



**FOR YOUTH DEVELOPMENT®  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY**

# **DISCOVER YOUR PASSION**

**More than just a job.**

**Family YMCA of the Desert  
Employee Handbook**

**September 2018**



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## 100. INTRODUCTION

### About This Handbook

This Employee Handbook is designed to answer some of the questions employees may have concerning the Family YMCA of the Desert and its policies and it is for informational purposes only. The contents of this Handbook are not an employment contract or agreement; rather, they represent a general outline, or guideline, of the human resources' policies, benefits and expectations and are subject to modification, revocation, suspension, termination or change, in whole or in part, with or without notice at the sole discretion of the Family YMCA of the Desert.

Nothing contained in this handbook, or in any other former handbooks, employment applications, memoranda or other materials given to employees in connection with their employment, whether singly or combined, shall create an express or implied contract concerning any terms or conditions of employment, nor shall it create a guarantee of assurance of employment or nor shall it create any right to an employment-related benefit or procedure.

Employment at the YMCA is "at will," which means that either the employee or the YMCA may terminate the employment relationship at any time, for any or no reason. No one, except the CEO of the YMCA, is authorized to make binding employment contracts, and such contracts will be recognized only if they are in writing and signed by both the employee and the CEO.

This handbook supersedes and replaces all previously existing personnel policies, handbooks, manuals, guidelines, correspondence, rules and oral or written representations previously given or advised by the YMCA. Employees are required, as a condition of their employment, to read this Employee Handbook and sign the Acknowledgement Form provided to them. YMCA management will interpret and amend these guidelines as necessary and communicate changes accordingly.

If you have any questions regarding your employment, please discuss them with your supervisor.

Welcome to the YMCA. We're glad you're here!

## Welcome from our CEO

### You're Part of Something Big!

Welcome to the Family YMCA of the Desert ("Family YMCA," "YMCA," or the "Y."). We're an inclusive organization of men, women and children joined together by a shared commitment to strengthening community through youth development, healthy living and social responsibility.

By going to work every day, you are positively affecting the lives of the people in your community. By working at the YMCA, you'll discover more than a job—you'll enjoy a career with a future and the opportunity to make a lasting difference in the lives of those around you. In more than 10,000 communities nationwide, our staff leaders—of all ages and from diverse backgrounds and life experiences—enjoy the personal satisfaction that comes from nurturing the potential of youth and teens, improving the nation's health and well-being and providing support to our neighbors.

### At-Will Employment

Your employment with the Family YMCA of the Desert is voluntary and you are free to resign at any time. Similarly, the YMCA is free to end the employment relationship at any time, with or without cause, and with or without prior notice. While we hope our relationship will be long and mutually beneficial, we recognize that neither you nor the YMCA has entered into any contract of employment for any specific period of time. No representative of the YMCA has the authority to make any representations inconsistent with this policy. The at-will nature of your employment may be changed only by a written agreement signed by you and me, the CEO of the Family YMCA of the Desert.

## Diversity and Inclusion

### Strengthening Our Work Through the Diversity of Our People

The YMCA is made up of people of all ages and from every walk of life working side by side to strengthen communities. Together, we work to ensure that every individual—of any gender, income, faith, race, sexual orientation or cultural background—has the opportunity to live life to the fullest. We share the values of caring, honesty, respect and responsibility—everything we do stems from these values.

The YMCA is part of 10,000 U.S. communities and in more than 120 countries worldwide which makes diversity and inclusion practices paramount for the YMCA.

Equally important the key to effectively nurturing the potential of children, improving the nation's health and well-being and supporting our neighbors is through an array of passionate, experienced and diverse staff and volunteers.

Believing we all benefit from the unique talents of our diverse staff, we encourage all YMCA employees to form and participate in active groups with other employees who share similar interests or backgrounds. Employee Resource Groups give our employees opportunities to contribute, learn, network and share experiences as they progress in their careers. These groups provide invaluable input and insight to address challenges in our communities. See Exchange ([yexchange.org](http://yexchange.org)) for more information.

The YMCA offers professional development and training programs that steward staff through a range of opportunities that build 21st-Century leadership competence and help them obtain the experience they need to lead YMCAs in all our communities.

Diversity and inclusion practices at the YMCA foster a high-performing learning environment where staff and volunteers are engaged and valued and where they are encouraged to collaborate, generate ideas and contribute at the highest level. We are passionate about our cause and know that our ability to achieve it begins with reflecting and partnering with all people and communities.

## **I. Introduction**

The Family YMCA of The Desert, through these policies, intends to address compliance with the federal Americans with Disabilities Act (the "ADA"), the California Fair Employment & Housing Act ("FEHA") and other federal and state requirements. The following set of procedures implement this policy with regard to the use of service animals by persons with disabilities who are registered participants of the Family YMCA of the Desert programs, authorized users of its facilities, its employees with disabilities, and by its visitors with disabilities.

The purpose of these procedures is to ensure that participants, authorized users, employees and visitors with disabilities as well those who have service animals, can participate in and benefit from YMCA services, ensure that the YMCA does not discriminate unlawfully on the basis of disability, as defined in the ADA.

## **II. Primary YMCA Contacts**

**A.** As a reasonable accommodation, participants and authorized users may request to have a service animal accompany them in facilities where they are authorized users. Persons with disabilities are invited to contact the YMCA staff at 760-341-9622.

**B.** Employees may request to have a service animal as a workplace accommodation. Please contact the Human Resources department for information regarding this process.

**C.** Visitors may be accompanied by a service animal when observing programs, activities, or enjoying the YMCA facilities without making a request for a reasonable modification. Persons with disabilities are invited to contact the YMCA administration at 760-341-9622 for any questions about this policy.

## **III. Definitions**

**A. Service Dog:** A dog that has been individually trained to perform tasks for the benefit of a person with a disability. However, dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are used purely for emotional support, are not considered service animals and are not allowed at the YMCA facilities premises, unless otherwise specifically permitted. However, exceptions may be made by the YMCA on a case – by-case basis in accordance with the law. Tasks may include, but are not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to sounds, pulling a wheelchair, or retrieving dropped items

**B. Partner/Handler:** A person with a disability who uses a service animal as a reasonable modification, or a trainer.

**C. Team:** A partner/handler and a service animal. The two work as a cohesive team in accomplishing the tasks of daily living.

**D. Trainee:** A dog being trained to become a service animal has the same rights as a fully trained service animal when accompanied by a partner/handler and identified as such.

#### **IV. General Rule Regarding Service Animals**

As a general rule, the YMCA will modify its policies, practices, and procedures to permit the use of a service animal by an individual with a disability.

#### **V. Restrictions & Areas of Safety**

The Family YMCA of the Desert may impose some restrictions on service animals for safety reasons. Restrictions are considered individually to determine if the animal poses a danger to others onsite or a danger to itself, also to determine if other reasonable modifications can be provided to assure that the individual enjoys access to the park, facility, or program. Questions about restrictions on service animals should be directed to the contacts listed in Section II.

#### **VI. Requirements for Staff, Participants, and Authorized Users**

YMCA staff, participants, authorized users and visitors on YMCA premises are responsible for the following:

**A.** Allow service animals to accompany the partner/handler at all times and anywhere at a site except where animals are specifically prohibited, such as at a zoo.

**B.** Refrain from distracting a service animal in any way. Do not pet, feed, or interact with the animal without the partner/handler's invitation to do so.

**C.** Do not separate a partner/handler from a service animal.

**D.** The YMCA may take disciplinary action against any individual who fails to abide by these guidelines.

#### **VII. Temporary Exclusion of Service Animals**

A participant, authorized user, employee or visitor may report a concern regarding a service animal to the YMCA staff.

**A.** Temporary exclusion of a service animal used by a participant or visitor:

1. In response to an immediate concern, the YMCA staff may determine that a service animal must be temporarily removed from parks, sites, or facilities. The employee authorized to make such decisions at that site, park, or facility shall (1) notify the participant or visitor of this decision and (2) that the incident will be reported to the YMCA ADA Coordinator. The employee shall report the incident to the Y ADA coordinator in writing.

2. The YMCA ADA Coordinator (or designee) will investigate all reported concerns and incidents where service animals have been temporarily removed from sites, parks, and facilities. The YMCA ADA Coordinator (or designee) will consult with appropriate YMCA personnel and determine whether or not the animal should be excluded from sites, parks, and facilities for an extended period of time, or permanently. The YMCA Coordinator (or designee) will notify the participant, authorized user or visitor of his or her decision.

3. If it is appropriate for the service animal to be excluded from sites, parks, or facilities permanently, the ADA Coordinator (or designee) will work with other department staff to ensure the participant, authorized user or visitor, receives appropriate reasonable modifications in place of a service animal.

**B. Temporary exclusion of an employee's service animal:**

1. In response to an immediate concern, the Human Resources department may determine that a service animal must be temporarily removed from sites, parks, or facilities. The Human Resources Director (or designee) will also notify the employee of (1) the decision made and (2) that the incident will be reported to the YMCA ADA Coordinator. The Human Resources Department Director (or designee) shall then report the incident to the YMCA ADA Coordinator in writing.

2. The ADA Coordinator will investigate all reported concerns and cases where service animals have been temporarily removed from sites, parks, and facilities. The ADA Coordinator will consult with appropriate YMCA staff and determine whether or not the animal should be excluded for an extended period of time or permanently. The ADA Coordinator shall notify the employee of his or her decision.

3. If it is appropriate for the animal to be excluded from sites, parks, and facilities permanently, the YMCA ADA Coordinator will ensure the employee receives appropriate accommodations in place of the use of a service animal.

4. An employee who does not agree with the resolution may file an appeal or formal complaint following the YMCA ADA Process.

**VIII. Conflicting Disabilities**

Individuals with medical issues (such as respiratory diseases) who are affected by animals should contact Human Resources if they have a concern about exposure to a service animal. The individual will be asked to provide medical documentation that identifies a disability and the need for an accommodation. The appropriate YMCA staff will facilitate a process to resolve the conflict that considers the needs and conditions of all persons involved.

**IX. Clarifying the status of a Service Animal**

It may not be easy to discern whether or not an animal is a service animal by observing the animal's harness, cape, backpack, or the partner/handler's disability. However, in other cases, an animal may only have a leash, and in still other situations, the partner/handler's disability is not apparent. Therefore, it may be appropriate for designated YMCA staff--facility managers, site directors, area staff, and administrative staff--to ask (1) whether the animal is required due to a disability; (2) the work or task the animal has been trained to perform.

