, national origin, sexual orientation, genetic identification (DNA), age, physical or mental handicap.

## **WORKPLACE VIOLENCE**

Acts or threats of physical or verbal violence (including intimidation and/or harassment and/or coercion) which involve or affect the YMCA of Greater Dayton or its employees or which occur on the YMCA property will not be tolerated. Such conduct will be met with the strongest legal action by the YMCA of Greater Dayton, up to and including termination, the use of law enforcement, and the use of criminal prosecution measures.

Workplace violence includes acts or threats of violence including conduct that is sufficiently severe, offensive, or intimidating to alter the employment conditions or create a hostile, abusive or intimidating work environment for one or more of its employees.

Examples include, but are not limited, to the following:

- a) All threats or acts of violence occurring on YMCA of Greater Dayton premises, regardless of the relationship between the YMCA and the parties involved in the incident.
- b) All threats or acts of violence occurring off the YMCA of Greater Dayton premises involving someone who is acting in the capacity of a representative of the Association.
- c) All threats or acts of violence occurring off the YMCA of Greater Dayton premises involving an employee of the YMCA if the threats or acts affect the legitimate interests of the Association.
- d) Any acts or threats resulting in the conviction of an employee or agent of the YMCA of Greater Dayton, or of an individual performing volunteer or other service for the Association on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the legitimate interests and goals of the YMCA.
- e) Specific examples of conduct, which may be considered threats or acts of violence, include but are not limited to:
  - 1) Physical assault of an individual (hitting, shoving, kicking, or otherwise having unwelcome physical contact).
  - 2) Threatening harm to individuals, their family, friends, associates, or property.
  - 3) Verbal assault for the purposes of intimidation and/or coercion.
  - 4) The intentional destruction or threat of destruction of YMCA of Greater Dayton or personal property.

## **FIREARMS**

Firearms of any sort are absolutely prohibited on YMCA of Greater Dayton property or in Association vehicles. You are absolutely prohibited from bringing any firearm onto YMCA of Greater Dayton property. Any employee who violates this Policy shall be subject to discipline, up to and including discharge.

To ensure the safety and well-being of all employees, members and other visitors, the YMCA of Greater Dayton reserves the right to inspect and/or search, in appropriate circumstances, all areas of the YMCA of Greater Dayton and your belongings.

## **SEXUAL HARASSMENT**

The YMCA of Greater Dayton prohibits employees from doing anything that intimidates, insults, coerces

or harasses another employee, member, program participant, or guest. This policy specifically prohibits an employee from engaging in any intimidating, insulting, coercive or harassing behavior that is sexual in nature.

Examples of prohibited conduct include, but are not limited to:

- \* Spoken or written comments relating to a person's sex.
- \* Any unwelcome advance or contact of a sexual nature.
- \* Sexually oriented comments about a person's body or behavior.
- \* Showing or displaying pornographic or sexually explicit objects or illustrations in the workplace or while performing duties for the YMCA.
- \* Sexually offensive comments, jokes or innuendoes.

In addition, the YMCA of Greater Dayton prohibits unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual or otherwise offensive nature, when:

- \* Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment.
- \* Submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person.
- \* Such conduct has the purpose or effect of unreasonably interfering with the person's work performance or creating an intimidating, hostile, or offensive working environment.

An employee who violates this policy is subject to disciplinary action, up to and including termination.

If you believe you are being subjected to harassment, you must bring the matter to the Human Resource department's attention, unless a member of the Human Resource department is the alleged perpetrator of the harassment. If this is the case, or if you would feel more comfortable, the matter should be brought to the attention of the appropriate Vice President, and/or the President/CEO.

The YMCA forbids retaliation against any employee who, in good faith, reports harassment, assists in making a harassment complaint, or who cooperates in a harassment investigation. The YMCA will protect the confidentiality of harassment complaints to the extent reasonably possible. An employee who files a knowingly false harassment complaint will be subject to disciplinary action, up to and including termination.

Complaints will be carefully documented and investigated immediately. If the complaint is found to be valid, corrective action will be taken immediately. Corrective action may include education, discipline, or termination.

The YMCA of Greater Dayton requires reporting by employees of any incidents of harassment in order to apply this policy.

## **OTHER FORMS OF HARASSMENT**

Sexual harassment is but one type of workplace discrimination. If an employee believes that he or she is being discriminated against or harassed on the basis of race, color, religion, national origin, ancestry, age, genetic identification (DNA), disability, veteran status, or sex, the employee should report the situation to any member of management or the President. Any concerns will be promptly investigated. All employees should understand the importance of reporting discriminatory conduct. Employees who engage in discrimination or harassment should be aware they will be subject to serious disciplinary measures, up to and including termination.

## **DRUGS AND ALCOHOL**

### **PURPOSE**

The YMCA of Greater Dayton is committed to a safe, healthy, and productive work environment for all employees free from the effects of substance abuse. Abuse of alcohol, drugs, and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision-making.

### **SCOPE**

This policy applies to all employees. All employees have been issued upon initiation of this policy or upon

hire (whichever is later) a copy of the Association policy, describing in detail under what conditions employees will be tested.

### STATEMENT OF POLICY

To ensure a safe and productive work environment the Association prohibits the use, sale, dispensation, manufacture, distribution or possession of alcohol, drugs, controlled substances, or drug paraphernalia on any association premises or worksites. This prohibition includes association owned vehicles, or personal vehicles being used for association business or parked on association property. Additionally, the YMCA may take disciplinary action, including discharge, for the illegal (under federal or state law) off-duty use, sale, dispensation, manufacture, distribution or possession of drugs and controlled substances and the illegal use or distribution of alcohol.

No employee shall report to work or be at work with alcohol or with any detectable amount of prohibited drugs in the employee's system. (A detectable amount refers to the standards generally used in workplace drug & alcohol testing). At sanctioned YMCA events, where alcohol is served, excessive drinking is not representative of the YMCA's core values and is considered to be unacceptable behavior according to our code of conduct.

When an employee must take prescription or over-the counter drugs, the employee must ask the medical professional or pharmacist if the drug has any side effects which may impair the employee's ability to safely or productively perform the employee's job duties. If there is potential impairment of the employee's ability to work safely or productively, the employee must report this information to the supervisor or the Human Resources Department upon arrival to work. With input from the employee and, in some cases, medical provider, the YMCA will determine if the employee should work in their regular job, be temporarily assigned to another job or placed off-work.

Illegal use of drugs off duty and off association premises or work sites is not acceptable. It can affect on-the-job performance and the confidence of the public, and our members and participants in the association's ability to meet its responsibilities.

Any violation of this policy may result in disciplinary action up to and including termination.

### **DRUG AND ALCOHOL TESTING**

In furthering its policy to provide for the health and safety of its employees and to ensure the health and safety of others, the YMCA of Greater Dayton has established the following procedure for the testing of drug and alcohol use among its employees through scientifically validated technologies.

The YMCA has the right to require body substance samples/drug tests (e.g., blood, urine) in any of the following situations:

- a. Applicants for employment may be required to provide a body substance sample. This includes but is not limited to those who will be transporting YMCA members, guests, or program participants in YMCA vehicles.
- b. Any current employee who is involved in a serious near miss or accident, regardless of fault, at the work site or on duty, whether on or off YMCA premises, may be asked to provide a body-substance sample.
- c. Significant and observable changes in employee performance, appearance, behavior, speech, etc., that provide reasonable suspicion of the presence of drugs or alcohol, are grounds for requiring a fitness for duty evaluation that may include the testing of a body substance sample. Supervisors will not attempt to diagnose alcoholism or drug dependence. Supervisor-indicated referrals for evaluation will be based on a documented record of unsatisfactory or deteriorating job performance, as evidenced by normal observation of performance, attendance and behavior. Such bases for reasonable suspicion can include, but are not limited to:
  1. Absenteeism or excessive tardiness.
  2. Declining performance.
  3. Suspect behavior, e.g., stumbling, blurred or incoherent speech, apparent confusion in orientation, emotional outbursts, inability to perform normal job tasks, the unsafe handling

of equipment or tools or the actual observation of such behavior as drinking alcohol or using some other drug.

4. Disclosing self-report.
- d. When a supervisor/manager has reasonable suspicion to request testing, the supervisor/ manager will arrange for the employee to be tested and will arrange for the employee's transport home. The HR Director and/or the VP of Operations are to be notified in cases of reasonable suspicion.
- e. When there is reasonable suspicion, the employee is not to return to work until fitness for duty is established. This time will be treated as a suspension pending the outcome of the test. The employee shall be paid for any time lost from work, only if the test is negative. If the test is positive, and the YMCA of Greater Dayton decides not to terminate the employee, the employee may be referred to a drug and/or alcohol treatment program.
- f. Refusal to provide a body substance sample under the conditions described in this section shall provide the basis for immediate termination.
- g. The results and records of body substance sample tests are to be considered confidential and are not to be discussed or shared with anyone who does not need to know. Likewise, a branch executive must not discuss the suspected reason for a referral with anyone who does not need to know.
- h. Random Confidential drug and alcohol evaluations for those employees as follows:
  - i. Those who transport YMCA program participants, guests, staff, or members in YMCA vehicles
  - ii. Positions where safety is of great concern including but not limited to lifeguards and zipline guides.

#### SEARCH, INSPECTION, AND INVESTIGATION

The YMCA may conduct unannounced inspections for violations of this policy in the workplace, worksites, or company premises. Employees are expected to cooperate in any inspection. The VP of Operations and/or the HR Director are to be notified in advance of the need for inspection, searches or investigations.

Any substances suspected of being illegal drugs found in or on YMCA property should be carefully preserved in their natural state and condition. Detailed notes should be made describing the articles found, the place and date found and who found them.

#### VOLUNTARY TREATMENT

The Association supports sound treatment efforts. Employees may seek treatment for drug or alcohol use through their medical insurance or by accessing the Employee Assistance Program contracted by the YMCA for its eligible employees. All treatment programs are at his or her own expense.

If the employee elects to enter an appropriate treatment program, the employee may be placed on Family Medical Leave as outlined in this personnel procedures and guidelines. The YMCA of Greater Dayton will have the right to require verification from the health care provider of the employee's release to return to work as covered in the company's leave policies. More information regarding availability of treatment resources and possible insurance coverage for treatment services is available from the Human Resources Department.

#### DISCIPLINARY ACTION

1. Testing Positive:

Employees who test positive for drugs or alcohol are in violation of this policy. An employee who tests positive for marijuana is in violation of the YMCA of Greater Dayton's drug policy, even if the employee is exempt from criminal prosecution under Ohio's medical marijuana laws.

Be advised that a positive drug test for marijuana constitutes a violation of the YMCA of Greater Dayton's drug and alcohol policy and may lead to your termination.
2. Refusal to comply:

Employees who refuse required testing are in violation of this policy.
3. Interference with testing:

Employees who adulterate, tamper with or otherwise interfere with accurate testing are in violation of this policy.

4. Any employee, who has been observed using or possessing illegal drugs or alcohol during work time, including meal breaks or on YMCA premises or worksites is in violation of this policy.
5. Employees who consume alcohol during work time (excluding sanctioned events serving alcohol), while on break, or are possessing containers of alcohol where the original seal has been broken are in violation of this policy.

## **TOBACCO AND SMOKE FREE ENVIRONMENT**

YMCA of Greater Dayton facilities and grounds are tobacco-free environments. Smoking or use of tobacco, herbal or oil products including, but not limited to cigarettes, cigars, tobacco pipes, vaporizers, and all other forms of smokeless devices, is prohibited inside any of the association's facilities, vehicles, or buildings and grounds where YMCA programming is taking place. If deemed necessary, a branch may determine the appropriate outdoor designated smoking area for staff members. Staff are not to use the above products or those similar while wearing YMCA attire.

## **CONSTRUCTIVE DISCIPLINE**

Whether or not to use progressive discipline and the type of disciplinary action taken in any given situation remains in the YMCA's sole discretion. Any employee whose conduct, actions, or performance violates or conflicts with the YMCA of Greater Dayton's policies or mission may be terminated immediately and without warning.

If legal charges are brought against an employee, whether work related or not, the YMCA reserves the right to suspend the employee, as well as take any other disciplinary action it deems appropriate including termination, without regard to the resolution of the legal charge.

All employees are expected to meet the YMCA's standards of work performance. Work performance encompasses many factors, including attendance, punctuality, personal conduct, job proficiency, and general compliance with Y policies, procedures, mission and values. Whenever possible, the YMCA believes in a positive, constructive approach to discipline. The disciplinary action taken depends on the seriousness, nature and frequency of the offense. Disciplinary action may include documented counseling, written warning, final warning, performance improvement plan, and suspension. Department specific violations may deviate from the Constructive Discipline steps outlined below as may be reflected in the supplemental handbooks such as the HIPAA Privacy and Security Policies and Procedures. Ideally, the goal is to have the employee, the supervisor, and other members of management work together to solve behavioral problems and to maintain a harmonious work environment.

Discipline may follow a four-step plan, although the YMCA of Greater Dayton may deviate from this plan when circumstances indicate more severe discipline (or immediate discharge) is appropriate.

### 1. Documented Counseling

Your supervisor will counsel you about the problem and work with you to avoid further disciplinary action. Should this correct the problem, no further action will be taken.

### 2. Written Warning

Should the problem continue (or an additional problem arise), your supervisor would counsel you again. A written statement of the problem and the agreed-upon plan or action to correct the problem will be prepared and signed both by you as well as your supervisor. A copy will be given to you and also placed in your personnel file. If the problem is permanently corrected here, no further action will be taken. If the problem continues (or any additional problem arises), the supervisor is required to move to the next step.

### 3. Final Written Warning/ Performance Improvement Plan or Suspension

A performance improvement plan is a specific period of time in which an employee has the opportunity to correct the unacceptable behavior. Suspension is a final written warning informing you that you are suspended for a specified period without pay. If the problem continues, after suspension or the performance improvement plan, or any additional problem arises, further disciplinary action up to and including termination will occur.

#### 4. Termination

Unfortunately, the preceding steps do not always produce the desired result. In some instances, it is recognized that it serves no useful purpose for either the employee or the Association to continue an unsatisfactory relationship, and termination may be necessary.

