

**THE INCORPORATED VILLAGE OF
SALTAIRE
EMPLOYEE HANDBOOK**



BOARD OF TRUSTEES

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INTRODUCTION

Our policies, practices and benefits are continuously reviewed for updating and we expect to change them from time to time. Therefore, you should always check with your supervisor for the most current ones. Village benefit plans are described in this document. All employees of the Incorporated Village of Saltaire are also encouraged to review the Code of the Village of Saltaire that is on file in the Village Clerk's office.

Open Door Policy

Employees are encouraged to share their concerns, seek information, provide input, and resolve problems/issues through their immediate management, and as appropriate, consult with any member of management toward those ends. Managers and supervisors are expected to listen to employee concerns, to encourage their input, and to seek resolution to their problems/issues.

Suggestions

If you have any suggestions or ideas that you feel would benefit the Incorporated Village of Saltaire, we would encourage you to tell us about them. We are always looking for suggestions that improve methods, procedures and working conditions, reduce costs or errors, and benefit the Village and its employees and residents.

POLICIES

Ethical Standards/Conflict of Interest

The Incorporated Village of Saltaire has an excellent reputation for conducting its municipal activities with integrity, fairness, and in accordance with the highest ethical standards. As an employee you are obligated to uphold that reputation in every activity. If you are ever in doubt whether an activity meets our ethical standards or compromises the Village's reputation, please discuss it with your supervisor.

Code of Ethics Overview

The Incorporated Village of Saltaire has adopted a Code of Ethics (Chapter 21) <https://www.saltaire.org/chap21.pdf> as part of the Village Code, and it is the responsibility of all employee to conduct themselves in conformance with Chapter 22 of the Village Code, and any failure to conform to the Code of Ethics is subject to suspension or termination at the sole discretion of the Village. (See detailed Code of Ethics, page 57).

Equal Employment Opportunity

The Incorporated Village of Saltaire is an Equal Opportunity Employer. Discrimination on the basis of race, color, sex, religion, age, national origin, marital status, disability or veteran status will not be tolerated.

The policy applies to all terms and conditions of employment, including but not limited to employment advertising, hiring, placement, compensation, training, promotion, demotion, termination, layoff, transfer, disciplinary actions, leave of absence or any other benefits. Discrimination based on any of the above is strictly prohibited and any supervisor, administrator or employee who engages in or tolerates such behavior is subject to disciplinary action in accordance with Civil Service Law, collective bargaining agreements or any other applicable State or Federal Laws.

If an employee believes he or she have encountered violations of this policy, he or she may advise his or her supervisor, or if the supervisor is not appropriate, to the next level supervisor, or anyone else in management, in an attempt to reach resolution within. In addition, an employee can file a written complaint with the Village Administrator within thirty (30) calendar days of the incident. Retaliation against the incident will not be tolerated. False accusations will be treated as a disciplinary offense and will result in the same level of punishment as that applied to one who engages in such behavior.

This Village of Saltaire's policy is to investigate all such complaints. If an investigation confirms that a violation has occurred, the Village of Saltaire, will take corrective action, including any discipline that is appropriate up to an including immediate termination of employment.

This directive is for municipal use only and does not apply in any criminal or civil proceeding. The municipal policy shall not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violation of this directive will only form the basis for municipal administrative sanctions. Violations of law form the basis for civil and criminal sanctions and recognized judicial setting.

VILLAGE RULES AND REGULATIONS

Overview

Every organization has certain guidelines which were developed to reflect good management practices. In establishing any rules of conduct, the village has no intention of restricting the personal rights of any individual. Rather, we wish to define the guidelines that protect the rights of all employees and to ensure maximum understanding and cooperation. Therefore, you are expected to be:

- On time and alert when scheduled to be at work.
- Careful and conscientious in performance of duties.
- Thoughtful and considerate of other people.
- Courteous and helpful, both when dealing with the public and with other employees.

Absenteeism and Tardiness

All employees must be at work on time and to work a full 8 hours, except employees who work a seasonal position and therefore are subject to supervisor's direction. In the event you will be absent from work for any reason, you must call your supervisor within 30 minutes of the start time of that day. Repeated absenteeism and/or tardiness may lead to disciplinary action up to and including termination.

Safety

All employees must conduct themselves in a safe manner. Use good judgment and common sense in matters of safety, observe any safety rules posted in various areas, and follow all OSHA and state and local safety regulations.

Substance Abuse

Substance abuse during working hours, or that affects an employee's performance of his or her job, will not be tolerated. Any employee reporting for work under the influence of products such as alcohol, cannabis or prescription drugs, or of any illegal substance, or who in the opinion of the employee's supervisor appears to be under the influence of any such substances (meaning the employee manifests specific symptoms that adversely affect the employee's performance of his or her duties, create or pose a hazard to others, or is otherwise not physically or mentally fit to perform the tasks required for the position), will be asked to leave immediately. Under such circumstances, assistance will be provided to ensure that the employee arrives home safely. Any employee who repeatedly reports to work under the influence of any such substances (legal or otherwise) may have his or her employment terminated immediately, and a report will be generated for inclusion in the employee's file. However, an employee may use a prescribed medication during working hours without penalty, providing that such use does not adversely affect the employee's job performance or create or pose a hazard to others.

Consideration For Smokers And Nonsmokers

The smoking or vaping of any substance or material is prohibited within all public facilities, Village buildings and other Village property, including vehicles and other equipment. Where local ordinances are in effect, they will be observed.

Exemption of employees residing in Village-owned housing

The foregoing provisions regarding the use of legal substances in Village-owned properties or facilities shall not apply to employees residing in Village-owned and -provided housing, when such employees are physically within such residence or on the property appertaining thereto outside of normal working hours. However, this exemption does not apply to employees in a Village-owned house, or any portion thereof, which is not being used as a domicile but for some other Village-related purpose. The above exemption notwithstanding, any employees residing in Village-owned housing are subject to the restrictions set forth regarding substance abuse when on duty.

Dress Code

What you wear to work reflects the pride you have in the Village. To favorably impress members of the public and your co-workers, it is important for you to present a neat appearance. If you are required to wear a uniform or other work clothes furnished by the Village, you are responsible for the care and cleaning of such clothes. However, in case there are some questions, here are some guidelines.

- Clothing must not constitute a safety hazard.
- All employees should practice common sense rules of neatness, good taste and comfort.

Outside Employment

We do not limit your activities during non-working hours unless those activities interfere with or are in conflict with the performance of your job, or create a conflict of interest.

Proprietary Information/Confidentiality

The Village has developed certain proprietary information that is unique to the Incorporated Village of Saltaire. Keeping such information confidential plays an important part of governing. We seek to protect our proprietary information by restricting employee and visitor access to certain designated Village areas and documents to only those who have official business.

Protection of Village and Employee Property

Respect and protection of Village property and employee personal property is everyone's concern. If you find property missing or damaged, report it to your supervisor immediately.

Release of Information

Except for records and information that we are required to provide by law, no information about you will be released to unauthorized persons unless there is a signed authorization form from you on file, and the request is in writing.

Telephone and Computer Use

Telephones and computers are a vital part of our business since much of our business is handled on the phone and online. Personal use of the telephone and personal email should be limited to emergencies and unusual circumstances. (See Village of Saltaire Terms and Conditions for Computer, Internet and E-mail Use, Page 54).

Computer Software Protection

It is the policy of the Incorporated Village of Saltaire to prohibit any employee from violating the copyright protection on any computer software for use on any computer, whether Village owned or owned by an individual and used by the Village. (See Village of Saltaire Terms and Conditions for Computer, Internet and E-mail Use, Page 54).

Personnel Files

The Incorporated Village of Saltaire maintains up-to-date personnel paper and electronic files on all employees. It is important to keep your records timely because this information is used for benefit administration, continued insurance notices under COBRA, notification in case of emergency, etc. We respect your right to have the information on your records treated confidentially. You must contact your supervisor or manager if there are any changes in your:

- home address
- telephone number
- emergency contact
- marital status
- number of dependents
- military status
- driver's license

You may review your personnel file by contacting your supervisor and arranging a time to do so.

Employment of Relatives

The Incorporated Village of Saltaire has no prohibition against hiring relatives. However, one general restriction has been established to help assure fair treatment of all employees. While we accept and consider applications for employment from relatives, close family members such as parents, children, spouses or in-laws will not be hired into or transferred into positions where they directly or indirectly supervise or are supervised by another family member unless authorized by the Village Administrator or the Commissioner assigned oversight for that department.

Employee Housing

Any employee who is required by the Board of Trustees to reside in the Village as a condition of employment for a specific period of time, will be provided Village housing for the period of required residency. The employee's use of Village housing for the period specified will be governed by a separate housing license agreement that must be executed with the employee.

Bulletin Board

Please be aware that the Village uses bulletin boards to communicate important village information such as safety rules and management memos. It is your responsibility to read the information that is posted. Your supervisor can give you the location of the bulletin board nearest your office location. You may not post material on bulletin boards without your supervisor's approval and discretion.

New York State Department of Labor notices and posters

All New York State Department of Labor notices and posters – as well as any other “document[s] required to be physically posted at a worksite pursuant to state or federal law or regulation” – will also be provided to employees electronically, either on the Village of Saltaire website or by email.

Political Activity

The Incorporated Village of Saltaire respects and encourages employee participation in political activities, but not on behalf of, or as a representative of the Village or on Village time.

Solicitations and Distributions

You must not solicit other employees for any purpose during working time. This does not include break or meal times. Further, you are not permitted to distribute non-work-related literature of any kind at any time in work areas.

JOB CLASSIFICATIONS

The Incorporated Village of Saltaire places employees into one of two classifications, based on grade level and position, consistent with applicable federal and state law.

Exempt employees hold executive, administrative, professional, or other exempt positions. Exempt employees are not eligible for overtime pay.

All other employees are non-exempt. Non-exempt employees are eligible for overtime pay unless such employment is exempt from overtime pay by the Fair Labor Standards Act, including but not limited to seasonal and recreational employment.

Unless specific rights are granted to them in employments contracts, civil service rules, or elsewhere, all employees of the Village of Saltaire are considered at-will employees and may be terminated from the Village at any time, with or without cause and with or without notice and as regulated by New York State Civil Service. For further information about your rights and responsibilities as a Civil Service employee, you may contact the Suffolk County Civil Service Commission at PO Box 6100, Hauppauge, New York 11788.

Definitions

Full-Time Employee: An employee who has completed his/her trial period and who regularly works a minimum of forty (40) hours per week on a year-round basis.

Part-Time Employee: An employee who works less than forty (40) hours but at least (20) hours per week on a year-round basis but who has not been assigned permanent status by the Board of Trustees and therefore is not eligible for pro-rated Village benefits.

Temporary or Seasonal Employee: An employee who holds a job of limited duration arising out of special projects, abnormal workloads, emergencies or seasonal needs regardless of the number of hours worked each week Temporary or Seasonal employees are not eligible for Village benefits.

COMPENSATION POLICIES

Pay Period

For all employees the standard pay period is semi-monthly (approximately ten (10) working days). In order to allow sufficient time for payroll processing, payroll time records may be submitted for payment prior to the end of the pay period. In the event that an employee works additional time in that pay period subsequent to submission for payment, that time will be carried over to the following pay period.