## **X. Emergency Situations**

Emergency Responders (ERs) are trained to recognize service animals and to be aware that animals may try to communicate the need for help. Also, an animal may become disoriented from the smell of smoke in a fire or facility emergency, or from sirens, wind noise, or shaking and moving ground. A partner/handler, service animal, and team may be confused in any stressful situation. ERs will remember that animals may be trying to be protective and, in its confusion, should not be considered harmful. ERs should make every effort to keep a service animal with its partner/handler; however, the ER's first effort should be toward the partner/handler, which may result in the animal being left behind in some emergency evacuation situations.

### **History**

#### **How We Started and Where We're Headed**

From Small Beginnings to a Major Force the YMCA was founded in London, England, in 1844 as the Young Men's Christian Association to help young men develop character and avoid the unhealthy social conditions of the times. The YMCA Movement reached the United States by 1851. By the early 1900s, the YMCA began serving boys and older men in addition to young men. After World War I, women and girls became an active part of the YMCA Movement, and in the 1960s and 1970s, families became a major focus. Today, more than half of all YMCA members and staff are women and girls.

Today, the YMCA engages more than 10,000 neighborhoods across the U.S. As the nation's leading nonprofit committed to helping people and communities learn, grow and thrive, our contributions are both far-reaching and intimate—from influencing our nation's culture during times of profound social change to the individual support we provide an adult learning to read.

By nurturing the potential of every child and teen, improving the nation's health and well-being and supporting and serving our neighbors, the YMCA ensures that everyone has the opportunity to become healthier and more confident, connected and secure.

#### **Global Reach**

Since its founding, the YMCA has grown into one of the largest volunteer organizations in the world, serving more than 45 million people in 120 countries. YMCA's in the U.S. have played a key role in the growth and strength of our global organization and continue to partner with YMCA's around the world to address critical social issues. Collectively, we use the knowledge and resources of our global network to help people reach their potential. From welcoming newcomers in the U.S. to working to prevent the spread of HIV/AIDS in Ethiopia, YMCA's have the expertise and commitment to strengthen communities and bring about positive change.

## Mission, Values and Cause

### Our Cause Defines Us

At the YMCA, strengthening community is our cause. Every day, we work side by side with our neighbors to make sure that people of every age, income level and background have the opportunity to learn, grow and thrive. To fulfill this promise, the YMCA requires strong cause-driven leaders to effect lasting personal and social change in our organization's three areas of focus: youth development, healthy living, and social responsibility. At the YMCA, we strive to put the following values into practice in everything we do: caring, honesty, respect and responsibility.

### Our Impact Is Felt Every Day

Driven by our mission—to put Judeo-Christian principles into practice through programs that build healthy spirit, mind and body for all—our impact is felt when an individual makes a healthy choice, when a mentor inspires a child and when a community comes together for the common good.

### Our Commitment Is to Social Good

Family YMCA of the Desert is an independent 501(c)(3) tax-exempt organization under the IRS code, which means that donations to the YMCA are tax deductible. It is the goal of the YMCA to provide programs and services regardless of an individual's or family's financial ability to pay for participation. Every day, the YMCA brings together people of all ages and from all walks of life with a shared commitment to ensuring that everyone has the opportunity to live life to its fullest.

## 200. EMPLOYMENT PRACTICES

### Discipline

The YMCA strives to use constructive discipline processes that build and reinforce positive working relationships. This discipline process serves only as a guideline and the YMCA reserves the right to skip any or all steps in the process at the sole discretion of management. Disciplinary action may include the following disciplinary measures, which may be imposed in any order the YMCA, in its discretion, deems appropriate:

- Verbal counseling
- Written counseling
- Suspension with or without pay
- Immediate termination

Nothing in this policy is intended to alter the rights of the YMCA to terminate an employee at will, for any or no reason, and at any time, without having to follow any specific order of discipline.

### Employment of Relatives

Employing relatives has the potential to create real or perceived conflicts of interest. It may also result in favoritism or partiality toward an employee, whether real or perceived.

Relatives of employees are not to be employed in a position that entails direct supervision where one relative reports to the other. Relatives are defined as follows: parents, children, spouse, siblings, and family members living in the same house, domestic partners, and others who may not be related but who occupy equivalent roles.

Any exception to this policy must be approved by the CEO, or other designated member of management, who will determine whether the working relationship would create a conflict of interest or the appearance of favoritism.

If two employees become involved in a relationship after employment occurs, they must report it to the supervisor. Management reserves the right to transfer or ask for a resignation from either party.

### Ending Employment

All employees of the Family YMCA of the Desert are employed "at will." In part, this means you may end your employment whenever you wish, although the YMCA requests that you provide a two-week notice to assist with scheduling and planning (a four-week notice is requested of exempt staff). Similarly, the YMCA may terminate the employment of any employee at will; that is, at any time, with or without cause or notice, at its discretion.

Should you choose to resign, give your resignation notice in writing to your supervisor, including your reason for leaving and a current address so that your year-end tax information (Form W-2) and other correspondence can be sent to you. Return all Y-owned property, including keys, laptops, cellphones, etc., no later than your last day of work.

If you have questions about benefits or other matters, contact Human Resources. Premiums for health insurance will be paid through the last day of the month in which employment ends.

If you have health insurance with the YMCA, you have the option of continuing these benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the COBRA policy in the benefits section of this handbook.

Final paychecks for departing employees will be available in accordance with state law and will include earned unused vacation time.

### Equal Employment Opportunity

The Family YMCA of the Desert provides equal employment opportunities (EEO) to all employees and applicants without regard of race, color, religion, gender, national origin, age, disability, genetic information, marital status, sexual orientation or status as a covered veteran, in accordance with applicable federal, state and local laws. The Family YMCA of the Desert complies with applicable federal, state, and local laws governing nondiscrimination in employment, including all terms and conditions of employment as well as recruitment, hiring, compensation, promotion, job assignments, transfers, demotions, training, leaves of absence, layoff, benefits, termination, and employer-sponsored activities, including social and recreational programs.

If you need workplace accommodations for your religious beliefs or for your disability, please speak with your supervisor. The YMCA strives to create a respectful workplace and engaging in any act which illegally discriminates against another employee will not be tolerated. If you have related questions, complaints, or comments, you should contact Human Resources at 760-341-9622.

### Expense Reimbursement

Reasonable expenses incurred on authorized YMCA business will be reimbursed subject to prior approval of your supervisor and/or CEO. The YMCA will also reimburse staff for expenses incurred for travel, conferences and training programs subject to the advance approval from your supervisor and/or CEO. Every effort must be made to use a YMCA credit card for business expenses before using personal funds requiring reimbursement.

### Mileage

Any employee who drives their own vehicle on approved YMCA business is entitled to receive mileage reimbursement for travel to and from their destination. Reimbursement does not include mileage between your home and worksite, unless you are asked to report to a worksite that is not your regular worksite and is located significantly farther away than your regular worksite.

Employees who drive on YMCA business on a "regular" basis are required to provide the Transportation Coordinator with proof of insurance. For the purposes of this mileage reimbursement policy, any employees who drive on YMCA business more than two (2) times per month will be considered to drive on a "regular" basis and must submit proof of insurance.

## Membership Dues

Membership dues, meals, and directly related expenses in a service club or other professional society, or community organization where such membership is deemed advantageous to the YMCA's interest shall be reimbursed. All memberships must be pre-approved by the CEO. Every effort must be made to use a YMCA credit card for the expense before using personal funds requiring reimbursement.

## Individuals with Disabilities

The YMCA prohibits discrimination against employees and applicants with disabilities in all aspects of employment including, but not limited to, recruitment, hiring, compensation, promotion, job assignments, transfers, demotions, training, leaves of absence, layoff, benefits, termination, and employer-sponsored activities, including social and recreational programs. The YMCA's commitment to this policy includes making reasonable accommodation to persons with disabilities, to enable them to perform the essential functions of their jobs, unless to do so poses an undue hardship on the YMCA or a direct threat to health or safety of the employee, applicant, or others.

The employee should make his/her supervisor aware of the need for an accommodation. The YMCA will work with each individual to define their job-related needs and to try to accommodate those needs. Employees may not refuse to work alongside co-workers who have disabilities.

A "reasonable accommodation" is any change or adjustment to a job, the work environment, or the way things usually are done, that enables a qualified individual with a disability to perform the essential functions of the job and that does not pose an undue hardship for the Y or create a direct threat to health or safety. Qualified individuals with disabilities are individuals with disabilities who have the required education, skills, and experience for the job and who can perform the essential functions of the job with or without reasonable accommodation. The term disability is defined by applicable law.

Frequently, when a qualified individual with a disability requests a reasonable accommodation, the appropriate accommodation is easily agreed upon. Although the YMCA will consult with the employee to understand his or her precise limitations and to learn the types of accommodations the employee feels would be most effective, the ultimate decision as to whether a particular accommodation will be made rests with the YMCA. When the appropriate accommodation is not obvious, the YMCA will assist the individual in identifying one. If more than one accommodation will enable the individual to perform the job, the YMCA reserves the right to choose which accommodation it will make.

## Recruitment and Placement

The YMCA selects employees who:

- meet high standards of character, education, and qualifications
- will effectively advance the cause, mission, and objectives of the YMCA
- demonstrate the capacity for personal and professional growth

In recognition of the mission and charitable purpose of the YMCA, employees are expected to possess a collaborative, cooperative spirit and uphold the good will of the organization.

The YMCA supports and participates in an open application process and usually advertises vacancies. The YMCA strives to select the most qualified person for the job. Employees are encouraged to apply for open positions.

All individuals seeking employment will complete the appropriate employment application and consent forms and must consent to a criminal background check, a reference check, and all other requirements.

### Salary Administration and Total Rewards

To attract, retain, motivate and reward a diverse and talented staff team committed to the YMCA's mission, cause, values and strategic goals, the YMCA offers each employee a well-rounded combination of pay, benefits, career development and learning opportunities in a meaningful, healthy work environment.

More specifically, the YMCA strives to:

- focus on the value of total rewards, including cash compensation, traditional benefits and intrinsic YMCA benefits such as culture, career growth, learning and recognition
- offer a competitive compensation and benefits package that is designed to support long-term career commitment and the needs of a diverse workforce
- consider budgetary requirements and constraints on the YMCA and its employees, to the extent possible.

The Y seeks to establish compensation levels on the basis of external competitiveness and internal equity. Employees may be considered for a merit salary increase periodically, usually annually. Salary adjustments are not automatic; these are based on factors such as work performance, including achievement of strategic and operating plan goals, development of leadership competencies and other merit considerations. Typically, employees whose performance appraisal ratings are less than satisfactory do not receive a salary increase.