The YMCA is under no obligation to undertake progressive discipline measures at any time. Every employee of the YMCA has the status of "employee-at-will," meaning that no one has a contractual right, express or implied, to remain in the YMCA's employ. The YMCA of Greater Dayton may terminate an employee's employment, without cause, and with or without notice, at any time for any reason.

### **COMPLAINTS**

1. An employee with a complaint shall request a private meeting with his/her supervisor. Through discussion, it is hoped that resolution will result.
2. If the complaint cannot be resolved at that level, a meeting is arranged between the Branch Executive, the employee, and his/her supervisor. In all cases, the employee will be given the opportunity to present his/her complaint. If the complaint involves the Branch Executive, a meeting is arranged between the Branch Executive, the employee, and the Branch Executive's supervisor.
3. If the employee is not satisfied with the resolution of the complaint under the mediation of Branch Executive Director, the Human Resources Director is to be contacted by any of the parties mentioned to review the complaint and all subsequent events and actions. A review of the matter will take place in consultation with the Vice President of Operation or the Vice President of Finance. Once reviewed, the decision will be final. The employee will receive communication regarding the complaint within a reasonable time frame from the date the complaint was submitted to the HR Department.

### **SAFETY**

Employee safety is a primary concern of the YMCA of Greater Dayton and, as such, the Association is committed to providing a safe and healthy workplace for all employees. All employees are required to be trained and wear all safety equipment needed in order to perform their job safely and to provide quality programming to those we serve. Failure to wear required equipment or report an employee not following safety procedures may result in disciplinary action up to and including termination.

If you are injured while on the job, no matter how slight, you must report the injury to your Supervisor and complete and sign a First Report of Injury form and send it to the Human Resources Department. A Redwoods Incident Report must be completed for any member or guest who is injured in a YMCA facility and the report given to your Branch Executive Director. If you are aware of any unsafe conditions in the workplace, you are required to immediately notify your Supervisor or Branch Executive.

For your safety, the safety of those you work with, and for the wellbeing of our members, it is important all employees honor their limitations. If an employee is able to return to work after an injury, they are required to notify the HR Department of any restrictions from their medical provider. These restrictions should be submitted prior to the employee returning to work. They will be reviewed by the HR Department and the employee's supervisor to see if a reasonable accommodation can be made. In some circumstances, transitional work may be available until the employee is able to return to their full duty position. If the YMCA of Greater Dayton is concerned about the safety of the restrictions or needs further understanding, a Fitness for Duty Evaluation may be requested.

### **CONFLICTS OF INTEREST**

No staff member shall engage in activities contrary to its interest or inconsistent with the responsibilities entrusted to them. In general, conflict exists wherever a staff member achieves personal gain or incurs obligation to others at the expense of the YMCA of Greater Dayton. Such personal gain need not be direct but might include gain by family members, friends or relatives.

The following list includes areas where a conflict might occur, but is not meant to limit the areas where staff members should exercise discretion:

- Personal benefit from any corporate transaction – sale, purchase, rent, lease of property, staff member services or supplying products.

- Receiving gifts, special payments or favors greater than a nominal value (generally \$50.00 or less) from an individual or organization that is providing goods or services to the YMCA or receiving goods or services from the YMCA. At no time should a staff member solicit, request or otherwise indicate gifts, payments, favors, etc.
- Use of YMCA personnel in an individual venture or in conjunction with any business outside that of the YMCA.
- Misuse of inside information or confidential information not available to the public for personal or others' gain, to include membership, contributor or staff member mailing lists or any use of such information to the YMCA's disadvantage or the staff member's or others' improper advantage.
- Use of the YMCA tax exemption for purchase of personal material or equipment
- Use of YMCA resources to develop competitive programs for personal use or use by others.

The Vice President of Finance and/or CEO/President will serve as the appropriate corporate officer to determine if any specific transaction, relationship, or other situation represents a conflict of interest.

## **WHISTLEBLOWER**

### **A. Purpose**

The purpose of this Whistleblower Policy of the Young Men's Christian Association of Greater Dayton (the "YMCA") is to: (i) provide a mechanism for the reporting and investigation of suspected illegal, fraudulent, dishonest, or unethical activity or misuse of YMCA property or resources by employees, officers, directors, consultants, or volunteers; (ii) to provide protection from retaliation for the persons reporting such suspected activities; and (iii) to enable the ability to report and deal with such concerns internally within the YMCA prior to seeking resolution outside the organization.

### **B. Statement**

All employees, officers, directors, consultants, and volunteers of the YMCA must practice honesty, integrity, and the utmost ethical standards in fulfilling their respective responsibilities on behalf of the YMCA. In keeping with the policy of maintaining the highest standards of conduct and ethics, the YMCA will require all of such persons to report any suspected illegal, fraudulent, dishonest, or unethical activity or misuse of the YMCA's property or resources, will provide procedures for making such reports, will investigate such reports, and will protect from retaliation those persons making such reports.

### **C. Definitions**

Whistleblower A "Whistleblower" is any employee, officer, director, consultant, or volunteer who informs a person affiliated with the YMCA about an action or inaction relating to the YMCA which that person believes to be "Inappropriate Conduct". Whistleblowers may also be referred to in this Policy as "Reporting Persons".

Inappropriate Conduct "Inappropriate Conduct" is a deliberate act or failure to act: (i) in violation of the law; or (ii) which constitutes fraudulent, dishonest, or unethical activity or a misuse of YMCA property or resources; or (iii) with the intention of obtaining an unauthorized benefit. Some examples of Inappropriate Conduct include, but are not limited to, the following:

- forgery, alteration, destruction, or concealment of documents in violation of the law or the YMCA's policies;
- unauthorized alteration or manipulation of computer files; false, misleading, or fraudulent financial reporting;
- pursuit of a benefit or advantage in violation of the YMCA's Conflict of Interest Policy;
- providing false information to or withholding material information from the YMCA's Board of Directors (the "Board") or auditors;
- authorizing or receiving compensation for goods not received or services not performed;
- authorizing or receiving compensation for hours not worked; or embezzling, self-dealing, or seeking private inurement or private benefit;
- using remarks or actions of a sexual nature that are not welcome and are likely to be viewed as personally offensive, including sexual flirtations; unwelcome physical or verbal advances; sexual

propositions; verbal abuse of a sexual nature; the display of sexually suggestive objects, cartoons, or pictures; and physical contact of a sexual or particularly personal nature, or otherwise a violation of the YMCA's policies related thereto;

- using epithets, slurs, negative stereotyping, and threatening, intimidating, or hostile acts that relate to race, color, religion, gender, national origin, age, or disability; circulating or posting written or graphic material in the workplace that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, nationality, age, or disability;
- discriminating against an employee or potential employee due to a person's race, color, religion, sex, sexual orientation, national origin, age, physical or mental impairment, or veteran status; or otherwise violating the YMCA's policies related thereto; or facilitating or concealing any of the above or similar actions.
- Baseless Allegations "Baseless Allegations" are allegations made with reckless disregard for their truth or falsity, or are knowingly false. Individuals making Baseless Allegations may be subject to disciplinary action by the YMCA, and further may be subject to legal claims by the persons accused of such conduct.

#### **D. Reporting Responsibility**

It is the responsibility of all employees, officers, directors, and volunteers to comply with this Policy, and to report Inappropriate Conduct or suspected Inappropriate Conduct in accordance with this Policy. Consultants are also encouraged to report Inappropriate Conduct or suspected Inappropriate Conduct in accordance with this Policy.

#### **E. Reporting Procedures**

If an employee, officer, director, volunteer, or consultant observes, has knowledge of, or suspects Inappropriate Conduct, he or she may report it, anonymously if such person wishes (each, a "Reporting Person"). A Reporting Person may make a report of actual or suspected Inappropriate Conduct (each, a "Report") to any of the following persons at any time: the Chief Executive Officer of the YMCA; or the Vice President of Finance.

The Report should contain as much information as possible, including where and when the Inappropriate Conduct occurred, names and titles of individuals involved, and such other detail as may be provided. All Reporting Persons must act in good faith and have reasonable grounds to believe that the information reported is not a Baseless Allegation. A Reporting Person making a Baseless Allegation may be subject to disciplinary action.

The YMCA will reasonably endeavor to treat all information and communications under this Policy in a confidential manner, provided, however, that the YMCA may disclose such information and communications in connection with the: (i) conduct of a complete investigation; or (ii) review of YMCA operations by the Board of Directors, its Finance Committee, the YMCA's independent public accountants, or the YMCA's legal counsel.

#### **F. Investigation Procedures**

All Reports, including suspected but unproven matters, will be reviewed and analyzed, with documentation of the receipt, retention, investigation, and treatment of the Report. Appropriate corrective action will be taken, if necessary, and findings will be communicated to the Reporting Person and the Board of Directors. Investigation by independent persons such as auditors and/or attorneys may be required. The YMCA shall follow the following procedures in the course of investigating any Report of Inappropriate Conduct:

All Reports will be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances, the law, and this Policy. Reports may be shared with legal counsel, law enforcement personnel, and others so that the YMCA may conduct an effective investigation and determine the appropriate action based on the results of such investigation (such persons could potentially include the person committing the Inappropriate Conduct to the extent that such persons have a legal right to know the identity of the Reporting Person).

Upon receipt of a Report of Inappropriate Conduct, the Report shall be submitted to and reviewed by the Vice President of Finance to determine whether the Report constitutes a legitimate complaint or a Baseless Allegation; provided, however, that if the Report involves the conduct of the Vice President of Finance, it shall be submitted to and reviewed by the Chief Executive Officer, and if the Report involves the conduct of the Chief Executive Officer, it shall be submitted to and reviewed by the Executive Committee of the Board.

Any person receiving report other than the persons named above shall promptly submit such report to the appropriate person identified above. No persons receiving a report other than the persons named above shall, in any circumstances, perform any investigative or follow-up steps on his or her own, and should follow the procedures set forth in this Policy.

If the Report is deemed to be a legitimate complaint, it will be investigated by the person identified, and a written report of the outcome of the investigation will be submitted to the Board. Employees may be removed from employment until the investigation is complete when necessary. If the Report is deemed to involve a matter that requires Board consideration, the Board shall consider the Report and act to resolve the situation. If the Report is deemed to not involve conduct that is considered Inappropriate Conduct, it may still involve a serious matter and may require further investigation. If the Report involves such other conduct, the Vice President of Finance will refer it to the appropriate party for follow up.

If a Report is determined to be or contain a Baseless Allegation, the Reporting Person may be subject to disciplinary action by the YMCA, and further may be subject to legal claims by the persons accused of such conduct.

#### **G. No Retaliation**

The YMCA will use its best efforts to protect Reporting Persons against any negative or adverse actions, harassment, retaliation, or adverse employment consequence. Any Reporting Person who has made a Report and who subsequently believes that he or she has been subjected to retaliation of any kind is directed to immediately report it to the Vice President of Finance. Reports of retaliation will be investigated in a manner intended to protect confidentiality, consistent with this Policy and a full investigation, and the Reporting Person and the Board shall be notified of the results of the investigation. This protection from retaliation is not intended to prohibit the YMCA from taking action, including disciplinary action, in the usual course of business or operations, or otherwise based on valid performance-related factors.

Employees, officers, directors, volunteers, or consultants may not retaliate, harass, or institute any negative or adverse actions, including affecting employment, against a Reporting Person for submitting a Report about actual or suspected Inappropriate Conduct. Any employee, officer, director, volunteer, or consultant who retaliates against a Reporting Person is subject to discipline up to and including termination of employment.

#### **H. Questions**

If you have any questions regarding this policy, please contact the Vice President of Finance.

### **SOLICITATION AND DISTRIBUTION**

Many outside organizations, businesses and individuals have requested permission to solicit our employees for memberships, contributions, and sale of merchandise or participation in activities. To protect our employees' right to privacy and to preserve the integrity of the work place, solicitation other than the YMCA of Greater Dayton's internal fundraising campaigns is prohibited. All other solicitation or distribution requests must be approved by the President/CEO, VP of Operations, or the VP of Finance.

### **PERSONAL EXPRESSION ON PUBLIC ISSUES**

Staff members are free to exercise their full liberties as citizens, including the right to express their personal convictions on issues such as social, economic, religious and political subjects. However, they must use discretion in expression at work and must refrain from giving any impression that their views

and positions are those of the YMCA.

## **PERSONAL EXPRESSION ON YMCA ISSUES/COMPANY REPRESENTATIVES**

Unless expressly authorized, employees are not to speak on behalf of the YMCA of Greater Dayton. Employees will be held accountable for public comments or written communication made about the Association or any of its representatives that damage the finances or reputation of the Association, or that disclose confidential information of the Association. The YMCA of Greater Dayton asks that employees be respectful of the Association, its employees, members, partners, and competitors in all communication. Employees who make such damaging public comments will be subject to serious disciplinary measures, up to and including termination, whether or not those comments are made during regular business hours or at a business location.

If an employee is approached by a newspaper, radio, television or other public communications reporter, the employee is never to assume anything will be "off the record." An employee is to inform the reporter that all requests must be approved through the President of the YMCA of Greater Dayton. The employee should gather the reporter's name, media, deadline, phone, and list of questions or the topic of the inquiry if possible. The employee should then contact their Branch Executive Director to inform them of the request and provide the reporter's contact information. In the absence of the Branch Executive Director, the employee should directly contact the Vice President of Finance or the CEO/President of the YMCA of Greater Dayton.

This policy includes Personal Web sites and Web logs (blogs) which have become prevalent methods of self-expression in our culture. The YMCA respects the right of employees to use these mediums during their personal time. If an employee chooses to identify himself or herself as a YMCA employee on a Web site or Web log, he or she must adhere to the following guidelines:

- Make it clear to the readers that the views expressed are the employee's alone and that they do not necessarily reflect the views of the YMCA.
- Do not disclose any information that is confidential or proprietary to the YMCA or to any third parties, including members, who have disclosed information to the YMCA. Consult the YMCA's confidentiality policy for guidance about what constitutes confidential information.
- Uphold the YMCA's value of respect for the individual and avoid making defamatory statements about YMCA employees, members, and others, including competitors.
- Blogging must not interfere with the employee's job, nor be performed on work time.

If blogging activity is seen as compromising the YMCA, we may request a cessation of such commentary and the employee may be subject to counseling and, potentially, disciplinary action.