When a pay day falls on a weekend or holiday, paychecks will be distributed on the last working day prior to the holiday.

Work Schedule

The standard work week is five days, which may include Saturdays, Sundays and national holidays. The standard workday is 8 hours. Standard work hours are subject to the supervisor's and administrator's direction. Your work week commences on Monday morning and ends the following Sunday evening. Lunch period and break periods are subject to your supervisor's direction. **Seasonal** positions are subject to supervisor's and administrator's direction.

Payroll Deductions

Your earnings and payroll deductions are shown on a voucher with your check. Deductions required or requested are as follows:

Required by
Federal & State Law

Authorized by
Employee

Federal Income Tax
State Income Tax
Social Security Tax
State Disability Insurance
Garnishments/Wage Attachments

Medical Insurance
Dental Insurance
N.Y.S. Retirement Plan

Any questions about your paycheck should be directed to your supervisor.

Overtime

Our intent is to compensate overtime in accordance with Federal and State law. An attempt will be made to plan overtime with consideration for employees and public at large.

Only non-exempt employees are eligible for overtime pay. Non-exempt employees must receive advance authorization from the Mayor or Village Administrator or Village Clerk/Treasurer or their Department Supervisor to work beyond the standard workday. Non-exempt employees who are not subject to the overtime exemption as provided in the Fair Labor Standards Act, including but not limited to seasonal and recreation employees, will be compensated for all authorized work in excess of the standard workday.

The compensation for overtime is one-and-one half times the regular rate depending upon applicable laws.

Pay Increases

Salary increases are based on merit, Village budget consideration, or other factors. Most pay increases will be based upon a performance appraisal and will take effect at the beginning of the new fiscal year or next pay period, if applicable.

Wage Garnishment

Garnishment of wages results when an unpaid creditor of an employee has taken the matter to court.

A garnishment is legal permission for creditors to collect part of an employee's pay directly from the Village. Although the Village does not wish to become involved in an employee's private matters, we are compelled by law to administer the court's orders.

In doing so, a supervisor will contact the employee to explain the details of garnishment and how it affects wages. The possibility of resolving the situation before turning it over to implementation will also be explored. Employees are encouraged to resolve these matters privately to avoid the Village's involvement in this mutually unpleasant situation.

Time Sheets

All employees are required to fill out an online time sheet on the time management program then in use by the Village on their cellphone, or on an office provided computer. Your supervisor must approve your time sheet before pay will be processed and issued. Requests for leave of absence including vacation and personal days should be sent for approval by your Supervisor via the time management program then in use by the Village, and sick leave should also be recorded via the time management program then in use by the Village when possible.

Any notations on your time sheets must be made with the approval of an initial by your supervisor. Violation of these rules may result in disciplinary action up to and including discharge.

Direct Deposit

Your paychecks will be deposited directly into your bank. Please complete the authorization form in your employment pack making sure the bank payment information is clearly readable. The authorization forms are also available in the Village Office. All direct deposits will be credited to your account on the payroll date. Paper statements are no longer issued, and you should request access to your online statements from the Village Office.

EMPLOYEE PERFORMANCE APPRAISALS

Newly hired employees may receive performance appraisals after 30 days, and a more formal evaluation at the end of six months. Thereafter, all employees may receive a performance appraisal annually.

Probationary Period/New Employees

Full-time employees newly hired are subject to a 90-day probationary period. The designation of this time frame does not constitute an obligation on the part of the Village to retain the employee until the end of the period specified. During this time, or at any time during employment, either the Incorporated Village of Saltaire or the employee may terminate the working relationship without cause and without advance notice. At the end of the 90 days, the supervisor may extend the probationary period for additional time at his or her discretion.

Full-time employees may be eligible for benefits during the probationary period but may not use accrued vacation or sick time. See those sections of this Handbook for further information.

BENEFITS

PTO (PAID TIME OFF)

All full-time employees are eligible for Paid Time Off (PTO). For the purposes of this handbook, PTO means time away from work at the discretion of the employee for any reason other than sick leave as defined herein, with notice to or approval of the employee's supervisor for the purposes of taking vacation and personal days.

Temporary and Seasonal employees and part-time employees are not eligible for PTO.

Annual PTO is determined by length of service and are accrued as follows, which will take effect June 1, 2024:

| Length of Service | Days of PTO Accrued Annually |
|-------------------------|---------------------------------|
| 1 Month to 12 Months | 10 |
| 13 Months to 48 Months | 15 |
| 49 Months to 120 Months | 20 |
| 121 Months and Up | 25 |

The Village Administrator has authority when allocating PTO for a newly hired full-time employee to give service credit for time worked by that employee at an agency or company, including the Village of Saltaire as a part-time employee, that provides relative expertise and experience for the position for the which the employee is hired. The Village Administrator will determine the actual number of PTO days based on the most reasonable estimate of the pro-rata percentage of time for any odd months worked in between the above-listed transition periods.

PTOs must be scheduled to avoid conflicts with other employees' PTOs and with busy periods of the year. Specific PTO dates that consist of 3 days or more of consecutive days away from work must be approved by your supervisor at least 30 days prior to the anticipated PTO. All employees entitled to PTO time should understand that some or all of the requested time for PTO may be denied if, in the sole discretion of either the supervisor or the Village Administrator, the time requested conflicts with other employees' PTOs or the normal busy periods of the year. Other than days that are approved by the Village Administrator for special circumstances, no PTO is allowed to be taken between May 10 and May 31 in any year.

PTO days may not be carried over to the next year, except that a maximum of 5 PTO days in total from all previous years may be carried over upon approval of the Village Administrator. Financial compensation is not provided in lieu of any PTO, except if the employment is terminated. In that case, employees will receive accrued vacation pay if required by law.

SICK LEAVE

Full-Time Employees accrue sick leave according to the following schedule, which will take effect June 1, 2024.

| | |
|------------------------|----|
| 1 Month to 12 Months | 7 |
| 13 Months to 24 Months | 9 |
| 25 Months to 48 Months | 11 |
| 49 Months and Up | 12 |

Sick leave may be used for an employee's personal illness, well-care and medical and dental appointments. Sick leave also may be used for illness and well-care of a member of an employee's immediate family (including the employee's spouse, domestic partner, children, mother and father).

The employee is required to notify their direct supervisor when sick leave is taken for any duration of time as soon as is reasonably practical before or after the sick leave is taken. Failure to report a sick leave to the direct supervisor as soon as circumstances practically and reasonably allow may be considered a voluntary termination of employment

A notification from a licensed medical professional that an employee is able to return to work will be required for any absences of three days or longer, or if in the opinion of the Department Supervisor the nature of the illness or disability compromises the employee's ability to meet the requirements of the position, or could further endanger the health of the employee or the health of the public or other employees that will likely come into contact with that employee.

Up to a maximum of 3 days of unused Sick Leave for any employee for any fiscal year will be applied to a Sick Bank Reserve that can accumulate from year to year with a maximum of 30 sick days in total from all previous years allowed to be banked. The Sick Bank Reserve of any employee as of October 17, 2023 will be carried over and heretofore will augmented pursuant to this policy, up to the stated maximum number stated herein.

The Sick Bank Reserve may only be used for a verified illnesses or disability that are subject to pre-approval from the Village of their use. The type of medical verification and the approval of their use is completely at the discretion of the Village Administrator or the Board of Trustees.

Financial compensation for any form of Sick Leave that is unused in the then-current fiscal year or any Sick Leave in the Sick Bank Reserve will not be provided, except if the employment is terminated; and in that case, employees will receive accrued Sick Leave pay ONLY if required by law.

HOLIDAYS

The following 13 paid holidays will be observed, which will start effective January 1, 2024.

- **New Year's Day** January 1
- **Martin Luther King's Birthday** 3rd Monday in January
- **Washington's Birthday** 3rd Monday in February
- **Memorial Day** last Monday in May
- **Juneteenth National Independence Day** June 19
- **Independence Day** July 4
- **Labor Day** 1st Monday in September
- **Columbus Day** 2nd Monday in October
- **Veterans' Day** November 11
- **Thanksgiving Day** 4th Thursday in November and the following day
- **Christmas Day** December 25 and the following day
- Election day 1/2 day

A Full-time employee may not elect financial compensation in lieu of not taking time off for a holiday if the day worked is not requested by the Village. If the employee requests to work on a holiday, an alternative day off will be allowed in lieu of taking the holiday.

If requested to work by the Village on a holiday, exempt and non-exempt full-time employees will be paid for the holiday plus [one and one-half] times their regular rate of pay for any time worked on the holiday. If requested to work by the Village on a holiday, non-exempt part-time employees will be paid at one and one-half times their regular rate of pay for any time worked on the holiday. Such time must be pre-authorized by the supervisor.

Temporary or seasonal employees will be paid at their regular straight time rate for hours worked on a holiday.

LEAVES OF ABSENCES

We have a policy of granting personal leaves of absence in a few exceptional cases. A personal leave of absence may be granted up to a maximum of 30 days. An extension beyond 30 days will be considered in the event of serious or extenuating circumstances.

A leave of absence is an extended period of time absent from work without loss of employment. Leave of absence is without pay. During the first 30 days of a leave of absence the village continues to pay Village-paid benefits; the employee must pay premiums for dependent coverage in advance to the Village.

You must present a written request for a leave of absence, providing full explanation of the circumstances, presented to your employee's immediate supervisor at least two weeks before the start date of the leave of absence, subject to a lesser period as approved by the Village. Failure to report to work on the first day after the expiration of the leave of absence, without approval, will be considered a voluntary termination of employment.

Disability Leave of Absence

We will grant a leave of absence without pay for medical disabilities, including pregnancy or disability, for a period not to exceed four months. Then, upon return to work, you will be reinstated in the same or substantially similar position.

Military Leave of Absence

If you are drafted for service in the armed forces or a reservist called up for active duty, you are eligible for military leave of absence. If you apply for reinstatement within 90 days of return from service, you will be eligible for reemployment and will be reinstated in the same or substantially similar position, unless no longer qualified for the position.

If you are a member of the Armed Forces Reserve or the National Guard and you are required to attend annual active duty for training or other short-term (two weeks or less) reserve or Guard duty (i.e. forest fire fighting, police duty for natural disaster, etc.). You are eligible for a military pay for the training is less than your average Village earnings for a like period, we will pay the difference to the employee for a period not exceeding two (2) weeks in any year.

Jury Duty Leave of Absence

Our policy is to encourage employees to serve on jury panels. You should inquire about the duration of the jury trial in advance of accepting such service.

In the event you are on jury duty, we will pay you the difference between your regular earnings and the fee you receive for jury service, if required by applicable laws. Please contact your supervisor promptly after receiving notification to appear on jury duty.

Witness Duty Leave of Absence

We are aware that employees may be subpoenaed to appear as witnesses in trials before a court or other tribunal. In these cases, we will grant you time off with pay not to exceed two (2) days. After two (2) days, time off will be given as needed without pay or be given with pay if required by law.