## 300. WORKING HOURS, PAY, CLASSIFICATION AND RECORDS

### Breaks for Nursing Mothers

The YMCA complies with applicable federal and state laws regarding breaks for nursing mothers. Generally, unless otherwise provided by law, the YMCA will provide nursing mothers unpaid reasonable break time to express breast milk for a nursing child for one year after the child's birth and each time the employee needs to express milk. The nursing mother will be provided a private and secure place, other than a bathroom, that may be used to express breast milk and that is shielded from view and free from intrusion by coworkers and the public.

## Changes in Personal Information

You are responsible for notifying the Human Resources department immediately of changes to your name, address, phone numbers, email address, marital status, dependents, emergency contact information, and/or beneficiary designation.

## Employment Classifications

The YMCA uses the following categories for its payroll system:

### A. Nonexempt and exempt employees

1. Nonexempt employees are paid on an hourly basis and are eligible for overtime pay at the applicable legal rate for hours worked in excess of 8 hours in one workday or 40 hours in one workweek. Sick leave, holiday, and vacation time do not constitute hours worked.

2. Exempt employees are paid a salary for meeting agreed-upon management objectives and are not eligible for overtime pay.

### B. Full-time and part-time employees

1. Full-time employees consistently work at least 40 hours per week in a position that is not seasonal in nature.

2. Part-time employees work less than 40 hours per week in a position that is not seasonal in nature.

3. Seasonal employees usually work for a period not to exceed six months out of a twelve-month period. Seasonal staff members are not considered full time, although they often work a full schedule during the season. Employees must be in good standing at the end of a season in order to return the following year.

If you are a part-time or full-time employee who has been previously employed by another YMCA, you will be credited for those prior years of continuous YMCA service.

## Hours of Work and Work Week

Supervisors generally prepare and communicate work schedules to their staff in advance of the workweek. Requests for schedule modifications must be made to the supervisor as early as possible.

The YMCA workweek begins at 12AM on Sunday and ends at 11:59PM on Saturday. Unpaid meal breaks and paid rest breaks are provided in accordance with state laws.

## Overtime

If you are in a nonexempt position, you will be paid at a rate of 1½ times your regular hourly wage for any hours worked in excess of 8 hours in one workday or 40 in one workweek and at a rate of twice your regular hourly wage for any hours worked in excess of 12 hours in a workday and all hours in excess of 8 hours on the seventh consecutive day of work in one workweek. Hours paid out of benefit time (sick, vacation, bereavement, holiday, etc.) do not count as hours worked in determining overtime pay. You will be paid for all hours worked. You must obtain approval from your supervisor prior to working overtime hours.

## Pay Practices

You will be paid on the 5th for time worked from the 16th through the last day of the month. You will be paid on the 20th for time worked from the 1st through the 15th. It is your responsibility to accurately record your hours worked. Most staff will record hours using timecards. It is your responsibility to ensure your supervisor has a complete record of your time by the payroll deadline.

If direct deposit has not been established, then it is your responsibility to pick up your paycheck in person. However, if you do not pick up your paycheck, then it will be mailed the next business day to the address we have on file.

## Direct Deposit of Paychecks

Direct deposit of your pay is encouraged for all employees. With direct deposit, many banks offer waivers/reductions on account fees and other bank services.

## Online Wage Statements

The YMCA uses the MYPY system for online wage statements. The MYPY system enables employees to access past wage statements as well as prior years W2s. Use of the MYPY system replaces paper wage statements. Log in to [mypy.ymcaofthedesert.org](http://mypy.ymcaofthedesert.org) using your employee number and password. Contact Human Resources to obtain your password.

## Payment during Severe Weather or Disasters

The YMCA will make every effort to maintain normal operations during periods of severe weather or natural or human-made disasters.

When the YMCA delays opening, or closes its operations due to a natural or man-made disaster or public utilities outage outside of the YMCA's control, the following pay practices will be followed:

Exempt employees will be paid for the day

Non-exempt employees will be paid only for time actually worked on that day

In the event a YMCA location remains closed for more than one day, employees may use paid time off (PTO) or vacation. Exempt employees may not be docked pay when their work location is closed; however, they may be required to work at another location or work from home.

Employees who miss work when their work location is open will not be paid for missed work time unless they utilize their accrued vacation. Exempt employees must use whole days of paid time off. If none are available, their salary will be docked for the whole day if no work was performed.

## Personnel Records

Employees may periodically review their personnel file by making an appointment with the H.R. department. The employee's supervisor and other members of management with a business-related "need to know" also have access to personnel records.

A copy of the personnel file will be provided as requested in accordance with state law.

## Reporting Time (Timesheets)

Payroll and time records for all employees will be maintained to meet federal and state regulations and YMCA policies.

Nonexempt employees are required to record time completely and correctly on a daily basis. You are responsible for preparing accurate & timely records of your working hours so that accurate payment can be made to you.

Exempt employees report exceptions on a pay period basis.

Employees are responsible for ensuring payment is accurately made by reviewing each paycheck and notifying their supervisors of any concerns in a timely manner. A schedule of paydays is available to you from your supervisor.

Failure to properly record time worked and absences may be considered misconduct, which could lead to disciplinary action up to and including termination of employment.

## Contributions Made by Employee

Each year the YMCA raises funds to support youth activities and enable participation by those who could not otherwise afford it. Your campaign support can make a real difference to the community. Upon written request from the employee, the YMCA will transmit such contributions through payroll deductions.

## 400. EMPLOYEE HANDBOOK CODE OF CONDUCT

### Arrest or Criminal Conviction of a Staff Member

An employee is required to report an arrest to the YMCA when the employee's position involves interaction with children under 16 years old, developmentally disabled people and vulnerable adults. The report of arrest should be made promptly, no later than within three days of when the arrest occurred. The report should be made in writing to the HR Director and include the exact charge and whether a conviction resulted from the charge, the location or court and the date of the arrest and/or conviction. Failure to report arrests or convictions as required is considered misconduct. All employees are required to report any criminal conviction to the YMCA, regardless of their position.

### Attendance and Tardiness

At the YMCA, regular attendance is required of all employees and is an important part of your job performance. You are expected to be at your work site and ready to work at the start of

your assigned hours and to remain at your job until the end of your assigned work hours, except for approved breaks and lunch. Attendance will be monitored on an ongoing basis and will be included as part of an employee's performance review.

There are times when an unscheduled absence is unavoidable. If you need to be absent from work, you must contact your supervisor (not a coworker or front desk staff) as soon as possible, and no later than four hours prior to the start of your scheduled shift. Your supervisor may require you to take initial responsibility for locating a substitute to cover your shift.

Failure to observe scheduled working hours disrupts YMCA operations and places an unfair burden on fellow staff members. Unexcused, repeated tardiness or absences and/or failure to personally notify your supervisor of an absence can result in disciplinary action up to and including termination. If you are absent for four consecutive work days without contacting your supervisor, you will be considered to have voluntarily resigned your position. Staff may be asked to provide a doctor's note for being absent for four or more consecutive days due to illness.

### Confidentiality

In the course of their job duties with the YMCA, many employees have access to confidential information and records, including registration, membership, medical, personnel, fundraising, planning, financial, and business records. YMCA staff has a duty to keep information confidential. Staff members are not allowed to share passwords or login information with others. The misuse, unauthorized access to, or mishandling of confidential information will result in disciplinary action, up to and including termination of employment.

### Confidentiality of Medical Information

All medical information is sensitive. Employees are expected to treat medical information as confidential, whether it is related to employees, members, youth, volunteers, or donors, and should not disclose it to others. If you are unsure whether someone needs to know, you should check with your supervisor before disclosing. Furthermore, medical information regarding YMCA participants may be subject to certain federal privacy laws.

The Y and its employees will respect and protect the privacy of medical information, medical records, and related information about participants who request or receive direct services from the YMCA. The YMCA safeguards all confidential information about participants as required by federal and state laws and regulations as well as the YMCA's internal policies. Questions about compliance should be directed to your supervisor.

### Conflict of Interest

Employees should avoid any situation that involves or may involve a conflict between their personal interests and the interests of the YMCA. As in all other duties, employees dealing with members, vendors, contractors, competitors, or any person doing or seeking to do business with the YMCA are to act in the best interest of the YMCA.

All employees have a duty of loyalty to the YMCA, to further its cause and goals and, in general, to work on behalf of its best interests. A conflict of interest results in the event that an employee's actions or decisions could result in improving the employee's own personal

interest, or monetary gain, with a concurrent depreciation of the YMCA's interest or otherwise affect the YMCA adversely.

Employees should make prompt and full disclosure in writing to Human Resources of any potential situation which may involve a conflict of interest.

Examples of such conflicts include, but are not limited to, the following:

- Ownership by employee or by a member of their family with a significant interest in any outside enterprise which does or seeks to do business with the YMCA, or competes with the YMCA
- Staff employed with an outside enterprise that does or is seeking to do business with or is a competitor of the YMCA
- Personal benefit from any YMCA transaction including sale, purchase, rent, lease of property, services, or supplies
- Any other arrangements or circumstances, including family or other personal relationships, which might dissuade the employee from acting in the best interest of the YMCA
- Unauthorized use of materials, equipment, facilities, or other YMCA assets for personal purposes

In connection with any actual or possible conflict of interest, an employee must disclose the existence of the financial interest to the H.R. Director. The H.R. Director will determine the existence and nature of the conflict of interest and determine the appropriate course of action. (If the conflict involves the CEO, the CEO must disclose such to the board chair).

### Dress Code and Uniforms

By dressing appropriately for our work and our positions and by modeling good personal hygiene, our employees help create a welcoming environment and favorable professional image of themselves and the YMCA. Our grooming and dress standards include the following:

- All employees are expected to meet generally accepted standards of cleanliness and hygiene
- When attending business meetings with community members, business attire is advised
- All staff members must meet uniform and/or dress codes that may be required for their particular jobs
- All clothing should be neat, clean, and in good repair at all times
- Clothing should not be distracting to others, expose undergarments, or present a safety hazard
- Facial hair must be neatly trimmed and clean at all times
- Inappropriate tattoos must be covered while on duty (supervisor's discretion)

An hourly employee reporting to work in violation of these standards will be sent home without pay until dressed in accordance with the standards. Supervisors can answer any questions about what is considered proper attire. Employees whose religious beliefs and practices require a change or modification (an accommodation) to these standards may submit a request to their supervisor.

All team members at YMCA facilities, program sites, and other locations, with the exception of aquatic team members in swimsuits, must wear YMCA identification badges. Badges must be worn above the waist and be visible at all times.