## **CONFIDENTIALITY**

The protection of the YMCA of Greater Dayton's business information, property and all other association assets (including its members' property) are confidential and vital to the interests and success of the association. No YMCA related information or property, including without limitation, documents, files, records, computer files, equipment, office supplies or similar materials (except in the ordinary course of performing duties on behalf of the YMCA) may, therefore, be removed from the YMCA's premises without permission from the YMCA. In addition, when an employee leaves the YMCA, the employee must return to the association all YMCA related information and property that the employee has in his/her possession, including without limitation, documents, files, records, manuals, information stored on a personal computer or on a computer disc, supplies, and equipment or office supplies.

Additionally, the contents of the YMCA's records or information otherwise obtained in the course of business may not be disclosed to anyone, except where required for a business purpose. Employees must not disclose any confidential information, purposefully or inadvertently (through casual conversation), to any unauthorized person inside or outside the association. Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Confidential information includes any information obtained from or pertaining to our members, including, but not limited to, W-2 wage information, social security numbers, bank account information, and other related information. All employees with access to Personal Health Information will be required to adhere to all policies and procedures outlined by the HIPAA privacy and security supplemental handbook.

Violation of this policy is a serious offense. Employees will be subject to appropriate disciplinary action,

up to and including immediate dismissal, for knowingly or unknowingly revealing information of a confidential nature, or otherwise violating this policy. Please be aware failure to comply with confidentiality policies and procedures may lead to legal action taken by the YMCA of Greater Dayton or outside entities.

### **GUIDELINES ON WEATHER EMERGENCIES**

When a weather emergency exists throughout our service area, either the CEO or the Vice President of Operations will make any branch closing decisions.

1. Each Branch Executive will be notified via phone by either the CEO or the Vice President of Operations at the Association Services Office. If essential staff members are required to report to the branch, they will be notified by the CEO or Vice President of Operations when the closing decision is made.
2. The CEO or the Vice President of Operations will authorize the Branch Executive to report any branch closing decisions to the local TV and radio stations.
3. Closing of any branch facilities, independent of the whole Association, must be cleared through the Vice President of Operations, or through the CEO, in the V.P.'s absence.
4. Closing of any off-site centers, independent of the Association or branch closings, must be cleared through the appropriate levels of management as above.
5. Every effort should be made to make up any canceled classes for which the member has paid a fee. If the member cannot participate during any special designated make-up times, a credit may be issued for future use. All efforts to be sensitive to the desires of the member should be made.

#### **If a branch is CLOSED due to inclement weather, the following procedures will be followed:**

- It is the responsibility of the branch supervisors to notify their staff when the branch will be closed during periods of inclement weather.
- Full-time hourly employees will be paid for their regularly scheduled hours.
- Part-time hourly and seasonal staff will not be paid for hours missed due to the closure of a branch in inclement weather.

#### **If a branch is NOT CLOSED but the employee cannot get to work due to inclement weather, the following procedures will be followed:**

- It is the responsibility of the employee to notify his or her supervisor, or appropriate member of the management staff, at least 2 hours prior to the beginning of his or her shift when possible. As with any other absence, messages left with co-workers or other staff members, or on a supervisor's voicemail are not acceptable.
- Hourly employees will not be paid for hours missed when the branch remains open during inclement weather. However, full-time hourly employees will use their PTO for hours missed when the branch remains open.

### **FORM DOCUMENT RETENTION POLICY**

In order to comply with the demands of Sarbanes Oxley Corporate Fraud and Accountability Act of 2002 and Ohio obstruction of justice laws and to facilitate its efficient and effective operation, the YMCA of Greater Dayton has implemented an Association Board of Director's approved Document Retention Policy ("DRP"). As a condition to employment or continued employment with the YMCA of Greater Dayton, employees are required to comply with the terms of this DRP adopted October 2008.

All business records should be kept no longer than the period necessary for the proper conduct of the YMCA of Greater Dayton's business. Except as designated in the DRP, no documents shall be retained for longer than five (5) years and no duplicate copies of the same shall be retained. This DRP shall cover all business records generated or received by the YMCA of Greater Dayton, including, written, printed and recorded matter and electronic forms of records, including email messages in personal folders. All employees should review their electronic files regularly and delete them where appropriate to ensure

compliance with the YMCA of Greater Dayton DRP.

In order to protect individuals' private information, documents containing social security numbers, dates of birth, etc. should always be disposed of properly i.e. shredding.

To ensure that the YMCA of Greater Dayton DRP is followed, there may be annual audits of the DRP. The YMCA of Greater Dayton Association Services Office shall be responsible for overseeing the implementation of the DRP. Questions related to the DRP should be directed to the Association Services Office staff.

## **EXPENSES AND ALLOWANCES**

### **ALL EMPLOYEES**

Expenses incurred while on YMCA of Greater Dayton business shall be recognized as proper charges, if provided for in the budget and approved, in advance, by the supervisor. All expense reports must be submitted within 90 days of the date the expense was incurred. The following are normally recognized as proper charges:

1. Taxicab or transportation fare, except to and from work, when close timing or other emergency warrants use of cab or when bulky or heavy material must be transported.
2. All travel time spent at the request of the YMCA, excluding normal home-to-work travel, is considered time worked and will be paid.
3. The reasonable cost of meals will be paid where the employee's attendance is required as part of his/her official responsibilities. Employees whose job requires more than one meal away from home per day, will be reimbursed for a second meal with prior approval of supervisor.
4. Expenses incurred for the use of personally owned vehicles used for official YMCA business at a rate commensurate with local standards and reviewed, at least, annually.
5. Parking and toll fees will be paid while on official YMCA business.

## **MILEAGE REIMBURSEMENT**

This Mileage Reimbursement Policy outlines the guidelines and procedures for employees who use their personal vehicles for YMCA-related purposes. The YMCA recognizes the need to reimburse employees for mileage expenses incurred while conducting business on behalf of the organization. This policy applies to all employees who are required to use their personal vehicles for YMCA purposes.

### **Policy Guidelines:**

1. **Eligibility:** Employees eligible for mileage reimbursement are those whose job responsibilities require the use of their personal vehicles for YMCA-related travel. This may include but is not limited to picking up supplies, traveling between branches, meetings, errands, travel from home to the airport and other business-related trips. Employees should seek to use a route to a destination that is generally the shortest or fastest route to a destination.
2. **Travel Not Eligible for Reimbursement:** The normal commute (the journey between home and work) does not count as acceptable reimbursement for mileage expense. Employees are not to add a business errand onto a personal trip, that does not qualify for reimbursement. The employee's supervisor is responsible to evaluate the usefulness of the trip for YMCA purposes and the trip's eligibility for reimbursement.
3. **Mileage Reimbursement Rate:** The YMCA will reimburse employees for mileage incurred during YMCA-related travel based on a mileage rate set by the YMCA's Human Resources department. While the YMCA will take the prevailing standard mileage rate established by the Internal Revenue Service (IRS) into consideration, the final reimbursement rate will be determined by the YMCA and may vary from the IRS rate. The rate may be reviewed and updated periodically to reflect organizational needs, budgetary considerations, and external factors, including changes in government regulations..
4. **Record Keeping:** To request mileage reimbursement, employees must keep accurate records of their business-related trips. These records should include the following information:

- Date of the trip
  - Starting and ending locations
  - Purpose of the trip
  - Total mileage traveled
5. **Submission of Mileage Reimbursement Requests:** Employees should submit their mileage reimbursement requests within a reasonable timeframe, typically within 30 to 90 days from the end of the month in which the trips occurred. All requests should be submitted through the YMCA's designated expense reporting system, and they must include all relevant trip details and receipts where applicable.
  6. **Approval Process:** Mileage reimbursement requests will be reviewed and approved by the employee's immediate supervisor. Supervisors should verify the accuracy of the submitted information and ensure that the mileage claimed is in line with the employee's job responsibilities.
  7. **Payment:** Approved mileage reimbursement requests will be processed during the next available Accounts Payable cycle (generally every two weeks). Reimbursements will be made via check made out to the employee or electronically using a payment method determined by the YMCA.
  8. **Tax Implications:** Employees are responsible for understanding and complying with any tax implications associated with mileage reimbursement. It is recommended that employees consult with a tax professional for guidance on how to report these reimbursements on their tax returns.
  9. **YMCA-Owned Vehicles:** In cases where the YMCA provides employees with a YMCA-owned vehicle, mileage reimbursement will not be applicable for business travel conducted using these vehicles.
  10. **Compliance:** Employees are expected to comply with this policy and provide accurate and truthful information in their mileage reimbursement requests. Any fraudulent or inaccurate submissions may result in disciplinary action including and up to termination.
  11. **Reimbursement Disputes:** In the event of a dispute regarding mileage reimbursement, employees should contact the HR department for resolution.

## **USE OF COMPUTER AND ELECTRONIC EQUIPMENT**

The YMCA of Greater Dayton prohibits employees from using the YMCA's equipment for personal use. Employees will not use such equipment to create material intended for personal or other non-business-related purposes.

The use of YMCA of Greater Dayton automation systems, including computers, fax machines, and all forms of Internet/Intranet access, is for Association business and for authorized purposes only.

Playing computer games at any time is prohibited, whether on or off duty. Employees will not bring discs, CDs, tapes, downloads, or any other electronic data storage device from outside into the workplace without receiving authorization from the IT Manager. Employees will not remove from the workplace; discs, CDs, tapes, or any other electronic data storage device or other equipment or property belonging to The YMCA of Greater Dayton. Any deviation from this policy requires authorization of the IT Manager.

Electronic communication should not be used to solicit or sell products or services that are unrelated to the YMCA's business; distract, intimidate, or harass coworkers or third parties; or disrupt the workplace.

Use of YMCA computers, networks, and Internet access is a privilege granted by management and may be revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to:

- Sending chain letters or participating in any way in the creation or transmission of unsolicited commercial e-mail ("spam") that is unrelated to legitimate Association purposes;
- Engaging in private or personal business activities, including use of instant messaging and chat rooms;
- Misrepresenting oneself or the YMCA;
- Violating the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way;

- Engaging in unlawful or malicious activities;
- Deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either the Association's networks or systems or those of any other individual or entity;
- Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
- Sending, receiving, or accessing pornographic materials;
- Causing congestion, disruption, disablement, alteration, or impairment of YMCA networks or systems;
- Maintaining, organizing, or participating in non-work-related Web logs ("blogs"), Web journals, "chat rooms", or private/personal/instant messaging;
- Failing to log off any secure, controlled-access computer or other form of electronic data system to which you are assigned, if you leave such computer or system unattended;
- Using recreational games;
- Defeating or attempting to defeat security restrictions on YMCA systems and applications;
- Using third party or other external e-mail services such as Google mail, Yahoo mail, etc.;
- Editing of an employee's own membership, personnel, or other file/system;
- By-passing anti-virus software to access personal accounts or websites that have been blocked;
- Failure to log out of specific systems and applications that transmit and receive information including but not limited to personal health and private banking information;
- Allowing others access or receive identification and/or passwords to specific systems or applications they have not been granted access;
- Failure to report compromised security and user identification;
- Failure to properly maintain and update identification and passwords for systems and application where access has been granted.

Using YMCA of Greater Dayton automation systems to access, create, view, transmit, or receive racist, sexist, threatening, or otherwise objectionable or illegal material is strictly prohibited. "Material" is defined as any visual, textual, or auditory entity. Such material violates the Association anti-harassment policies and is subject to disciplinary action. The YMCA's electronic mail system, Internet access, and computer systems must not be used to violate the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way. Use of The YMCA of Greater Dayton resources for illegal activity can lead to disciplinary action, up to and including dismissal and criminal prosecution. The YMCA will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries, archives, or files on individual Internet activities, e-mail use, and/or computer use.

Unless specifically granted in this policy, any non-business use of the Association's automation systems is expressly forbidden.

If you violate these policies, you could be subject to disciplinary action, up to and including termination.

### **COMPUTER EQUIPMENT AND ELECTRONIC STORAGE ACCESS**

Only authorized personnel may have access to computer equipment and electronic storage such as the YMCA of Greater Dayton server room. Anyone who is not authorized will not be allowed entry. Anyone who needs access in an emergency to the server room will be granted access by the HIPAA Security Officer and in their absence the IT Manager. Anyone who has access must have completed a background check, including third parties who need access for repairs. The YMCA of Greater Dayton will request that third party individuals have background checks completed by their employer. This is to protect all information including but not limited to electronic personal health information. An access log will be kept.

### **OWNERSHIP & ACCESSING ELECTRONIC MAIL, INTERNET AND COMPUTER FILES**

The YMCA of Greater Dayton owns the rights to all data and files in any computer, network, or other

information system used in the Association. The YMCA also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using YMCA equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by Association officials at all times. The YMCA has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws. No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or an appropriate YMCA official.

A YMCA New Employee Request Form must be completed and submitted to the IT Department for employees to receive computer, internet or email access. In order to maintain access a HIPAA security training regarding email, internet access and malware must be completed within 30 days of access being granted. Failure to complete this training will result in access being revoked until training is completed.

All employees who have access to YMCA computer files, electronic mail, and internet usage will be held responsible for implementing HIPAA training and Phishing training techniques in order to protect the YMCA. Employees are not to click on, open, accept, or respond to any email that may be questionable. If an employee does come across a questionable email, they are to not open it and notify their supervisor to review the email. The employee should not send or forward the email to any other employee for review as this may cause a breach in the YMCA network.

The YMCA of Greater Dayton has licensed the use of certain commercial software application programs for business purposes. Third parties retain the ownership and distribution rights to such software. No employee may create, use, or distribute copies of such software that are not in compliance with the license agreements for the software. Violation of this policy can lead to disciplinary action, up to and including termination.

### **CONFIDENTIALITY OF ELECTRONIC MAIL**

As noted above, electronic mail is subject at all times to monitoring, and the release of specific information is subject to applicable state and federal laws and Association rules, policies, and procedures on confidentiality. Existing rules, policies, and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software. Since there is the possibility that any message could be shared with or without your permission or knowledge, the best rule to follow in the use of electronic mail for non-work-related information is to decide if you would post the information on the office bulletin board with your signature.

It is a violation of YMCA policy for any employee, including system administrators and supervisors, to access electronic mail and computer systems files to satisfy curiosity about the affairs of others. Employees found to have engaged in such activities will be subject to disciplinary action.