Bereavement Leave of Absence

In the event of a death in immediate family, Full-Time Employee may have time needed, up to five (5) working days, with pay, to handle family affairs and attend the funeral. "Immediate family" is defined as: father, mother, sister, brother, spouse, child, and domestic partners.

Voting

Our policy is to encourage our employees to participate in the election of government leaders. Therefore, 1/2 day paid holiday is provided to accommodate your right to vote. You may wish to inquire of their Registrar of Voters about the possibility of voting by absentee ballot.

Please be sure to schedule time off with your supervisor in sufficient advance.

FAMILY MEDICAL LEAVE AND MATERNITY LEAVE POLICY

Family Medical Leave

The Village of Saltaire fully recognizes eligible employees' rights and responsibilities accorded by the Family and Medical Leave Act (FMLA), applicable state and local family leave laws, and the Americans with Disabilities Act. The Village may, at its sole discretion regarding when and how, substitute paid leave for all or part of the eligible full-time employees' rights under the FMLA and for rights for unpaid maternity leave in accordance with the Village of Saltaire's paid-leave substitution provisions of this policy.

Maternity Leave Policy

The Village of Saltaire is firmly committed to protecting the rights of expectant mothers and complying with Title VII of the 1964 Civil Rights Act as amended by the Pregnancy Discrimination Act of 1978. The Village of Saltaire's policy is to treat women affected by pregnancy, childbirth or related medical conditions in the same manner as other employees unable to work because of their physical condition in all employment aspects, including recruitment, hiring, training, promotion and benefits, plus with additional maternity leave benefits as provided herein.

Pregnant employees may continue to work until they are certified as unable to work by their physician. At that point, or the date of the birth of the child, the employee is entitled up to eighty-seven (87) work days leave from the Village due to pregnancy and maternity, which may be taken either consecutively, or the employee may elect to take it in full day increments with approval by the Village Administrator, over the course of not more than 12 months from the start of the leave. A doctor must certify the need for intermittent leave.

The Village will use the following allowances and credits to be applied in this priority order to the full eighty-seven (87) work days of allowable pregnancy/maternity leave, or return to work, whichever is sooner:

- Any unused Paid Time Off accrued for that employee, including Personal Time, Vacation Time, and Sick Time at a full rate of pay.
- If the Village of Saltaire provides a Paid-Leave insurance policy, that policy shall cover the employee from the time of the exhaustion of the Paid Time-Off period for the remainder of the period provided for by the Paid-leave insurance policy.
- From the time of the exhaustion of the benefits of a Paid-Leave insurance policy if one is in place, or the end of the unused Paid Time Off if a Paid-Leave insurance policy is not in place, the employee shall be on Unpaid Leave until return to work or to the conclusion of the eighty-seven (87) work days leave period, or at the conclusion of the 12-month period from the start of the maternity leave, whichever shall come first. The employee is entitled to receive benefits according to the

statutorily-mandated benefit policy in effect at the time, and the Village of Saltaire's Paid Family Leave insurance plan, if provided during this period.

The employee is entitled to return to the same or equivalent job with no loss of service-time or other rights or privileges upon return to work pursuant to the time limits set forth in this policy.

The employee will be considered to have voluntarily terminated employment with the Village of Saltaire if the employee does not return to work on a full-time basis on or before the eighty-seven (87) work days leave period described herein is exhausted, which shall be no later than 12 months after the commencement of the maternity leave.

PREGNANT WORKERS

- Employers must be cognizant of other laws that apply to workers affected by pregnancy, childbirth, or related medical conditions including:
 - Title VII
 - Americans with Disabilities Act (ADA)
 - New York State Human Rights Law
 - Family and Medical Leave Act

Federal Pregnant Workers Fairness Act

- Effective June 27, 2023
- Must provide reasonable accommodation for job applicants and employees with “known limitations related to the pregnancy, childbirth, or related medical conditions of a qualified employee”.
- “Known limitation” means physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions that the employee or employee’s representative has communicated to the employer whether or not such condition meets the ADA of disability.
- Mirrors the ADA standards.

Lactation Accommodations

- Effective June 7, 2023
- Designated lactation space – other than a restroom or bathroom stall – that is close to the employee’s work area, well-lit, and private.
- Chair, a surface, nearby access to clean running water, and an electrical outlet
- Use of refrigerator to store expressed milk
- No retaliation

REMOTE WORK POLICY

Background

Telecommuting allows specific and approved employees to work at specific locations other than the Village Office or the Village for portions of their workweek. The Village of Saltaire considers telecommuting for approved employees to be a necessary work option when and if both the employee and the job are suited to such an arrangement, particularly in light of the main office's remote location and the limited vehicle accessibility of the barrier island location. Telecommuting may be appropriate for some employees, jobs and times of year, but not for others. Telecommuting is not an entitlement, it is not a Village-wide benefit for Village employees, and in no way changes the terms and conditions of the employment of any employee with the Village of Saltaire or the obligations of the Village or the employee under State or local law.

Procedures

Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.

Any telecommuting arrangement made will be on a trial basis and may be discontinued at will and at any time at the request of either the telecommuter or the Village. Every effort will be made to provide 30 days' notice of such change to accommodate commuting, child care and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

A specific location must be designated for the location of the employee while telecommuting.

Telecommunication cannot be used while performing services for another employment or organization or during time that has been designated by the employee as vacation or similar nonworking time.

Eligibility

Employees requesting formal telecommuting arrangements must be employed with the Village of Saltaire for a minimum of 12 months of continuous, regular employment and must have a satisfactory performance record.

Employees working in the Recreation Administration may only request formal telecommuting arrangements outside of the summer camp season.

Employees working in the Lifeguard Administration may only request formal telecommuting arrangements outside of the summer lifeguard season.

Before entering into any telecommuting agreement, the employee and Village Administrator will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee and Village Administrator will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- Job responsibilities. The employee and Village Administrator will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee and Village Administrator will review the physical workspace needs and the appropriate location for the telework.
- Location suitability. The employee should designate a location where the telecommunicating work is to be performed that is agreed to be a location that is suitable for the employee's telecommuting work.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee and Village Administrator agree, a draft telecommuting agreement will be prepared and signed by all parties, and a three-month trial period will commence.

Evaluation of telecommuter performance during the trial period will include regular interaction by phone and e-mail between the employee and the Village Administrator, and weekly face-to-face meetings to discuss work progress and problems. At the end of the trial period, the employee and Village Administrator will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the supervisor and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

Although the telecommuter has the availability for a more flexible schedule, communication with the non-remote office staff and the public remains critical. As a matter of routine, the remote employee must be available and therefore an assessment of the timeliness of the telecommuter's response to non-remote staff will be key factor in evaluating the success of the telecommuting arrangement. The remote employee who requests flextime must have their flextime schedule approved in advance and in writing so that all non-remote employees are aware of their work hours and so the time-parameters of any claim for work-related injuries are established.

Total Annual and Seasonal Limits on Telecommuting

The telecommuting agreement(s) approved by the Village Administrator shall not result in the non-remote office staffing schedule to fall below the following limits:

- A minimum of 3 administrative staff in the office per day from May 1 through October 1.
- A minimum of 2 administrative staff in the office per day from October 1 through May 1.

If that occurs, the Village Administrator shall have sole authority to modify any or all of the telecommuting agreement(s) so that those minimum staff limits are maintained.

The following limits are set for any individual telecommuting agreement that can be authorized by the Village Administrator with any employee of the Village.

- No employee may telecommute more than 100 work days in any fiscal year (June 1 through May 31)
- **From May 1 through September 30:**
 - No employee may telecommute more than 2 consecutive work days and no more than 30 total work days.
- **From October 1 through April 30:**
 - No employee may telecommute more than 20 consecutive days without first working non-remotely for at least 10 consecutive days.

Any request by the Village Administrator and/or the employee for remote work allocation above these limits must be approved by the Board of Trustees prior to implementation. The primary criteria for exceeding these limits that the Board will consider, and the employee and Village Administrator must demonstrate, are that:

- The employee can effectively perform all of his or her job functions with minimal or no personal contact with the public.
- The absence of the employee in the office does not create a situation where the minimum in-office staffing minimums are not met or puts undue or unfair burden on the other employees to maintain those minimums staffing levels.

Equipment

On a case-by-case basis, the Village of Saltaire will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement.

Equipment supplied by the Village will be maintained by the Village. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The Village of Saltaire accepts no responsibility for damage or repairs to employee-owned

equipment. The Village of Saltaire reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only.

All Village IT, equipment and security policies must be followed by the employee, including but not limited to, that no Village equipment may be used for a personal use.

The telecommuter must sign an inventory of all the Village of Saltaire property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of the telecommuting agreement or approval or employment with the Village, all Village property will be returned to the Village, unless other arrangements have been made.

The Village of Saltaire may supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. The Village of Saltaire will also reimburse the employee for business-related expenses, such as phone calls and shipping costs, that are reasonably incurred in carrying out the employee's job.

The employee will establish an appropriate work environment at the agreed telecommuting location including but not limited to within his or her home for work purposes. The Village of Saltaire will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

Security

Consistent with the Village's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary company and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

Safety

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Telecommuting is not designed to be a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

Time Worked

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the Village of Saltaire's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting arrangement.

Ad Hoc Arrangements

Temporary telecommuting arrangements may be approved by the Village Administrator for circumstances such as inclement weather, special projects or business travel that is being performed by or for the Village. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the Village.

FLEXTIME POLICY

Background

The Village of Saltaire confirms its commitment to develop, maintain and support a comprehensive policy of equal opportunities in employment within the Village. To assist in this goal, the Village will support Flextime for Administrative staff where it is reasonable and practical to do so and where the operational needs of the Village will not be adversely affected. The operating days and hours of the Administrative Office of the Village of Saltaire for **Full Time Exempt Administrative Employees** are Monday through Friday, 8:00 AM to 4:00 PM p.m. Eastern Standard Time (ET). All administrative employees are expected to be at work during these hours unless approval is granted for a flexible work schedule.

Eligibility

Individuals of the Administrative staff requesting formal Flextime arrangements must be employed with the Village of Saltaire for a minimum of six (6) months of continuous, regular employment and must have a satisfactory performance record, which standard can be waived by the Village Administrator or Mayor for newly hired employees or other circumstances that inure to the benefit of the Village.

Work Schedule Guidelines

The limits of a Flextime arrangement therefore are start of work 6:00 a.m. and completion of work at 6:00 p.m. ET, unless more expansive limits are approved by the Mayor.

The Flextime schedule allows the employee to adjust the length of their break period while still working an 8-hour day, with a minimum of a 30-minute and a maximum of a two-hour break, all of which must be taken no later than two (2) hours before the completion of the work day. A break of more than 30-minutes, if taken, must be made up somewhere in the Flextime schedule, and the intent of the break is not to allow the shortening of the work day.

An employee working remotely pursuant to the Remote Work Policy who requests flextime must have their flextime schedule approved in advance and in writing so that all non-remote employees are aware of their work hours and so the time-parameters of any claim for work-related injuries are established.

The Flextime schedule cannot result in a compressed work week of fewer than five (5) days. The intent of the Flextime policy is to allow flexibility within the work day, not to allow for longer work days that allow the compression or shortening of the work week beyond the standard operating (d) five-day Monday to Friday week.

