



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

EMPLOYEE HANDBOOK & PERSONNEL POLICY

FRANKLIN COUNTY FAMILY YMCA

Rocky Mount YMCA

Smith Mountain Lake YMCA

Ferrum YMCA

Land of Wonder Preschool

SAFE Before & After School

Franklin County Family YMCA Camp

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1. ADMINISTRATION

- a. The Board of Directors of the YMCA employs the President/CEO, who is the Chief Executive Officer, who in turn, delegates responsibility for the overall administration and interpretation of this adopted manual. The direct administration of the handbook and the supervision of staff are the responsibility of the President/CEO. However, these may also be delegated to designated representative(s), where appropriate.

2. INTERPRETATION

- a. All matters pertaining to the interpretation of this handbook are referred to the President/CEO or the designated representative(s). Nothing contained in this handbook is intended to create a contract (express or implied).

3. REVIEW

- a. This handbook will be reviewed on an as needed basis; but may be changed at any time upon approval of the YMCA's Board of Directors. It does not preempt or replace applicable laws; however, effective on approval, this Policy does supersede and replace all previously existing YMCA policies, manuals and handbooks (written or unwritten).

4. COVERAGE

- a. Policy Coverage
 - i. All employees of the YMCA are covered by this Policy. Failure to adhere to these policies may result in disciplinary action up to and including discharge.

5. DEFINITION OF EMPLOYMENT STATUS

- a. The YMCA uses the following classifications as a basis for its payroll system and for the purpose of describing and reviewing policies:
 - i. Employment Classifications
 - 1. Salaried Exempt Full-time Employees are paid on a salaried basis and whose job duties fall within a category specifically exempt from overtime as defined by the Federal Fair Labor Standards Act (FLSA). Exempt employees are not eligible for overtime pay when they work more than 40 hours in a workweek.
 - 2. Non-exempt Full-time Employees are those persons who are regularly scheduled to work 40 hours or more each week and are typically paid on an hourly basis. Non-exempt employees are paid overtime in accordance with applicable law when the hours they actually work exceed 40 hours in a workweek.
 - 3. Part-time Employees are those persons who are employed to work less than 40 hours per week; and may or may not be regularly scheduled.
 - 4. Seasonal or Temporary Employees are those persons who are employed for a defined period of six months or less regardless of the number of hours worked per week.
 - 5. Government-Funded Projects/Program Employees: The YMCA operates a variety of programs, which are contracted for a specific period of time. As such, the employee will usually be considered an Association employee, will be listed on the payroll and will receive all benefits as prescribed in this Policy, except as expressly prohibited by the contract.

6. EMPLOYMENT

a. Employment Policy

- i. The YMCA strives to select personnel who meet the necessary job standards, who can effectively advance the objectives of the YMCA, who have the capacity for personal and professional growth, and who can become a viable part of the organization.
- ii. The YMCA is an at-will employer. Either the employee or the YMCA may terminate the employment relationship at any time for any reason, with or without cause or notice. Employment with the YMCA is not guaranteed for any specific term or period.

b. Official Employer

- i. All persons covered by the provisions of this handbook are employees of the Franklin County Family YMCA and are subject to all policies established by the Board of Directors and President/CEO.

c. Qualification

- i. Employees shall be persons who possess the appropriate knowledge, skills and abilities required in their fields of work. Since the purpose of the YMCA is to serve the needs of society and the individuals within it, employees must possess a cooperative spirit and hold the good will of their associates, the members they serve and the public.

d. Employment Procedures

- i. The Board of Directors employs the President/CEO who is the Chief Executive Officer who in turn employs all other staff. The President/CEO may delegate employment responsibility and authority.

e. Open Application

- i. The YMCA will strive to provide the opportunity for promotion from within the organization whenever possible. However, it also supports and participates in the YMCA of the USA's open application process for employment whereby any individual may apply for any position.

f. Criminal History Checks

- i. Satisfactory criminal history check and a Sworn Disclosure Statement may be required as a condition of employment depending on the position.

g. Equal Employment Opportunity Statement

- i. The Franklin County Family YMCA provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, pregnancy, national origin, age, disability, genetic information, marital status, sexual orientation, or status as a protected veteran in accordance with applicable federal, state and local laws. The Franklin County Family YMCA complies with applicable federal, state, and local laws governing nondiscrimination in employment, including all terms and conditions of employment as well as recruitment, hiring, compensation, promotion, job assignments, transfers, demotions, training, leaves of absence, layoff, benefits, use of facilities, termination, and employer-sponsored activities, including social and recreational programs.
- ii. If you need a workplace accommodation for your religious beliefs, for a disability or for a pregnancy-related impairment, please speak with your supervisor or Branch Executive or Operations Director. The Y strives to create a respectful workplace and engaging in any act which unlawfully discriminates against another employee will not be tolerated. If you have related

questions, complaints, or comments, you should contact the Supervisor.

h. Immigration Law Compliance

- i. The Franklin County Family YMCA is committed to employing only United States citizens and individuals who are legally authorized to work in the United States. We do not unlawfully discriminate on the basis of citizenship or national origin.
- ii. In order for us to comply with the Immigration Reform and Control Act of 1986, all new employees, as a condition of employment, must complete Form I-9 and provide required documentation that establishes their identity and eligibility for employment.

i. The Americans with Disabilities Act (ADA)

- i. The YMCA's policy and practice is to comply with the Americans with Disabilities Act and ensure equal employment opportunity for all qualified individuals with a physical or mental disability.
- ii. Reasonable accommodation will be available to all employees and applicants, including work site accessibility, as long as the accommodation doesn't cause undue hardship on the YMCA or pose a safety risk to the employee or to others.
- iii. In connection with any request for an accommodation by an employee with a disability, the employee and his/her healthcare providers may need to engage in an interactive process with the YMCA to determine whether an accommodation is required, and if so, what options are reasonably available to address the employee's specific needs.
- iv. All medical information about an employee shall be maintained separately from all other employee records and shall be released only to those with a legitimate need to know or as otherwise authorized by law.

- j. Voluntary Contributions
 - i. All employees are encouraged to support the Association's philanthropic interests, such as the Annual Campaign. Participation is wholly voluntary but encouraged in the spirit of our mission. Refusal to participate will not result in adverse employment action.
- k. Employment of Minors
 - i. The YMCA operates in accordance with the requirements of the Federal Fair Labor Standards Act and the applicable laws and regulations of the Commonwealth of Virginia regarding the employment of minors.

7. CONDITIONS ON THE JOB

- a. Hours of Work
 - ii. Immediate supervisors are responsible for the preparation, supervision, and approval of the work schedule for the employees they supervise. Applicable laws and needs of the YMCA govern all such scheduling. A supervisor must approve overtime hours worked in advance for non-exempt employees. Non-exempt employees who work overtime without their supervisor's prior approval may be subject to disciplinary action. The official workweek is from Sunday at 12:00AM to Saturday at 11:59PM.
- b. Exempt Employees
 - i. Work schedules of exempt staff members are based on a standard 40-hour workweek. Often, the regular number of hours or days worked per week by these staff members does not follow a prescribed schedule and therefore, in consultation with the immediate supervisor, these staff members determine their schedules as they relate to the accomplishment of their job responsibilities.

c. Non-exempt Employees

- i. The normal workweek is 40 hours for full-time non-exempt employees. Any and all hours worked beyond 40 hours in a workweek are considered overtime. Employees who work for multiple locations or charge their time to multiple accounts are responsible for reporting to their supervisor when they have reached 40 hours of work in one week. Overtime must be pre-approved by the employee's supervisor.

d. Overtime

- i. Non-exempt employees will receive overtime pay in accordance with applicable law for all hours worked over 40 hours in any given work week. For purposes of overtime calculations, hours paid for time off for any reason whatsoever such as holidays, sick, vacation, or other causes will not be deemed hours worked.

e. Time Recording Policy

- i. All non-exempt staff members are required to report all hours worked by clocking in and out. The employee is to record their start time, time in and out for breaks, and quitting time. All entries require the approval of the employee's immediate supervisor. No employee who is required to report his/her hours is permitted to work off the clock.
- ii. Hours worked for each day must be recorded to the minute.
- iii. Employees must approve their time at the end of each pay period. Excessive failures to clock in or out may result in disciplinary action.
- iv. If an employee forgets to clock in or clock out at the appropriate time, the employee must get their immediate supervisor to record their time, as soon as possible afterwards. Only the employee and/or the employee's supervisor are permitted to record the time worked.

- v. Supervisors must approve hours worked for all days worked for the employees they supervise.
- vi. If an employee has a question concerning his/her time record, the employee should discuss the matter with his/her supervisor.
- vii. Any time card falsification by an employee can result in a verbal warning, a written warning or termination of employment at the discretion of the YMCA.

f. Attendance and Absences

- i. All employees are essential to fulfilling our mission of service to members, guests and the public. The YMCA expects you to follow your designated work schedule and to be punctual. Punctual means that you are at your workstation ready to work at the start of your work schedule and that you remain on the job until the end of the schedule. If you are unable to report to work or will be late, you must speak directly to your supervisor at least 2 hours prior to your scheduled start time, so that your work can be covered. You may be required to obtain a substitute. An employee who fails to report for work or to call in for three days is considered to have resigned and employment will be terminated as of the last day worked by the employee.

g. Payroll Records

- i. Payroll and time records of all employees will be maintained to meet reporting requirements of applicable federal and state regulations. Both the employee and supervisor are held accountable for the accuracy of time records, which reflect the exact hours and days worked.

h. Pay Days

- i. Salaried Employees: Paid semi-monthly on the 8th and 22nd.
- ii. Hourly Employees: Paid bi-weekly on Friday.

iii. **Group Exercise Employees: Paid bi-weekly on Friday.**

- iv. When the pay day falls on the weekend, paychecks are typically able to be picked up on the Friday preceding the weekend.

i. **Deductions from Gross Pay**

- i. The employee must authorize any deductions in writing (other than legally required deductions or deductions from insurance premiums). All deductions will be itemized on the employee's pay stub.
- ii. If you feel that you were not paid the proper amount for any period, that an improper deduction has been made from your pay, or have any other concern regarding your pay, you should report it immediately. Please do not assume that the organization is aware of the action. To this end, employees are expected to report any pay discrepancies or concerns within five (5) business days of receipt of any check or payment so that the YMCA can promptly review the matter.
- iii. Concerns, questions or complains should be brought to the immediate attention of your supervisor, the Branch Executive or Operations Director. Any such concerns, questions or complaints may be lodged without fear of any retaliation from the organization.
- iv. The YMCA will promptly investigate all complaints that are received. In the event that it is determined that an improper deduction has been made, the YMCA will promptly correct the error and take steps to ensure that similar errors are not made in the future.

j. **Personal Expression on Public Issues**

- i. Employment with the YMCA may involve extensive interaction with the public. As a result, YMCA employees may be called upon from time to time to express their personal views on matters of personal conviction, such as social, economic, religious and political subjects.