### **ELECTRONIC MAIL TAMPERING**

Electronic mail messages received should not be altered without the sender's permission; nor should electronic mail be altered and forwarded to another user and/or unauthorized attachments be placed on another's electronic mail message.

### **POLICY STATEMENT FOR INTERNET/INTRANET BROWSER(S)**

The Internet is to be used to further the YMCA of Greater Dayton's mission, to provide effective service of the highest quality to the YMCA's members, volunteers and staff, and to support other direct job-related purposes. Supervisors should work with employees to determine the appropriateness of using the Internet for professional activities and career development. The various modes of Internet/Intranet access are Association resources and are provided as business tools to employees who may use them for research, professional development, and work-related communications. Limited personal use of Internet resources is a special exception to the general prohibition against the personal use of computer equipment and software.

Employees are individually liable for any and all damages incurred as a result of violating YMCA security

policy, copyright, and licensing agreements.

All YMCA policies and procedures apply to employees' conduct on the Internet, especially, but not exclusively, relating to: intellectual property, confidentiality, YMCA information dissemination, standards of conduct, misuse of YMCA resources, anti-harassment, and information and data security.

## **PERSONAL ELECTRONIC EQUIPMENT**

The YMCA of Greater Dayton prohibits the use of any type of camera phone, cell phone camera, digital camera, video camera, or other form of image-recording or audio-recording device without the express permission of the Branch Executive, Vice President of Finance, Vice President of Operations, or in their absence the CEO/President. Each person whose image is recorded should also express permission to be photographed. Please refer to the YMCA Business Social Media Standards.

Employees with such devices should leave them at home unless expressly permitted by the YMCA to do otherwise. This provision does not apply to designated YMCA of Greater Dayton personnel who must use such devices in connection with their positions of employment. When an employee is permitted to bring the device into the YMCA, it should be kept secured with the owner or locked in a locker for safe keeping. The device should be locked at all times when not in use. All personal electronic equipment should be kept out of reach from program participants.

Working employees should not bring personal computers to the workplace or connect them to YMCA electronic systems unless expressly permitted to do so by the Association Services IT Department. Any employee bringing a personal computing device or image recording device onto YMCA premises thereby gives permission to the YMCA to inspect the personal computer or image recording device at any time with personnel of the YMCA's choosing and to analyze any files, other data, or data storage media that may be within or connectable to the personal computer or image recording device in question. Employees who do not wish such inspections to be done on their personal computers or imaging devices should not bring such items to work at all.

Violation of this policy, or failure to permit an inspection of any device covered by this policy, shall result in disciplinary action, up to and possibly including immediate termination of employment. In addition, the employee may face both civil and criminal liability from the YMCA of Greater Dayton or from individuals whose rights are harmed by the violation.

## **PASSWORDS**

### **OVERVIEW**

Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in the compromise of YMCA of Greater Dayton's entire corporate network. As such, all YMCA employees (including contractors and vendors with access to YMCA systems) are responsible for taking the appropriate steps to select and secure their passwords. All passwords are the property of the YMCA and must be released to the IT department upon employment termination.

### **PURPOSE**

The purpose of this policy is to establish a standard for creation of strong passwords, the protection of those passwords, and the frequency of change.

### **SCOPE**

The scope of this policy includes all personnel who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any YMCA facility, has access to the YMCA network, or stores any non-public YMCA information.

Employees are not to share their Daxko Operations and Daxko Accounting user identification and password information with anyone including but not limited to supervisor, co-worker, and assistants. Employees who share Daxko user and password information are subject to disciplinary action up to and including termination.

### **YMCA RECOMMENDED GUIDELINES**

- All passwords should be changed at least every six months
- Do not use the same password for the YMCA accounts as for non-business access

- Do not use the same password for various YMCA access needs
- Do not share passwords with anyone including supervisor, assistants, or co-workers
- Do not use the "Remember Password" feature on applications
- Do not write down passwords and store them in your office
- Do not store passwords in a file on ANY computer system without encryption

If someone demands a password, refer them to this document or have them contact the Association Services IT Department.

If a password or account is suspected to have been compromised, report the incident to the Association Services IT Department.

The YMCA of Greater Dayton may perform password cracking or guessing on a periodic or random basis to ensure the strength of passwords. If a password is guessed or cracked during one of these scans, the user will be required to change the password.

Any employee found to have violated this policy may be subject to disciplinary action up to and including termination.

## **USE OF CELL PHONES AND PERSONAL ELECTRONIC DEVICES**

The YMCA of Greater Dayton is aware that employees utilize personal and YMCA-supplied cellular phones and other electronic equipment for business purposes. At the same time, these devices are a distraction in the workplace. To ensure the effectiveness of meetings, employees are asked to turn all devices off and refrain from text messaging. On the occasion of an emergency that requires immediate attention, the device may be carried to the meeting on vibrate mode.

Employees are encouraged to leave personal devices outside of the work environment. It is recognized that there may be occasions where personal communication not incidental to business may be unavoidable, however this should be kept to a minimum. In order to maintain employee privacy and potential exposure to members, keypads are to be kept locked at all times while cellular phones or PDAs are at work. The device should be kept secured with the employee at all times or locked in a locker for safe keeping. Cellular Phones and other electronic devices should not be left unattended while charging. All devices are to be kept out of reach from program participants. Failure to follow the above recommendations or excessive personal use of a cellular phones and other electronic devices during business hours may be grounds for disciplinary action up to and including termination. Discharge from employment may be the immediate result for employees who are observed using a cellphone, personal digital electronic devices, smart watches, etc. while required to oversee participant safety for example aquatics, childcare, zipline, etc.

Employees should not photograph or transmit confidential documentation for YMCA use via cameras, personal cellular phones, smart watches, or other personal electronic devices. This includes but is not limited to personnel documentation, program participant information, member files, etc. Those with YMCA-supplied cellular phones are to keep all confidential information locked. Should information become compromised, or the YMCA owned device lost/stolen, staff members are to contact the IT Manager immediately and all passwords should be changed.

The YMCA of Greater Dayton prohibits employee use of cellular phones or other personal electronic devices, including smart watches, while operating a YMCA vehicle that is transporting YMCA program participants. This prohibition of electronic devices and cell phones use while driving includes receiving or placing calls, text messaging, surfing the internet, receiving, or responding to email, checking for phone messages, or any other usage. If the cell phone or electronic devices must be used while the employee is in transit, the employee is required to pull out of the stream of traffic and park the vehicle in a secure location before utilizing the device. Y employees are required to turn off their cell phone/electronic device or place them on silent or vibrate before starting a YMCA vehicle.

Employees who are not transporting passengers while driving a YMCA owned vehicle or personal vehicle on YMCA business are not to text or respond to e-mails while driving. It is recommended employees who do not use a hands-free device pull out of the stream of traffic and park the vehicle in a secure location prior to utilizing the device for receiving or placing calls. Individuals may want to consider modifying voice mail greetings to indicate they are unavailable to answer calls or return messages while driving. Employees may also want to notify their supervisor, business partners and others when they are driving to explain

the delay in response.

Violation of this policy may lead to disciplinary action up to and including termination.

### **Service Animals**

The YMCA of Greater Dayton does not allow animals in the workplace; however, an individual with a disability may request a reasonable accommodation under the Americans with Disabilities Act to bring a service animal to work when medically necessary. Employees requesting to bring a service animal onto the premises of the YMCA, must make the initial request in writing to the Branch Executive or VP of Operations. Once the request is reviewed and approved, the employee will receive written approval from VP of Operations that allows the service animal onto the premises of the YMCA.

In general, a service animal is an animal trained to work or perform tasks for the benefit of an individual with a disability, such as guiding individuals with impaired vision, alerting individuals to an impending seizure, or pulling a wheelchair and fetching dropped items.

The YMCA of Greater Dayton will evaluate all requests to bring a service animal into the workplace to determine if the accommodation is reasonable and can be provided without undue hardship. Employees may be asked to bring the service animal to the workplace to demonstrate the animal's training and ability to be in the workplace without disruption.

If an accommodation is granted to allow a service animal in the workplace, the arrangement may be permitted on a temporary or trial basis. Reasonable behavior is expected from service animals while on YMCA property. Disruptive and aggressive service animals must be removed from the premises immediately and permission to bring the animal to work will be revoked.

All animals need to be immunized against rabies and other diseases common to that type of animal. All vaccinations must be current, and animals must be in good health.

Service animals must wear an owner identification tag (which includes the name and phone number of the owner) at all times.

Animals must be on a leash, harness or other type of restraint at all times, unless the employee is unable to retain an animal on leash due to a disability.

The employee must be in full control of the animal at all times. The care and supervision of the animal is solely the responsibility of the employee. The employee is expected to clean and dispose of all animal waste appropriately. The care of the animal and the related cleanup and disposal of animal waste is the sole responsibility of the employee and is not to be delegated to another staff member.

The YMCA reserves the right to designate a location for the animal to relieve itself.

### **Bloodborne Pathogens Exposure Control Policy**

**Policy Statement:** The YMCA of Greater Dayton is committed to providing a safe and healthy work environment for our entire staff. To achieve this, we have implemented an Exposure Control Plan (ECP) in accordance with OSHA's Bloodborne Pathogens Standard (29 CFR 1910.1030). This plan is designed to eliminate or minimize occupational exposure to bloodborne pathogens and other potentially infectious materials.

**Employee Responsibilities:** All employees are required to comply with the procedures and work practices outlined in the ECP. Employees must:

- Follow universal precautions at all times.
- Use personal protective equipment (PPE) as required.
- Report any exposure incidents immediately to their supervisor.
- Participate in training sessions regarding bloodborne pathogens and the ECP.
- Completion of the Hepatitis B Vaccination Consent/Declination Form

**Training and Information:**

- New employees will receive training on the ECP and bloodborne pathogens as part of their initial onboarding.
- Annual refresher training will be provided to all employees.
- Additional training will be provided when changes in tasks or procedures affect occupational exposure.

**Hepatitis B Vaccination:**

- The Hepatitis B vaccination series is offered at no cost to employees with occupational exposure.
- Employees who decline the vaccination must sign a declination form, which will be kept on file.

**Post-Exposure Evaluation and Follow-Up:**

- In the event of an exposure incident, immediate and confidential medical evaluation and follow-up will be provided at no cost to the employee.
- Detailed procedures for post-exposure evaluation and follow-up are outlined in the ECP.

**Access to the Exposure Control Plan:**

- The ECP is available to all employees at no cost and can be reviewed at any time by contacting the Human Resources Department to request a copy.

**Remote Work Policy Added – 01/01/2026**

***The YMCA of Greater Dayton believes that our employees best serve our members, participants, and community through in-person engagement at our branches, program sites, or administrative offices. Certain jobs can only be performed on site, with remote work not feasible. However, we recognize that in limited and clearly defined circumstances, temporary or designated remote work arrangements may support operational effectiveness without diminishing service to the community. Remote work eligibility will depend on the employee's performance record, operational needs and the employee's job duties. Remote work is not an entitlement, and an employee's eligibility to work remotely may be modified or terminated at any time. YMCA work rules and other policies continue to apply to employees approved to work remotely. Employees permitted to work remotely are expected to meet the same performance standards as employees working on site.***

***Non-exempt employees who work remotely must accurately record workday start and end times, including meal and break periods. Non-exempt employees working remotely must also obtain approval prior to working overtime.***

***If a remote work request is related to a medical condition or disability, please inform a Branch Executive, Vice President, CEO, or Chief Human Resource Officer (CHRO).***

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**Temporary Remote Work**

***Requests for short-term remote work (one to five days) may be considered under the following conditions:***

- ***The request is for an exceptional and specific circumstance (e.g., weather-related issues, short-term illness, special projects).***
- ***The employee's job functions can be effectively performed off-site during the requested period.***
- ***The request must be pre-approved by a Branch Executive, Vice President, or CEO, in consultation with the Chief Human Resource Officer (CHRO).***
- ***Temporary arrangements must be documented, do not imply ongoing hybrid eligibility, and are subject to operational needs and review.***

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**Hybrid/Remote Work Positions**

***A formal Hybrid/Remote Work designation may be granted to employees who:***

- ***Serve on the Management Staff Team, and***
- ***Do not hold responsibilities for YMCA Branch leadership, including:***
  - ***Selecting, training, evaluating, or supervising Branch staff and volunteers.***
  - ***Overseeing day-to-day member engagement, including answering questions and***

- *maintaining visibility and familiarity with members.*
- *Maintaining facility standards such as cleanliness, safety, and licensing compliance.*
- *Creating or sustaining an on-site culture of caring, honesty, respect, and responsibility through direct daily interaction with members and staff.*

**Eligible employees must also:**

- *Have job functions that can be primarily performed remotely without negatively impacting operations or team collaboration.*
- *Maintain a consistent record of high performance, including ratings of "Exceeds Expectations" or equivalent on their two most recent annual evaluations.*
- *Receive formal approval from the CEO and CHRO.*

**Once designated:**

- *The job description must clearly reflect "Hybrid/Remote" status.*
- *The employee must be equipped with appropriate YMCA-issued technology and tools.*
- *The arrangement will be reviewed Quarterly, or as needed, to ensure continued operational alignment.*

**Any remote worker roles established prior to January 1, 2020 may continue only if they:**

- *Continue to meet current performance expectations,*
- *Align with current operational needs, and*
- *Are reapproved at the discretion of the CEO and CHRO.*

**The YMCA remains committed to offering appropriate flexibility for all roles where possible, even if remote work is not applicable.**

**Employees who believe a decision regarding their remote work eligibility was made in error or based on incomplete information may request a secondary review by the CEO and CHRO.**

## *Employee Categories & Classifications*

The YMCA of Greater Dayton is subject to the Federal Fair Labor Standards Act and strives to adhere to all provisions of the Act. This Act specifies minimum wage provisions, guidance on the eligibility for and payment of overtime, and definition as to the classification of position. The President/CEO or his assigned staff is charged with administering and interpreting this Act for the YMCA.

### **NON-EXEMPT**

The term non-exempt refers to employees who, in general, are not exempt from overtime provisions of the Fair Labor Standards Act. They are employees to whom the YMCA of Greater Dayton compensates at an overtime rate for all hours worked on behalf of the YMCA beyond 40 hours in a workweek. Overtime that is not authorized by a designated supervisor will not be permitted.