### Gifts or Gratuities

Employees have an obligation to act solely in the YMCA's best interest. The YMCA wishes its employees to make responsible purchasing decisions for the organization without being improperly influenced or creating the appearance of being improperly influenced. Employees, therefore, may not accept a commission, payment, reward or gift from dealers or vendors supplying or seeking to supply the YMCA. An exception may be made for infrequent gifts (or other items) which are less than \$75 in value.

Employees may accept meals, refreshments, or entertainment of a nominal value (less than \$100) in connection with business discussions; for instance, occasional luncheons or dinner meetings, held to conserve time and build relationships. All employees have a personal responsibility to ensure that their acceptance of such gifts, meals, refreshments, or entertainment is proper and not reasonably construed as an attempt by others to secure favorable treatment.

### Harassment Prevention

The Y takes all reasonable steps to prevent harassment from occurring. In addition to prohibiting other forms of discrimination, the YMCA prohibits harassment and discrimination on the basis of race, religious creed (including religious dress and grooming practices), color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding or related medical conditions), gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. All such harassment is prohibited as well as harassment based on the perception that anyone has any of these characteristics or is associated with a person who has or is perceived as having one of these characteristics.

The YMCA protects employees from harassment by other employees, including supervisors, as well as volunteers, members/parents, vendors, or others doing business with the YMCA. Harassment refers to actions that create an intimidating, offensive, or hostile working environment, and other acts that have the purpose or effect of unreasonably interfering with an individual's work performance, when harassing acts are based on a protected characteristic such as, but not limited to, race, color, sex, age, disability, religion, national origin, or genetic characteristics.

Sexual harassment includes, but is not limited to, unwelcome sexual advances; requests for sexual favors and/or other verbal or physical conduct of a sexual nature where submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or any such conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or hostile environment. Specific examples of sexual harassment include, but are not limited to, vulgar remarks, pinching, jokes, teasing, and uninvited touching.

If you believe you have been harassed in violation of this policy, you should promptly report your concerns to the H.R. Director, unless your complaint concerns the H.R. Director, in which case, you can report your concerns to your immediate supervisor or the CEO. Your complaint will be investigated promptly and confidentiality will be maintained to the greatest degree possible. It is the intention of the YMCA that any reporting employee or employee participating in the investigation of a harassment complaint will not be retaliated against in any way. If you feel that you have been retaliated against for reporting a claim, you should contact the H.R. Director, your supervisor, or the CEO, as appropriate.

The YMCA will not retaliate against you for filing a complaint or for participating in any workplace investigation and will not tolerate or permit retaliation by management, employees, or co-workers.

Supervisors must refer all complaints involving harassment, discrimination, retaliation, or other prohibited conduct to the H.R. Director or to the CEO if the complaint involves the H.R. Director.

When the YMCA receives allegations of misconduct, it will immediately undertake a fair, timely, thorough, and objective investigation of the allegations in accordance with all legal requirements. The YMCA will reach reasonable conclusions based on the evidence collected.

Complaints will be:

- Responded to in a timely manner;
- Kept confidential to the extent possible;
- Investigated impartially by qualified personnel;
- Documented and tracked for reasonable progress;
- Given appropriate options for remedial action and resolution; and
- Closed in a timely manner

If a harassment complaint is found to be valid, immediate and appropriate corrective action will be taken. An employee who has violated this policy will be subject to disciplinary action, up to and including termination. Any conduct prohibited by this policy is unacceptable in the workplace, and at any work-related setting outside the workplace, including business travel, business meetings, and Y-related social events. Off-duty conduct that violates this policy and affects the work environment is also prohibited.

In addition to notifying the YMCA about harassment or retaliation complaints, affected employees may also direct their complaints to the California Department of Fair Employment and Housing ("DFEH"), which has the authority to conduct investigations of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes that a complaint is valid and settlement efforts fail, the DFEH may file a lawsuit in court. The courts have the authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest DFEH office at the locations listed in the YMCA's DFEH poster or by checking the State Government listings in the local telephone directory.

## Misconduct

- In order to provide a productive, caring work environment consistent with YMCA values, the YMCA does not tolerate misconduct. Some examples of misconduct include the following:
- Discrimination in violation of our equal opportunity policy
- Harassment
- Child abuse, molestation, or indecent exposure
- Having unapproved off-hours contact with children in YMCA programs or other violations of its child abuse prevention policies
- Mistreatment or neglect of members, guests, or participants
- Failure or refusal to carry out job assignments or to follow instructions as management requests
- Falsification of records; for example, employment, accounting, or financial records
- Failure to properly record time worked or to make a timely report of hours worked
- Conviction of a crime, if job related; failure to notify the YMCA of a conviction or an arrest if required to do so
- Theft or willful damage to YMCA property or to the property of others; the removal of property without permission from YMCA management
- Dishonesty in any form
- Abusive or profane language
- Unsafe behavior; for example, fighting or threatening another person
- Carrying or concealing weapons, devices, or objects that may be used as weapons
- Reporting to work or being under the influence of drugs or alcohol during work time or on YMCA premises or at YMCA program locations; possessing, distributing or manufacturing controlled substances
- Inefficient or substandard performance of an assigned duty or responsibility
- Absenteeism or tardiness in reporting to work or returning from breaks; absence without proper notification to supervisor; or unexcused absence
- Horseplay, unsafe or dangerous behavior, or unauthorized sleeping on the job
- Violation of policies or of commonly accepted rules of responsible personal conduct
- Conduct that does not support the purpose and values of the YMCA

The above list is illustrative of the type of conduct that is not tolerated. This list is not all inclusive. Misconduct results in disciplinary action, up to and including termination of employment.

## Political Activity

Encouraging participation in the political process in general, such as voting, is congruent with strengthening communities and promoting social responsibility. While the YMCA recognizes the importance and responsibility of staff to participate in the political process, in accordance with Section 501(c)(3) of the Internal Revenue Code, YMCA's are prohibited from directly or indirectly participating in or intervening in any political campaign on behalf of or in opposition to any candidate for public office or political cause.

No employee shall be compensated or reimbursed for personal political contribution; and efforts devoted to political activities must be outside of working hours. No employee may solicit for any campaign or cause during working hours or while on YMCA time, nor use YMCA resources to do so. Employees may not wear or post campaign/political paraphernalia on YMCA premises or during working hours. It must also be made clear that any statements regarding public issues, candidates, or office holders are the opinion of the individual, not the YMCA.

### Solicitation and Distribution

Solicitation and distribution of literature by non-employees (including by members or volunteers) on YMCA property is prohibited.

Solicitation by employees on YMCA property is prohibited when the person soliciting or the person being solicited is on working time.

Working time is the time employees are expected to be working and does not include rest, meal, or other authorized breaks.

Distribution of literature by employees on YMCA property is allowed only in nonworking areas and then only during nonworking time.

The above restrictions apply to solicitations on behalf of organizations, including charitable organizations, with the limited exception of campaigns in support of the YMCA or the United Way.

## 500. EMPLOYEE HANDBOOK - SAFETY

### Alcohol and Drugs Prohibited

An employee may not report to work under the influence of alcohol or drugs. Employees using prescription drugs that may affect their job responsibilities (example, the use of drugs that induce feelings of sleepiness) should discuss the restrictions with their supervisor prior to their shift.

Treatment programs may be available through the medical insurance plans offered by the YMCA. Treatment programs may help individuals deal with an alcohol and/or drug problem before the problem affects performance and becomes a disciplinary issue. Employees with concerns regarding their own or another person's use of drugs or alcohol are encouraged to seek and obtain assistance from Human Resources.

Drug and alcohol testing shall be required if specifically stated in the job description. Scheduled and random testing may be conducted as provided for by state or federal law. Any failure to pass these tests may result in termination of employment.

All employees are subject to testing when the management has "reasonable suspicion" to believe that a violation of the drug-free policy has occurred. For the purposes of this policy "reasonable suspicion" is defined as a good-faith belief by management of the following, even if incorrect:

- That the actions, appearance and/or conduct of an employee indicates the use of alcohol and/or another controlled substance,
- The unauthorized use of prescription drugs
- That there is evidence to believe that an employee is in violation of this policy

### Background Checks

All individuals seeking employment must consent to a criminal background check which will occur after a conditional offer of employment has been made. Continued employment is contingent on the results. Convictions will be evaluated on a case-by-case basis. Applicants who fail to fully disclose their criminal convictions as required, will not be hired or will be terminated if hired.

### Bloodborne Pathogens

The YMCA seeks to minimize the risk of exposure to blood-borne pathogens by periodically training employees who may encounter blood-borne pathogens in the course of their work. The Y subscribes to the concept of "universal precautions," which means that all employees are required to treat all human blood or other body fluids as if the substance were contagious (i.e., were contaminated by blood-borne pathogens). Universal precautions mean that you are expected to exercise work-practice controls and to use personal protective equipment, such as gloves for example, when necessary.

The YMCA has procedures for confidential medical evaluation and follow-up in the event an employee reports exposure to blood-borne pathogens. Should an exposure incident occur, immediately inform your supervisor. Each exposure must be documented on an incident report and submitted to your supervisor.

### Chemical Hazard Communication

The YMCA is committed to offering a safe and healthy workplace. Employees are trained in hazard awareness to ensure they are fully informed and aware of any chemical hazards in the workplace.

In your work at the YMCA, you may come in contact with hazardous material that you need to know how to handle. The Y makes available SDS (Safety Data Sheets) for all products used at the facility. Your supervisor or business office can tell you the location of the SDS sheets.

The directions of the SDS must be followed regarding the material. Protective equipment (gloves, masks, aprons, protective eyewear, etc.) must be used as directed on the SDS sheets. Please ask your supervisor where this equipment is stored, and how to use it, if you have not already been trained.

Any accidents pertaining to chemicals or hazardous materials should be reported immediately to your supervisor.

### Child Abuse Prevention

A foundational commitment of the YMCA is to provide a healthy atmosphere for the growth and development of children. Thus, child abuse, and the resulting severe effects, is of primary

concern to the YMCA. Child abuse is the mistreatment or neglect of a child, by parent(s) or others, resulting in injury or harm. Because of our concern for the welfare of children, the YMCA has developed standards, guidelines, and training to aid in the detection and prevention of child abuse. In addition, employees are screened; background checks are conducted upon hiring, and staff members who have contact with children receive training in recognizing, reporting, and preventing child abuse. Some of the guidelines for employees are as follows:

1. At no time during a YMCA program may an employee be alone with a single child where he or she cannot be observed by others. Employees should position themselves in such a way that other employee can see them.
2. A child may not be left unsupervised.
3. Staff shall not abuse or mistreat children in any way, including:
  - a. physical abuse—striking, spanking, shaking, slapping, and so on
  - b. verbal abuse—humiliating, degrading, threatening, and so on
  - c. sexual abuse—touching or speaking inappropriately
  - d. mental abuse—shaming, withholding kindness, being cruel, and so on
  - e. neglect—withholding food, water, or basic care

No type of child abuse will be tolerated. Any abuse by a staff member will result in disciplinary action, up to and including termination of employment.