Procedures

Either an employee or a supervisor can suggest Flextime as a possible work arrangement. Any Flextime arrangement made will be on a trial basis and may be discontinued at will and at any time at the request of the employee or at the full discretion of the Supervisor, the Village Administrator

or the Mayor. Every effort will be made to provide thirty (30) days' notice of such change to accommodate commuting, child care and other issues that may arise from the termination of a Flextime arrangement. There may be instances, however, when no notice is possible.

Supervisors will approve Flextime on a case-by-case basis. One of the factors that the supervisor will consider is whether the office is properly staffed during Village Office's peak operating hours of 9 a.m. to 3 p.m. ET. The employee must first discuss possible Flextime arrangements with his/her supervisor to gain approval. Any request for single and occasional Flextime can be requested and approved verbally by the supervisor. Any request for a regular and routine Flextime must be submitted in writing on a Flextime Request Form developed by the Village. The supervisor will approve or deny the Flextime request based on staffing needs (particularly during the above-described peak time during the summer season), job duties, the employee's work record and the employee's ability to temporarily or permanently return to a standard work schedule when needed.

An employee on Flextime must document their work and production pursuant to their supervisor's direction or office policy. The Supervisor must adequately communicate the schedule of any Flextime employee so that all Administrative staff are aware of in-office and Flextime schedules. A Flextime arrangement may be suspended or cancelled at any time. Employees exempt from overtime must be able to depart from any Flextime schedule to perform their jobs. Employees not exempt from overtime may be asked to work overtime regardless of a Flextime schedule.

COMPENSATORY TIME POLICY

Full Time Exempt Administrative Employees not eligible for overtime pay pursuant to the Fair Labor Standards Act may be eligible for compensatory time, which is defined as an arrangement where employees may be eligible for time-off in lieu of working beyond normal expected hours.

The normal work week for Administrative Staff shall be Monday through Friday. Under normal circumstances, administrative employees are expected to work an eight (8) hour day, and to complete their workload within that time period. If an Administrative employee at their discretion exceeds that eight (8) hour period for any day or day(s) to complete timely tasks as part of their administrative duties, which is to be anticipated from time to time due to the seasonal nature of the administrative operations of the Village, there will not be any compensation made above their approved annual salary.

Full Time Exempt Administrative Employees not eligible for overtime pay pursuant to the Fair Labor Standards Act may be entitled to compensatory time, subject to the approval of the Village Administrator or Mayor, under the following circumstances:

- If an employee whose job description and/or civil service duty statement does not require attendance at all or occasional official Village meetings in the evenings or on a weekend may be entitled to compensatory time pursuant to the provisions of this policy for attendance at those meetings if requested by the Mayor of their direct supervisor. In this case the employee will earn one (1) hour of compensatory time for each hour dedicated to the meeting as measured from the time the employee left their home of their workplace for the meeting to the employee returned home from the meeting. Employees whose job description and/or civil service duty statement requires attendance at all or occasional official Village meetings in the evenings or on a weekend will not be entitled to compensatory time for attendance at those meetings so required in their job description and/or civil service duty statement.
- The employee is requested or required to attend meetings of other agencies (other than for Board meetings or mandatory training sessions required as a condition of employment or to obtain or retain necessary licensure) in the evenings or on a weekend. In this case the employee will earn one (1) hour of compensatory time for each hour dedicated to the meeting as measured from the time the employee left their home of their workplace for the meeting to the employee returned home from the meeting.
- The employee is requested to work by the Mayor or Village Administrator beyond a normal eight (8) hour workday for assumption of additional duties beyond the scope of those set forth in their job description and/or civil service duty statements, or on weekends to assist the Village under special circumstances, which may include and not be limited to Article IIB declarations, public health emergencies, or other situations deemed critical by the Mayor or Village Administrator for the safe and continuous operation of the Village and the provision of its services for the benefit of the residents of the Village. In this case the

employee will earn one (1) hour of compensatory time for each hour beyond a normal 8-hour work day Monday through Friday, and all hours worked on the weekend.

- Travel to and from, and attendance at Village paid-for training seminars will not be entitled to any compensatory time; and each 24-hour period spent traveling to and from and attending Village-sponsored seminars will be considered one regular day of work included in the salary of the employee.
- Requests for Compensatory Time shall be submitted by the employee to the Village Administrator or Village Clerk, who shall submit that request for approval by the Mayor.

The Allocation and Use of Compensatory Time:

- All compensatory hour credits will be added to the employee's personal time accrued for the fiscal year that they were earned.
- The compensatory credits earned must normally be used in the fiscal year earned and within 60 days from the date on which the compensatory time was accrued, as part of the whole of all other personal time accrued, the entirety of which will be subject to the limit of five (5) personal time days allowed to be carried forward to the following fiscal year pursuant to the separate policy in the Handbook regarding carryover, with the following exception:
 - Some or all of compensatory hours worked under an Article IIB emergency may be carried over to the following fiscal year, at the sole discretion of the Village Administrator or Mayor, if either deems that the timing and duration of the emergency or special situation makes it impractical for the employee to use some or all of the time within the 60 day period or by the end of the fiscal year, or if the operations of the Village would be adversely impacted or if it is deemed to be in the best interest of the Village for the employee not to use the compensatory time within the 60 day period or during that fiscal year.
- The employee will not be paid for any unused compensatory time, unless deemed appropriate by a resolution of the Board of Trustees adopted at a duly convened Board of Trustees meeting.
- Any or all of these regulations may be suspended, altered or adjusted by the Mayor and/or Board if in their opinion extraordinary circumstances warrant such consideration.

GROUP INSURANCE

Medical Insurance

All full-time employees are eligible for medical insurance. Temporary and part-time employees are not eligible to participate in Village medical plan. Benefits for new full-time employees begin on the first regular work day following a 30-day waiting period.

The cost for medical insurance is paid as follows:

New York State Civil Service, Empire Plan: Core Plus All Enhancements

Employee Rate: Employer Rate:

Plan Prime:

Core Plus All Enhancements

Employee Class #1: Hire Date
before 5/1/11:

| | | |
|-------------|-----|------|
| Individual: | 0% | 100% |
| Dependents | 25% | 75% |

Employee Class #2: Hire Date
after 5/1/11:

| | | |
|------------|-----|-----|
| Individual | 25% | 75% |
| Dependents | 25% | 75% |

Retirees are eligible for continuation of major medical health insurance into retirement if they meet the minimum service requirements of this policy.

A full-time employee over 55 years of age and with at least 20 years of service to the Village upon retirement, shall be entitled at retirement to continued medical benefits at the same employee cost sharing rate that is applied to the retiring employee in the year of his or her retirement, provided that the Village of Saltaire is the current primary employer of the employee upon retirement. Employees who have at least 3 years of uninterrupted full-time employment with the Village by December 31, 2006 do not have to meet the 20-year minimum service requirement in order to be eligible for medical benefits into retirement. The medical benefits will generally be of the level and type of benefits provided to the employees of the Village at that time and the retiring employee shall be specifically eligible to continue the type of benefit package he or she had been receiving just prior to his or her retirement, and will be responsible for the same contribution percentages that he or she had been contributing toward their benefits based on their hire date class identified in this section.

The coverage shall continue for the life of the employee and for the life of the employee's spouse, if the spouse was specifically identified as an insured under the policy provided by the Village to the employee for the last three (3) years prior to retirement. The Village specifically reserves the right to change the policy coverage and benefits provided to the retired employee, at any time, so long as the new benefits and coverage provided to the retired employee are the equivalent of the coverage and benefits that are being offered by the Village to its current employees at that time. Further, the Village reserves the right to terminate this policy of continued benefits at any time for any employee who has not meet the above described thresholds, upon any notice, by resolution of the Village Trustees. These Medical Plans were selected to ensure the employees are not burdened with extreme medical costs. This very comprehensive policy as developed for the benefit of all full-time employees. See the current medical coverage booklet regarding specific plan for detailed coverage information.

Dental Insurance

All full-time employees are eligible for dental insurance. Temporary and part-time employees working less than 1500 hours (62.5 days) per fiscal year are not eligible for dental insurance, except those part-time employees who are receiving dental benefits at December 31, 2005 may continue to participate in dental benefits for as long as those employees continue to work more than 750 hours (31.25 days) per year for each year benefits are received. Benefits begin on the first regular work day following a 30-day waiting period.

The cost for dental insurance is paid as follows:

| | <u>Village Cost:</u> | <u>Employee Cost:</u> |
|---------------------|----------------------|-----------------------|
| Full-Time Employee: | | |
| Individual Plan: | 50% | 50% |
| Family Plan: | 50% | 50% |

This Dental Plan was selected to ensure that employees are not burdened with extreme dental costs. The intention of this benefit is to encourage employees to take preventive dental care.

MEDICAL AND DENTAL INSURANCE

Coverage Refusal Compensation

Any full-time employee who is eligible for medical and/or dental coverage, and is entitled to a certain category of coverage based on their current family status (whether it be individual coverage, or a spousal/domestic partner coverage, or family coverage), may elect either: 1) not to be covered at all under the medical and dental plans offered by the Village to other full time employees, or 2) elect to be covered under a less-expensive category of coverage with less dependent coverage than they are otherwise entitled. In the case where the full-time employee elects the option of complete non-coverage, they will be offered monetary compensation at a rate of 30% of the net cost to the Village for the insurance that the employee would have otherwise been entitled. This will be calculated as follows:

(Premium for the Entitled Coverage – the Contribution Rate for the Entitled Coverage) X .3

In the case where the full-time employee elects the option to be covered under a less-expensive category of coverage with less dependent coverage than they are otherwise entitled, they will be offered monetary compensation at a rate of 30% of the difference between (the net cost to the Village for the insurance that the employee would have otherwise been entitled) and (the net cost to the Village for the insurance that the employee elected). This will be calculated as follows:

.3 X the Result of the equation:

(the Premium for the Entitled Coverage – the Contribution Rate for the Entitled Coverage)

Minus

(the Premium for the Selected Coverage – the Contribution Rate for the Selected Coverage)

As an Example:

If insurance premiums are as follows:

Family Coverage is \$1,000.00 and the Contribution Rate is \$250.00

Individual Coverage is \$500.00 and the Contribution Rate is \$125.00

- 1) Complete Refusal: The Employee entitled to Family Coverage refuses insurance coverage entirely, the monetary compensation would be calculated at follows:

$$= (\$1,000.00 - \$250.00) \times .3$$

= **\$750 X .3** = \$225.00, which will be added directly to the compensation of the employee

2) Less Expensive Dependent-Reduced Coverage: The Employee entitled to Family Coverage elects the Individual Coverage, the monetary compensation would be calculated at follows:

$$= ((\$1,000.00 - \$250.00) - (\$500.00 - \$125.00)) \times .3$$

$$= (\$750 - \$375) \times .3$$

$$= \$375 \times .3 = \underline{\underline{\$112.50, \text{ which will be used to offset the Employee's required contribution rate of } \$125.00 \text{ for the individual coverage elected.}}}$$

The employee must elect the non-coverage or reduce-coverage option at the start of full-time coverage, or by either June 15 or December 15 of any year of employment. Once the non-coverage option or the reduced-option is selected by a full-time employee, that option will automatically renew every six months on the prescribed anniversary dates unless the employee notifies the Village in writing that he wishes to be covered as entitled by the Village's medical and dental insurance.