Employees must ensure that they do not give the impression that their personal views and positions reflect the views of the YMCA. Employees with any questions concerning these matters should speak with the President/CEO.

k. Hazardous Communication

- i. A safe, healthy and environmentally sound work place for all employees is accomplished through a variety of YMCA activities including safety education, training on the use of certain equipment and job instruction.
- ii. Bloodborne Pathogens: The YMCA will comply with all OSHA requirements for the training of staff on Bloodborne Pathogens Standards.

l. Grievances

- i. For the purposes of this policy, a grievance is a complaint or conflict over an alleged violation of an approved personnel policy, procedure or practice, or applicable local, state, or federal law. Any grievance should begin with an employee's immediate supervisor. If the grievance is against the immediate supervisor, the grievance may be taken up the chain-of-command to the supervisor's immediate superior. If not successfully resolved, the grievance may be appealed through the chain-of-command with the final authority resting with the President/CEO. All grievances must be made in writing within ten days of the alleged violation.

m. Harassment Policy

- i. It is the policy of the YMCA to expressly forbid any forms of unlawful harassment of, by or between employees, members, participants, guests, volunteers and/or vendors. The term "unlawful harassment" means unwelcome verbal, physical or visual conduct that may create an intimidating, hostile or offensive working

environment or that interferes with an employee's work performance. This includes, but is not limited to, offensive comments or conduct relating to a person's protected class such as offensive slurs, inappropriate jokes, degrading names, hate words, gestures, images, obscene or offensive email, physical assaults, acts of intimidation, threats of violence, invasion of personal space, unwelcomed flirting, insults, touching or comments about a person's appearance. Such conduct violates this policy when (a) submission to the conduct is made either an explicit or implicit condition of employment; (b) submission or rejection of the conduct is used as the basis for an employment decision; or (c) the conduct interferes with an employee's work performance or creates an intimidating, offensive or hostile work environment.

- ii. Harassment also includes unwelcome sexual advances, request for sexual favors and/or verbal or non-verbal or physical conduct of a sexual nature (or based on any other protected class) when (a) submission to or rejection of this conduct is an explicit or implicit term or condition of employment, (b) is used as the basis for an employment decision, or (c) creates an intimidating, hostile or offensive working environment.
- iii. Violations of this policy are not limited to personal interactions at work. Employees may also violate this policy if they engage in improper conduct while off-duty and not at work. Additionally, employees may violate this policy if they engage in inappropriate conduct based on a person's protected class while using an electronic device or if they post inappropriate content on social media sites.
- iv. Employees who feel that they are being harassed in any way by another employee, member or vendor, should inform their immediate supervisor or the President/CEO. It is the employee's responsibility to let the YMCA know

of his or her concerns by telling their immediate supervisor or President/CEO.

- v. Do not assume that management knows about the situation. Whenever possible, report the complaint/concern before the conduct becomes severe or pervasive.
- vi. The YMCA will investigate all such reports in a prompt, thorough and impartial manner. The identity of the person who reports a complaint, any witness, the target of a complaint and/or any information obtained will be kept confidential to the extent possible consistent with the need for the organization to conduct a thorough and impartial investigation.
- vii. The YMCA will take immediate corrective action if it determines that improper conduct has occurred in violation of this policy. Such action may include suspension or termination of the offender.
- viii. This policy includes not only staff members, but also the staff relationship to members and guests.

n. No Retaliation

- i. The YMCA will not take or permit any adverse action against any person because that person files a report or complaint under this policy or provides information during an investigation. Employees who feel that they have been retaliated against for such activity should immediately contact the CEO or the president of the board of directors.

o. Drug and Substance Abuse

- i. The YMCA is committed to a safe and healthy working environment. We have an obligation to our members, fellow employees and the general public to conduct our operations safely. With these principles in mind, the YMCA is reaffirming its rule prohibiting substance abuse.

- ii. This notice is to reemphasize to our employees (and independent contractors) that substance abuse poses a serious threat to the safety of our employees and to the YMCA's operations. Accordingly, employees are prohibited from reporting to work or working while under the influence of alcohol or illegal or unauthorized drugs.
- iii. The legal use of prescribed or over-the-counter medications is permitted while working only if it does not impair your ability to perform your job duties in a safe and effective manner. Employees have a duty to check with their medical provider to confirm that the use of the prescribed or over-the-counter medication does not adversely affect the employee's ability to safely perform his or her job duties. If the medication poses a safety risk to the employee or others, it is the employee's responsibility to notify his/her supervisor so that appropriate action can be taken.
- iv. Additionally, employees are prohibited from engaging in the unlawful or unauthorized manufacture, distribution, sale or possession of illegal drugs and alcohol on the YMCA premises or in the workplace, including on corporate paid time or while engaged in work-related activities. Employees are also prohibited from consuming alcohol during working hours, including meal and break periods.
- v. The term "YMCA premises" in this notice is used in its broadest sense and includes all land, property, buildings, structures, and vehicles owned or leased by the YMCA, or otherwise being utilized for YMCA business.
- vi. Employees who violate this policy will be subject to disciplinary action up to and including discharge. Independent contractors who violate this policy will not be allowed to perform additional services on behalf of the YMCA.

- vii. To further insure safe and healthy working conditions, the YMCA may request an employee to participate in drug or alcohol testing prior to employment, on a random basis, post-accident, or where there is cause or reasonable suspicion. Employees are required to cooperate with the testing process and sign the consent forms for the results to be provided to the YMCA. The refusal to take the test, provide a proper specimen or sign the necessary forms is a violation of this policy.
- viii. The YMCA also reserves the right to search of all YMCA property as well as any personal effects employees have on YMCA premises. Such inspections may be initiated by the YMCA without prior announcement and may be conducted at such times and locations as deemed appropriate at the sole discretion of the YMCA. Employees who refuse shall be deemed in violation of this policy, which will result in termination of employment. Independent contractors who refuse shall not be permitted to perform further work for the YMCA.
- ix. All information relating to drug or alcohol testing or the identification of persons as users of drugs and alcohol will be protected by the Franklin County Family YMCA as confidential unless otherwise required by law, overriding public health and safety concerns, or authorized in writing by the persons in question.
- x. In a commitment to safeguard the health of our employees, volunteers, participates, members and vendors and to provide a safe working environment for everyone, a Drug-Free Workplace policy has been established.

8. WORKPLACE POLICIES

a. Smoke Free Workplace

- i. Smoking is prohibited in YMCA facilities, vehicles, and on its property.

b. Workplace Violence

- i. The YMCA seeks to provide a safe, secure and violence-free environment for all employees, members, participants, clients, volunteers and guests. This applies to YMCA facilities and all other places at which the YMCA operates its programs and activities. The threat or occurrence of violence in the work place is in direct conflict with the YMCA's mission and values and will not be tolerated. Violence, for this purpose, includes, but is not limited to: physically harming another, shouting, shoving, pushing, harassment, intimidation, coercion, menacing behavior, brandishing weapons, and/or threatening words or behaviors. All employees are responsible for helping maintain a violence-free environment, and therefore, are required to promptly and accurately report incidents, whether or not physical injury has occurred. Employees and volunteers also need to promptly report threats of violence or conversations that imply threats or violence, whether made by staff, members, youth or other individuals. Initially, reports should be made to the supervisor and/or Branch Executive. Workplace violence is considered to be misconduct, and the YMCA will take appropriate actions in response to workplace violence, including termination of employment.

c. Weapons

- i. In addition, the YMCA prohibits the wearing, possession, carrying, transporting, storage, or presence of firearms or other dangerous weapons in our facilities or on our

property. Weapons include not only concealed handguns, but also shotguns, rifles, automatic weapons, semi-automatic weapons or other firearms, martial arts weapons, knives (other than pocket knives).

- ii. Any employee in possession of a firearm or other weapon while on our property or while otherwise fulfilling job responsibilities may face disciplinary action including termination.
- iii. Possession of a valid concealed weapons permit is not an exemption under this policy.

d. Employment of Relatives

- i. "Relatives" include, for this purpose, individuals who are household members or domestic partners or others who may not be related but occupy equivalent roles in the view of the YMCA.
- ii. Relatives by blood, marriage or adoption are not employed in any position within the same branch or office department where one relative supervises another.
- iii. Relatives by blood, marriage or adoption are not employed in any position where one relative is the Coordinator or Director of the department within the same branch.
- iv. Relatives by blood, marriage or adoption are not employed by an operating unit where a relative is a member of the board or committee.
- v. Any exceptions shall be approved by the President/CEO before a job offer is made. In the case of the CEO's family the hire must be approved by the Board of Directors.
- vi. Relatives by blood, marriage or adoption are prohibited from being employed in the same department/site where monetary transactions are processed.

e. Non-Fraternization

- i. Due to the potential for morale, confidentiality and supervisory problems and the appearance of a conflict of interest, the YMCA expects managers to refrain from romantic relationships with employees whom they directly or indirectly supervise. If two employees marry or otherwise become immediate family members or romantically involved, the YMCA expects these employees to resolve the matter of complying with this policy among them. If they cannot, the YMCA may require one or both employees to transfer or resign.
- ii. Failure to fully disclose relationships in a timely manner may be considered misconduct and may result in disciplinary action.

f. Expenses and Allowances

- i. Pre-approved expenses reasonably incurred while on approved YMCA business shall be reimbursed. Receipts must be provided. Such expenses may include:
- ii. Travel expenses, including fares, mileage, meals and lodging.
- iii. Conference and training event expenses, including those related to travel, meals, lodging and registration fees. Original receipts must accompany all requests for reimbursement.
- iv. Membership dues and meals in a service club, professional society (including Association of YMCA Professionals) or community organization where such membership is deemed advantageous to the YMCA's interest.

g. Safety

- i. All employees are to observe the following safety and health rules and to employ the principles of accident prevention on a daily basis.
 - 1. Report job related injuries, illnesses, property damage or hazardous conditions to a supervisor.