4. Employees may not transport children in their own vehicles.
5. Profanity, inappropriate jokes, displays of intimate affection, sharing intimate details of one's personal life, and any kind of harassment in the presence of children, parents, volunteers, or other staff is prohibited.
6. Outside of the YMCA, employees may not be alone with children whom they meet in YMCA programs. This includes babysitting, sleepovers, driving or riding in cars, and inviting children to their homes.
7. Employees may not single out children for favored attention and may not give gifts to them or their parents.
8. Program rules and boundaries must be followed, including appropriate touch guidelines. Children may be informed, in an age-appropriate manner, of their right to set their own "touching" limits for personal safety.
9. Children may not be disciplined by use of physical punishment or by failing to provide the necessities of care.
10. Employees may not date program participants who are under the age of 18.
11. Under no circumstances should employees release children to anyone other than the authorized parent, guardian, or other adult authorized by the parent or guardian (as filed with the YMCA).

12. Employees are to report to their supervisor, or next level of supervision, anyone who violates any of these child abuse rules.

13. Employees are required to read and sign all policies related to identifying, documenting, and reporting child abuse and to attend trainings on the subject, as instructed by management.

14. Employees are required to fully cooperate with any investigation by the YMCA, any law enforcement agency or any other authorized outside agency. Failure to do so is considered misconduct and will result in termination.

15. Employees are to make sure the restroom is not occupied by suspicious or unknown individuals before allowing children to use the facilities. Employees will stand in the doorway of the restroom while children are using it. This policy allows privacy for the children and protection for the employees (i.e., not being alone with a child). If employees are assisting younger children, doors to the facility must remain open. No child, regardless of age, should be allowed to enter a restroom alone during a field trip or at other off-site locations. Always send children in threes and, whenever possible, with staff.

### Employee Safety

Employees are required to exercise the necessary precautions in the course of their work to prevent injuries to themselves or others and to prevent loss or damage to property. The following standards are expected of each employee:

- Immediately report any potentially unsafe condition to your supervisor
- Maintain a clean and orderly work area at all times
- Immediately report to your supervisor all accidents, incidents, or injuries regardless of how insignificant the injury or situation may seem
- Avoid engaging in any horseplay or distracting others
- Adhere to all safety rules and work instructions
- Only operate vehicles, machines, or equipment that you are authorized and trained to use
- Wear required protective equipment when working in hazardous areas or conditions and when working with chemicals or potentially harmful substances
- Know the location of fire and safety exits, fire extinguishers, and emergency alarm pulls; know proper evacuation procedures
- Follow proper lifting procedures at all times
- Report any damaged or defective equipment or other unsafe condition to your supervisor promptly

### Operation of Vehicles

You may drive a YMCA vehicle only if you are properly trained, licensed, and authorized to do so. While driving, you are required to drive in a safe and reliable manner and adhere to state laws. When driving or riding in any YMCA vehicle or when driving your own vehicle on YMCA business, you and all passengers are required to use seat belts. Employees should never operate a vehicle under the influence of drugs or alcohol, including prescription and over-the-counter drugs that may affect their ability to safely operate a vehicle.

You may not use mobile communication devices (e.g., mobile phones) while driving a vehicle for the YMCA. If you need to contact someone, you are expected to safely park before doing so. This applies to making or receiving calls, texting, emailing, etc.

All violations received while operating a YMCA vehicle must be reported as soon as possible, but no later than 24 hours after receipt of violation.

### Smoke-Free Workplace

Because the YMCA is committed to promoting healthy living, all facilities, programs, vehicles and property are smoke-free. Smoking is prohibited when involved in any YMCA activity.

### Workplace Violence

The YMCA seeks to provide a safe, secure and violence-free environment for all. This applies to YMCA facilities and all other places where the YMCA provides programs and activities. The threat or occurrence of violence in the YMCA is in direct conflict with the YMCA's mission and values and will not be tolerated.

Examples of unacceptable behavior include the following:

- Acts of physical violence such as hitting, slapping, kicking or punching
- Acts that threaten physical violence
- Acts of intimidation, stalking, verbal abuse or harassment
- Behavior indicating potential for violence, including throwing objects, brandishing weapons, or using any tool, supply, product or other item in a manner that implies it is a weapon
- Acts that endanger the safety of others
- Acts of destruction of property or any substantial threat to destroy property

If an employee is harmed or in fear of imminent harm, he or she should immediately contact law enforcement. All employees are responsible for helping to maintain a violence-free environment and, therefore, are required to promptly and accurately report concerns, threats and incidents of violence, whether or not physical injury has occurred. Reports should be made to the H.R. Director. As a part of its investigation and corrective measures, the Y may need to coordinate its efforts with law enforcement agencies.

Reports of incidents of violence, threatened violence or violations of this policy will be promptly investigated and, following that investigation, appropriate corrective measures will be taken. Depending on the circumstances, interim corrective measures may be taken before the investigation is completed. Reasonable measures will be taken to preserve the confidentiality of persons reporting possible violations of this policy. The Y prohibits retaliation against anyone who makes a report.

### Workplace Searches

The YMCA provides its employees with the use of various properties and facilities for their convenience and which are necessary in the performance of their work. The YMCA owns and at all times retains full title and control, including the right of inspection, over such properties, vehicles, or facilities.

To the extent allowed by law, the YMCA reserves the right to inspect all YMCA furniture and furnishings such as desks, filing cabinets, lockers, and drawers. Whenever necessary, the YMCA will conduct the inspection in the presence of the employee working at that particular location. However, in emergencies or other circumstances determined by management, the YMCA reserves the right to conduct an inspection without the presence of the employee involved. A refusal to permit a search requested by YMCA management may result in disciplinary action, up to and including termination of employment.

## **600. EMPLOYEE HANDBOOK - COMMUNICATION**

### **Assignment of Y-Owned Cell Phones**

The YMCA will consider assigning a YMCA owned cell phone when your job requires you to be accessible outside of scheduled or normal working hours. YMCA provided cell phones are intended for official YMCA business and, therefore, the YMCA expects you to exercise prudent judgment in keeping personal calls to a minimum. When an employee leaves employment or changes positions, the YMCA cell phone is to be returned to the YMCA immediately.

Cell phones should not be used by nonexempt employees for YMCA business outside of regularly scheduled work hours, unless required by your supervisor. This includes all types of work-related communication, including email.

### **Reimbursement of Personal Cell Phone Costs**

In some cases, the will YMCA determine that a cell phone is needed and your personal cell phone may be used. The YMCA will provide a monthly amount through payroll to reimburse you for the business-related portion of your monthly cell phone costs. In such situations, you should understand that your personal phone number may be published for business use.

Reimbursements will end when an employee changes jobs or leaves employment.

### **Electronic Communication Systems**

The YMCA provides a variety of electronic communication systems for use in carrying out its business, including telephones, cellular phones, voicemail, e-mail, computer stations, networks, and other devices. The purpose of these systems is to facilitate operations and business communication. All information and communications transmitted by, received from, or stored in these systems are the property of the YMCA and the YMCA reserves the right to access all of these systems at any time without advance notice. An employee's improper use of YMCA electronic communication systems can waste time and resources, cause embarrassment for both the YMCA and its employees, and create potential legal liability.

Employees should have no expectation of privacy or confidentiality with respect to use of the YMCA's electronic communication systems.

Employees may not use the YMCA's systems to conduct personal business or non-work-related tasks, and employees should not maintain personal files on the YMCA's electronic communication systems. The YMCA maintains the right to monitor and access its electronic

communications systems including, but not limited to, all messages and communications sent or received on the systems, and all files or documents on the systems, at any time without notice to employees.

Employees who use YMCA computers to perform their job functions may not install software or additional hardware onto such computers or the Y network without first receiving the express written authorization to do so from the H.R. Director.

The electronic communication systems may not be used to create any offensive, profane, threatening, discriminatory, or disruptive messages, communications, or materials. This includes, messages, communications, or materials that are sexually oriented, racially derogatory, depict pornography or nudity, or any other content that could reasonably be construed as offensive to other employees.

The electronic communication systems may not be used to send or receive copyrighted materials, trade secrets, proprietary information, financial information, or similar materials without prior authorization from a member of management.

Employees may not use a code, access a file, or retrieve any stored information, unless authorized to do so. Employees should not attempt to gain access to another employee's messages, files, or other electronic information without the employee's permission or permission from a supervisor.

### Employee Complaints

The YMCA has an open communications policy and welcomes any suggestions, questions, or concerns about your job, your working conditions, or the treatment you are receiving as an employee. Your suggestions for improving the YMCA are always welcome. Your questions and concerns are also of interest to management.

To utilize the open communication policy regarding concerns, problems, or complaints, we ask that you communicate first to your supervisor following the steps below. Note that your confidentiality will be maintained to the extent possible.

1. Bring your concern to the attention of your immediate supervisor, who will investigate and provide a solution or explanation. If the problem is not, or you believe cannot be, resolved with your supervisor, you may ask the next level of supervision to review the problem with all appropriate parties. It is preferable to put your concerns in writing.
2. If the problem is still not resolved, you may refer it to the Human Resource department.
3. If a complaint is not resolved through the previous steps, you may take it to the CEO, who will work to resolve the matter. The decision of this individual regarding the resolution of the complaint is final and cannot be appealed.

## Media Relations

Communication with members of the media is managed through the CEO in emergency situations or the Public Relations/Marketing department during other times. The CEO manages contacts with all media, including television, radio, newspapers, and other publications. In an emergency communications situation, or any time when a media representative requests information directly from you, you are expected to consult the CEO for counsel and support.

## Personal Phone Calls and Texting

If your position involves providing direct service to members and/or participants, you are not permitted to use your personal mobile communication device(s) while working. If you have an emergency situation that requires you to use your mobile device, you must notify your supervisor before taking or making the call or text so that you can be relieved from your duties to attend to the situation. Phones are to be silenced or on vibrate while working.

You may not use mobile communication devices (e.g., cell phones) while driving a vehicle for the YMCA. If you need to contact someone, you are expected to safely park before doing so. This applies to making or receiving calls, texting, emailing, etc.