The employee will be responsible for all resultant payroll taxes and fees for any monetary compensation received as a result of their selection.

Employees must complete the Employee Medical Coverage Option Decision Form in the Miscellaneous Forms section at the end of this Handbook.

**HEALTH INSURANCE COVERAGE FOR VOLUNTEER FIREFIGHTERS OF THE
SALTAIRE VOLUNTEER FIRE COMPANY**

Resolution Adopted December 5, 2010 Extending NYSHIP
Eligibility to Active Members of the SVFC

WHEREAS Chapter 71 of the Laws of 2010 amended Section 163 of Article 11 of Civil Service Law to extend NYSHIP eligibility to include “active members of volunteer fire and volunteer ambulance companies serving one or more municipal corporations pursuant to subdivision seven of section ninety-two-a of the general municipal law”, and

WHEREAS Chapter 92-a of the general municipal law was amended to “permit a public corporation to provide coverage for volunteer firefighters, as defined in section three of the volunteer firefighters’ benefit law, and volunteer ambulance workers, as defined in subdivision one of section three of the volunteer ambulance workers’ benefit law, provided however, that the total cost of participation by such volunteers and their families shall be borne by such volunteers”, and

WHEREAS Section 3 of the volunteer firefighters’ benefit law defines a volunteer fireman as an active member of a fire company” and subdivision 1 of Section 3 of the volunteer ambulance workers’ benefit law defines a volunteer ambulance worker as “an active volunteer member of an ambulance company as specified on a list regularly maintained by that company, and it is therefore

RESOLVED that the Board of Trustees hereby declares all actives members in good standing with the Saltaire Volunteer Fire Company as so designated by the Secretary of the Saltaire Fire Company to be eligible for participation in the Village of Saltaire NYSHIP health insurance program as authorized by the laws of the State of New York herein referenced, and it be

FURTHER RESOLVED that any active member in good standing who chooses to participate in NYSHIP health insurance program shall bear all the costs of such participation and make timely payments for the chosen level of participation to the Village Treasurer on such terms and schedule as the Treasurer sets for participation, and shall maintain his or her status as an active member in good standing with the Fire Company for the duration of participation in the insurance coverage chosen.

WORKERS COMPENSATION

We carry workers compensation insurance coverage as required by law to protect employees who are injured on the job. This insurance provides medical, surgical and hospital treatment in addition to loss of earnings from work-related injuries. Benefits will be as provided by law; the cost of coverage is paid entirely by the Village.

If you are injured while working, please report it immediately to your supervisor, regardless of how minor the injury may be.

If a work-related injury occurs that renders you physically, mentally or emotionally incapable of directing your own immediate, emergency medical care, you have by virtue of accepting employment with the Village of Saltaire granted permission to the Village's department supervisors or their designees in their sole discretion to bring you to the most appropriate medical facility based on the nature of your injuries; and you further grant permission for emergency diagnostic and therapeutic care, or surgery, as may be deemed necessary by the medical personnel in charge of your care at the time in conformance with prevailing medical practice and relevant law.

If you are a minor employee and a work-related injury occurs, the Village will make every effort to contact your parent and/or guardian to notify them of the work-related injury. If the work-related injury renders you physically, mentally or emotionally incapable of directing your own immediate, emergency medical care, you have by virtue of accepting employment with the Village of Saltaire granted permission to the Village's department supervisors or their designees to bring you in their discretion, in consultation with your parent or guardian if contact with them has been made, to the most appropriate medical facility for your injuries; and you further grant permission for emergency diagnostic and therapeutic care, or surgery, as may be deemed necessary by the medical personnel in charge of the care at the time, in consultation with the parent or guardian if they have been successfully contacted and are available to assist in that decision, and in conformance with prevailing medical practice and relevant law.

Neither the Village nor our insurance carrier shall be responsible for the payment of Workers Compensation benefits for any injury which arises out your voluntary participation in any off-duty recreational, social or athletic activity which is not part of your work-related duties.

The Village and our insurance carrier shall be responsible for the payment of Workers Compensation benefits when your injury is the result of any recreational, social or athletic activity which is a reasonable expectancy or is required by the Village. There are currently no such activities requiring your participation. If and when there are, you will be so notified.

We are subject to New York State Workers' Compensation Law.

If you have any questions regarding the workers compensation insurance program, please contact the Village Administrator.

EMPLOYEE DEVELOPMENT

It is our desire to give every reasonable encouragement to our employees in their efforts to improve proficiency in their present jobs and to prepare for advancement.

Therefore, the Village may compensate any full-time employees from 50% to 100%, upon Board approval, of the cost of books and tuition for all accredited matriculating courses attended when the following criteria are met:

- That the course is relevant to your current or expected job path.
- That a minimum grade of “B” is maintained.

In order to be eligible for reimbursement, approval must be obtained in advance of course registration from your supervisor prior to registration.

Seminars and/or training course expenses, offered by county, state, or recognized associated organizations, may be eligible for reimbursement if approval is obtained from supervisor prior to registration and attendance.

If the course is deemed essential for the Village, part-time or full-time employees may complete their training during regular office hours, or be compensated if they are required to attend classes out of regular office hours. This is subject to the approval of the Village Administrator and the employee’s manager. Such courses are eligible for reimbursement.

NEW YORK STATE EMPLOYEES RETIREMENT SYSTEM

Subject to the rules and regulations of the New York State Employees' Retirement System.

See details in the Village of Saltaire Employment Application Pack.

UNACCEPTABLE JOB PERFORMANCE/DISCIPLINARY ACTION

The principal objective of any disciplinary action shall be to improve the performance and efficiency of the employee. Any action by an employee which reflects discredit on the Village or its residents, or is a direct hindrance to the effective performance of the employee's job functions, constitutes improper employee conduct and shall be considered cause for disciplinary action.

The Incorporated Village of Saltaire upholds and maintains a progressive disciplinary system which may include all or part of the following steps, unless otherwise covered by law:

Step 1 – Supervisor Oral Warning

Discussion with Supervisor with a record kept on employee file

Step 2 – Written reprimand

Written reprimand detailing performance deficiencies and suggested improvements

Step 3 – Written Notices of failure to improve

Written Notices of failure to improve including notice of pay reduction and demotion if no improvement within stated time.

Step 4 – Suspension Step 5 – Discharge

All regular employees may appeal certain disciplinary actions. Please direct any questions you may have regarding disciplinary action and appeals process to your supervisor.

EMPLOYEE GRIEVANCE PROCEDURE

Step 1 - Supervisor Review

As a matter of general policy your supervisors, at all levels, will provide an open-door policy and a receptive ear for the discussion and review of employee grievances concerning conditions of employment.

In the event you wish to lodge a grievance, you must, within fourteen (14) days of the incident being grieved, discuss the incident with the supervisor, notifying the supervisor that the discussion is the first step in the grievance procedure. There is no requirement for you to submit the grievance in writing at this point.

Your supervisor must inform you within seven (7) calendar days of the receipt of your notice of the decision on the matter. These time limits may be extended by mutual consent of the parties concerned.

Step 2 - Village Administrator Review

If the grievance is not resolved by your supervisor within seven (7) calendar days or if you disagree with the supervisor's decision, you may appeal the grievance to the Village Administrator with seven (7) calendar days.

At this point you must submit the grievance in writing, identifying it as such and stating the nature of the complaint. The Village Administrator will investigate the grievance and will notify you in writing of the decision with fourteen (14) calendar days of receipt of the grievance.

Step 3 - Board of Trustees Review

If you disagree with the Village Administrator's decision, the matter may be submitted in writing to the Mayor and the Board of Trustees within seven (7) calendar days.

TERMINATIONS

The Village reserves the same right to end your employment at any time, with or without notice, for any reason not prohibited by law, in accordance with relevant civil service procedures.

Should you wish to resign because of illness or for personal reasons, the possibility of a leave of absence may be explored if you have a good work record and has sufficient length of service.

You are requested to give at least two weeks' notice before voluntarily terminating employment.

SEVERANCE ALLOWANCE

At its discretion, the Incorporated Village of Saltaire may pay a severance allowance to salaried employees if they are terminated due to:

- a reduction in the Village workforce
- elimination of their job or position

The severance allowance may be paid as part of or in addition to any payments required by law. Those employees deemed entitled to severance pay are paid in accordance with the following schedule:

| <u>Length of Service</u> | <u>Amount of Pay</u> |
|--------------------------------|----------------------|
| Under 5 years | None |
| 5 years to less than 10 years | 4 weeks |
| 10 years to less than 15 years | 8 weeks |
| 15 years plus | 9 weeks |

Severance pay will be paid in a lump sum at the time of termination, subject to applicable withholding.

EXIT INTERVIEWS

Exit interviews are encouraged upon termination of employment, regardless of the reason. You or your supervisor may schedule an appointment with the Village Administrator or Village Clerk for an interview. At that time, you may openly address any concerns you may have regarding insurance and benefits and any other pertinent issues.

THE OMBUDS ALTERNATIVE RESOLUTION PROCESS

Appointment and Term

The Mayor may appoint one or more Ombuds, each to serve as a volunteer for a term of two years, which appointment(s) shall be approved by the Board of Trustees. A shorter initial term of one or more of the appointments of the Ombuds may be made, at the option of the Mayor and Board of Trustees, in order to have the expiration of the Ombuds terms staggered in the event that more than one Ombuds is appointed. The Mayor may also with the approval of the Board of Trustees appoint a person to serve as Ombuds for a shorter term, to serve for a special purpose or matter.

Purpose

The purpose of the creation of the position of Village Ombuds and the optional Ombuds process is to provide Village of Saltaire employees with an alternative informal resolution process wherein an employee may, at the employee's sole choice or option, express concerns that the employee may have with regard to their employment by the Village of Saltaire, learn of the options that are available to them to resolve such concerns, and if desired, pursue the Ombuds option and work with or consult the Ombuds to obtain information and/or attempt an informal resolution. For purposes of this policy, "employee" shall include all full and part-time employees of the Village of Saltaire, as well as the volunteers of the Village of Saltaire. The purpose of this policy is to also reaffirm the formal complaint-grievance policy of the Village of Saltaire, while establishing an alternative or additional non-binding process which an employee may, at the employee's individual choice, utilize.

As set forth in this resolution and policy, an employee may utilize the Ombuds process prior to and in lieu of the formal process; or in the alternative, the formal process. If the employee chooses to pursue the formal grievance procedure, he or she may also elect to suspend or terminate that formal process before it has been concluded and, if he or she wishes, choose to commence the Ombuds option instead. However, once the formal complaint-grievance process has been completed and a decision rendered, the employee may not elect to pursue the Ombuds option to review or as an alternative to the completed formal grievance process, and the result of the formal grievance process shall be final except as to remedies that may be available under the law. Similarly, an employee who opts to pursue the Ombuds option may terminate that process at any time, and, if he or she wishes, opt to pursue the formal grievance procedure instead. The Ombuds process may be used for complaints or grievances between an employee and management, between two employees, or between employees and agencies of the Village of Saltaire.