2. Seek treatment for injuries promptly.
3. Observe all hazard warnings and caution signs.
4. Use all safety equipment required for your job.
5. Know the location of fire/safety exits and evacuation procedures.
6. Keep all aisles, walkways, working areas, and emergency equipment free from obstacles.
7. Refrain from running, fighting, horseplay or distracting fellow workers.
8. Follow proper lifting procedures at all times.
9. Use seat belts when driving or riding in vehicles while conducting YMCA business.
10. Drive a YMCA vehicle only if properly trained, licensed, and authorized to do so.

h. Child Abuse Prevention

- i. A principal endeavor of the YMCA is to provide a healthy atmosphere for the growth and development of children. Thus, the mistreatment or neglect of children and the resulting severe effects are of primary concern to the YMCA. Abuse can lead to severe emotional, physical, and behavioral problems. If abuse is suspected, staff should notify their supervisor. The supervisor is to notify the proper authorities. If the supervisor does not take appropriate steps, the staff should notify the next higher supervisor or report the abuse directly to the proper authorities themselves.

i. Protecting Against Child Abuse

- i. In order to protect YMCA staff, volunteers, and program participants at no time during a YMCA program may a staff person be alone with a single child where others cannot observe them. As staff supervise children, they should space themselves in a way that other staff can see them.
- ii. Staff shall never leave a child unsupervised.

- iii. Restroom supervision: Staff will make sure suspicious or unknown individuals do not occupy the restroom before allowing children to use the facilities. Staff will stand in the doorway while children are using the restroom. This policy allows privacy for the children and protection for the staff (not being alone with a child). If staff are assisting younger children, doors to the facility must remain open. No child regardless of age should ever enter a bathroom alone on a field trip. Always send children in pairs, and with a staff member.
- iv. Staff should conduct or supervise private activities in pairs especially when diapering, putting on bathing suits, taking showers, etc. When this is not feasible, staff should be positioned so that they are visible to others.
- v. Staff shall not abuse children including: Physical abuse-strike, spank, shake, slap; Verbal abuse-humiliate, degrade, threaten; Sexual abuse-inappropriate touch or verbal exchange; Mental abuse-shaming, withholding love, and cruelty; Neglect-withholding food, water, basic care, etc. Any type of abuse will not be tolerated and may be cause for immediate dismissal.
- vi. Staff must use positive techniques of guidance, including redirection, positive reinforcement and encouragement rather than competition, comparison and criticism. Staff will have age appropriate expectations and set up guidelines and environments that minimize the need for discipline. Physical restraint is used only in pre-determined situations (necessary to protect the child or other children from harm), is only administered in a prescribed manner and must be documented in writing.
- vii. Staff will conduct a health check of each child, each day, as they enter the program, noting any fever, bumps, bruises, burns, etc.

- viii. Questions or comments will be addressed to the parent or child in a non-threatening way. Any questionable marks or responses will be documented.
 - ix. Staff will respond to children with respect and consideration and treat all children equally regardless of sex, race, religion, or culture.
 - x. Staff will respect children's rights to not be touched in ways that make them feel uncomfortable, and their right to say no. Other than diapering, children are not to be touched in areas of their bodies that would be covered by a bathing suit.
- j. Reporting Child Abuse
- i. All employees of the YMCA must report suspected or actual abuse immediately to the CEO or Childcare Director, or to Franklin County CPS: 540-483-9247. Suspected abuse can be observed, told or overheard.
 - ii. If a staff person(s) and/or volunteer(s) is named in a suspected case of child abuse, notify the Child Care Directors or CEO immediately.
 - iii. Any staff member or volunteer named in a suspected case will be suspended during the investigation process at the discretion of the President/CEO.
 - iv. Do not discuss any details about the suspected abuse with anyone other than appropriate YMCA management staff, law enforcement representatives, YMCA legal and insurance representatives or other investigative county or state agencies.
 - v. All media inquiries regarding the position of the YMCA shall be directed to the CEO.

(Read Appendix 1: Child Abuse and Neglect State Statutes, Reporting Laws, and Definitions of Child Abuse and Neglect)

k. Parking:

- i. All employees should park in designated areas away from the main entrance. Spaces closest to the building are reserved for members and guests. Parking outside the designated area is prohibited unless medically or physically necessary.

l. Bad Weather Time Off:

- i. Unless the facility is officially closed due to threatening weather conditions, employees are expected to come to work. Non-exempt employees have the option to use a day of vacation leave (if eligible) or lose a day of pay if they choose to stay home. Sufficient notice to the supervisor must be given.

m. Operation of Vehicles

- i. Vehicles owned, operated, or under the control of the Y are to be used only for Y business purposes. No personal use is allowed. YMCA vehicles are to be routinely inspected and properly maintained to ensure safety. Employees must report any needed repair work in a timely manner.
- ii. Employees may drive a Y vehicle only if employees are properly trained, licensed, have completed the required Driving Record Request Form, and are authorized to do so. While driving, employees are required to drive in a safe and reliable manner and adhere to state laws. When driving or riding in any Y vehicle or when driving employees' own vehicle on Y business, employees and all passengers are required to use seat belts. Employees will never operate a vehicle under the influence of drugs or alcohol, including prescription and over-the-counter drugs that may affect their ability to safely operate a vehicle.
- iii. Employees using their personal vehicles for authorized Y business must possess a valid driver's license in good standing. Mileage is reimbursed at the declared mileage rate for that year while on Y business.

- iv. Employees may not use mobile communication devices (e.g., mobile phones) while driving a vehicle for the Y. If employees need to contact someone, employees are expected to safely park before doing so. This applies to making or receiving calls, texting, emailing, etc.
- v. There is never a proper reason for an employee to engage in text messaging when driving and such conduct is prohibited.
- vi. Under no circumstances are any employees expected to or allowed to place themselves or others at risk when driving in order to fulfill a business need.
- vii. Tickets for traffic violations are the responsibility of the employee.
- viii. All violations received while operating a YMCA vehicle or while working must be reported as soon as possible but no later than 24 hours after receipt of violation. Tickets for traffic violations are the responsibility of the employee. DMV driving records are reviewed when hired and on an annual basis.

n. Conflict of Interest

- i. Employees should avoid any situation that involves or may involve a conflict between their personal interest and the interests of the Y. As in all other duties, employees dealing with members, vendors, contractors, competitors, or any person doing or seeking to do business with the Y are to act in the best interest of the Y.
- ii. All employees have a duty of loyalty to the Y, to further its cause and goals and, in general, to work on behalf of its best interests. In the event that an employee's actions or decisions could result in improving their own personal interest or monetary gain with a concurrent depreciation of the YMCA's interest, or otherwise affect the YMCA adversely, this creates a conflict of interest.
- iii. Employees should make prompt and full disclosure in writing to the President/CEO of any potential situation which may involve a conflict of interest.

- iv. Examples of such conflicts include, but are not limited to, the following:
 - 1. Ownership by employee or by a member of their family with a significant interest in any outside enterprise which does or seeks to do business with the Y, or competes with the Y.
 - 2. Staff employed with an outside enterprise that does or is seeking to do business with or is a competitor of the Y.
 - 3. Personal benefit from any Y transaction including sale, purchase, rent, lease of property, services, or supplies.
 - 4. Any other arrangements or circumstances, including family or other personal relationships, which might dissuade the employee from acting in the best interest of the YMCA.
 - 5. In connection with any actual or possible conflict of interest, an employee must disclose the existence of the financial interest to the President/CEO. (If the conflict involves the CEO, the CEO must disclose such to the board chair.) The President/CEO will determine the existence and nature of the conflict of interest and determine the appropriate course of action.

o. Confidentiality

- ii. All employees have a duty to protect and preserve the confidentiality of the YMCA's Confidential Information. Employees are expected to take all reasonable steps requested to protect the confidentiality of all Confidential Information and trade secrets to avoid inadvertent or unauthorized disclosures.
- iii. Confidential Information includes information that is not generally available to the public by lawful means, as well as that information that has been entrusted to the YMCA with an expectation or a requirement that the information be treated as confidential. This includes, but is not limited to, donor information, marketing plans, information regarding business development, pricing, costs or profitability of the organization, the terms of contracts with vendors or members, member lists,

information about the organization's financial condition or budgets and the trade secrets.

- iv. Any disclosure, copying or removal of Confidential Information or Trade Secrets for any purpose other than a lawful one in the performance of duties in furtherance of the YMCA business is prohibited.
- v. Any violation of this policy may be grounds for disciplinary action including immediate discharge.
- vi. Notwithstanding any other provision of this policy, nothing requires any employee to engage in any illegal action, nor does it prevent an employee from engaging in actions protected by law, such as reporting to appropriate regulatory and enforcement agencies acts or omissions that are genuinely believed to be unlawful or for non-supervisory personnel to discuss the terms and conditions of their employment.

p. Arrest or Criminal Conviction of a Staff Member

- i. An employee is required to report any arrest to the YMCA, when the employee's position at the YMCA involves activities with children under 16 years old, developmentally disabled people and vulnerable adults.
- ii. All employees are required to notify their supervisor in the event that they are arrested on or convicted of any criminal charge that (i) accuses the employee of conduct that involves a felony; (ii) accuses the employee of a misdemeanor that involves allegations of theft, fraud, lying or other acts of moral turpitude; or (iii) a moving traffic violation that involves the operation of a company vehicle or which involves the suspension of the employee's driving privileges.
- iii. This report shall be made within five (5) days of the arrest. The report should be made in writing to the supervisor and include the exact charge or conviction, the location or court and the date of the arrest or conviction.
- iv. Depending on the circumstances, the YMCA reserves the right to suspend the employee with or without pay during the pendency of the criminal charges, and the

YMCA reserves the right to conduct its own investigation prior to the conclusion of criminal proceedings.