### **EXEMPT**

Exempt employees are those who are exempt from provisions of the Fair Labor Standards Act and are not paid overtime wages. In order to be classified exempt, a position must meet specific FLSA guidelines for executive, administrative, professional, computer or outside sales employee exemptions. Certain policies that apply to non-exempt employees (such as timekeeping and payment of overtime pay) do not apply to exempt employees. No statement in this handbook is intended to conflict with provisions of the Fair Labor Standards Act (the federal wage and hour law) governing exempt employees and the YMCA of Greater Dayton's treatment of exempt staff.

**Correcting payroll deduction errors:** This policy applies to all salaried, exempt employees. Pursuant to the Fair Labor Standards Act and applicable state laws, exempt employees shall be paid an established annual salary and are expected to fulfill the duties of their positions regardless of the number of hours worked, unless a specific exception applies.

The YMCA of Greater Dayton has made a good faith commitment and effort to comply with the FLSA at all times, and to promptly correct any mistakes that are made in connection with an exempt employee's pay.

Subject to certain exceptions provided in the FLSA, an employee must receive the full salary in any week in which the employee performs any work without regard to the number of days or hours worked.

If a salaried, exempt employee discovers that an improper deduction has been made from their paycheck,

they must notify their supervisor as soon as possible. Upon verifying the error, the Association will promptly reimburse an employee for an improper deduction made. In addition, the Association will renew its good faith commitment to comply in the future.

## **EMPLOYEE CLASSIFICATIONS**

**Salary Non-Exempt** – Employees who are considered full-time employees and receive a weekly salary for hours worked 40 or below. These employees are entitled to half-time for all hours worked over 40 in any given week. These employees have a fluctuating work week and all hours over 40 are to be approved by their supervisor.

**Regular, Full-Time Employees** – Employees who are considered regular, full-time employees and work an average of 35 or more hours per workweek on behalf of the YMCA. Regular, full-time employees are eligible for employee benefits.

**Part-Time Plus** – Employees who average 30+ hours per workweek on behalf of the YMCA in a 12-month measurement period. Part-Time plus employees are eligible for medical and dental insurance coverage.

**Regular Part-Time Employees** - Regular, part-time employees work less than an average of 35 hours per week on behalf of the YMCA. Regular part-time employees are not eligible for employee benefits, other than those required by local, state and federal laws.

**Temporary, Full-Time or Part-Time, Seasonal Employees** - Employees whose service is seasonal (i.e. summer months or other short-term projects) but work any number of hours per workweek on behalf of the YMCA. A temporary, full-time seasonal employee is not eligible for any employee benefits, other than those required by local, state and federal laws.

**Seasonal Summer Residence Camp Counselors** – Employee counselors who work at a camp that is a separate recreational facility and who spend more than half of their working hours in direct personal assistance and guidance to campers. Seasonal Summer Residence Camp Counselors may be paid at daily or per pay period rates and are exempt from overtime even if more than 40 hours per week are worked.

### **New Hire Introductory Employees**

Every new employee goes through an initial introductory period in order to learn about the YMCA and about his or her job. During this time, new employees will have an opportunity to find out if they are suited to and like their new position. Additionally, the introductory employment period gives the employee's supervisor 90 days to evaluate the new employee's performance.

All employees will be considered Introductory employees during the first 90 days of employment. During this time, new employees may be discharged at any time if their supervisor concludes that they are not progressing or performing satisfactorily. Any violation of expectations, including unexcused absenteeism or tardiness, during this introductory period may also result in immediate discharge, notwithstanding the progressive discipline steps outlined in the discipline section of this handbook. Completing the introductory period does not alter the at-will employment relationship.

**Volunteers** – A volunteer is an unpaid employee who performs work for the YMCA of Greater Dayton or an event taking place at one of the locations. Volunteers can fall into two categories: non-employees or active employees.

Non-employee volunteers will follow the same policies and standards of behavior that paid employees are required to follow. Volunteers whose performance does not conform to the policies and standards that apply to paid employees are subject to discipline, and their volunteer services may be terminated.

There may be occasions when active non-exempt full-time, part-time or seasonal employees may be presented with volunteer opportunities. Volunteer activities will typically take place outside normal working hours. Employees participating in such events will perform functions that differ significantly from the type of work the employee performs in their regular duties for the YMCA. Employees who choose to donate their time will not be compensated for the time spent volunteering. Donation of one's time in accordance with this policy is purely voluntary. Employees will not suffer any adverse employment actions or retaliation for choosing not to volunteer.

Volunteer work must not interfere with the employee's regular job duties and must be approved by the employee's supervisor ahead of time. All questions regarding volunteer work restrictions for YMCA employees should be directed to the Human Resource Department.

NOTE: Customary full-time workweek is defined as an average of 35 hours per week in a calendar year.

## *Salaries and Performance Evaluation*

### **PAYDAY**

All employees are paid bi-weekly on Friday. The work week runs Monday through Sunday and there are 26 pay periods per year.

### **PAY STATEMENTS**

YMCA of Greater Dayton requires that all employees' paychecks be automatically deposited into a checking and/or savings account on payday. Employees may direct deposit into up to three bank accounts. Employees need not change their current banking relationship to enjoy this service; pay can be deposited into any account. Those employees without a checking or savings account will be registered with a Skylight One pay card. The Skylight One program allows employees to access their money at ATMs, use the card as a purchasing card, and utilize this account similar to that of a typical checking account. The employee will be charged a \$12 replacement fee for lost Skylight One pay cards (subject to change based on an increase in bank fees). For more information, employees should contact the Payroll Specialist at Association Services.

Employees receive an earnings statement showing gross salary, taxes, deductions, and net pay. For those with direct deposit, the net pay will have already been deposited into the employee's account. Employees are encouraged to register for electronic statements.

Questions concerning pay, pay statements, or deductions from pay are directed first to the supervisor or branch payroll coordinator and, if any questions remain, to the Payroll Specialist at Association Services.

### **HOURS AND TIME SHEETS**

The hours you work each week may vary and will be determined by your Supervisor. It is your responsibility to check the work schedule for your department. If you wish to make changes in your schedule, your Supervisor must approve them in advance.

Non-exempt employees are paid based on the hours they record through an electronic time clock system. Each employee is assigned an employee badge number to use in order to record their hours via the time clock. This record of time worked is approved by the supervisor through the electronic time clock system.

An employee may only use a physical time sheet with the approval of their supervisor. This record of time worked is signed by the employee and supervisor on the last working day of the pay period. If using timesheets, the timesheets are then turned in by the supervisor to the branch payroll coordinator /office manager. If there is a missed punch and an employee needs to have a correction made to their electronic system, they are to notify their supervisor in writing. The supervisor should then correct the record and give the documentation to the payroll coordinator to keep on file. All employees are to notify their supervisors within 24 hours of the missed punch.

An employee is not to begin working unless their time has been properly recorded. Both employee and supervisor are held accountable for the accuracy of time records, reflecting the exact hours and days actually worked. Unless authorized by the supervisor, an employee may not begin working more than 5 minutes prior to the beginning of their scheduled shift.

Any overtime must be approved by the employee's supervisor and/or the Branch Executive must approve any overtime which an employee has worked. Overtime not authorized by a designated supervisor will not be permitted. Employees who work more than 5 minutes over their designated shift are required to notify their supervisor why they deviated from the assigned schedule.

All employees will be compensated for time worked. Reporting time as worked that was not worked by the employee and receiving compensation for the time is considered theft. Falsifying time sheets or failure

to follow the above proper clock in/out procedures may lead to disciplinary action up to and including termination. Time sheet or electronic adjustments to an employee's time must be authorized by both the employee and the supervisor.

Days when an employee is absent due to PTO or another approved absence are to be recorded with the regularly scheduled hours using the appropriate code. Absence request forms are required for all employees (exempt **and** non-exempt) to request scheduled time away from work (i.e. vacation, floating holiday, scheduled sick time) and must be pre-approved by the supervisor.

Exempt level staff are not required to keep a time sheet or to clock in and out of the electronic time clock system; however, they must complete an absence report after taking either pre-approved or unscheduled time off at the end of each pay period. An employee violating the above policy may be subject to disciplinary action up to and including termination.

## **TRAINING PAY**

The YMCA of Greater Dayton strives to keep all employees up to date on industry standards and Association expectations. Therefore, employees may be required to attend trainings during their employment. The hours spent in attendance are considered hours worked and will be paid accordingly.

Non-exempt full-time employees who are required to attend trainings will be compensated at their primary position normal rate of pay.

Part-time and seasonal employees who are required to attend trainings will be compensated at their normal rate of pay not to exceed \$15.00 per hour.

Travel time to training events may also be paid as well as recertification training; see your supervisor for more details.

## **PERFORMANCE APPRAISALS**

The YMCA of Greater Dayton uses performance evaluations to keep you informed of your performance achievement and to offer you guidance for defining and reaching your performance goals. Your performance evaluation consists of four parts:

- a. In January/February of each year, your Supervisor may give you a performance evaluation and set goals for the next 12 months.
- b. In August of each year, your Supervisor may give you a mid-year review to check on your progress and to evaluate your goals and adjust or change if necessary.
- c. In January/February of the next year, your Supervisor may give you a performance evaluation on your last 12 months, set goals for the next 12 months and keep you informed of your progress.
- d. All merit salary adjustments for the previous year will occur in April.

## *Benefits*

### **CATEGORIES OF BENEFITS**

The YMCA has designed its employee benefit program to provide the following categories of benefits:

- \* Benefits legally required.
- \* Benefits provided for time not worked.
- \* Benefits provided for health protection and income supplement or replacement.
- \* Other benefits.

### **ELIGIBILITY FOR BENEFITS**

Full-time employees are eligible for benefits. All employees who are eligible for full-time and part-time plus benefits will be required to attend a benefit educational meeting. If an employee is not interested in utilizing benefits offered by the YMCA of Greater Dayton a waiver must be submitted. Benefits will not be offered after the first 30 days of employment except during the open enrollment period (for any benefits with open enrollment provisions.)

Seasonal full-time and regular part-time employees are ineligible for benefits with these exceptions:

- Those who are 21 years of age or older and who complete 1,000 hours work each year for two years

are required to participate in the YMCA Retirement Plan.

For the purpose of determining benefits, when years of service are the basis of eligibility, continuous, full-time, year-round YMCA employment will be counted. Years of service are counted from the date of full-time employment. Any break in service may not exceed 6 months for continuous years of service.

The YMCA of Greater Dayton reserves the right to amend or discontinue any insurance coverage or benefit offered, or to determine new premium contribution levels.

## **PROVISION FOR LEGALLY REQUIRED BENEFITS**

### **SOCIAL SECURITY (FICA)**

All employees are required to participate in the Federal Old Age Survivors and Disability Insurance System and the Association and the employee share the cost.

### **FAMILY MEDICAL LEAVE ACT (FMLA)**

#### **A. General Provisions**

The function of this policy is to provide employees with a general description of their rights under the Family and Medical Leave Act ("FMLA"). In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

Under this policy, the YMCA will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered servicemember with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

If you have any questions, concerns, or disputes with this policy, please contact the Human Resources Director.

#### **B. Eligibility**

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

- a. The employee must have worked for the YMCA for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years, unless certain exceptions apply. All periods of absence from work due to or necessitated by USERRA-covered service are counted in determining an employee's eligibility for FMLA leave.
- b. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence.
- c. The employee must work in a worksite where 50 or more employees are employed by the YMCA within 75 miles of that office or worksite.

#### **C. Types of Leave Covered**

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- a. *The birth of a child and in order to care for that child.*
- b. *The placement of a child for adoption or foster care and to care for the newly placed child.*
- c. *To care for a spouse, child or parent with a serious health condition (described below).*
- d. *The serious health condition (described below) of the employee.*

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position. A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For

chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

The YMCA will require an employee to provide a doctor's certification of the serious health condition. The certification process is outlined in Section I of this policy.

It is the YMCA's policy that FMLA leave commences on, and will be counted from, the first day of an absence (paid or unpaid) by an FMLA eligible employee for an FMLA qualifying reason. Thus, if an employee takes time off for a condition that progresses into a serious health condition and the employee requests FMLA leave as provided under this policy, the YMCA may designate all or some portion of related leave taken as FMLA leave, to the extent that the earlier leave meets the necessary qualifications. The YMCA will inform the employee that leave is being designated as FMLA leave and the amount of leave counted against the employee's leave entitlement, or that it has determined that the leave is not FMLA protected.

*e. Qualifying exigency leave for families of members of the National Guard or Reserves or of the Regular Armed Forces when the military member is on covered active duty or called to covered active duty.*

An eligible employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and related activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities, 8) parental care, and 9) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

"Covered active duty" or "call to covered active duty" means:

- (1) in the case of a member of the Regular 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 the Reserve components 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 contingency operation pursuant to Section 688 of Title 10 of the United States Code.

The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as child for other types of FMLA leave, except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

Employees requesting leave based on a qualifying family member's short notice deployment leave (deployment with 7 days or less notice) must provide proof of the qualifying family member's deployment before leave is granted. Requests under this section will not require additional documentation and are not to exceed 7 days.

Employees requesting leave based on a qualifying family member's short-term Rest and Recuperation leave from a deployment ("R & R") must provide proof of the qualifying family member's "R & R" leave orders, or other documentation issued by the military setting forth the dates of the military member's leave, before leave is granted. Requests under this section will not require additional documentation and are not to exceed 15 days.

Employees requesting leave based on parental care for a military member's parent must provide proof of the qualifying parent's incapability of self-care.

The YMCA will require an employee to provide certification for all other qualifying exigencies. The certification process is outlined in Section J of this policy.

*f. Military caregiver leave (also known as covered servicemember leave) to care for an injured or ill servicemember or veteran with a serious injury or illness.*

An eligible employee whose spouse, son, daughter, parent or next of kin is a covered servicemember may take up to 26 workweeks of FMLA leave in a single 12-month period to care for that servicemember. Next of kin is defined as the closest blood relative of the injured or recovering servicemember.

The term "covered servicemember" means:

- (1) a current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- (2) a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) and who was discharged or released under conditions other than dishonorable at any time during the of 5-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. The period between October 28, 2009 and March 8, 2013 shall not count towards the determination of the 5-year period for covered veteran status.