Role of the Ombuds

- The Ombuds listens with an open mind.
- The Ombuds helps to resolve problems fairly.
- The Ombuds provides a safe place to voice employee concerns and explore options for productive conflict management and resolution.
- The Ombuds supports a safe, respectful and civil community.

When an Employee Should Use the Ombuds Services

- When you need information or assistance in resolving your concern.
- When you are unsure of how to proceed or what options are available.
- When you feel your concerns have not been, or will not be, adequately addressed through formal channels.

The primary duties of the Village Ombuds is are:

- To work with an individual and/or a group of employees or volunteers of the Village of Saltaire to explore and assist in determining options in order to help resolve conflicts, problematic issues or concerns.
- To bring systemic concerns to the attention of the Village Board of Trustees for resolution.

In pursuing his or her duties, an Ombuds Officer will:

- Listen to the issues and concerns with which he or she is presented from the perspective of the individuals involved, while remaining neutral with respect to these concerns.
- Not judge or decide who is right or wrong.
- Assist in reframing issues to help the individuals identify and understand the interests of the various parties and focus efforts on potential options to address these interests.
- Guide and/or assist individuals to deal directly with the other parties, including through the use of the formal resolution resources of the Village as set forth in the Employee Handbook.
- Help individuals improve their skills and confidence in giving voice to their concerns directly to these formal sources as well as the other concerned parties and aid in referring the individuals to the appropriate resolution resources as a way to formally resolve the issue.
- Identify and create an awareness within the organization of potential problems within the organization and point out opportunities and suggestions for systemic change for the Village.

Because of the informal, neutral, confidential and independent positioning of an Ombuds in Saltaire, he or she does not typically undertake the following roles or activities:

- Participate in formal investigations or play any role in a formal issue resolution process.
- Make binding decisions or institute corrective measures.

- Serve in any other Village role that would compromise the neutrality of the Ombuds Officer role.
- Receive notice or act as an office of notice for the Village.
- Create policies or create or maintain official Village records.
- Undermine or disrespect the roles of supervisors or public officers or officials in their official capacities.
- Form any type of formal relationship (e.g., attorney-client) with the individuals seeking the Ombuds Officer's services, or with other Village employees or officials.

Timing of Availability of the Ombuds Resource

The Ombuds process is available to an employee at any time, including but not limited to prior to, during or after the filing and/or commencement of a formal grievance or complaint. However, it is not available once a formal grievance process has been completed and a finding rendered.

Non-Waiver

The use of the Ombuds process, whether a limited informational discussion or full involvement with the process by an employee, shall not be a waiver of the rights of an individual to the formal grievance process, which may be initiated at any time otherwise allowable, or a waiver by the employee of any rights that they may have under the Village of Saltaire policies or by law.

Implementation of Policy

The Board of Trustees may adopt such other resolutions amending or supplementing this resolution that the Board feels necessary to implement the intentions of the Board of Trustees with respect to the Ombuds process. The Board of Trustees working with the Management of the Village may create forms, information or processes that the Board and Management feel are necessary to complete or support the implementation of the Ombuds Policy

WORKPLACE VIOLENCE PREVENTION POLICY

Objective

The Village of Saltaire is committed to preventing workplace violence and to maintaining a safe work environment for all employees. Given the increasing violence in society in general, the Village of Saltaire has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur on its premises. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand the provisions of this policy.

Definition

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace.

Scope of Policy

All full-time, part-time and seasonal active employees are covered by this policy.

Zero Tolerance

The Village of Saltaire has a policy of zero tolerance for violence. If you engage in any violence in the workplace, or threaten violence in the workplace, your employment will be terminated immediately for cause. No talk of violence or joking about violence will be tolerated.

Prohibited Conduct

We do not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities.

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited.

- Shoving, pushing, harassing, intimidating or coercing another person;
- Causing physical injury to another person;
- Making threatening remarks;
- Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing another or waving arms and fists).
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Unauthorized possession of a weapon while on company property or while on company business;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Reporting Procedures

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911 immediately.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or department head. This includes threats by employees, as well as threats by vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workplace, do not try to intercede or see what is happening.

It is everyone's business to prevent violence in the workplace. You can help by reporting what you see in the workplace that could indicate that a co-worker is in trouble. You are in a better position than management to know what is happening with those you work with.

The Village encourages employees to bring their disputes or differences with other employees to the attention of their supervisors before the situation escalates into potential violence. The Village is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

If you have suggestions for ways to improve safety and security at work, please pass them along to your supervisor.

Identifying Possible Threats

While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their supervisor if any employee exhibits behavior which could be a sign of a potentially dangerous situation. Such behavior includes:

- Discussing weapons or bringing them to the workplace;
- Displaying overt signs of extreme stress, resentment, hostility or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance;
- Displaying irrational or inappropriate behavior.

Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

Training Program

As part of its commitment to preventing workplace violence, the Village has established training programs for all employees. Training will be included as part of your orientation. Thereafter, you will be scheduled for annual refresher training. This training is mandatory and attendance will be taken.

Incident Management

In the event of a major workplace incident that effects, or has the potential to affect the mental health of your workplace, we will provide initial counseling and support services to you and your immediate family members.

As the crisis passes and support systems are put into place for individuals affected by the incident, the Village will make every effort to return to normal business operations. A reasonable effort will be made to notify employees and others who need to know of the status of business operations directly whenever possible. In cases where direct contact is not possible or practical, an effort will be made to communicate through the Village Web-Site, news media and other available resources.

HARASSMENT

The Village of Saltaire is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the Village of Saltaire commitment to a discrimination-free work environment. Sexual harassment is against the law¹ and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with the Village of Saltaire. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

Sexual Harassment and Discrimination Prevention Policy:

1. The Village of Saltaire policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with The Village of Saltaire for the remainder of this policy, we will use the term “covered individual” to refer to these individuals who are not direct employees of the company.
2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of The Village of Saltaire who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or The Village of Saltaire Administrator. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.

4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject The Village of Saltaire to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. The Village of Saltaire will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. The Village of Saltaire will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, The Village of Saltaire will act as required. In addition to any required discipline, The Village of Saltaire will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.
6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.
 - a. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to The Village of Saltaire Administrator/ HR Manager.
7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

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

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

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

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many

hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called **quid pro quo** harassment.

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

Examples of Sexual Harassment

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

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
 - This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.

- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

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

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

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

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

Can Sexual Harassment Occur Outside the Workplace?

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

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

Retaliation

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

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

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;

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

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

Protected activity occurs when a person has:

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

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

Reporting Sexual Harassment

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

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

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums.

Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to The Village of Saltire Administrator/HR Manager. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

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

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

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

Bystander Intervention

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

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and

5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

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

Complaints and Investigations of Sexual Harassment

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

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

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

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, The Village of Saltaire Administrator/HR Manager:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, The Village of Saltaire Administrator/HR Manager will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. The Village of Saltaire Administrator/HR Manager will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;

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

Legal Protections and External Remedies

Sexual harassment is not only prohibited by The Village of Saltaire, but it is also prohibited by state, federal, and, where applicable, local law.

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

New York State Division of Human Rights

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

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

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

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

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

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

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

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

The United States Equal Employment Opportunity Commission

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

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

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

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

Local Protections

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

Contact the Local Police Department

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

Conclusion

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

VILLAGE OF SALTAIRE
TERMS AND CONDITIONS FOR COMPUTER, INTERNET AND E-MAIL USE

Each affected employee must carefully read, and agree to abide by, the following Village of Saltaire approved Acceptable Use Policy for Village of Saltaire provided e-mail and Internet access before signing. Conformance to this Policy should be considered to be a term and condition of affected employee's employment. Abuse of e-mail and Internet access privileges or other non-conformance to this Policy may be cause for disciplinary action up to and including discharge.

The Internet offers many resources to Village of Saltaire employees for the efficient exchange of information and the timely completion of assigned responsibilities. The use of Internet facilities and e-mail by any employee, volunteer or contractor must be consistent with this Acceptable Use Policy.

This policy document delineates acceptable use of the Internet and Village of Saltaire computer hardware and software by employees, volunteers, and contractors while using Government-owned or leased equipment, facilities, Internet e-mail addresses, or domain names registered to the Village of Saltaire.

The following Internet and/or computer users are covered by this policy:

1. Authorized full and part-time employees of the Village of Saltaire.
2. Volunteers who are authorized to use the Village of Saltaire resources to access the Internet.
3. Contractors who are authorized to use Village of Saltaire owned or leased equipment or facilities.

Employees, volunteers and contractors who are not authorized to access the Internet as part of their official duties, may not access the Internet using Village of Saltaire facilities under any circumstances. It is expected that users who are authorized to access the Internet as part of their official duties, will do so to improve their job knowledge; to access scientific, technical, and other information on topics which have relevance to their assignments; and to communicate with their peers in other Government agencies, academia, and industry. Users should be aware that when access is accomplished using Internet addresses and domain names registered to the Village of Saltaire they might be perceived by others to represent the Village of Saltaire. Users are advised not to use the Internet for any purpose which would reflect negatively on the Village of Saltaire or its employees.

If an authorized user violates any of these provisions, his or her access privileges may be terminated and future access may be denied and may be cause for disciplinary action up to and including discharge. The signature at the end of this document is binding and indicates the party who signed has read the terms and conditions carefully, understands their significance, and agrees to abide by those terms and conditions.

The Village of Saltaire Village Administrator and/or Village Clerk Treasurer or Deputy Village Clerk or Treasurer, with general guidance from the Director of Finance (or other named officials) shall serve as the System Administrators for this Policy.

Acceptable Use of Internet Access and e-mail for Village of Saltaire Authorized Users:

The purpose of the Internet is to support research and enhance worker productivity by providing access to resources and communications. The use of your account must be in support of Village of Saltaire goals and objectives. The use of the Internet may not be used in violation of any local, state, federal, or international laws, regulations, or other government requirements. This includes, but is not limited to: theft or infringement of copyrights, trademarks, trade secrets, or other types of intellectual property; fraud; forgery; theft or misappropriation of funds, credit cards, or personal information; and threats of physical harm; harassment. Non-business communications and access to information for non-business-related activities is not authorized.

E-mail messages must be drafted in a professional, business-like manner and shall use appropriate language. E-mail messages sent to Village of Saltaire employees in a mass mailing must be approved by the sender's supervisor prior to delivery.

Privileges:

The use of the Village of Saltaire computer resources including e-mail and Internet access, is a privilege, not a right, and inappropriate use may result in a cancellation of those privileges and may be cause for disciplinary action up to and including discharge. The Village of Saltaire Board of Trustees may request the System Administrator to deny, revoke, or suspend specific user access privileges, when use that violates these policies has been determined.

Inappropriate Use of Village of Saltaire Computer Resources:

- a) Participating or engaging in activities that violate the law.
- b) Creating, storing, viewing or transmitting information which is fraudulent, harassing, embarrassing, sexually explicit, obscene, or defamatory.
- c) Participating in any activity which constitutes harassment under the Village of Saltaire Harassment Policy or under state or federal law or regulations.
- d) Reading, deleting, copying or modifying e-mail messages sent to others without their permission.
- e) Promoting political or religious positions.
- f) Operating a personal business, or any use for personal gain.
- g) Using or installing any software or peripheral equipment not approved in advance by the System Administrator.
- h) Engaging in any activity which would compromise the security of the Village of Saltaire network and computer resources such as any attempt to harm or destroy data through the upload or creation of computer viruses, hacking, monitoring or using systems without authorization.