Likewise, within five (5) days following the conclusion of the criminal proceedings, the employee is to notify the YMCA of the outcome as to the criminal charge.

- v. Upon determination by the YMCA (whether as a result of an internal investigation or upon notification of a criminal arrest or conviction) that the employee's conduct as reflected in the charge or conviction adversely impacts the employee's ability to perform his/her job, or the YMCA's operations or its reputation in the community, the employee shall be subject to disciplinary action up to and including termination.
- vi. Failure to report arrests or convictions as required may result in termination.

q. Employment Records

- i. Employees should notify the Corporate Office with changes in name, home address, phone number, emergency contact information, beneficiary designations, marital status, and number of exemptions for tax purposes.

r. Solicitation

- i. Out of respect for the private lives of our employees and to ensure the safe and efficient operation of YMCA, solicitation and distribution of literature on YMCA premises will be limited as follows:
- ii. No person not an employee of YMCA may enter Company premises or other work areas at any time to solicit employees for any cause or to distribute to employees material of any kind for any purpose.
- iii. An off-duty employee may enter or remain in facilities or other work areas a reasonable period of time prior to or after scheduled work or for use of the facilities as a member. Otherwise, access to the interior of YMCA's buildings and other work areas before or after working

hours is not permitted without the specific permission of management.

- iv. Employees may not engage in solicitation for any purpose on their working time, nor may employees engage in solicitation of other employees during such other employees' working time. Employees may not engage in the distribution of literature for any purpose during working time or at any time in working areas of YMCA.
- v. "Working time" is that time during which employees are supposed to be engaged in their work tasks, but does not include breaks, meal times, or any other time during which an employee properly is not performing her or his work.

s. Working at Home

- i. Non-exempt employees are not permitted to take work home unless approved by their supervisor in advance. If approved, accurate reporting of all time worked is mandatory.
- ii. Exempt employees are permitted to take home work with pre-approval and must submit a work log for the day. Working from home cannot occur when it negatively impacts operations of the YMCA.

t. Transporting of Children, Members, Participants, etc.

- i. Transporting in personal vehicles and being alone with children is strictly prohibited as per the YMCA Code of Conduct. Transporting for medical emergencies is primarily the responsibility of a parent, relative or trained medical personnel.

u. Photos

- i. Any photos taken of employees during the course of employees' employment with the YMCA may be used in future promotional materials.

v. Sex Offender Policy

- i. The YMCA is committed to providing a safe, nurturing and welcoming environment for all members and guests. To promote safety and comfort for all, we ask individuals to act appropriately at all times when they are in our facilities or participating in our programs.
- ii. After verifying the correct identity, we will immediately deny access and membership to any person who has been convicted of any crime involving sexual abuse or is a registered sex offender.
- iii. We reserve the right to deny access, employment and membership to any person who has been charged with any crime involving sexual abuse. The YMCA performs a search of every member, employee and guest against the sex offender list. Anyone found to be on the sex offender list will be contacted by the appropriate Y staff leader and will be denied access to our organization.

9. EMPLOYEE CODE OF CONDUCT

- a. Staff will refrain from intimate displays of affection towards others.
- b. While the YMCA does not discriminate against an individual's lifestyle, it does require that in the performance of their job they will abide by the standards of conduct set forth by the YMCA.
- c. Staff must appear clean, neat, and appropriately attired.
- d. Using, possessing, being under the influence of, or having a detectable presence in one's system of alcohol or illegal drugs during working hours is prohibited.
- e. Smoking or use of tobacco in the presence of children or parents during working hours is prohibited.
- f. Profanity, inappropriate jokes, sharing intimate details of one's personal life, and any kind of unlawful harassment is prohibited.
- g. Staff will portray a positive role model for employees by maintaining an attitude of respect, loyalty, patience, courtesy, tact, and maturity.

- h. Staff may not be alone with children they meet in YMCA programs outside of the YMCA. This includes babysitting, sleepovers, and inviting children to employee's home. Any exceptions require a written explanation before the fact and approval by the President/CEO.
- i. Staff are not to transport children in their own vehicles.
- j. Staff may not date program participants under the age of 18 years of age.
- k. Under no circumstance should staff release children to anyone other than the authorized parent, guardian, or other adult authorized by the parent or guardian (written parent authorization will be kept on file with the YMCA).
- l. Staff are required to read and sign all policies related to identifying, documenting, and reporting child abuse and attend trainings on the subject, as instructed by a supervisor.
- m. Any other conduct, which in the opinion of YMCA management is adverse to the interests of the YMCA or its employees or members may lead to disciplinary action up to and including termination.

10. WAGE AND SALARY ADMINISTRATION

- a. The YMCA maintains a wage and salary administration plan to provide that all employees are paid according to fair and uniform principles and in relation to the responsibility and value, which they make to the Association's success. Within the capability to do so, employees are also paid at a level that compares favorably within the market in which we operate.
- b. Salary reviews and increases are determined by the position in the salary range, performance, promotion and budget guidelines.

11. EMPLOYEE BENEFITS

a. Eligibility for Benefits:

- i. All full-time employees may enroll in the medical and dental plans the first day of the month following two full calendar months exclusive of the month of hire unless hired on the 1st day of the month.
- ii. Full time employees may be eligible to continue in the group health and dental insurance plans after termination of employment at their own expense under the provisions provided for in the Consolidated Omnibus Budget Reconciliation Act (COBRA) and other applicable laws.
- iii. For the purpose of determining benefits (when years of service are the basis for awarding the benefits) continuous full-time employment in any YMCA (local or national) is to be counted. Years of service are counted from the original date of full-time employment and continue to accrue, as long as that employment remains full-time and continuous.

b. Categories of Benefits:

i. Legally-Mandated Benefits

1. The YMCA complies with all applicable laws, regarding employee benefits, such as:
 - A. Social Security (FICA). All employees are required to participate jointly with the Association in the federal Social Security Program.
 - B. Workers Compensation Program. Employees may be covered against the hazards of occupational accidents and illness on the job through compensation insurance in a manner and to the extent required by the state worker's compensation laws.

C. Unemployment Insurance. The Association's practice shall be consistent with federal and state laws.

c. Benefits for Time Not Worked:

- i. Holidays: The Franklin County Family YMCA observes the following holidays and our offices will be closed: New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve, Christmas Day
 - 1. If a full-time hourly paid employee is normally scheduled to work on the day that our office is closed for one of the above listed holidays, then the employee may enter the number of hours he/she typically works for the day as Holiday Pay. If a full-time employee is not normally scheduled to work on a day our Y facility is closed for a holiday, the employee may not report hours for Holiday Pay.
 - 2. Part-time and seasonal employees are not eligible to receive Holiday Pay.

d. Vacation Time:

- i. In addition, the Franklin County YMCA provides annual paid vacation time to each full-time employee (excluding seasonal employees) based on the anniversary date of each employee's employment using the schedule below:
 - 1. For the 1st through the 5th year of employment: 10 days of vacation
 - 2. Beginning in the 6th year through the 10th year of employment: 15 days of vacation
 - 3. After 10 full years of employment, an employee is entitled to 18 days of vacation each year.

- ii. In an effort to encourage employees to take their vacation, vacation days may not be carried over to a subsequent anniversary year, except with prior written approval of the CEO when work requirements did not allow for the employee to take the vacation leave prior to the employee's anniversary, and even in such case, the vacation can only be carried over for 30 days. Vacation time is awarded as of an employee's anniversary date, rather than being prorated during the year. A new employee is eligible to take vacation after 90 days of continuous employment. Employees must receive approval of vacation time off in advance from their supervisor.
 - iii. The YMCA reserves the right to evaluate the circumstances of an employee's separation from employment to determine whether to pay out accrued but unused vacation time upon termination.
- e. Sick Time:
- i. Beginning 90 days following employment and following the anniversary date of employment thereafter, each full-time employee is eligible to take up to 10 days per twelve-month period for personal illness, a dependent's illness, or for medical appointments. The YMCA reserves the right to request supporting documentation from the employees or the dependent's health care provider.
 - ii. Employees who are unable to report to work or who must leave work during the workday must use vacation or sick time and must notify their direct supervisor as soon as practicable under the circumstances.
 - iii. Vacation and sick time is not paid in addition to worker's compensation benefits.
 - iv. An employee absent from work for any reason must advise his/her immediate supervisor of his/her status

and estimated date of return on a daily basis – unless an extended leave has been approved in advance.

- v. Any time an employee is absent due to illness or injury, the YMCA may require a physician's note excusing the absence. Depending on the circumstances, the YMCA may also require an appropriate physician's certificate releasing the employee back to work (stating that the employee can return to work and perform all the essential functions of the job without risk of injury to the employee or others) prior to allowing an employee the opportunity to return to work after an absence due to illness or injury.
- vi. Employees are required to use all available paid time off prior to requesting an unpaid leave of absence. Requests for unpaid leave will be considered based on the individual circumstances and business needs.
- vii. Accrued but unused sick time is not paid upon termination of employment for any reason.

f. Bereavement Leave:

- i. A full time employee is entitled up to 3 days of paid time off as bereavement for the death of a family member (which includes an employee's or spouse's: father or mother; child, step child or adopted child; brother or sister; immediate grandparents and spouse).

g. Jury Duty:

- i. Full-time employees who are called for jury duty will receive their regular pay during such time of service and may retain any fees paid them for their duty. Documentation of jury duty must be presented to the YMCA in order to be paid. Employees shall neither be discharged from employment nor have any adverse personnel action taken against him/her, nor shall be required to use sick or vacation time as a result of being

absent due to jury duty upon giving reasonable notice to the employer.

h. Workers Compensation:

- i. Employees are covered by Workers' Compensation insurance.
- ii. A report must be filed immediately with your supervisor in the event of a work-related illness or injury.
- iii. Workers compensation benefits provide weekly payments based upon a statutorily specified amount of the employee's regular earnings as well as payments for medical and hospital expenses arising out of an occupational injury or illness. The YMCA will comply with all applicable local, state and federal laws pertaining to workers compensation.
- iv. For injuries that occur in Virginia, workers' compensation claims will not be honored unless medical needs are handled through physicians on the YMCA's approved physician panel. Virginia law allows the YMCA to designate a list of physicians from whom the employee must select for an examination verifying the extent of injury or illness. If an employee chooses to be treated by a physician other than one of the YMCA's panel physicians, the employee will be responsible for medical expenses related to that treatment.

i. Maternity, Paternity and Adoption:

- i. The Y will offer 6 weeks of paid maternity, paternity or adoption leave for full time employees who have been employed by the Y for at least 90 consecutive days. This leave must be taken within the twelve (12) month period following the adoption or birth of a child.

j. Personal Days:

- i. The Y provides full time employees 16 hours of personal leave per year. Employees must receive approval of

personal days off in advance from their supervisor.
Personal days will not be paid out upon termination of employment

k. Retirement Benefits:

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

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

For the most up-to-date information about the plans sponsored by the Fund, visit their website at www.yretirement.org. Employees will find the latest Fund news, frequently asked questions, quarterly investment and performance results, forms, and publications. Contact the Fund's Customer Service Department at (800) RET YMCA (800 738 9622), or via email at info@ymcaaret.org.

l. Retirement Plan:

- i. As a condition of employment, all Franklin County Family YMCA employees who meet eligibility requirements are enrolled in the Retirement Plan.
- ii. Interpretations, definitions, and requirements related to this Plan are determined by the Retirement Fund's board of trustees, and each participating Y administers the Plan locally.
- iii. In order to be eligible, employees must be at least 21 years of age and complete two 12-month periods of Y service, working at least 1,000 hours in each, beginning

with the date of hire. The two years do not have to be consecutive. All hours of Y service count toward eligibility, even in cases where the employee is under age 21 or works at multiple participating Ys. Employees meeting these qualifications are automatically enrolled and immediately vested. If an employee was previously enrolled by the Franklin County Family YMCA or another Y that participates in the YMCA Retirement Fund, he/she is immediately eligible for enrollment in the Plan.

- iv. The YMCA of Franklin County Family YMCA currently contributes on behalf of each eligible employee an amount equal to 7% of his/her compensation. The Y reserves the right to amend its contribution or participation in the Plan at any time within the terms and conditions set by the Y, the Plan, and the YMCA Retirement Fund. The Fund may amend the plan at any time, and it may also be amended at any time to conform to applicable federal law.

m. Tax-Deferred Savings Plan:

- i. Each employee is encouraged to make additional voluntary contributions to the Tax-Deferred Savings Plan in order to achieve at least 15% total retirement savings, a goal recommended by many financial planners. Employees not yet eligible for the Retirement Plan are encouraged to save 15% on their own each year while they await eligibility.
- ii. Opening a 403(b) Smart Account in the Tax-Deferred Savings Plan allows employees to save these additional pre-tax amounts through payroll deduction. This account is available to all employees of the Franklin County Family YMCA, regardless of age, service, or number of hours worked. Contributions are subject to certain limitations under federal law.

- iii. Employees can also roll over money from eligible employer plans or IRAs into a Rollover Account in the Tax-Deferred Savings Plan.
 - iv. Any employee interested in opening a 403(b) Smart Account, or rolling in eligible amounts to the Tax-Deferred Savings Plan, should contact the Franklin County Family YMCA CFO or CEO.
 - v. If any inconsistencies arise between this material and the Retirement Fund Plan Documents, the language in the official Plan Documents will govern.
- n. Health and Dental Insurance Coverage Benefits:
- i. The Franklin County Family YMCA will currently pay a portion of the employee only premium of a comprehensive hospitalization and major medical insurance plan for eligible full-time employees and their dependents.
 - ii. A comprehensive dental plan is available at an attractive rate for those eligible full-time employees who wish to participate in a dental plan. The YMCA does not contribute to the cost of the dental plan; the employee is responsible for the full monthly premium.
 - iii. The Consolidated Omnibus Reconciliation Act (COBRA) requires that employees and/or their families be offered the opportunity for a temporary extension of their existing health coverage (at the group rate) in certain qualifying life events. These life events include, but are not limited to marriage, divorce and birth of a child. Individuals eligible for this extension of coverage must request it in writing within 60 days from the date on which their existing coverage would end. They must also agree to pay the full premium cost of such coverage. If a terminated employee does not choose continuation coverage, health insurance will end on the last day of the month of such separation.

12. OTHER BENEFITS

- a. Association of YMCA Professionals Dues. The YMCA may pay the annual AYP membership dues for full-time employees.
- b. YMCA Memberships
 - i. YMCA full-time employees are eligible for a free household membership during the term of employment with the Franklin County Family YMCA. Eligibility of household members are as stated under the description of our Household Membership.
 - ii. YMCA part-time employees are eligible for a free teen (ages 13 –19) or individual adult membership (ages 20 & up) during the term of employment with the Franklin County Family YMCA. If a part-time employee wishes to carry their household members on their membership, they may do so by paying the monetary difference between the current rate of the type of membership they are eligible for as an individual and the current rate of a household membership. (Examples: Teen employee would pay the difference between a teen membership rate and the household membership rate; Individual adult would pay the difference between an individual adult membership rate and the household membership rate.) Eligibility of household members are as stated under the description of our Household Membership.
 - 1. Description of Household Membership: A household membership includes any two adults living in the same household and their children age 19 and under. Children up to age 24 may be on a household membership only if they are a full-time college student. Proof of college schedule must be provided with membership (12 credit hours). Additional adults living in the household may be added for a \$25 fee per adult. Limit 4 adults per household.
 - iii. Employees are encouraged to participate in YMCA programs and to use the facilities and equipment;

however please keep in mind our commitment to service our members. All employees are expected to defer to members during peak hours for classes and equipment use.

o. YMCA Employee Program Discount Benefits

- i. The type of membership that employees have at the time of registration determines the discount employees will receive for the program.

Example: A household member receives % off of regular member rate, and an individual receives % off of regular member rate. If the employee has an individual membership and wants to register a family member in a program, they must be registered as a participant and pay the full participant rate, unless they upgrade their membership to a household and pay the monthly rate for the upgrade.

- ii. Registered (Structured) Programs

- 1. Full and part-time employees are eligible for 20% discount off of Franklin County Family YMCA registered (structured) programs. Examples: Swim Lessons, Gymnastics, Saturday Sitter, Employees' Sports, YMCA Summer Camps, etc. Employees' household members who are YMCA members are also eligible for the 20% discount. If the employee has only an individual membership their household members must pay the full applicable rate.

- iii. Specialized Services

- 1. Full and part-time employees are eligible for a 10% discount off of Franklin County Family YMCA specialized services. Example: Personal Training. Employees' household members who are YMCA members are also eligible for the 10% discount. If the employee has only an individual membership their household members must pay the full applicable rate.

- iv. Child Care

- 1. Part-time employees who work an average minimum of 20 hours per week are eligible to enroll

their dependent children in the YMCA After School Child Care, Preschool and Summer Camp programs at 15% off. Full-time employees of the Y are eligible for a 30% discount on childcare programs. Admittance to a program is contingent on the availability of that program.

v. Child Watch for Employees

1. Employees who work more than two hours in a workday are not allowed to use child watch while they are on the clock.
2. A part-time employee who works 2 hours or less a day may use child watch while on the clock.
3. Any child, employee or member, cannot exceed more than 2 hours a day in child watch. For example, if a child attends child watch while their parent, an employee, is on the clock for one hour, that same child can attend child watch for an additional hour while the employee is off the clock and at the Y.

13. FAMILY AND MEDICAL LEAVE ACT

- a. The Y strives to support the family and medical needs of employees and will grant up to twelve (12) weeks of family and/or medical leave during any 12-month period, and up to twenty-six (26) weeks of military-related leave in any 12-month period to eligible employees in accordance with the Family and Medical Leave Act (FMLA), or as otherwise required under applicable local, state and federal law. The leave may be paid, unpaid or a combination of paid and unpaid leave depending on the circumstances of the leave and as specified in this policy.
 - i. To be eligible for FMLA leave, an employee must have worked for the Y for a total of at least 12 months, have worked a total of at least 1,250 hours during the previous 12 months, and the employee must work in an office or site where 50 or more employees are employed by the YMCA within 75 miles.

- ii. The YMCA will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the YMCA will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the amount of available leave, with the balance remaining being the amount the employee is entitled to take at that time.
- iii. For purposes of calculating leave to care for an injured or ill covered service member, the YMCA will measure the 12-month period beginning on the first day the employee takes any leave to care for a service member and ending 12 months after that date.
- iv. Leave may be used for one or more of the following reasons:
 - 1. The birth of a child and in order to care for a newborn child
 - 2. The placement of a child for adoption or foster care and to care for the newly placed child
 - 3. To care for a spouse, child or parent with a serious health condition
 - 4. A serious health condition of the employee that makes the employee unable to perform the functions of his/her position
 - 5. A covered family member's active duty or call to active duty in the Armed Forces which involves a qualifying exigency
 - 6. To care for a covered service member with a serious injury or illness
- v. If a husband and wife both work for the YMCA and each wishes to take leave to care for the birth of a child, adoption or placement of a child in foster care, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the YMCA and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.
- vi. Intermittent Leave.

1. Under some circumstances, employees may be eligible to take FMLA leave intermittently or on a reduced schedule basis when health or healthcare reasons demonstrate that it is necessary. If intermittent leave is approved, the employee may be reassigned during FMLA leave to a different position that better accommodates the limited work schedule.
- vii. Required notice to take FMLA leave.
 1. An employee is expected to provide a minimum of thirty days advance notice when the need for the leave is foreseeable.
 2. If thirty days advance notice is not practical, notice of the reasons and need for FMLA leave must be given as soon as practicable.
- viii. Medical Certification.
 1. The YMCA may require the employee to provide a medical certification from a healthcare provider to support a request for leave due to a health condition of an employee or qualified family member. When requested, the employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in denial of FMLA leave.
- ix. Periodic recertification.
 1. The YMCA may require the employee to provide periodic reports during FMLA leave when the leave is needed to care for an immediate family member or the employee.
- x. To return to work, a fitness-for-duty report may be required if the leave is due to the employee's medical situation.
- xi. When leave is needed to care for an immediate family member or the employee's own serious health condition, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the Y's operation.