The term "serious injury or illness":

- (1) in the case of a current member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- (2) in the case of a covered veteran, means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is:
  - a. 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 servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
  - b. a physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50% or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; or
  - c. a physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment; or
  - d. 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.

Employees requesting this type of FMLA leave must provide certification of the family member or next-of-kin's injury, recovery or need for care. The certification process is outlined in Section K of this policy. This is the only type of FMLA leave that may extend an employee's leave entitlement beyond 12 weeks to 26 weeks. Other types of FMLA leave are included with this type of leave for a maximum of 26 weeks.

#### **D. Amount of Leave**

An eligible employee can take up to 12 weeks of FMLA leave due circumstances (a) through (e) above during any 12-month period. The YMCA will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the YMCA will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks of FMLA leave due to circumstance (f) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the YMCA will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If a husband and wife both work for the YMCA and each wish to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the YMCA and each wish to take leave to care for a covered injured or ill

servicemember, the husband and wife may only take a combined total of 26 weeks of leave.

#### **E. Employee Status and Benefits During Leave**

While an employee is on leave, the YMCA will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the YMCA will require the employee to reimburse the YMCA the amount it paid for the employee's health insurance premium during the leave period.

Under current YMCA policy, the employee pays a portion of the health care premium. While on paid leave, the YMCA will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Accounting Department by the first (1<sup>st</sup>) day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The YMCA will provide 15 days' notification prior to the employee's loss of coverage.

If the employee contributes to a life insurance or disability plan, the YMCA will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums. If the employee does not continue these payments, the YMCA may discontinue coverage during the leave.

#### **F. Employee Status After Leave**

Employees on leave are required to report periodically (no less than once every two weeks) on the employee's status and intent to return to work. Employees who timely return to work after FMLA leave are entitled to reinstatement to the same position or a position with equivalent status, pay, benefits and other employment terms. However, an employee's rights with respect to benefits and employment are no greater than had the employee not taken leave. Thus, an employee would not be entitled to reinstatement if, because of a layoff or other reason, he or she would not be employed at the time reinstatement is sought.

The YMCA may choose to exempt certain "key employees" from this requirement and not return them to the same or similar position. Key employees will be notified of their status as such at the time FMLA leave is designated.

An employee who takes leave under this policy will be notified if required to provide a fitness for duty (FFD) clearance from the health care provider upon returning from leave, including intermittent leave under some circumstances.

Obtaining or remaining on leave under false pretenses may result in discipline, up to and including immediate termination of employment.

#### **G. Use of Paid and Unpaid Leave**

An employee who is taking FMLA leave for any reason must exhaust all PTO time prior to being eligible for unpaid leave. Any PTO used for an FMLA qualifying reason will be charged against an employee's entitlement to FMLA leave. The substitution of paid leave for unpaid leave does not extend the 12 (or 26) week entitlement.

Any leave for which short-term disability or workers' compensation benefits are paid (if the leave also qualifies for FMLA protection) will be designated as FMLA leave and will run concurrently with FMLA. Accrued PTO must be used for any applicable waiting periods before benefits begin, and for any periods following exhaustion of such benefits.

Employees off as a result of a work injury and who receive workers' compensation pay as a result, are not required, nor permitted, to utilize PTO benefits for any portion of the leave that is paid. Employees are not able to receive YMCA pay and worker's compensation pay for the same days not worked.

#### **H. Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day or less periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill servicemember) over a 12-month period.

The YMCA may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the YMCA and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the YMCA's operations. Failure to do so may result in delay of the leave.

#### **I. Certification for the Employee's/Family Member's Serious Health Condition**

The YMCA will require certification for the employee's or family member's serious health condition. The employee must provide certification within 15 days of the request or provide a reasonable explanation for the delay. If the employee fails to do so, the leave may be denied and the employee's absence(s) will be counted in the normal attendance policy.

If the certification is deficient or incomplete, the employee will be given seven days to cure the deficiencies and return the form to Human Resources. The leave request may be denied if the employee either fails to return the form by the seventh day or returns the form without adequate corrections or clarifications.

If there is any reason to doubt the completed certification, the YMCA has the right to ask for a second opinion by a doctor of its choosing at its own expense. If necessary to resolve a conflict between the original certification and the second opinion, the YMCA will require the opinion of a third doctor. The YMCA and the employee will mutually select the third doctor, and the YMCA will pay for the opinion. This third opinion will be considered final. The YMCA may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. The employee will be provisionally entitled to FMLA leave and benefits pending the second and/or third opinion.

#### **J. Certification of Qualifying Exigency**

The YMCA will require certification of the qualifying exigency for military family leave. This may include a copy of the military leave orders or other military communication, and, in some cases, additional information concerning the need for leave and the dates of the leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. If the employee fails to do so, the leave may be denied and the employee's absence(s) will be counted in the normal attendance policy.

#### **K. Certification for Serious Injury or Illness of Covered Servicemember**

The YMCA will require certification for the serious injury or illness of the covered servicemember (including covered veterans). This may include a copy of the military medical information, orders for treatment, or other official Armed Forces communication pertaining to the servicemember's injury or illness incurred on active military duty. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. If the employee fails to do so, the leave may be denied and the employee's absence(s) will be counted in the normal attendance policy. In certain circumstances, second and third opinions may be required for military leave certifications.

In the case of a request for leave to care for a covered veteran, the employee must provide documentation regarding the covered veteran's medical treatment, recuperation, or therapy for an injury or illness that is the continuation of an injury or illness that was incurred or was aggravated when the covered veteran was a member of the Armed Forces. The employee must also provide documentation of the veteran's date of separation and whether the separation was other than dishonorable.

#### **L. Recertification**

The YMCA may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employee receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the YMCA may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

The employee must provide recertification within 15 days of the request or provide a reasonable explanation for the delay. If the employee fails to do so, the leave may be denied and the employee's absence(s) will be counted in the normal attendance policy.

#### **M. Procedure for Requesting FMLA Leave**

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to their supervisor and the Human Resources Director. An FMLA request form is available from Human Resources. When the need for the leave is foreseeable, the employee must provide at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the YMCA's usual call-in procedures absent unusual circumstances.

#### **N. Problem Resolution**

It is the policy of the YMCA not to discharge or discriminate against any employee exercising his or her rights under the federal Family and Medical Leave Act. If you think you have been treated unfairly, please contact the Human Resource Director. If for any reason the problem cannot be resolved at that level, please contact the YMCA President/CEO.

This policy will only be administered through the Human Resources Department.

#### **WORKER'S COMPENSATION**

Employees are covered against the hazards of occupational accidents and illness on the job through compensation insurance that complies with state compensation laws. The Association pays the cost.

- 1) The YMCA makes every effort to provide safe working conditions and training in proper attire and work procedures to prevent accidents on the job.
- 2) An employee is required to report as soon as practicable after realizing they have a work-related injury or illness to their supervisor who will arrange for and assure the employee receives necessary treatment from a nearby medical facility or doctor (or a doctor or hospital of choice). If injury occurs away from branch facility during regular working hours, and there is no supervisor present, the employee should see their own regular doctor or go to the nearest emergency room or urgent care for any required treatment. A First Report of Injury Form must be completed by the employee (or if circumstances dictate, the supervisor), signed by the Branch Executive, and submitted to the Association Services Human Resources Department immediately. An employee and/or supervisor failing to report the injury as outlined above may result in disciplinary action.
- 3) Workers Compensation Insurance provides coverage for hospital and medical expense incurred as the result of a work-related injury.
- 4) If an employee must be off work one week or longer as a result of injury, they may receive compensation as provided under the Worker's Compensation Insurance of the State of Ohio. An employee may not, however, receive both a YMCA paycheck and "compensation" pay for the same days not worked. This policy will be coordinated with the Association's Family & Medical Leave policy.

The YMCA of Greater Dayton also requires that all employees report any "near miss" accidents to help identify and therefore correct accidents prior to it occurring.

The YMCA of Greater Dayton may also offer transitional work or "light duty" for an injured employee to allow for earlier opportunity to return to work with the goal of returning to regular work within a 90-day maximum period.

#### **UNPAID MEDICAL LEAVE OF ABSENCE FOR EMPLOYEES NOT ELIGIBLE FOR FMLA LEAVE**

This policy applies to our employees (excluding seasonal) who: (1) have worked for the YMCA for at least 90 days; (2) do not meet the Family and Medical Leave Act eligibility requirements; and (3) need leave for three consecutive shifts or more in order to address personal medical condition(s), including pregnancy and child birth. Employees who need time off work for any reason that is less than three consecutive work shifts are responsible for obtaining approval from their supervisor and, in most cases, if approval is given, for obtaining their own replacement coverage for their shift. Failure to obtain approval and, when applicable, replacement coverage will result in the time off being counted against the employee within the

YMCA's normal attendance policy (unless the employee has available paid time off to use for the absence(s) in which case all PTO rules must be followed).

Leaves of absence without pay (unless short term disability benefits are applicable, as described below) may be granted to each YMCA employee, not eligible for FMLA Leave, who is absent from work and unable to work because of his/her medical condition (including pregnancy-related medical conditions and child birth) for three or more consecutive work shifts. A Time-Off Report/Request form stating the reason for the request and specific beginning and ending dates must be completed and submitted to the employee's supervisor. The supervisor will forward the request to the Human Resources Department of the YMCA.

To receive approval, the employee shall be required to submit medical documentation from his/her treating provider (including the cause and duration of the absence; the employee's inability to perform his job; any restrictions; status reports; and the employee's ability to resume employment). The YMCA may refer an employee to a health care provider of its choice to obtain information concerning a period of absence. If granted, the initial leave of absence, which under certain extenuating circumstances, may be requested orally but then must be reduced to writing, shall be for an initial period of one workweek and any renewal must be requested in writing prior to the expiration of the leave then in effect. The duration of each leave of absence and any renewals shall be specifically stated in the request and in the leave approval paperwork.

Medical leaves of absence (including any renewals) may be granted for a total or continuous period or periods of up to 8 work weeks, in any continuous (rolling) 52 calendar week period. Leave under this policy will only be granted in full work week increments. Intermittent leave or continual tardiness will not be approved under this policy and will be handled in accordance with the YMCA of Greater Dayton Attendance policy and in compliance with any applicable laws. Unless otherwise prohibited by law, failure of an employee to report for work at the time at which he/she is regularly scheduled to report at the conclusion of the medical (or maternity) leave of absence will result in termination of employment. An employee will be required to provide a fitness for duty certification from his doctor confirming that he/she is able to return to work and perform the essential function of his job or only can return with certain suggested job limitations or restrictions.

The employee shall submit the written request for an unpaid medical (or maternity) leave of absence to the Human Resources Department at least 30 calendar days prior to the requested start date (in foreseeable situations) and in a reasonable period of time in all other situations – generally no later than 1 or 2 work days before the start of the leave.

For those employees who are covered under YMCA's health and dental insurance coverage, the coverage will continue at the same cost to the employee during the approved leave. If the employee is unable to return from an approved leave at the expiration of the leave, and employment is terminated, the employee will be notified of the right to continue coverage pursuant to COBRA.

The employee must apply any and all applicable and unused PTO toward a leave under this policy until exhausted. Time spent on an approved leave under this policy will not be lost in computation of length of service and the benefits dependent thereon. An employee on this medical leave also will not be eligible for any paid holiday falling within this leave period. The up to 8 workweeks of leave shall run concurrently with any other type of available leave, including, but not limited to, workers' compensation leave.

Full-time employees may qualify for short term disability benefits for this type of leave. Refer to the Short-Term Disability policy for more information about the short-term disability application process and benefits.

Unlike FMLA leave, there is no guarantee that an employee's job will be held once the employee has been placed on leave under this policy. However, the YMCA will attempt to place the employee back in his/her original position or a substantially equivalent position, at the end of the approved leave period.

## **PAID TIME OFF BENEFITS**

### **HOLIDAYS**

The YMCA of the Dayton Greater Dayton recognizes the following seven holidays with the addition of two Floating Holidays of an employee's choosing:

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

Christmas Day                   \*Two additional Floating Holidays of Employees  
Choice – Such as: MLK Day, Juneteenth, Yom Kippur, Veterans Day,  
Presidents Day, etc.

- 1) In all cases, branch scheduling takes precedence over holiday time.
- 2) If a branch remains open on one of the above holidays, employees may be required to work. Non-exempt full-time employees who are required to work on a named holiday will be given a compensatory day off during the same week as the holiday or will be paid at 1.5 times the regular rate of pay. Exempt employees who work the named holiday will be given a compensatory day off within 30 days of the observed holiday.
- 3) If the holiday falls on a Saturday, the recognized day will be the prior Friday, and should it fall on a Sunday, the following Monday will be the recognized day.
- 4) To get paid for a holiday, you must work your scheduled day before and day after, except with written approval of the Branch Executive.
- 5) If the branch is closed due to a paid holiday and a part-time employee is regularly scheduled on that day of the week, they will generally receive paid time for their normally scheduled shift.

### **WELLNESS DAYS**

Wellness Days are awarded to full-time employees who complete the wellness incentive. An employee is eligible to earn up to 2 wellness days a year. These paid days off work must be used during the calendar year in which they are granted. Days are allocated the first pay period in January and the first pay period in July. For more information on how to earn your Wellness Day, please contact the HR Department. Pay is not given in lieu of unused wellness days in case of discharge, resignation, etc.

### **PAID TIME OFF**

Full-time Employees are able to take paid time off (PTO) from work for relaxation, recreation, family emergencies, or other personal needs. All employees are encouraged to use their PTO and are only able to roll over 5 days of PTO into the next calendar year. The maximum amount of PTO allowed in one calendar year under this policy is 35 days.

- 18 days effective January 1 after date of hire up until 5 years of employment

Employees receive additional PTO following the payroll after their anniversary during the following years:

- 5<sup>th</sup> anniversary - awarded an additional 6 days (24 days annually)
- 10<sup>th</sup> anniversary – awarded an additional 6 days (30 days annually)

Employees hired during the year will begin to receive PTO after 60 days of employment. Time will be prorated based on the date of fulltime hire.