Security:

Security is a high priority and the following must be adhered to:

- a) Do not use another individual's account.
- b) Do not give your password to any other individual.
- c) Attempts to log into the network as any other user will result in cancellation of user privileges.
- d) Any user identified as a security risk may be denied access to the Village of Saltaire computer resources.

Village of Saltaire Rights:

- a) The Village of Saltaire retains the right to monitor employees' use of Computer Resources (including computers, the Internet and e-mail) to assure compliance with applicable laws, rules and regulations, as well as the Village of Saltaire's Use Policy. This includes, but is not limited to, accessing stored information, reviewing logs of incoming and outgoing information and messages, as well as the content of that information. There can thus be no expectation of privacy with respect to an employee's use of the Internet.
- b) The Village of Saltaire through the System Administrator, reserves the right to record the location of all Internet sites accessed by users.
- c) The Village of Saltaire through the System Administrator, reserves the right to block access to or from any Internet resources.
- d) The Village of Saltaire will not be responsible for any damages. This includes but is not limited to the loss of data resulting from delays, non-deliveries, viruses or service interruptions. Use of any information obtained is at the user's risk. Any computer connected to the Village of Saltaire's network should have anti-virus software installed.

CODE OF ETHICS

Definitions

APPEAR -- The term appear shall mean to appear in a professional or agency capacity for another person or party before any Board or Agency of the Village.

EMPLOYEE -- The term employee shall mean any person working for the Village for wages or salary which are subject to the withholding of taxes or any independent contractor who is given employee status for the purpose of this local law by a resolution duly adopted by the Board of Trustees.

MEMBER OF HOUSEHOLD -- The term member of household shall mean any person who on a regular basis resides or occupies a house in the Village of Saltaire owned or occupied by an officer or employee, excluding a person other than a relative of such officer or employee who occupies such house pursuant to a bona fide written lease.

OFFICER -- The term officer shall mean the Mayor, and or a Trustee, and any member of the Board of Zoning Appeals, Planning Board, or other duly appointed or elected member of a Board as provided for in the Village Code or other law of the State of New York, and any duly appointed Commissioner, Treasurer, Clerk or Inspector, and such other officers, including deputies, as the Board of Trustees shall appoint or determine.

RELATIVE -- The term relative shall mean any person who is a spouse, brother, sister, parent or step-parent, child or step-child, grandchild, grandparent or step-grandparent, or the spouse of any of the foregoing, of an officer or employee.

General Prohibition

An officer or employee of the Village of Saltaire shall not use his or her official position or office, or take or fail to take any action, including an opportunity he or she knows or as reason to know, is otherwise available to or sought by the Village, in a manner which he or she knows or has reason to know may result in a financial or other personal benefit or for any of the following persons:

- (a). The officer or employee;
- (b). His or her outside employer or business;
- (c). A member of his or her household;
- (d). A customer, client or other business associate of the officer or employee; or
- (e). A relative of the officer or employee.

Recusal

An officer or employee shall promptly recuse himself or herself from acting on a matter before the Village when acting on the matter, or failing to act on the matter, may financially or otherwise personally benefit any of the persons listed in subdivision 2. of this section, and shall give notice of the reason for the recusal in accordance with subdivision 12. of this section.

Gifts

An officer or employee shall not solicit a gift having a value of \$75.00 or more, whether in the form of money, service or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her, or could reasonably be expected to influence him or her, in the performance of his or her official duties or was intended as a reward for any specific action on his or her part from any person who is seeking a financial or other personal benefit from the Village, nor shall an officer or employee accept such a gift from any

person who the officer or employee knows or has reason to know has received a financial or other personal benefit from the Village within the prior twelve (12) months.

Representation

An officer or employee shall not represent any person in any matter that such person has before the Village nor represent any person in any matter against the interests of the Village, except on his or her own behalf or on behalf of a member of his or her household.

Appearance

An officer or employee shall not appear before any agency of the Village, except on his or her own behalf or on behalf of a member of his or her household or on behalf of the Village.

Confidential Information

An officer or employee and a former officer or employee shall not disclose any confidential information with respect to property, personnel, medical information of another person, any information in violation of the Health Insurance Portability and Accountability Act, all other affairs of government of the Village and all of its departments learned in the course of his or her service or employment with the Village, except to the extent required as part of his or her service or employment, and shall not use such information to further his or hers or any other person's or entity's financial or other personal interests.

Political Solicitation

An officer or employee shall not knowingly request or knowingly authorize anyone else to request any subordinate of the officer or employee to participate in an election campaign or contribute to a candidate for election to a Village office.

Revolving Door

An officer or employee shall not appear or practice before the Village, except on his or her own behalf, or on behalf of a member of his or her household or on behalf of the Village, and shall not receive compensation or other personal benefits from third parties for working on any matter before the Village, for a period of one year after the termination of his or her Village service or employment.

Avoidance of Conflicts

An officer or employee shall not knowingly acquire, solicit, negotiate for or accept any interest, employment or other thing of value which would put him or her in violation of or create the appearance of a violation of this Code of Ethics.

Inducement of Others

An officer or employee shall not induce or aid another officer or employee to violate any of the provisions of this Code of Ethics.

Transactional Disclosure

Whenever an officer or employee is required to recuse himself or herself under this Code of Ethics or as otherwise required by law, he or she shall promptly inform his or her superior, if any, and shall promptly file with the Village Clerk a signed statement disclosing the nature and extent of the prohibited action, or, if a member of a board, shall state that information upon the public record of the board, and shall immediately refrain from participating further in the matter.

General Exception

This Code shall not be construed to prohibit an officer or employee from accepting or receiving any financial or other personal benefit that is generally provided for or made available to residents or other persons in the Village, nor to prohibit receiving payment of lawful compensation and related expenses.

FLU, COVID-19 AND RESPIRATORY DISEASE GUIDELINES

CDC Executive summary

The 2023-2024 fall and winter virus season, four years since the start of the COVID-19 pandemic, provided ongoing evidence of the changing face of respiratory diseases. COVID-19 remains an important public health threat, but it is no longer the emergency that it once was, and its health impacts increasingly resemble those of other respiratory viral illnesses, including influenza and RSV. This reality enables CDC to provide updated guidance proportionate to the current level of risk COVID-19 poses while balancing other critical health and societal needs. Key drivers and indicators of the reduction in threat from COVID-19 include:

- **Due to the effectiveness of protective tools and high degree of population immunity, there are now fewer hospitalizations and deaths due to COVID-19.**
- **Protective tools, like vaccines and treatments, that decrease risk of COVID-19 disease (particularly severe disease) are now widely available.**
- **There is a high degree of population immunity against COVID-19.**

As the threat from COVID-19 becomes more similar to that of other common respiratory viruses, CDC is issuing Respiratory Virus Guidance, rather than additional virus-specific guidance.

This brings a unified, practical approach to addressing risk from a range of common respiratory viral illnesses, such as influenza and RSV, that have similar routes of transmission and symptoms and similar prevention strategies. The updated guidance on steps to prevent spread when you are sick particularly reflects the key reality that many people with respiratory virus symptoms do not know the specific virus they are infected with. Importantly, states and countries that have already shortened recommended isolation times have not seen increased hospitalizations or deaths related to COVID-19. Although increasingly similar to other respiratory viruses, some differences remain, such as the risk of post-COVID conditions.

CDC will continue to evaluate available evidence to ensure the recommendations in the guidance provide the intended protection. This includes monitoring data to identify and model patterns in respiratory virus transmission, severity, hospitalizations, deaths, virus evolution, and Long COVID. In addition, CDC continues to make systems-level investments to protect the American public. Examples include measuring and enhancing effectiveness and uptake of vaccines and antiviral treatments, particularly for those at increased risk for severe disease; integrating healthcare and public health systems to prevent, identify, and respond to emerging public health threats more rapidly; and strengthening partnerships across sectors to ensure a strong public health infrastructure.

Core prevention strategies

Each year, respiratory viruses are responsible for millions of illnesses and thousands of hospitalizations and deaths in the United States. In addition to the virus that causes COVID-19, there are many other types of respiratory viruses, including flu and respiratory syncytial virus (RSV). The good news is there are actions you can take to help protect yourself and others from health risks caused by respiratory viruses.

Prevention Strategies

CDC recommends that all people use core prevention strategies. These are important steps you can take to protect yourself and others:

- Stay up to date with immunizations
- Practice good hygiene (practices that improve cleanliness)
- Take steps for cleaner air
- When you may have a respiratory virus:
 - Use precautions to prevent spread
 - Seek health care promptly for testing and/or treatment if you have risk factors for severe illness; treatment may help lower your risk of severe illness

When you may have a respiratory virus:

Stay home and away from others (including people you live with who are not sick) if you have respiratory virus symptoms that aren't better explained by another cause. These symptoms can include fever, chills, fatigue, cough, runny nose, and headache, among others.

- You can go back to your normal activities when, for at least 24 hours, both are true:
 - Your symptoms are getting better overall, **and**
 - You have not had a fever (and are not using fever-reducing medication).
- When you go back to your normal activities, take added precaution over the next 5 days, such as taking additional steps for cleaner air, hygiene, masks, physical distancing, and/or testing when you will be around other people indoors.
 - Keep in mind that you may still be able to spread the virus that made you sick, even if you are feeling better. You are likely to be less contagious at this time, depending on factors like how long you were sick or how sick you were.
 - If you develop a fever or you start to feel worse after you have gone back to normal activities, stay home and away from others again until, for at least 24 hours, both are true: your symptoms are improving overall, and you have not had a fever (and are not using fever-reducing medication). Then take added precaution for the next 5 days.

Additional prevention strategies you can choose to further protect yourself and others include:

- Masks
- Physical distancing
- Tests

Key Times for Prevention

All of the prevention strategies described in this guidance can be helpful to reduce risk. They are especially helpful when:

- Respiratory viruses are causing a lot of illness in your community.
- You or the people around you were recently exposed to a respiratory virus, are sick, or are recovering.
- You or the people around you have risk factors for severe illness.
- You may not be aware of the things that can make others more vulnerable to serious illness. Using the core prevention strategies will provide a degree of protection regardless. If you are unsure about the health condition or risk status of those around you, the most protective option is choosing to use additional prevention strategies, like masking, physical distancing, and testing.

New York COVID-19 Vaccination Leave

- Sufficient period of time, not to exceed four hours of leave per dose (including boosters) to be vaccinated for COVID-19.
- Paid leave with no change to leave accruals.
- Discrimination or retaliation is prohibited.