- xii. Family and medical leave is unpaid; however, the Y requires an employee to use accrued sick or vacation time prior to taking time without pay. The use of sick leave or vacation will not extend the length of the leave to which the employee is otherwise entitled.
- xiii. The Y will continue to pay its share of an employee's health insurance premiums during FMLA leave on the same terms as if the employee had continued to work. The employee will be responsible for making arrangements to pay his or her portion of the insurance during FMLA leave in order to retain coverage. Premiums not paid by the employee will result in a termination of benefits.
- xiv. In some instances, the Y may recover premiums it paid to maintain health coverage for an employee who fails to return to work following FMLA leave.
- xv. Under most circumstances, upon return from family and medical leave, an employee will be reinstated to his or her previous position. However, an employee returning from a family and medical leave has no greater right to reinstatement than if the employee had been continuously employed. For example, if an employee's position is eliminated during the leave, the employee would not be entitled to reinstatement.
- xvi. An employee's use of family and medical leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using family and medical leave.
- xvii. Pay During Leave
 - 1. FMLA leave is an unpaid leave, however, employees are required to use their earned vacation and sick leave benefits concurrently with FMLA leave. Any paid sick or other leave taken due to a serious health condition will be designated as FMLA leave and will be counted against the employee's annual FMLA entitlement in accordance with applicable law. In other words, all FMLA-qualifying paid leave will be designated as FMLA leave. Whether paid or unpaid, the employee will

only qualify for a maximum of up to twelve (12) weeks off for family and medical leave under the FMLA. No loss of seniority will occur while the employee is on leave. The YMCA will continue retirement, health and life insurance on the same eligibility and shared-cost basis as when the employee was on active status.

2. Employees do not accrue vacation or sick time during FMLA leave. Accumulation of sick and/or vacation time will resume when the employee returns. Employees on approved leave of absence under the FMLA are responsible for payment of all insurance premiums otherwise normally withheld from their pay, during the period of absence.

xviii. Job Benefits and Protection

1. During FMLA leave, the health and dental insurance of the employee and any dependent(s) of the employee is maintained on the same basis as coverage would have been provided if the employee had been continuously employed during the entire leave period.
2. An eligible employee returning from FMLA qualifying leave is entitled to be restored to the same position and shift that the employee held when the FMLA leave began, or to an equivalent position and shift with equivalent benefits, pay, and other similar terms and conditions of employment in accordance with applicable law.
3. Provided the employee returns to work immediately following completion of his/her FMLA leave, benefits will be resumed upon the employee's return to work at the same level as were provided when leave began. Any new or additional coverage or changes in health benefits will be made available to an employee while on FMLA qualifying leave.

xix. Certification

1. The YMCA requires certification from the health care provider to support claims of leaves for an employee's own serious health condition or to care

for a seriously ill child, spouse or parent.
Recertification may be required throughout the leave.

xx. Intermittent or Reduced Leave

1. If medically necessary, intermittent or reduced leave may be granted in accordance with applicable law.

xxi. Failure to Return to Work

1. If the employee voluntarily elects not to return to work upon the expiration of FMLA leave, he/she will be responsible for any payments made by the YMCA to maintain the employee's health insurance coverage. Due to failure to return to work, the employee's length of service will be recorded as the last paid workday prior to the beginning of the unpaid leave.

xxii. Notice of leave

1. To request FMLA leave, the employee must provide a written request for leave of absence 30 days in advance when the leave is "foreseeable." If this is not possible, the employee must give notice as soon as possible (within three business days, or as soon as possible after learning of the need for leave). The written request must include: Nature of the leave, date the leave commences, expected return to work date, and intermittent schedule (if applicable). Family and Medical Leave Request Forms may be obtained from the employee's Supervisor.

xxiii. Extension

1. If the employee is not able or chooses not to return to work on the scheduled return date, the employee must request an extension. If an extension is approved, the employee may relinquish the right to return to the same job and rate of pay and placement may depend upon the availability of a position for which the employee is qualified in accordance with applicable law.

- xxiv. FMLA Rights and Responsibilities
 - 1. When an employee requests or takes FMLA leave, the YMCA will provide the employee with written confirmation of the employee's rights and responsibilities with regard to FMLA leave.
- xxv. Fitness for Duty
 - 1. Employees taking leave for a serious health condition will be required to submit a fitness for duty report from their health care provider prior to returning to work.
- b. Service Member Family Leave
 - i. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for the service member. A "covered service member" means a current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness or a "veteran" of the Armed Forces (including the National Guard or Reserves) discharged within the five-year period before the family member first takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness. A veteran who was dishonorably discharged does not meet the definition of a covered servicemember for purposes of the FMLA.
 - ii. For a current servicemember, a serious illness or injury is one that may render the servicemember medically unfit to perform his/her military duties.
 - iii. For a veteran, a serious injury or illness is one that rendered the veteran medically unfit to perform his/her military duties, or an injury or illness that qualifies the veteran for certain benefits from the Department of Veterans Affairs or substantially impairs the veteran's ability to work. For veterans, it includes injuries and illnesses that were incurred or aggravated during military

service but that did not manifest until after the veteran left active duty.

- iv. Service member FMLA runs concurrent with other leave entitlements provided under federal, state and local law.

c. Extended Leave (Non- FMLA Events)

- i. Extended leaves of absence without pay may be granted to employees at the sole discretion of the Y in accordance with applicable law. Request for extended leaves, providing a full explanation and projected schedule, must be made in writing and submitted to the President/CEO.
- ii. Two weeks prior to the end of the approved extended leave, the employee shall notify the President/CEO of his/her intent to return to work. If the employee chooses not to return, it shall be considered that the employee has voluntarily resigned. During the extended leave, the employee's prior service is protected for all benefits, including seniority. Employees may request continuation of insurance benefits at their own expense during the unpaid leave.

d. Military Service

- i. When an employee is called for active duty in the military including reserve training, the YMCA will grant an official leave-of-absence without pay. Re-employment and other rights correspond to existing applicable laws.

14. SEPARATIONS

- a. For the purpose of this Policy the term "separation" shall refer to any and all terminations of the relationship between the employee and employer (regardless of the reason for such termination). Separations are to be categorized as either voluntary or involuntary.

b. Voluntary Separation

ii. Resignation

1. A decision freely made by an employee to terminate his/her working relationship with the YMCA. A written notice of resignation is encouraged to be provided to the YMCA as follows:

A. Salaried employees: 30 days prior written notification

B. Hourly employees: two weeks prior written notification.

iii. Retirement

1. A decision made by an employee to retire. The retiring employee should also provide the written notice set forth above in Section 1A.

c. Involuntary Separation

- iv. Involuntary separation is the decision made by the YMCA to end the work relationship between an employee and the YMCA.

15. STAFF AND CAREER DEVELOPMENT

a. Salary Increases

- i. Individual salaries ordinarily will be reviewed annually; and increases (if any) shall generally be granted on the basis of merit and/or market.

b. Staff Development and Training

- i. The YMCA recognizes that the quality of its work is directly related to the continuing career growth and training opportunities for employees.
- ii. Expenses related to career development and other training opportunities will be paid in full by the YMCA when such requests are submitted in advance and approved by the employee's supervisor. Included in these types of training experiences for which the YMCA will pay are: the YMCA Leadership Training Program, workshops, seminars, conferences and formal education (undergraduate and/or graduate level courses).

16. DRESS AND GROOMING POLICY

- a. The Dress and Grooming Policy is not all encompassing. The YMCA reserves the right to amend this policy as styles change, or as any staff member's appearance is deemed inappropriate for the YMCA's public image. Should an employee's appearance and grooming be considered inappropriate, employees may be asked to leave work and return when the dress and grooming guidelines have been met. Staff members are expected to at all times present a professional, businesslike image to members, visitors, customers and the public.
 - i. General Grooming Guidelines
 - 1. Hair: All hair, including facial hair, is expected to be clean and neatly styled, out of the eyes. No extreme styles including, but not limited to mohawks, rattails, words or designs shaved in the hair, glitter, or unusual colors.
 - 2. Jewelry: Only moderate or conservative jewelry is acceptable; no distracting jewelry. Hanging jewelry may be restricted for selected staff positions as it poses a safety hazard to staff and participants.
 - 3. Tattoos: No visible tattoos; tattoos that are visible will be covered with a nude bandage or clothing.
 - 4. Name Tags: Nametags will be issued by the YMCA and must be worn at all times.
 - ii. General Appearance
 - 1. All staff members will be required to wear a Franklin County Family YMCA approved uniform while working. Approved uniforms will be determined and communicated by the management staff of the Franklin County Family YMCA. Solid colored shorts, skirts, or pants are considered acceptable, no denim. For example, men's or women's khaki pants. Consult direct supervisors for any additional

requirements that may be specific to employees' departments.

17. TECHNOLOGY USE

- a. There are several forms of technology, which are made available to YMCA employees to facilitate the completion of work-related tasks and to enhance their service to their customers, both internal and external. These technologies include telephone, voicemail, email, and internet access and some or all of these may be available to all employees. The use of these technologies is a privilege and carries responsibilities for responsible and ethical use. This policy will cover basic rules of conduct for each of these systems and additional rules may be given to employees by their supervisors. However, should the additional rule ever conflict with this policy, this policy will govern and any questions or conflicts should be addressed with the CEO.
- b. Policy Common to All Systems
 - i. All forms of technology, including the telephone, voicemail, computer hardware and software, email, and internet access provided by the YMCA (hereafter the Association) is the property of the Association and remains so regardless of employee access and use of it. No form of communication should be considered private and any and all forms may be monitored by the Association to ensure that use is conducted in an ethical and lawful manner and in accordance with this policy. All communication must be conducted in a respectful manner that is consistent with our core values of caring, honesty, respect, and responsibility.
 - ii. All users will be assigned passwords or codes to control their use of Association technology and all users are responsible for any activity conducted through their accounts. However, the passwords and codes do not insure privacy and the Association reserves the right to access any user account should a situation arise where

management deems that it is in the Association's best interest to do so. Any passwords used to access these systems must be made known to the Association at the time the password is created or at any time the Association requests. Passwords should never be shared with other employees.