## Social Media

The YMCA recognizes the value of social media and other online communication tools for business purposes, such as connecting with members, staff, donors, and volunteers. In order to protect the YMCA, all employees are expected to behave in a manner consistent with the YMCA values of caring, honesty, respect, and responsibility and to abide by this policy when using social media or other online communication tools for work or personal purposes.

Many YMCA employees maintain individual pages on social media sites and/or use other online communication tools to connect and communicate for personal purposes. While the YMCA does not mean to interfere with anyone's private life, the YMCA also realizes that publicly observable communications, actions, or words are not private. Given that, online activities are accessible to the community at large, all of a YMCA employee's online activities must be consistent with the YMCA's mission and values.

- Accordingly, the following guidelines must be followed by all employees when using their individual social media or other online communication tools:

If an employee uses the YMCA name (including names of camps or other programs) in any such communication, they should be especially careful to support the YMCA's image and mission while making it clear that they are speaking for themselves and not on behalf of the YMCA.

- Posting pictures of YMCA participants is prohibited.
- Staff should recognize that they are personally responsible for the content they publish on social media sites. Employees may be subject to discipline for online commentary, content, or images that are defamatory, pornographic, harassing, or otherwise inappropriate. Examples of inappropriate content include, but are not limited to, references to or photos of alcohol or illegal substance use; disclosure of confidential information about other people; and posting false, disparaging, or inappropriate information about other people.

When using social media, employees should keep in mind that other policies apply to its use, including, for example, the YMCA's policies on confidentiality, preventing child abuse, and use of electronic communications systems. Employees who violate YMCA policies are subject to disciplinary action, up to and including termination of employment. Accessing any social media site or online communication tool for personal purposes while at work is strictly prohibited. This includes accessing pages via office computer, laptop, mobile phone, or in any other way.

## Whistleblower

The YMCA is committed to the highest ethical standards and to providing the best possible working conditions. YMCA employees are encouraged to report orally or in writing to their immediate supervisor (or an alternate line of authority as described below) any evidence of activity by a YMCA department, employee, member, or board member that may constitute

- instances of fraud
- unethical business conduct
- violations of state or federal law
- substantial and specific danger to an employee's or the public's health and safety

Any YMCA employee who in "good faith" reports such incidents as described above, will be protected from threats of retaliation, discharge, or other types of discrimination including, but not limited to, loss of compensation or terms and conditions of employment that are directly related to the disclosure of such reports. In addition, no employee may be adversely affected because he/she refused to carry out a directive that, in fact, constitutes fraud or is a violation of state or federal law.

Any employee who wants to report evidence of alleged improper activity, as described above, should contact his/her supervisor or the supervisor's manager. If the employee is not satisfied with the supervisor's or manager's response, or is uncomfortable for any reason addressing such concerns to their supervisor or their supervisor's manager, the employee is encouraged to take their report to the CEO or Human Resources Director

Employees are encouraged to provide as much specific information as possible, including names, dates, places, events that took place, and the employee's perception of why the incident(s) may be a violation. Violations or suspected violations may be submitted on a confidential basis by the employee or may be submitted anonymously.

The employee submitting the report is encouraged to include an address and telephone number where he/she may be contacted. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. The employee will receive a reply in compliance with the law.

Employees with concerns that are unrelated to fraud, unethical business conduct, or possible legal violations or that do not pose substantial and specific danger to anyone should use regular channels for making a complaint, as described under Employee Complaints in section 600.

Retaliation against any individual who makes such a bona fide report is prohibited.

## 700. TRAINING AND DEVELOPMENT

### Performance Appraisals

Performance appraisals are a key part of the YMCA's performance management process and are conducted once a year. This process typically includes informal and formal feedback sessions during the year to foster dialogue, shared understanding, and increased effectiveness. Performance appraisals are used to ensure performance is based on job function and mutually agreed upon goals. Appraisals also indicate areas of strength and areas for improved performance and personal growth.

### Required Training and Certifications

Safety training and job-related certifications may be required for individuals in certain positions. Required training and certifications may include CPR, first aid, driver training, and other topics. When you are required to hold certifications for your job, you are responsible for ensuring that your required certifications are current at all times and for providing a copy to your supervisor. If your required certifications expire, you may not be allowed to work until you recertify. You may also be subject to disciplinary action, including termination of your employment.

## 800. EMPLOYEE BENEFITS

### Benefits Eligibility

Employee benefits represent a significant part of a staff member's compensation package. Benefits help provide security and protection against stresses that otherwise disrupt the individual employee's work and family life.

Benefits begin on the first of the month following 60 days full time employment, or In January or December for part time staff who have become eligible for benefits due to their hours worked in the prior six month period. Information detailing these benefits is available from the HR Director. Eligibility and enrollment are subject to the terms, conditions, restrictions, and other requirements set out in the plan documents available from the HR department. Benefits may be modified or terminated at the discretion of the YMCA. This handbook outlines current YMCA benefits but is subject to change without notice. In the event of any discrepancy between the description in the handbook and each benefit document, the applicable benefit document shall prevail. This description of benefits does not create a contract for benefits. If you have questions about current eligibility requirements or other provisions of the plan, please contact the HR department.

### COBRA Continuation of Health Care Benefits

Federal law provides for continuation of health benefits for employees or dependents who lose their health coverage. This temporary extension provides eligible employees/dependents continuation of benefits on a private-pay basis (group rate plus a 2% administrative fee) for up to 18 months. In some circumstances, this benefit can be continued for 26 weeks. Qualifying events include, but are not limited to, employees who leave the YMCA or are terminated

(except for gross misconduct), employees who lose coverage due to reduction of hours, or circumstances in which covered dependents lose coverage.

The YMCA will provide the necessary paperwork that fully explains rights and requirements. There is a 60-day period in which the employee/dependents must make a decision. If an employee elects not to continue coverage or fails to make an election within the 60-day period, insurance will end on the last day of the month in which the qualifying event occurs. Once an employee qualifies for another insurance plan, this benefit will end.

### Membership, Employee Child Care and Program Benefits

As a YMCA employee, you and your immediate family receive a YMCA membership, for as long as you remain an employee. For the purposes of this benefit, "immediate family" is considered to be for example, a second adult and your dependent children living in the same household with you. YMCA employees may pay a reduced rate for YMCA child care and programs. The employee rate is currently 50% of the member rate. However, in programs where the YMCA has a direct cost that is greater than 50% of the member fee, an employee will pay the YMCA's direct cost.

### Holidays

The YMCA provides eligible full-time employees the following paid holidays each year, subject to the guidelines described below. Unless otherwise designated, when the holiday falls on a Saturday, it will generally be observed on the preceding Friday. When the holiday falls on a Sunday, it will generally be observed on the following Monday.

The following holidays are observed by the YMCA:

- New Year's Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

In order to be eligible for holiday pay, employees must work their scheduled shift prior to and following the holiday, unless they are on scheduled vacation or other approved absence. Employees on an unpaid leave of absence are not eligible for holiday pay.

Eligible nonexempt employees may, from time to time, be required to work on a scheduled holiday. Those employees will receive rescheduled holiday leave to be taken within 30 days of the holiday worked.

The YMCA will reasonably accommodate employees to observe religious holidays through the use of accrued vacation time, floating holidays, or unpaid time off from work.

The YMCA provides eligible full-time employees 1 floating holiday per year. Employees are encouraged to use their floating holiday each year. Floating holidays do not carry over at the end of the fiscal year and are not paid out at termination of employment. Every effort is made to grant the employee the preferred day off, but priority must be given to the Y's staffing requirements.

### Life Insurance

Full-time employees will be covered on the YMCA's group life insurance policy on the first day of the month following 60 days full time employment. Part time staff who have become eligible for benefits due to their hours worked in the prior six month period will be covered in January or December. The YMCA pays the premium for life insurance for one times the employee's annual salary.

### Retirement Benefits

The YMCA Retirement Fund

The YMCA Retirement Fund was incorporated in New York in 1921 and is a 501(c)(3) not-for-profit corporation, organized and operated for the purpose of providing retirement and other benefits for employees of participating YMCAs throughout the United States.

The Fund sponsors the Retirement Plan, which is a defined contribution, money purchase, church pension plan intended to satisfy the qualification requirements of Section 401(a) of the Internal Revenue Code. The Fund also sponsors the Tax-Deferred Savings Plan, which is a church retirement income account plan as defined in Code Section 403(b)(9).

For the most up-to-date information about the plans sponsored by the Fund, visit their website at [www.yretirement.org](http://www.yretirement.org). You will find the latest Fund news, frequently asked questions, quarterly investment and performance results, forms, and publications.

Contact the Fund's Customer Service Department at (800) RET YMCA (800 738 9622), or via email at [info@ymcaret.org](mailto:info@ymcaret.org).

### Retirement Plan

As a condition of employment, all Family YMCA of the Desert employees who meet eligibility requirements are enrolled in the Retirement Plan.

Interpretations, definitions, and requirements related to this Plan are determined by the Retirement Fund's board of trustees, and each participating YMCA administers the Plan locally.

In order to be eligible, employees must be 21 years of age or older and complete two 12-month periods of YMCA service, working at least 1,000 hours in each, beginning with the date of hire. The two years do not have to be consecutive. All hours of YMCA service count toward eligibility, even in cases where the employee is under age 21 or works at multiple participating YMCA's. Employees meeting these qualifications are automatically enrolled and immediately vested. If an employee was previously enrolled by the Family YMCA of the Desert or by another YMCA that participates in the YMCA Retirement Fund, he/she is immediately eligible for enrollment in the Plan.

The Family YMCA of the Desert contributes on behalf of each eligible employee an amount equal to 8% of his/her compensation. The YMCA reserves the right to amend its participation in the Plan at any time within the terms and conditions set by the YMCA, the Plan, and the YMCA Retirement Fund. The Fund may amend the Plan at any time, and it may also be amended at any time to conform to applicable federal law.

### Tax-Deferred Savings Plan

Since the Family YMCA of the Desert contributes 8% to the Retirement Plan, each employee is encouraged to make additional voluntary contributions to the Tax-Deferred Savings Plan in order to achieve at least 15% total retirement savings, a goal recommended by many financial planners. Employees not yet eligible for the Retirement Plan are encouraged to save 15% on their own each year while they await eligibility.

Opening a 403(b) Smart Account in the Tax-Deferred Savings Plan allows employees to save these additional pre-tax amounts through payroll deduction. This account is available to all employees of Family YMCA of the Desert, regardless of age, service, or number of hours worked. Contributions are subject to certain limitations under federal law.