- January hire date – 15 days March that same year
- February hire date – 15 days April that same year
- March hire date – 15 days May that same year
- April hire date -15 days June that same year
- May hire date -10 days July that same year
- June hire date – 10 days August that same year
- July hire date – 10 days September that same year
- August hire date – 5 days October that same year
- September & October hire date – 5 days November that same year
- November - 18 days January the following year
- December – 18 days February the following year

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- 1) An employee must work one day in the new year or be on approved leave to receive the next year's PTO.
  - 2) Cash shall not be paid in lieu of PTO.
  - 3) This policy will be coordinated with Family Medical Leave if the employee is eligible.
  - 4) PTO may be taken in half-day (4 hour) or full-day (8 hour) segments only.
  - 5) PTO should be requested and approved in advance by the employee's supervisor or the Branch Executive in cases that are non-emergency. Excessive use of PTO without approval may lead to

disciplinary action.

- 6) Any unused PTO will be paid to an employee who resigns and gives proper notification. Regular full-time and part-time non-exempt positions require 2 weeks written notice and exempt level positions require 30-day written notice. Once notice has been given, any unused PTO may not be taken during notification period, except in cases of emergency and with approval from the Branch Executive Director in consultation with the HR Department. Employees may be paid a maximum of 20 days for unused PTO on their final paycheck.
- 7) Employees must have been employed as a Full-Time employee for twelve (12) full months of service in order to be eligible to be paid out their remaining PTO for that year.
- 8) In all cases, branch scheduling takes precedence over PTO requests. The Branch Executive has the authority to alter PTO requests and approvals based on operational needs. Furthermore, any approved PTO remains subject to cancellation, modification, or rescheduling by the Vice-President of Operations or the CEO to ensure operational continuity. Revised 01/2025

### **SHORT-TERM DISABILITY**

Regular, full-time employees are eligible for up to 90 days of short-term disability leave, effective the first day of the month after 3 months of full-time employment for exempt employee, and effective the first of the month after 12 months of employment for non-exempt employees. For purposes of this policy, "disability" or "disabled" means that you are unable to perform the regular and customary duties of your occupation with the YMCA because of an illness or injury for which you are under the continual care of a licensed physician. This policy refers to only the employee's disability and will be coordinated with Family and Medical Leave whenever possible. In order to request a short-term disability leave, you are required to set up an appointment with the Human Resources Department.

The following provisions apply to our short-term disability leave:

- 1) To receive short-term disability leave benefits, you must obtain Short-Term Disability request forms and a Certification of Physician form from the Human Resources Department, and have your doctor complete it. For disabilities lasting over four weeks, the Association may request an update from your physician every 30 days.
- 2) There is a 7-day elimination or waiting period that applies before a disabled employee can begin receiving short-term disability benefits. The 7-day period begins on the day that the employee becomes disabled and ends on the seventh consecutive calendar day that the employee is unable to work because of an illness or injury. Employees eligible for short-term disability benefits must use PTO during the 7-day elimination period before short-term disability benefits are paid. The 7-day elimination or waiting period counts toward the maximum allowable disability leave. No holiday pay will be paid during short-term disability leaves. Once an employee has been approved for short-term disability benefits, PTO may not be substituted for, or used in addition to, short-term disability benefits.
- 3) While on short-term disability leave, an employee will receive a daily benefit equal to 67% of the employee's regular daily salary for up to 83 days after the 7-day elimination or waiting period is met.
- 4) Short-term disability benefits will end when the first of these events occurs:
  - When the employee is no longer disabled;
  - After the employee receives 83 days of paid short-term disability benefits;
  - When the employee retires, resigns or otherwise terminates employment;
  - When employee does not cooperate in the administration of the policy or is no longer in compliance with the terms of this policy; or
  - When the Association terminates the short-term disability policy.
- 5) For purposes of determining the daily benefits available to an employee:
  - Separate periods of disability resulting from the same illness or injury will be considered one disability unless the periods of disability are separated by a period of more than twenty-one calendar days; and
  - Separate period of disability resulting from unrelated illnesses or injuries will be considered one disability unless the employee has completed one full day of employment after the first period

of disability.

- 6) If otherwise eligible, the employee may continue his or her medical, group and elective life, dental insurance and/or long-term disability coverage for 3 months, with the employee paying his or her portion of required premiums. Premium payments are due to the Human Resources Department by the first day of the month for that month.
- 7) An employee, who obtains clearance from the physician to return to work, must contact the Human Resources Department within 24 hours and inform the Human Resources Department of the medical release. The Human Resources Department and the employee will schedule the employee's return to work date. The employee must return to work on the agreed upon return date. An employee, who fails to return to work for the YMCA on the first working day following the termination of his or her daily short-term disability benefits because he or she has exhausted his or her disability benefits or because the employee is no longer in compliance with the terms of the short-term disability policy, will be considered to have voluntarily resigned his or her employment with the Association, unless otherwise required by law. The employee will be required to re-pay the Association's portion of the benefit premiums paid for the benefit of the employee, if appropriate.
- 8) The Association, at its expense, has the right to cause any person whose illness or injury is the basis of a claim to be examined by a physician of its choice when, and so often as, it may reasonably require during the pendency of a claim for benefits under this policy.
- 9) As a condition of eligibility under the short-term disability policy, each employee is required to cooperate with the Association by furnishing all information requested by the Association in order to facilitate the administration of the policy and to be examined by physicians selected by the Association.
- 10) An employee will earn PTO during the time the employee is on short-term disability leave.
- 11) The Association, in consultation with the insurance YMCA that assists in the administration of the short-term disability policy, will determine all questions regarding the administration of the policy, including eligibility, whether an employee is disabled under the terms of the policy, and whether events have occurred that require termination of the payment of disability benefits to an employee. All decisions of the Association shall be final and binding.
- 12) Short-term disability leave benefits have no value other than as disability pay and they have no value at the time of separation or retirement from the YMCA.
- 13) The Association reserves the right to amend, modify, or terminate the short-term disability policy at any time.

#### **JURY DUTY**

Employees who are called for jury duty will receive their scheduled pay during such time of service and may retain any fees paid to them for their duty. Documentation of jury duty must be presented to the YMCA in order to be paid.

#### **MILITARY DUTY**

Full-time permanent employees are eligible for up to 10 days military leave per calendar year, effective from date of hire, to meet a military obligation. The YMCA of Greater Dayton will pay the difference between normal wages paid by the YMCA and those paid by the military (if the military pay is less) provided the employee submits a receipt of military payment.

Any additional days required to fulfill military obligation, in excess of the 10 paid days provided by the YMCA, are considered leave without pay. In accordance with the State and Federal law, an employee may request to use PTO prior to taking unpaid leave.

#### **BEREAVEMENT LEAVE**

Regular full-time employees may receive paid bereavement leave as the result of the death of a member of his/her family as follows:

- **Immediate Family:** Up to seven (7) days of paid bereavement leave for the death of an immediate family member (spouse, domestic partner, children, stepchildren or parents).
- **Extended Family:** Up to three (3) days of paid bereavement leave for the death of extended family

members (siblings, grandparents, grandchildren, parents-in-law,).

- **Additional Provisions:** Allowance for unpaid leave if more time is needed, with the possibility of using accrued PTO. Other family members may be approved by the Branch Executive and Human Resources Department. Bereavement leave may be taken in half-day or full-day segments and does not need to be consecutive days.

## **HEALTH PROTECTION AND INCOME SUPPLEMENT/REPLACEMENT BENEFITS** **PROVISIONS FOR HEALTH AND DENTAL INSURANCE BENEFITS**

- a. The YMCA of Greater Dayton makes available Group Health and Dental plans designed to meet your medical needs, with single and family plans.
- b. Regular, full-time employees are eligible for health and/or dental insurance as determined by insurer and must either enroll during the first 30 days of employment or sign a waiver form that the coverage has been offered and declined.

An employee who signs a waiver form for health insurance can rescind it by completing an enrollment form, which must be approved by the YMCA's Insurance carrier, but only with a change in family status according to the carriers' guidelines. An employee who signs a waiver form for dental coverage can rescind it at any time by completing an enrollment form, which must be approved by the YMCA's Insurance carrier but only at open enrollment which is held once a year or with a change in family status according to the carriers' guidelines.

- c. Effective date of coverage for health and dental insurance will be the 1st of the month following the full-time employment hire date. You will receive an official identification card(s) from the Insurance carrier that lists your effective date. If you do not receive your card(s) in 2 to 3 weeks, contact the Human Resources department for assistance.
- d. If you leave YMCA of Greater Dayton employment, termination of coverage is effective the last day of the month in which termination of employment occurred.
- e. Costs of the basic Group Health Insurance are shared by the YMCA and the employee on a percentage basis. Costs of the dental insurance plan is paid entirely by the employee; the YMCA does not pay a portion of that cost.
- f. To add or delete dependents from your health and/or dental insurance coverage, obtain forms from the Human Resources department and return with the necessary information within 30 days from the date dependents are acquired.
- g. You may continue coverage after employment termination, as permitted by COBRA laws, and the employee must pay the full cost of the premium.
- h. Employees that retire are not covered by our current health and dental care plans, except as permitted by COBRA Laws.
- i. The YMCA reviews the medical and dental plans each year and reserves the right to amend or terminate this plan at any time.

## **DOMESTIC PARTNERSHIP AND HEALTH COVERAGE OF DOMESTIC PARTNERS**

As of July 1, 2012, employees may register domestic partnerships with the Human Resources Department and enroll domestic partners (and their children) for coverage as their dependents under the YMCA of Greater Dayton's health and dental benefits. If a domestic partner is eligible for coverage through his/her employer and elects not to take their employer's coverage a \$40 per month surcharge will be charged in accordance with the Health Care Coverage Spouse/Domestic Partner Surcharge Policy.

### **ABOUT DOMESTIC PARTNERSHIP**

Definition of Domestic Partner - a person of the opposite or same sex with whom the employee has established a domestic partnership. The following criteria must be met:

- Must not be related by blood or a degree of closeness that would prohibit marriage in Ohio
- Must not be currently married to, or a Domestic Partner of, another person under statutory or common law
- Must be at least 18 years of age
- Must share the same permanent residence and the common necessities of life

- Must have a committed relationship with their partner and share responsibility for each other's common welfare

Registration of Domestic Partnership – Employees must register their domestic partner relationship with the Dayton City Commission Office in City Hall, 101 E. Third Street, Dayton, Ohio or with another government agency recognizing domestic partnerships.

Termination of Domestic Partnership – Employees must terminate their domestic partner relationship through the Dayton City Commission Office in City Hall, 101 E. Third Street, Dayton, Ohio or with another government agency recognizing domestic partnerships.

Registration of Subsequent Domestic Partnership – Employees would be required to register with the Dayton City Commission Office in City Hall.

#### ABOUT HEALTH COVERAGE FOR DOMESTIC PARTNERS

Eligibility and Enrollment (applies to both the employee and the domestic partner)

- Must meet the definition of Domestic Partner in this policy
- Must be mentally competent to consent to contract
- Must be able to furnish upon request valid registration documentation through the City of Dayton Domestic Partner Registry or another government domestic partner registry

#### TAX/LEGAL CONSEQUENCES OF DOMESTIC PARTNERSHIP

Tax Consequences - Under the Internal Revenue Code, an employee is not taxed on the value of benefits provided by an employer to an employee's spouse or dependent. However, the IRS has ruled that a domestic partner does *not* qualify as a spouse. The value of the benefits provided to an employee's domestic partner (and the domestic partner's eligible children, if any) is considered part of the employee's taxable income, unless the employee's domestic partner qualifies as a dependent under section 152 of the Internal Revenue Code. The YMCA of Greater Dayton will treat the value of the benefits provided to an employee's domestic partner (and the domestic partner's eligible children, if any) as part of the employee's income, and will withhold the taxes on the value of those benefits from the employee's paycheck. The amount will then be reported on the W-2 form and is subject to FICA and withholding taxes. If the employee's domestic partner qualifies as a dependent under section 152 of the Internal Revenue Code, the employee may file the proper documentation with the IRS and seek a refund for the taxes withheld. Any tax consequences of domestic partnership are the responsibility of the employee, not of the YMCA of Greater Dayton.

Legal Consequences - Federal law does not require that a health plan extend COBRA continuation coverage rights to domestic partners who lose coverage due to what would otherwise be a qualifying event. Domestic partners are not included as dependents under the HIPAA privacy regulations or HIPAA special enrollment provisions.

Registering a domestic partnership and enrolling a domestic partner for coverage under the YMCA of Greater Dayton's group health program only provides a domestic partner with health coverage. It does not give the domestic partner the legal rights of a spouse under the Y Retirement plans. A declaration of common welfare may have legal implications in Ohio. Any legal consequences of domestic partnership are the responsibility of the employee, not of the YMCA of Greater Dayton.

Employees who are considering registering domestic partnerships and enrolling domestic partners for health benefits under the YMCA of Greater Dayton's group health program are advised to consult their own tax advisers and attorneys about the possible tax and legal consequences of these actions. The YMCA of Greater Dayton cannot provide tax and legal advice. Any tax and legal consequences of domestic partnership are the responsibility of the employee, not of the YMCA of Greater Dayton.

#### HEALTH PLAN LIMITATIONS

An employee who chooses the YMCA's health plan as his or her health plan may enroll a domestic partner (and the domestic partner's eligible children, if any) on or after July 1, 2012.

#### **GROUP LIFE INSURANCE**

Employee Group Term Life and Accidental Death and Dismemberment Insurance in the amount equal to the annual salary (not to exceed \$100,000) are available to all regular, full-time employees and the YMCA of Greater Dayton pays 100% percentage of this benefit. The YMCA reserves the right to amend or

terminate this plan at any time.

### **LONG TERM DISABILITY**

Long term disability coverage is available to all regular, full-time employees. This plan covers the employee after 90 days of disability and the YMCA of Greater Dayton pays a percentage of these benefits with the employee paying the balance.

### **ELECTIVE LIFE AND AD&D**

Elective Life and AD&D coverage is available to all regular, full-time employees. Employees may elect supplemental life and accidental death & dismemberment coverage for themselves, their spouses and/or children. Cost is fully paid by the employee; the YMCA does not share in the cost of the coverage.