- iii. An employee should not have an expectation of privacy as to the computer/information systems. From time to time, as business conditions require (including when there is reasonable cause to believe that there is a violation of Association policies or when an employee is on vacation, business trips, or on a leave of absence), the Association may listen to an employee's voice mail messages, review e-mail transmissions, and access computer data.

c. Telephone

- i. The Association telephone system is to be used for business purposes in serving the interest of our clients and in the course of normal Association operations. Answer all calls promptly and courteously. While personal use of the telephone system is not encouraged, as long as it is not excessive, it will not be prohibited. Excessive use of the phone for personal reasons or making personal long-distance calls is a violation of Association policy. Telephone calls may be subject to monitoring for legitimate business reasons, including quality assurance and identifying violations of Association policies.

d. Voicemail

- i. Voicemail is a convenience for employees and for those who call them, but only if it is used properly. It is the employee's responsibility to check voicemail frequently and to respond promptly to any messages received. It is also important for callers to be notified when employees are not going to be available to return their calls promptly. To this end, it is the Association's policy that employees record and activate an extended absence

greeting any time that they will be unable to return calls for four hours or more during a normal business day (8AM to 5PM). Should an employee neglect to set this greeting before leaving the office, it is the employee's responsibility to either call in and set up the greeting, which is the preferred method, or contact another employee and have them check their voicemail for them. This can be done by setting a temporary password and giving this information to the other employee.

e. Computer Hardware/Software Security

- i. Employees should use the Association's computer/information systems for business only. (Computer/information systems include the electronic mail email and internet access, if available.) Personal use of the computer/information systems is not encouraged but, if not abused, will not be prohibited. Any personal use should not interfere with the conduct of business of the Association, be detrimental to the Association, or distract from the employee's work duties or the work of others.
- ii. Under no circumstance should the Association's computer/information systems be used for sending, accessing, receiving, or storing any material of an offensive, discriminatory, or harassing nature; that is threatening, obscene, or defamatory; for chain letters, in violation of any license governing the software or for any other purpose that is illegal, against Association policies, or contrary to the Association's interest.
- iii. Any unauthorized access or removal of files, applications or data from the Association's computer/information system is prohibited. Because of the threat of viruses, the copying of applications and data from outside systems, or use of data storage devices formatted on outside systems onto the Association's computer/information system is prohibited without the prior approval of the CEO. Employees are prohibited from installing any software on the Association computers.

f. Internet

- i. Employees are prohibited from downloading software, any executable files, or programs from the internet. Downloading of games, jokes, and other non-work - related files from the internet is prohibited. The employee should take extreme caution when downloading any files from the internet. All files should be passed through virus protection programs prior to use. Failure to detect viruses could result in corruption or damage to files and/or unauthorized entry into the Association's network. If the employee finds that any damage occurred as a result of downloading files, the incident should be reported immediately to the CEO.

g. Email

- i. Just as with voicemail, email is an important business tool and it is only effective when it is used appropriately. It is the employees' responsibility to respond promptly to emails received. It is also employees' responsibility to set an auto-response (if available) advising of their absence, or to have another employee check their email if they will be out of the office for an extended period. Again, this can be accomplished through a temporary password. Violating the provisions of this policy, or any action which the Association determines is not in its best interests, may result in disciplinary action ranging from the revocation of user access to termination of employment. The users of the Association's network and computer systems are responsible for respecting and adhering to local, state, federal, and international laws related to the access and use of computer systems and software. Failure to observe copyright or license agreements may result in disciplinary action or legal action by the copyright owner. The Association will cooperate fully with appropriate authorities to provide

information related to actual or suspected activity not consistent with applicable law.

18. WHISTLE-BLOWER POLICY

- a. The whistleblower policy of the Franklin County Family YMCA, Inc. ("YMCA") is intended to provide a mechanism for the reporting of illegal activity or the misuse of YMCA assets while protecting the employees who make such reports from retaliation.
- b. Questionable Conduct
 - i. This policy is designed to address situations in which an employee suspects another employee has engaged in illegal acts or questionable conduct involving the YMCA's assets. This conduct might include outright theft (of equipment or cash), fraudulent expense reports, misstatements of any accounts to any manager or to the YMCA's auditors, or even an employee's conflict of interest that results in financial harm to the YMCA. The YMCA encourages staff to report such questionable conduct and has established a system that allows them to do so anonymously.
- c. Making a Report
 - i. If an employee suspects illegal conduct or conduct involving misuse of the YMCA assets or in violation of the law, he or she may report it anonymously if the employee wishes, and will be protected against any form of harassment, intimidation, discrimination, or retaliation for making such a report in good faith.
 - ii. Employees can make a report to any of the following YMCA executives at any time: President/CEO, Finance Director, or their supervisor. The YMCA will promptly conduct an investigation into matters reported, keeping the informant's identity as confidential as possible consistent with our obligation to conduct a full and fair investigation.

- iii. Alternatively, employees can make a report by calling either the corporate board president or the corporate board treasurer.
- d. No Retaliation
 - i. An employee who has made a report of suspicious conduct and who subsequently believes he or she has been subjected to retaliation of any kind by any YMCA employee is directed to immediately report it to the President/CEO, the Finance Director, or their supervisor as appropriate.
 - ii. Reports of retaliation will be investigated promptly in a manner intended to protect confidentiality as much as practicable, consistent with a full and fair investigation. The party conducting the investigation will notify the employee of the results of the investigation.
 - iii. The YMCA strongly disapproves of and will not tolerate any form of retaliation against employees who report concerns in good faith regarding the YMCA's operations. Any employee who engages in such retaliation will be subject to discipline up to and including termination.
- e. Reporting Procedures
 - i. The reporting procedure is intended to describe the process through which concerns about the possible misuse of YMCA assets are handled pursuant to the YMCA's whistleblower policy.
 - ii. An employee makes a report of suspected misuse of YMCA assets by reporting in person to a YMCA executive, or reporting anonymously to the corporate board president or the corporate board treasurer.
 - iii. The report is promptly reviewed by the President/CEO, as well as the Finance Director, to determine whether the report constitutes a complaint or a non-complaint, unless one of them is allegedly involved in the misconduct, in which case the report should be reviewed by only one of them.

If both of them are alleged to be involved, the report should go directly to the corporate board president or the corporate board treasurer.

- iv. A complaint means any report involving (i) questionable accounting, auditing, financial reporting, or internal controls; (ii) suspected fraud, theft, or improper use of company assets; (iii) a violation of the YMCA's conflict-of-interest policy that results in a financial harm to the YMCA or a claim of retaliation against any employee making a good-faith report regarding any of the preceding matters.
- v. A non-complaint means a report of any other matter not involving a misuse of the YMCA's assets.
- vi. If the report is deemed to be a complaint, it will be promptly investigated and forwarded to the corporate board treasurer. If the report is deemed to be a non-complaint, it will be referred to the appropriate executive or manager for follow-up. Some non-complaints may involve serious matters and may require prompt investigation, but may nevertheless not involve misuse of the YMCA's assets.
- vii. Each complaint is fully investigated, and as far as possible handled so as to protect the privacy of the employee making the complaint. A written report of the outcome of each investigation is prepared and delivered to the corporate board treasurer.
- viii. The corporate board treasurer decides whether the report involves a matter that is material. If it is deemed material, it is reviewed by the full finance committee, which may forward it for disposition to the board or may direct senior management to take actions to resolve the situation. If the report is deemed nonmaterial, it is not reviewed by the committee but is instead addressed by the Finance Director, as appropriate.

- f. Illustrative Types of Concerns
 - i. The following is a non-exhaustive list of the kinds of improprieties that should be reported.
 1. Supplying false or misleading information on the YMCA's financial or other public documents, including its Form 990.
 2. Providing false information to or withholding material information from the YMCA's board or auditors.
 3. Destroying, altering, mutilating, concealing, covering up, falsifying, or making a false entry in any records that may be connected to an official proceeding, in violation of federal or state law or regulations.
 4. Altering, destroying, or concealing a document, or attempting to do so, with the intent to impair the document's availability for use in an official proceeding or otherwise obstructing, influencing, or impeding any official proceeding, in violation of federal or state law or regulations.
 5. Embezzling, self-dealing, private inurement (i.e., YMCA earnings inuring to the benefit of a director, officer, or senior management) and private benefit (i.e., YMCA assets being used by anyone in the organization for personal gain or benefit).
 6. Paying for services or goods that are not rendered or delivered.
 7. Using remarks or actions of a sexual nature that are not welcome and are likely to be viewed as personally offensive, including sexual flirtations; unwelcome physical or verbal advances; sexual propositions; verbal abuse of a sexual nature; the display of sexually suggestive objects, cartoons, or pictures; and physical contact of a sexual or particularly personal nature.

8. Using epithets, slurs, negative stereotyping, and threatening, intimidating, or hostile acts that relate to race, color, religion, gender, national origin, age, or disability.
9. Circulating or posting written or graphic material in the workplace that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, nationality, age, or disability.
10. Discriminating against an employee or potential employee due to a person's race, color, religion, sex, sexual orientation, national origin, age, physical or mental impairment, or veteran status.
11. Violating YMCA's Conflict-of-Interest Policy, Harassment Policy, or Equal Employment Opportunity Policy.
12. Facilitating or concealing any of the above or similar actions.
13. If employees have any questions regarding this policy, please contact the President/CEO.

19. SOCIAL MEDIA AND MOBILE DEVICE POLICIES

- a. Social Media Policy
 - i. The Y recognizes the value of social media and other online communication tools for business purposes, such as connecting with members, staff, donors, and volunteers. In order to protect the Y, all employees are expected to behave in a manner consistent with the Y's values of caring, honesty, respect, and responsibility and to abide by this policy when using social media or other online communication tools for work or personal purposes.
 - ii. Many Y employees maintain individual pages on social media sites and/or use other online communication tools to connect and communicate for personal purposes.