**INCORPORATED VILLAGE OF SALTAIRE
EMPLOYEE PROPRIETARY INFORMATION AGREEMENT**

In consideration and as a condition of my employment, or continuing employment, by the Incorporated Village of Saltaire (the "Village"), and the compensation paid therefore:

1. Confidentiality. I agree to keep confidential, except as the Village may otherwise consent in writing, and not to disclose, or make any use of except for the benefit of the Village, at any time either during or subsequent to my employment, confidential information, knowledge, data, private medical records, or other information of the Village on any subject matter pertaining to any business of the Village or any of its citizens, which I may produce, obtain or otherwise acquire during the course of my employment, except as herein provided.
2. Conflicting Employment Return of Confidential Material. I agree that during my employment with the Village, I will not engage in any other employment, occupation, consulting or other activity-which would otherwise conflict with my obligations to the Village. In the event of my termination of employment with the Village for any reason whatsoever, I agree to promptly surrender and deliver to the Village all records, materials, equipment, drawings and data of any nature pertaining to any confidential information of the Village or to my employment, and I will not take with me any description containing or pertaining to any confidential information, knowledge or data of the Village which I may produce or obtain during the course of my employment.
3. Maintenance of Records. I agree to keep and maintain adequate and current written records; which records shall be available to and remain the sole property of the Village at all times.
4. Modification. This Agreement may not be changed, modified, released, discharged, abandoned, or otherwise amended, in whole or in part, except by an instrument in writing, signed by me and the Village. I agree that any subsequent change or changes in my duties, salary or compensation shall not affect the validity or scope of this Agreement.
5. Entire Agreement. I acknowledge receipt of this Agreement, and agree that with respect to the subject matter thereof it is my entire agreement with the Village, superseding any previous oral or written communications, representations, understandings, or agreements with the Village or any officer or representative thereof.
6. Severability. In the event that any paragraph or provision of this Agreement shall be held to be illegal or unenforceable, such paragraph or provision shall be severed from this Agreement and the entire agreement shall not fail on account thereof, but shall otherwise remain in full force and effect.
7. Successors and Assigns. This Agreement shall be binding upon my heirs, executors, administrators or other legal representatives and is for the benefit of the Village, its successors and assigns.
8. Governing Law. This Agreement shall be governed by the laws of the State of New York.
9. Counterparts. This Agreement shall be signed in two counterparts, each of which shall be deemed an original and both of which shall together constitute one agreement.

Dated: _____

Accepted and Agreed:

Incorporated Village of Saltaire

By: _____

By: _____

Signature of Employee

Printed Name and Position

Printed Name and Position

Note: Copy of executed Agreement will be returned to Employee for placement in Employee Handbook.

**INCORPORATED VILLAGE OF SALTAIRE
EMPLOYEE HANDBOOK AND OTHER ACKNOWLEDGMENTS**

Your employment with the Village of Saltaire is for seasonal/temporary employment only. The start, duration and amount of hours for your seasonal employment is at the discretion of the Department Supervisor based on his/her determination of the best allocation of the available staff to meet the seasonal or temporary needs of the Department; but in no case shall the start date of your employment commence before (i) all annually required applications forms have been submitted and approved by Village Administration, (ii) completion of all annually required PESH training (for which you will be paid 3 hours pay for completion regardless of whether you are offered employment) and employee training as approved by Village Administration, and (iii) you have received a confirmed date to start from your Department Supervisor. It is not expected that your seasonal employment will extend beyond September 15 of this year, and your employment could end sooner based on the Department Supervisor's discretion. Your start of employment this year does not in any way guarantee your employment throughout this season or in any future year.

The Village of Saltaire is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without being subjected to harassment or discrimination in the workplace. It is the Village of Saltaire's policy to provide a workplace environment free from harassment and discriminatory practices.

The Village of Saltaire has adopted and disseminated a Policy Against Discrimination and Harassment, as part of the Handbook. Please sign the below acknowledgement that you have a copy of the Policy, have reviewed it, and have been afforded an opportunity to ask a Municipality Compliance Officer any questions you may have regarding the Policy. If you have any further questions regarding this Policy, feel free to contact the Village Administrator.

Your employment with the Village is predicated on your compliance with the Saltaire Employee Handbook, which can be found here: <https://www.saltaire.org/emplyhbook.pdf>, for information and immediate reference. You may request a hard copy of these documents at any time from your Department Supervisor or the Village Administration. Read them carefully and completely. Policies included in this Handbook and SOGs are subject to unilateral change by the Village from time to time. Such changes will be in writing issued by the Village.

**ACKNOWLEDGEMENTS OF RECEIPT OF MUNICIPALITY'S POLICY AGAINST DISCRIMINATION
AND
HARASSMENT AND RECEIPT OF THE SALTAIRE EMPLOYEE HANDBOOK**

I have received the Municipality's Policy Against Discrimination and Harassment. I have reviewed this Policy, and I have had the opportunity to ask questions regarding the Policy; and I have read and understand the most current NYSDOH COVID-19 requirements and will advise my supervisor or the Village Administrator at office@saltaire.org if I believe that I am required to quarantine or isolate based on that DOH Guidance.

Date

Signature of Employee

By signing below, you acknowledge and attest that you have successfully opened the link to the Employee Handbook herein, or had received a hard copy, and that you received, read and understood the most current NYSDOH COVID-19 requirements, and had access and opportunity to read both completely and to ask questions of your Department Supervisor or the Village Administration. I also acknowledge that I have been advised that I have the opportunity to join the NY State Retirement System at any time, even if I have previously declined, by contacting the Village office. If the potential employee is under the age of 18 at the time of execution of this document, a parent or legal guardian MUST also sign the Acknowledgment in addition to the Applicant.

For All Applicants

Date

Signature of Employee

Printed Name of Employee

For Applicants 18 and under ONLY

Date

Signature of Parent or
Guardian

Printed Name and Relationship

You must return the above signed acknowledgements, along with all other required application documents, to the Village Office PRIOR to the start date assigned to you by the Department Supervisor.

**INCORPORATED VILLAGE OF SALTAIRE
EMPLOYEE MEDICAL AND DENTAL INSURANCE ACCEPTANCE/DECLINE FORM**

I, _____, understand that I am entitled to medical and dental
Employee Name

insurance coverage for me and my family, if applicable, as a full-time employee of the Village of Saltaire according to the terms and conditions outlined in the Employee Handbook, which I have previously acknowledged and accepted. I choose the following options:

Medical Insurance:

- I accept individual coverage
- I accept family coverage
- I decline individual coverage*
- I decline family coverage*

** See below*

*I decline to be enrolled in the medical coverage offered by the Village of Saltaire for me and my eligible dependents, if applicable, and assume all costs and responsibilities to myself for medical coverage to the extent that I wish to provide it. I make this election of my own free will and accord, and I have been advised that if I choose not to elect declination of medical insurance, that the Village will provide medical coverage according to the terms and conditions of the Employee Handbook, and if I choose declination of medical insurance that I am entitled to monetary compensation according to the terms and conditions of the Employee Handbook.

I understand that when I opt to decline health insurance with the New York State Health Insurance Program, I and my dependents may be subject to certain applicable waiting periods if we decide to enroll at a later date, and that I may be forfeiting the right of such coverage into retirement. I also understand that I will be responsible for all payroll taxes for any monetary compensation paid to me according to the terms of the employee handbook for any employee who declines coverage.

Dental Insurance

- I accept individual coverage
- I accept coverage for myself and my spouse
- I accept coverage for my family
- I decline coverage*

**See below*

*I decline to be enrolled in the dental coverage offered by the Village of Saltaire for me and my eligible dependents, if applicable, and assume all costs and responsibilities to myself for dental coverage to the extent that I wish to provide it. I make this election of my own free will and accord, and I have been advised that if I choose not to elect declination of dental insurance, that the Village will provide dental coverage according to the terms and conditions of the Employee Handbook, and if I choose declination of dental insurance that I am entitled to monetary compensation according to the terms and conditions of the Employee Handbook.

By signing below, and executing form PS-403, if exercising the declination option C on form PS-503.1, regarding my decisions about dental and health insurance offered by the Village of Saltaire, accept all terms of the policy of the Village of Saltaire for declination of coverage in the Employee Handbook, and will indemnify and hold harmless the Village of Saltaire against any and all claims and/or liabilities, including fees, that may arise out of, or be reason of, action taken or not taken by the Village for the purpose of my electing to decline coverage.

Employee Name & Social Security Number

Date

Employee Signature

**VILLAGE OF SALTAIRE
COMPLAINT FORM**

*In order to assist the **Village of Saltaire** in investigating your allegations of harassment, discrimination or retaliation in a prompt and thorough fashion, please complete this form to the best of your abilities and with as much detail as you are able. Once completed, please submit this form to a Municipal Compliance Officer identified in Section 11 of the Municipal Policy Against Discrimination and Harassment. If additional space is needed in order to respond to any question below, please attach additional pages as necessary and identify which question corresponds to the information set forth in the additional pages. Any questions regarding this form may be directed to a Municipal Compliance Officer. No individual will be retaliated against for filing a complaint.*

Name of Complainant: _____ Date Submitted: _____

Job Title: _____

Address: _____

Home phone: _____ Cell: _____ Work: _____
(Please circle the number you'd prefer us to call)

Email: _____

Name of Victim (if different than Complainant): _____

Basis of this complaint (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Race/color | <input type="checkbox"/> Gender expression |
| <input type="checkbox"/> Age | <input type="checkbox"/> Gender identity |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Transgender status |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Genetic predisposition |
| <input type="checkbox"/> Sex/gender | <input type="checkbox"/> Military/veteran status |
| <input type="checkbox"/> Sexual harassment | <input type="checkbox"/> Citizenship |
| <input type="checkbox"/> Pregnancy | <input type="checkbox"/> Religion/Religious creed |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Domestic violence victim status |
| <input type="checkbox"/> Familial Status | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Sexual orientation | <input type="checkbox"/> Other/Not Sure |

If checked "Other/Not Sure," please briefly explain:

Time(s) and date(s) the incident(s) took place:

Name(s) and office address of the individual who allegedly engaged in the harassment, discrimination or retaliation. If more than one, list all.

Name: _____

Location: _____

Describe the incident(s) which occurred with as much detail as you are able, including why you believe the incident(s) constitutes harassment, discrimination or retaliation (please attach any documentation or evidence you believe is relevant to the incident):

Describe briefly what you would consider to be appropriate resolution of the conduct described above: (Please note that the **Village of Saltaire** retains the sole discretion and authority to determine the appropriate disciplinary and/or corrective action to be taken with regard to meritorious complaints. This question should not be construed in any way to constitute a forfeiture of that discretion or authority.)

Identify all persons who witnessed the incident(s) described above:

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

Please identify any other persons you believe have knowledge important to the incident(s) in question, including his/her contact information and a brief description of the knowledge held by each person:

Have you filed a complaint or charge with a Federal, State, or Local Government agency related to the incident(s) identified above?

Yes _____ No _____

Has this incident or occurrence been previously reported to **[employer name]**?

Y N. If yes, when and to whom?

If the incident or occurrence has been previously reported, please describe the remedy, outcome or resolution:

I swear or affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

Complainant's Signature

Date

Received by:

Signature

Date

Print Name:

For Employer Use Only – To be Completed Upon Receipt

Recipient of Complaint (print): _____

Date, Time and Manner (e.g. personal delivery, mailbox, etc.) of Receipt: _____

Notes: _____



ORGANIZATIONAL CHART – 2024-25