### **Y RETIREMENT FUND BENEFITS**

- a. The YMCA Retirement Plan for employees is a defined contribution, money purchase, church pension plan.
  - 1) Participation in the Retirement Plan is a condition of employment for regular, full-time employees who are age 21 or older.
  - 2) Participation in the Plan is automatic for employees 21 years of age or above and who work 1,000 hours each year for two years within a 6-year time period based on employment anniversary date. Once requirements are met, Employees will be enrolled the first of the month after their anniversary date.
- b. Optional Personal Additional Contribution  
Employees wishing to increase the benefit they will receive at retirement may opt to pay an additional percentage of personal salary contribution to the Retirement Plan each month. These contributions will be deducted from employee's paycheck each pay period.
- c. Pre-Eligible Tax Deferred Savings Plan Option  
A voluntary retirement income savings plan is also available to all employees, regardless of their age or number of hours worked per week. Employees wishing to contribute either an additional percentage or flat dollar amount may do so on a pre-tax basis each pay period.

### **OTHER BENEFITS – Revised 01/01/2026**

#### **YMCA PROFESSIONAL NETWORK (YPN)**

The YMCA Professional Network (YPN) is a professional & leadership development network for full-time staff that is:

- Membership-based
- Led by network board volunteers
- Focused on professional development, leadership development, networking, and innovation

A YPN Prime Membership costs \$65 annually. The YMCA of Greater Dayton will pay 50% of the annual membership dues for fulltime professional staff. The additional 50% will be payroll deducted.

When the employee participates in their first YPN event\* within the year, they may submit an expense reimbursement request for the 50% of the dues that the employee paid. (\*An event is a training, conference, or holding a leadership position whether locally or nationally.)

#### **CAREER DEVELOPMENT FOR FULLTIME EMPLOYEES**

Fulltime, employees who are interested in career development opportunities are eligible for:

##### Membership in AYP, provided that

- They have 1 year of service in their fulltime position
- They have meets standards or above on their last annual performance review
- They have their Branch Executive Director's approval

Note: they receive no pay for traveling to or attending AYP events

##### Attendance at PEP meetings, provided that

- The PEP meeting is designated "open," which is topic and agenda dependent, by the PEP Coordinator
- They have their Supervisor and Branch Executive Director's approval

##### Attendance at Y-USA Regional Training Events or external professional trainings, provided that

- Training is identified in annual training plan
- They have their Branch Executive Director approval

Note: If the training is not approved or identified as part of the employee's training/development plan, attendance is considered strictly voluntary and is deemed not beneficial to the YMCA, and employees will receive no pay for traveling or attending training events.

### **ADOPTION BENEFITS POLICY**

YMCA employees build their own strong kids and strong families in many ways. To support employees who choose to become adoptive parents, an adoption benefit in the form of financial reimbursement is available. Full-time regular employees who have completed 1 year of full-time employment are eligible for this adoption benefit.

Financial Reimbursement: Adoption-related expenses, which the YMCA of Greater Dayton determines to be reasonable, will be reimbursed up to a maximum of \$1,500.00 per child. Most expenses directly related to the adoption are reimbursable. Reimbursements must be requested within 90 days of the expense being incurred.

Examples of eligible adoption-related expenses include:

- Agency, placement and legal fees and court costs
- Medical expenses of the birth mother
- Medical expenses of the child, not covered by insurance
- Temporary foster care costs
- Immigration, immunization and translation fees
- Transportation and lodging
- Re-adoption expenses relating to the adoption of a foreign child

Examples of adoption-related expenses that do not qualify include:

- The adoption of a step-child
- The adoption of a child related by blood
- Expenses for which the employee received funds under any federal, state or local program
- Expenses for carrying out a surrogate parenting arrangement

Requests for reimbursement are to be submitted directly to the Association Services Human Resources department; itemized receipts for expenses are required for documentation at the time of reimbursement request.

Adoption Leave of Absence: In order to bond with the newly adopted child, employees may take unpaid time off in accordance with the terms of the YMCA of Greater Dayton's Family and Medical Leave policy. See policy for Family and Medical Leave of Absence Policy.

Taxation of Benefits: Adoption reimbursements may be excluded from an employee's federal taxable income. However, the reimbursements are subject to Social Security, Medicare, and federal unemployment taxes. Information regarding the taxation of adoption benefits can be found on IRS Form 8839 and the accompanying instructions. Employees should consult a personal tax professional for more information on their individual tax ramifications.

Additional Resources: There is a wealth of resources and information on adoption at the Dave Thomas Foundation for Adoption at <http://www.davethomasfoundation.org>.

### **YMCA MEMBERSHIP**

Part-Time Staff and Part-Time Plus Staff: Receive an Individual (adult value) membership for all branches in the YMCA of Greater Dayton Association, provided they work at least one (1) shift per week. The membership may be used during non-scheduled work hours. Employee has an option to upgrade individual membership to a family membership and paying the difference through the bank draft or annually.

Full -Time Exempt & Non-exempt Staff: Receive a Family membership for all branches in the YMCA of Greater Dayton Association. The membership may be used during non-scheduled working hours. Two part-time employees from the same family working for the YMCA of Greater Dayton does not equal one family membership.

At the Branch Executive's discretion, an employee member may be subject to certain fees and procedures

associated with membership, such as: Guest, locker fees, parking and certain reservation or enrollment procedures.

Non-facility staff will select a designated home branch for personal and family use.

The YMCA of Greater Dayton reserves the right to arrange wage withholding with an employee should the employee incur an overdue balance of services rendered by the YMCA of Greater Dayton. Employees who do not agree to a wage withholding voluntarily may be subject to collections.

### **STAFF USE OF YMCA OF GREATER DAYTON CHILD CARE**

The YMCA of Greater Dayton is committed to supporting a family life for its employees. The following policy statement applies to all YMCA of Greater Dayton branches and staff. This policy statement applies only to YMCA of Greater Dayton child care branch programs.

Part-time & Part-time Plus Staff: 30% reduction from the 10% member reduced rate per child, per week/per month. Part-time Staff must work at least 20 hours per week in order to receive this benefit.

Full-time and Exempt Staff: 40% reduction from the 10% member reduced rate per child, per week/per month.

Child Care Branch Staff: 65% reduction from the 10% member reduced rate per child, per week/per month. Employees are required to work a minimum of twenty (20) hours per week. Anyone part-time in childcare working under 20 hours per week will receive a 40% discount from the 10% member reduced rate per child, per week/per month.

- \* Registration fees will be waived for all above categories
- \* Enrollment will be based on available space in YMCA programs, at the YMCA's sole discretion
- \* Staff children on a waiting list will be handled the same way as the children of the general public
- \* The number of staff children will not exceed the ratio required for one full-time employee in each center's age grouping
- \* The enrolling staff member will pay deposit fees, field trip fees and all other non-program fees
- \* No other discounts apply including the sibling discount, membership program package, etc. YMCA of Greater Dayton cannot discount/scholarship co-pays subsidized by public funding
- \* The above discounts are applied to day camp programming
- \* All discounts must be approved by the Branch Executive Director prior to going into effect

The YMCA of Greater Dayton reserves the right to arrange wage withholding with an employee should the employee incur an overdue balance of services rendered by the YMCA of Greater Dayton. Employees who do not agree to a wage withholding voluntarily may be subject to collections.

### **YMCA PROGRAM FEES**

Part-Time Staff: 25% reduction from member rate at any branch location and residential camp (excluding child care) for employee, spouse and children, if space is available and participation is approved by branch executive.

Full-Time/Non-exempt Staff: 50% reduction from member rate at any branch location and residential camp (excluding child care) for employee, spouse and children, if space is available and participation is approved by Branch Executive.

Exempt Staff: YMCA staff and their families may participate in programs association-wide at a 50% reduction from member rate (excluding child care), if space is available and the participation is approved by branch executive.

All YMCA staff and their families receive a \$10 discount to Ozone Zipline Adventure at Camp Kern. Employees must register in advance through Camp Kern's Office in order to receive discount.

\*Exception: All employees will receive a discount for the following programs based on Branch Executive Director approval: swim team, karate, gymnastics team, and private swim lessons. Employees will pay deposit fees, field trip fees and all other non-program fees.

The YMCA of Greater Dayton reserves the right to arrange for a wage withholding with an employee should the employee incur an overdue balance of services rendered by the YMCA of Greater Dayton. Employees who do not agree to a wage withholding voluntarily may be subject to collections.

### **EDUCATIONAL ASSISTANCE**

The YMCA of Greater Dayton supports employees who wish to continue their education in order to secure increased responsibility and growth within their professional careers. The full cost of career development programs sponsored by the YMCA will be paid in full including tuition, room and board and travel.

In keeping with this philosophy, the YMCA of Greater Dayton has established a reimbursement program for expenses incurred through approved institutions of learning. If you are a full-time regular employee and have completed 1 year of satisfactory full-time employment, have obtained "Meet Goals at Standard Acceptable Levels" on your last performance evaluation and are not on a performance improvement plan, you are eligible for participation in this program as long as the courses are job-related.

The YMCA will reimburse 80% of tuition costs up to a maximum of \$1500 per year incurred by an employee for continuing education through an accredited program that either offers growth in an area related to his or her current position or might lead to promotional opportunities. This can include college credit courses, continuing education unit courses, seminars and certification tests. You must secure a passing grade of C or its equivalent or obtain a certification in order to receive any reimbursement. Expenses must be validated by receipts and a copy of the final grade card or certification must be presented to show hours, grade, or certification received. This reimbursement is applied on a first come/first served basis upon availability of annual budgeted funds.

To receive tuition reimbursement, employees follow the procedures listed below:

- The employee must communicate to their supervisor information about the course for which they would like to receive reimbursement.
- Upon completion of the course, the employee should resubmit the original Tuition Reimbursement Request as well as receipts and evidence of passing grade or certification attached.
- A Tuition Reimbursement Request Form must be obtained and completed by the employee. The request will need to be authorized by the supervisor, Branch Executive and/or the Vice President of Operations.
- The employee will forward a copy to the Association Services Human Resources Director for approval based on funding availability. Once approved, the employee can enroll in the course.
- The employee should maintain the original until he or she has completed the course and forward a copy of the form to Association Services Human Resources Director to be filed.
- The Association Services Human Resources Director will then coordinate the reimbursement with the Accounts Payable department.
- If the employee leaves the YMCA of Greater Dayton within 12 months of reimbursement, the employee will be required to repay any amount received.

Any questions or comments should be directed to the Association Services Human Resources Director.

### **EAP PROGRAM**

The YMCA of Greater Dayton makes available an Employee Assistance Plan for all regular full-time employees to assist them with personal or family issues. The program is 100% confidential and free of charge to the employee.

### **NURSERY**

YMCA staff may sign their child(ren) into the nursery for no more than 2 hours per day at the YMCA. When a staff member is not working they may sign their child(ren) in as a member and will be subject to branch policy not exceeding the 2-hour time limit.

## ***Separation Policy***

### **RESIGNATION/LAYOFF**

Non-Exempt employees who voluntarily terminate their employment with the YMCA of Greater Dayton are required to give their Supervisor no less than two weeks written notice prior to the termination date in order to maintain good standing. Exempt level employees who voluntarily terminate their employment with the YMCA are required to give no less than four weeks written notice prior to the termination date in order to maintain good standing.

All employees who give notice are required to work out their full notice and are not to take PTO except in cases of emergency or with prior Branch Executive Director approval in order to maintain good standing. Full-time employees will be entitled to a payment of their unused PTO balance up to a maximum of 20 days provided they give proper advance notice of their termination.

An employee must return to the association all YMCA related information and property that the employee has in his/her possession, including without limitation, documents, files, records, manuals, information stored on a personal computer or on a computer disc, supplies, work shirts, keys, and equipment or office supplies. Noncompliance of this request may include counter action taken by the YMCA of Greater Dayton which includes holding the employee's last paycheck at their branch of employment until the YMCA property is returned up to and including possible prosecution.

## **DISMISSAL**

### **For Misconduct**

- a. Employee misconduct deemed by the Branch Executive to be harmful to members, the YMCA, the employee, or coworkers may constitute grounds for an employee to be dismissed.
- b. Employee will be paid for hours worked during that pay period up to the time of discharge.
- c. Upon dismissal, the employee will be paid on the next regular pay period with exceptions approved by the President/CEO.
- d. Unused PTO will not be paid for terminations brought about by the employee's misconduct.

### **For Unsatisfactory Performance**

- a. In the event an employee's work is unsatisfactory, he or she will be notified, and every effort will be made to help him or her correct the problem. (See Constructive Discipline) If, after a designated period of time, the problem is not resolved, an employee may be terminated.
- b. Benefits terminate on the last day of the month in which termination occurs.
- c. Unused PTO will not be paid for terminations brought about by unsatisfactory job performance.

## **RETIREMENT**

The YMCA Retirement plan allows for and makes provisions for early retirement and disability retirement, as well as for normal retirement. Retirement does not occur automatically. An employee wanting to retire must contact the Human Resources Department.

Exempt and full-time employees who retire from the YMCA of Greater Dayton will receive a one-year association-wide family membership.

## **CHANGE OF ADDRESS FOLLOWING SEPARATION**

Former employees should advise the Human Resources department of changes in address to assure receipt of W-2 forms, annual Savings, and Security Statements.

## **DEATH**

Pay for unused PTO, as well as for any days worked but not paid to employee, before an employee's death, will be paid to deceased employee's estate.

## **EXIT INTERVIEWS**

An employee leaving the employment of the YMCA of Greater Dayton must return keys, uniforms, YMCA vehicles, supplies, and any other YMCA property before or at the time of the final interview.

At the time of termination, an exit interview may be conducted by your supervisor (full time staff and exempt level with the Human Resources department). This provides you with an opportunity to receive

and complete any appropriate benefit forms, to have any of your questions answered, and to provide information relating to your reasons for leaving.



## ACKNOWLEDGEMENT

I have received a copy of the YMCA of Greater Dayton's Employee Handbook. I understand the policies governing my employment with the YMCA of Greater Dayton and I agree that I will conform to these policies.

I understand that this handbook is not a contract of employment, expressed or implied, between the YMCA of Greater Dayton and myself and I should not view it as a contract of employment.

I understand that this Employment Handbook takes precedence over, supersedes and revokes any previous memo, bulletin, policy or procedure issued prior to the date occurring below, by the YMCA of Greater Dayton on any subject discussed in this Handbook. I also understand that the YMCA of Greater Dayton reserves the right to change or alter the policies at any time.

By signing this form, I acknowledge that I have had the opportunity to ask any question which I might have regarding the policies contained in this Handbook.

**Employee Name:** \_\_\_\_\_  
(Please print)

**Employee Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Supervisor/Office Manager Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_