Employees can also roll over money from eligible employer plans or IRAs into a Rollover Account in the Tax-Deferred Savings Plan.

Any employee interested in opening a 403(b) Smart Account, or rolling in eligible amounts to the Tax-Deferred Savings Plan, should contact the Human Resources department.

If any inconsistencies arise between this material and the Retirement Fund Plan Documents, the language in the official Plan Documents will govern.

### Sick Leave

In an effort to minimize the economic hardship that may result from an illness or injury or from time away for medical appointments, full-time and benefitted part-time employees accrue sick leave.

Full-time employees accrue sick leave at the rate of 2 hours per pay period in their first year of employment and 2.67 hours per pay period thereafter up to a maximum of 320 hours. Part-time employees accrue sick-leave benefits at the rate of 1 sick hour per 30 hours worked up to a maximum of 48 hours. All employees start accruing sick leave from the first day of employment. Once the maximum sick-leave accrual is reached, additional time is not accrued. Sick hours that have been accrued and not used will not be paid upon termination of employment.

Although employees may accrue more than 24 hours of sick leave under this policy, the YMCA limits an employee's use of sick leave to a maximum of 24 hours or 3 days per year. The balance of sick leave accrual will carry over to the next year.

Employees do not accrue sick-leave benefits during any leave of absence.

If you have a medical problem that could limit your work duties or hours, you must provide a statement from your medical provider detailing the restrictions. The note should also include the length of time the restrictions are to remain in place.

Sick-leave benefits are designed to be used for absences due to your own illness or injury. Additionally, you may use up to one-half of your annual accrued sick leave to care for an ill or injured child, parent, spouse, or qualified domestic partner or child thereof.

### Social Security and Medicare

All employees of the YMCA participate in the Federal Income Contributions Act (FICA) for social security income benefits. The YMCA and the employee finance the cost of this benefit equally through payroll tax deductions.

### Unemployment

The YMCA complies with state laws governing unemployment benefits. Unemployment is designed to provide security for those persons unemployed through no fault of their own. Information regarding claims procedures is available through the state's website: <http://www.edd.ca.gov/unemployment/>.

### Vacation

The YMCA provides vacation leave because it is an essential contributor to both personal well-being and productivity on the job. Eligible employees may use accrued vacation for paid time away from work. All eligible employees are expected to use their vacation benefits each year.

The following applies to paid vacation time:

You must be a regular full-time employee (or a part time employee with grandfathered paid time off) to receive vacation benefits.

Employees transferring to the Family YMCA of the Desert from another YMCA and who have a break in service of no longer than one (1) year are entitled to vacation accrual based upon their total years of full-time YMCA service at the time they joined Family YMCA of the Desert.

A rehire with a break in YMCA service of over one (1) year receives no credit for prior service and begins accruing at the same rate as any other new employee.

Vacation is paid based on the employee's current hourly rate of pay, excluding overtime and other compensation.

The maximum vacation accrual is limited to one and a half times the number of days earned during the current anniversary year. If you have reached your accrued vacation limit, you will cease accruing vacation. Only after your accrued vacation falls below the accrued vacation limit will you resume accruing vacation time.

You must have accrued the number of vacation hours you wish to take (no borrowing).

The amount of vacation for eligible employees for each hour worked up to 40 hours per week is as follows:

Full Time Exempt			Full Time Non-Exempt		
Years	Hours per Pay Period	Max. hours	Years	Hours per Pay Period	Max. hours
0+ Years	4	144	0+ Years	3.33	120
3+ Years	5	180	5+ Years	5	180
5+ Years	6.67	240	10+ Years	6.67	240
10+ Years	8.34	300	15+ Years	8.34	300

All vacations require the prior approval of your supervisor. Accrued vacation time can be taken all at once or in increments subject to business requirements and supervisory approval. Vacations should be scheduled as far in advance as possible and must be taken on your regularly scheduled workdays on a basis which will least interfere with the successful functioning of the YMCA.

Employees cannot receive pay in lieu of vacation time; however, upon termination you will be paid for all accrued and unused vacation time at your current rate of pay.

If an observed holiday occurs within your scheduled vacation period, you will receive an additional vacation day. This day may be added to your scheduled vacation or taken at a later time.

### Workers Compensation

If you sustain an injury/illness while performing your job duties, workers' compensation may cover the cost of treatment and provide compensation for lost time. Notify your supervisor about any on-the-job illness or injury immediately and complete the necessary documentation.

### Health Insurance

The Y provides medical, dental, vision and life insurance plans for eligible employees and their eligible dependents. The YMCA and its employees share the cost of the insurance. Participation in the benefits plan may be subject to meeting the plan requirements of specific benefits coverage or by restrictions, detailed in other parts of this policy. Employees should contact Human Resources for more information regarding enrollment.

## 900. EMPLOYEE LEAVE BENEFITS

### Bereavement Leave

Paid time off is available for all employees in the event of the death of a family member or household member. The YMCA provides employees up to three days off with pay, with the supervisor's approval, upon the death of an employee's spouse/domestic partner; member of

the employee's or spouse/partner's immediate family (for example, child, grandchild, parent, grandparent, brother or sister); or household member. Bereavement leave may be taken only at or immediately following the time of death or at the time of the funeral/services.

### Family and Medical Leave Act and California Family Rights Act

The YMCA strives to support the family and medical needs of employees and will grant family and medical leave in accordance with the requirements of applicable state and federal law, including the Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA). Please contact your supervisor and Human Resources as soon as you become aware of the need for a family or medical leave.

The following is a summary of the relevant provisions to be eligible for FMLA or CFRA benefits, an employee must meet the following three work requirements:

- Worked for the YMCA for a total of at least 12 months (may be non-consecutive)
- Worked a total of at least 1,250 hours during the previous 12 months
- Worked at a location where at least 50 employees are employed by the YMCA within 75 miles

Eligible employees may receive up to a total of 12 work weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period. A 12-month period begins on the date of an employee's first use of FMLA or CFRA. Successive 12-month periods commence on the date of an employee's first use of such leave, after the preceding 12-month period has ended.

Leave may be used for one or more of the following reasons:

- The birth of a child or placement of a child for adoption or foster care
- Baby Bonding
- The care of an immediate family member (spouse, domestic partner, child, or parent) with a serious health condition
- Inability to work because of his/her own serious health condition
- Qualifying exigency leave for families of members of the National Guard or Reserves or a regular component of the Armed Services, when the covered military member is on covered active duty or called to covered active duty
- Military caregiver leave to care for an injured or ill service member or veteran

Under some circumstances, employees may take family and medical leave intermittently, which may mean taking leave in blocks of time or reducing their normal weekly or daily work schedule.

FMLA and CFRA are quite similar, and for all purposes other than disabilities due to pregnancy or pregnancy related conditions, they run concurrently.

Within five (5) business days after the employee has submitted the appropriate certification form, the H.R. department will send a notification and response to the employee.

Employees seeking to use family or medical leave may be required to provide one or more of the following:

- Thirty day's advance notice when the need for the leave is foreseeable
- Medical certification from a health-care provider (both prior to the leave and prior to reinstatement)
- Periodic recertification
- Periodic reports during the leave when the leave is needed to care for an immediate family member or the employee
- To return to work, a fitness-for-duty report may be required if the leave is due to the employee's medical situation

When leave is needed to care for an immediate family member or the employee's own serious health condition, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the YMCA's operation.

FMLA and CFRA leave is unpaid; however, the employee may choose to use accrued sick and/or vacation time, prior to taking time without pay. The use of sick leave or vacation will not extend the length of the leave to which the employee is otherwise entitled.

The YMCA will continue to pay its share of an employee's health insurance premiums for up to a maximum of 12 work weeks, on the same terms as if the employee had continued to work. The employee will be responsible for making arrangements to pay his or her portion of the insurance. Premiums not paid will result in a termination of benefits. In some instances, the YMCA may recover premiums it paid to maintain health coverage for an employee who fails to return to work following family and medical leave.

Under most circumstances, upon return from FMLA and CFRA leave, an employee will be reinstated to his or her previous position. However, an employee returning from a family and medical leave has no greater right to reinstatement than if the employee had been continuously employed. For example, if an employee's position is eliminated during the leave, the employee would not be entitled to reinstatement. An employee's use of family and medical leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using family and medical leave.

### [Pregnancy Disability Leave \(PDL\)](#)

Employees who are disabled due to pregnancy or related medical conditions are eligible for leave under the provisions of the California Fair Employment and Housing Act called "Pregnancy Disability Leave" ("PDL").

Eligibility - There is no length of employment needed before an employee disabled by pregnancy is entitled to a Pregnancy Disability Leave.

Written Notice - Employees requesting a Pregnancy Disability Leave (PDL) must submit a written statement from the physician, which certifies the need for the leave and the estimated beginning and ending date of the disability.

Duration of Leave - PDL entitles an individual disabled by pregnancy or related medical conditions to up to four (4) months of leave. The time is generally unpaid and can be taken whenever an employee's doctor certifies that the employee is disabled during the pregnancy or after delivery.

Accommodation - An employee who is affected by pregnancy or a related medical condition is eligible for reasonable accommodation, including transfer to a less strenuous or hazardous position or job duties. The employee must request this accommodation or transfer in writing, supported with a certification from her health care provider stating that the accommodation or transfer is medically advisable and the period during which the accommodation or transfer is needed.

Health Benefits - During Pregnancy Disability, the YMCA will pay its normal share of the employee's health insurance premiums for the duration of Pregnancy Disability Leave up to a maximum of 4 months. If there is an authorized extension of the leave beyond 4 months, the employee may maintain health insurance at his/her own expense. If the employee fails to return from the leave, the YMCA may collect the cost of the employer-paid portion of the premium.

Use of Vacation, Floating Holiday and Sick Time - Employee may choose to use any or all sick time, vacation or floating holidays during PDL.

Medical Certification - An employee who requests PDL must provide documentation from a health care provider that he/she is unable to work. The documentation must also include a definite date the employee is expected to return to work.

#### Maximum Combined Federal and State Leaves

The maximum combined Pregnancy Disability Leave (PDL) and family leave for an eligible employee is approximately seven (7) months (four (4) months plus 12 workweeks).

While PDL runs concurrently with FMLA, it does not run concurrently with CFRA. This means that the employee may be eligible for additional leave benefits under the CFRA for purposes of bonding with a new child. Employees will be advised of their rights under these various leave provisions upon request.

PDL time available is 4 months or 88 working days, and will run concurrently with Family Medical Leave Act (FMLA).

Actual PDL time is based on actual period(s) of disability. The employee must be designated as disabled because of pregnancy, childbirth, or related medical condition by her treating physician. Medical certification is required.

California Family Rights Act (CFRA) provides 12 weeks/60 days of leave that may be taken after FMLA/PDL. CFRA may be taken for purposes of bonding with the baby. No medical certification is required.

FMLA/CFRA requires that eligible employees be provided with continuation of health benefits during their FMLA/CFRA leave as if the employee still were at work and on the payroll.

## Other Leaves

### Military Leave of Absence

The YMCA will grant employees a military leave of absence to the extent required by applicable federal and state law.

### Military Spouse Leave

Qualified California employees will be given up to 10 days leave during that time in which the employee's spouse or domestic partner is on leave from deployment in a combat zone with the active duty or reserve military or national guard during a period of military conflict. Employees may use accrued vacation time to cover this absence. If the employee has no accrued vacation, the employee must request time off without pay.

Qualifying employees are employees who work an average of 20 hours per week and have a spouse or domestic partner who is serving as (1) a member of the U.S. Armed Forces and who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States or (2) a member of the Armed Forces Reserve Components or the National Guard and has been deployed during a period of military conflict.

Qualifying employees who wish to request this leave must provide the Company with a written request for such leave within two business days of receiving official notice that the military spouse or domestic partner will be on leave from deployment. The employee must also provide written documentation to the Company certifying that the military member will be on military leave from deployment.

### Jury and Witness Duty

The YMCA will provide employees time off to serve, as required by law, on a jury or grand jury if the employee provides reasonable advance notice. The Company will also provide employees with time off to appear in court or other judicial proceedings as a witness to comply with a valid subpoena or other court order. Exempt employees who work any portion of a workweek in which they also serve on jury duty or appear as a witness will receive their full salary for that workweek. Non-exempt employees will receive their regular hourly wage for the regularly scheduled hours up to a maximum of five (5) work days per year. Employees may elect to substitute accrued vacation during any unpaid leave due to jury duty or a witness appearance.

Employees are required to provide reasonable advance notice of the need for jury/witness leave. Employees also are expected to report to work each day or portion of a day they are not performing jury/witness duty.

### Leave for Education/Daycare Purposes

Employees will be granted time off without pay for up to 40 hours per calendar year, but no more than eight hours in any calendar month, to participate in the activities of schools or licensed child daycare facilities attended by their children. Employees must substitute accrued vacation for purposes of a planned absence under this Section.

Employees wishing to take time off under this Section must provide their supervisors with reasonable notice of the planned absence. If both parents of a child are employed by the Company at the same worksite, the request for time off under this Section will be granted to the first parent to provide notice of the need for time off. The request from the second parent will be accommodated if possible.

The Company reserves the right to request that the employee furnish written verification from the school or daycare facility as proof that the employee participated in school or daycare activities on the specific date and at a particular time. Failure to provide written verification is grounds for disciplinary action.

The Company prohibits discrimination against an employee for taking time off under this policy.

#### [Volunteer Firefighter, Reserve Peace Officer, and Emergency Rescue Personnel](#)

Nonexempt employees will be granted time off without pay to perform emergency duties as a volunteer firefighter, reserve peace officer, or emergency rescue personnel (which includes an officer, employee, or member of a disaster medical response entity sponsored or requested by the State). Such employees also are entitled for leave of up to 14 days per calendar year to attend fire, law enforcement, or emergency rescue training. Exempt employees who work any portion of a workweek in which they also perform such emergency duties or training will receive their full salary for that workweek. Otherwise, exempt employees will be granted time off without pay.

Employees may substitute vacation pay for any unpaid portion of leave to perform such emergency duties or training.

The Company prohibits discrimination against an employee because he or she takes time off under this policy.

#### [Voting Time Off](#)

Employees who do not have sufficient time outside of their regular working hours to vote in a statewide election may request time off to vote. If possible, employees should make their request at least two days in advance of the election. Up to two hours of paid time off will be provided, at the beginning or end of the employee's regular shift, whichever will allow the most free time for voting and the least time off work.

#### [Leave Related to Domestic Violence, Sexual Assault or Stalking](#)

The Company will provide time off to an employee who has been the victim of domestic violence, sexual assault or stalking to seek any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child. This includes time off for court proceedings, services from a domestic violence shelter, program or rape crisis center, counseling, medical attention, and participation in safety planning programs. The Company requires reasonable advance notice of the leave when feasible. If time off is taken due to an emergency, the employee must, within 15 days of the absence, provide the Company with certification of the need for

the leave such as a police report, court order, documentation from a healthcare provider, victims advocate, or counselor.

Employees eligible for paid sick leave benefits under California law may take any such available paid time off, consistent with such law, for the purposes set forth in this policy. For more information, please see the "Sick Leave" policy. In the event paid sick leave benefits are not available, employees taking leave under this policy may elect to apply accrued and unused vacation to such time.

Also, the Company will provide a reasonable accommodation for an employee who is a victim of domestic violence, sexual assault, or stalking, and who has disclosed that status to the Company, if the employee requests an accommodation for his or her safety while at work. Such accommodations may include a transfer, reassignment, modified schedule, changed work telephone or work station, installed lock, assistance in documenting domestic violence, sexual assault, or stalking that occurs in the workplace, an implemented safety procedure, or another adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, or stalking, or referral to a victim assistance organization. The Company will engage, in good faith, in a timely and interactive process with the employee to determine an effective reasonable accommodation, and the Company may request that the employee provide (i) a written statement, signed by the employee or someone acting on his or her behalf, certifying that the accommodation is for the purpose stated above, and (ii) a certification demonstrating the employee's status as a victim of domestic violence, sexual assault, or stalking. Every 6 months after the date of the previous certification, the Company may request recertification of such status. The Company will maintain certifications as confidential if it identifies the employee as a victim of domestic violence, sexual assault, or stalking, and will disclose such information only as required by law, or as necessary to protect the employee's workplace safety. The Company will notify the employee before such disclosure.

The Company prohibits discrimination, discharge, or retaliation against an employee for taking time off or requesting an accommodation under this policy, or based on the employee's status as a victim of domestic violence, sexual assault, and/or stalking.

#### [Crime Victims' Leave](#)

The Company will provide time off to an employee to attend judicial proceedings related to a crime, if that employee is a victim of crime, an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. The Company requires that where feasible, in advance of taking leave, the employee provide it with a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice. If advance notice is not possible, the employee is required to provide the Company with a copy of the notice within a reasonable time.

No employee who is absent from work pursuant to this provision will be discharged or otherwise discriminated against in compensation or other terms, conditions or privileges of employment, because of such absence. Such leave is unpaid. Employees taking leave under this policy may elect to apply vacation time to such leave.

## Leave for Organ and Bone Marrow Donation

The Company will grant an employee the following paid leaves of absence for the purpose of organ or bone marrow donation:

1. A leave of absence of up to five days in any one-year period for the purpose of donating the employee's bone marrow to another person.
2. A leave of absence of up to 30 days in any one-year period for the purpose of the employee donating his or her organ to another person.

A leave of absence for the purpose of organ or bone marrow donation will be provided with pay, however, if an employee has earned and unused sick or vacation time available, the employee is required to first use up to five days of paid sick or vacation time for a bone marrow donation and up to two weeks of sick or vacation time for organ donation.

In order to receive a leave of absence pursuant to this policy, the employee must provide written verification to Human Resources that he or she is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

Any leave taken for the donation of an organ or bone marrow will not constitute a break in service for purposes of the employee's right to salary adjustments, sick leave, vacation, annual leave, or seniority. During any leave taken under this policy, the Company will maintain and pay for coverage under any group health plan, for the full duration of this leave.

Leave provided under this policy may be taken in one or more periods.

Leave taken under this policy will not run concurrently with any leave taken pursuant to the federal Family and Medical Leave Act or the California Family Rights Act.

Upon expiration of a leave of absence authorized by this policy, the Company will restore the employee to the position held by the employee when the leave began or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment. The Company may decline to restore an employee because of reasons unrelated to the exercise of rights under this policy by the employee.

## Personal Leave

Employees who have had a minimum of one year of continuous employment may be considered for a leave of absence (without pay and benefits) for a maximum of six months for circumstances such as personal reasons, education, or other unusual situations. The YMCA does not guarantee that it will hold a position; however, employees may reapply for open positions at the conclusion of their leave.

A leave is generally described as an absence from work, which may be short term or extended. Leave time is unpaid; however, available vacation time must be used during the absence prior to taking time without pay. During the unpaid portion of the leave, holidays are unpaid, and additional vacation time and/or sick time does not accrue.

All leave requests should be made in writing at least 30 days in advance of the date the leave begins, except in true emergency situations. Leave requests are initially submitted to the supervisor, who will consult with the H.R. department.

A leave of absences under this policy is not meant to provide employees with time off from their employment with the Y so that they can work for another organization or employer, including themselves. Exceptions must be approved in advance by the supervisor and on file with the H.R. Department.

During leave, employees may be able to continue health benefits under COBRA provisions. If employees discontinue benefits coverage while on leave, they must meet eligibility and coverage terms set by insurance carriers upon return.

Inquiries about leaves should be directed to both employees' supervisors and to the H.R. department.

**Employee Handbook Acknowledgement Form**  
**FAMILY YMCA OF THE DESERT**



I hereby acknowledge the following:

I have received a copy of the Family YMCA of the Desert Employee Handbook. I understand that it is my responsibility to read and understand the policies, rules, and benefits described in this handbook.

I understand that if I have any questions regarding this information I should consult my supervisor.

I understand that the YMCA has the right to change these policies, rules, and benefits without notice.

I understand that future changes in policies and procedures may modify, suspend, supersede, or cancel those found in this handbook, in whole or part, and that I and other employees typically will be notified of such changes through normal communication channels.

I understand that the benefits information in this handbook is only a brief summary and that I can find more information on these plans in informational material and plan documents. If any discrepancies occur between information in this handbook and the actual plan documents, I understand that the plan documents will prevail.

I understand that any written or oral statements by a supervisor contrary to this handbook are invalid and should not be relied upon.

I expressly understand that this handbook is provided as a guide and that it does not constitute a contract of employment. Rather, I acknowledge that my employment with the YMCA is on an at-will basis, which means that the employment relationship may be terminated at any time, by either the YMCA or by me, with or without cause and with or without prior notice.

I understand and agree that I will read and comply with the policies and information contained in this handbook and that my continued employment is contingent on me following these policies.

\_\_\_\_\_  
Employee's name (please print)

\_\_\_\_\_  
Employee's signature

\_\_\_\_\_  
Date

Note: Complete this form and return it to the Human Resources department for keeping in your personnel file.