While the Y does not mean to interfere with anyone's private life, the Y also realizes that publicly observable communications, actions, or words are not private. Individuals' online activities are accessible to the community at large; therefore, it is important to remember that any messages or information posted or communicated through social media may be statements identifiable and attributable to the YMCA by virtue of employment with the YMCA. Employees are expected to observe all policies and to refrain from purporting to speak on behalf of the YMCA unless they have been authorized to do so.

- iii. Accordingly, the following guidelines must be followed by all employees when using social media or other online communication tools.
 - 1. Employees should never represent themselves as a spokesperson for the YMCA and, if the content they post relates to the YMCA, be clear and open about the fact that you are an employee and that your views do not represent those of the YMCA or others associated with the YMCA.
 - 2. Employees must also keep in mind that they may not post an endorsement of Y programs without disclosing their employment relationship with the Y.
 - 3. Use of the YMCA's logos or trademarks without prior written consent from the President/CEO is prohibited.
 - 4. Staff should recognize that they are personally responsible for the content they publish on social media sites. Employees may be subject to discipline for online commentary, content, or images that are defamatory, pornographic, harassing, or otherwise inappropriate.
 - 5. When using social media, employees should keep in mind that other policies apply to its use, including, for example, the Y's policies on confidentiality, preventing child abuse, and use of

electronic communications systems. Employees who violate Y policies are subject to disciplinary action, up to and including termination of employment.

b. Cell Phone and Other Handheld Device Usage and Enforcement

- i. Employees are not allowed to be distracted from their job or not doing their assigned job by using their cell phone or other handheld devices while working. Personal calls, emailing, texting, instant messaging, visiting the internet, and other personal electronic communication activities during the workday are prohibited except in the case of an emergency or with prior approval from a supervisor.
- ii. Employees shall not record or post to any form of social media photographs or videos of children who are in the care of the YMCA, on the YMCA premises or taking part in any YMCA events or children's programs.
- iii. Employees who need to use a phone or handheld device for a personal urgent or emergent call must ask their manager for permission to be excused from their work area to do so.

20. EMPLOYEE USE OF THE FACILITY AFTER HOURS

- a. The YMCA facilities, equipment, program or event spaces are not to be used after hours for activities not directly related to an employee's job responsibilities and duties. That includes but is not limited to the use of fitness equipment, swimming pools or gymnasiums.

RECEIPT FOR PERSONNEL POLICY

Please read and sign this receipt. This statement will be retained in the YMCA Office as a part of employee's personnel file.

EMPLOYEE'S NAME _____

I acknowledge having received the Franklin County Family YMCA's Employee Handbook and will perform my assigned duties in such a manner as to further its stated goals and purposes. I understand that neither this handbook, nor any other YMCA policy, practice or procedure, is intended to provide any contractual obligations relating to continued employment, compensation or employment in a position and should in no way be construed as creating any sort of employment contract. I further understand that this document or any of its provisions, contained therein, are not intended as to be an enforceable employment contract; and that the YMCA or I may terminate my employment at any time for any reason, with or without cause or notice.

I acknowledge that I have read Appendix 1 Child Abuse and Neglect State Statutes, Reporting Laws, and Definitions of Child Abuse and Neglect.

I further understand that the YMCA without prior notice may alter the provisions, as set forth in this document, at any time.

I have read and will abide by the rules of the YMCA in accordance with this statement of policy.

I understand that any violation of the Child Abuse Prevention and Employee Code of Conduct may result in termination.

Signature _____

Branch _____

Date _____

21. APPENDIX 1

DEFINITIONS

Va. Code Ann. § 63.1-248.2 (Michie, WESTLAW through 2000 Reg. Sess.)

"Abused or neglected child" means any child less than 18 years of age:

Whose parents or other person responsible for his care creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement, or impairment of bodily or mental functions;

Whose parents or other person responsible for his care neglects or refuses to provide care necessary for his health.

Whose parents or other person responsible for his care abandons such child;

Whose parents or other person responsible for his care commits or allows to be committed any act of sexual exploitation or any sexual act upon a child in violation of the law; or

Who is without parental care or guardianship caused by the unreasonable absence or the mental or physical incapacity of the child's parent, guardian, legal custodian or other person standing in loco parentis.

"Complaint" means any information or allegation of abuse or neglect made orally or in writing other than the reports referred to below.

"Department" means the State Department of Social Services.

"Family assessment" means the collection of information necessary to determine:

The immediate safety needs of the child;

The protective and rehabilitative services needs of the child and family that will deter abuse or neglect;

Risk of future harm to the child; and

Alternative plans for the child's safety if protective and rehabilitative services are indicated and the family is unable or unwilling to participate in services.

"Investigation" means the collection of information necessary to determine:

The immediate safety needs of the child;

The protective and rehabilitative services needs of the child and family that will deter abuse or neglect;

Risk of future harm to the child;

Alternative plans for the child's safety if protective and rehabilitative services are indicated and the family is unable or unwilling to participate in services;

Whether or not abuse or neglect has occurred;
If abuse or neglect has occurred, who abused or neglected the child; and
A finding of either founded or unfounded based on the facts collected during the investigation.

"Local department" means the Department of Public Welfare or Social Services of any county or city in this Commonwealth.

"Prevention" means efforts that:

Promote health and competence in people; and
Create, promote and strengthen environments that nurture people in their development.

"Report" means an official document on which information is given concerning abuse and neglect and which is required to be made by persons designated herein and by local departments in those situations in which investigation of a complaint from the general public reveals suspected abuse or neglect.

"The court" means the Juvenile and Domestic Relations District Court of the county or city.

"Valid report or complaint" means the local department of social services has evaluated the information and allegations of the report or complaint and determined that the local department shall conduct an investigation or family assessment because the following elements are present:

The alleged victim child or children are under the age of eighteen at the time of the complaint or report;

The alleged abuser is the alleged victim child's parent or other caretaker;

The local department receiving the complaint or report is a local department of jurisdiction; and

The circumstances described allege suspected child abuse or neglect.

EXCEPTION

Va. Code Ann. § 63.1-248.2(2) (Michie, WESTLAW through 2000 Reg. Sess.) No child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination shall for that reason alone be considered to be an abused or neglected child.

Child Abuse and Neglect State Statutes Series Reporting Laws
Mandatory Reporters of Child Abuse and Neglect

VIRGINIA Va. Code Ann. § 63.1-248.3(A) (Lexis, WESTLAW through 2001 1st Sp. Sess.)

WHO MUST REPORT

Persons licensed to practice medicine or any of the healing arts; hospital residents or interns; persons employed in the nursing profession; other professional staff persons employed by hospitals, institutions, or facilities to which children have been committed or placed for care and treatment; duly accredited Christian Science practitioners;

Teachers or other persons employed in public or private schools, kindergartens, or nursery schools; persons providing child care for pay on a regularly planned basis;

Persons employed as social workers; mental health professionals; any persons associated with or employed by private organizations responsible for the care, custody, and control of children;

Probation officers; law-enforcement officers; mediators eligible to receive court referrals; court-appointed special advocates.

CIRCUMSTANCES

When in their professional or official capacity, they have reason to suspect that a child is an abused or neglected child.

PRIVILEGED COMMUNICAITONS

Va. Code Ann. § 63.1-248.11 (Lexis, WESTLAW through 2000 Reg. Sess.)

In any legal proceeding resulting from the filing of any report or complaint pursuant to the reporting laws, the physician-patient and husband-wife privileges shall not apply. Conduct conforming with the reporting requirements shall not be deemed a violation of the confidential communication privilege of §§ 5.60.060 [pertaining to husband-wife, attorney-client, clergy-penitent, and physician-patient privilege], 18.53.200

[pertaining to optometrist-patient privilege], and 18.83.110 [pertaining to psychologist-client privilege].

Child Abuse and Neglect State Statutes Series Reporting Procedures

VIRGINIA Va. Code Ann. § 63.1-248.3(A) (Lexis, WESTLAW through 2001 Sp. Sess. I)

INDIVIDUAL RESPONSIBILITY

Mandated reporters who, in their professional or official capacity, have reason to suspect that a child is an abused or neglected child, shall report the matter immediately, except as hereinafter provided, to the local department of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or to the Department of Social Services' toll-free child abuse and neglect hotline.

If neither the locality in which the child resides or where the abuse or neglect is believed to have occurred is known, then such report shall be made to the local department of the county or city where the abuse or neglect was discovered or to the Department of Social Services' toll-free child abuse and neglect hotline.

If an employee of the local Department is suspected of abusing or neglecting a child, the report shall be made to the juvenile and domestic relations district court of the county or city where the abuse or neglect was discovered.

If the information is received by a teacher, staff member, resident, intern or nurse in the course of professional services in a hospital, school or similar institution, such person may, in place of said report, immediately notify the person in charge of the institution or department, or his designee, who shall make such report forthwith.

PROFESSIONAL RESPONSIBILITY

Upon receipt of such a report of suspected abuse or neglect by an employee of the local Department by the court, the judge of the juvenile and domestic relations district court shall assign the report to a local Department of Social Services that is not the employer of the suspected employee for investigation or family assessment. The judge may consult with the State Department of

Social Services in selecting a local Department to respond to the report or the complaint.

CONTENT OF REPORTS

The initial report may be an oral report but such report shall be reduced to writing by the child abuse coordinator of the local Department on a form prescribed by the State Board of Social Services.

The person required to make the report shall disclose all information which is the basis for his suspicion of abuse or neglect of the child and, upon request, shall make available to the child-protective services coordinator and the local Department of Social Services, which is the agency of jurisdiction, any records or reports which document the basis for the report.

Va. Code Ann. § 63.1-248.4 (Lexis, WESTLAW through 2000 Reg. Sess.)

INDIVIDUAL RESPONSIBILITY

Any person who suspects that a child is an abused or neglected child may make a complaint concerning such child, except as hereinafter provided, to the local department of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or to the Department of Social Services' toll-free child abuse and neglect hotline. If an employee of the local department is suspected of abusing or neglecting a child, the complaint shall be made to the juvenile and domestic relations district court of the county or city where the abuse or neglect was discovered.

PROFESSIONAL RESPONSIBILITY

Upon receipt of such a report by the court, the judge of the juvenile and domestic relations district court shall assign the report to a local Department of Social Services that is not the employer of the suspected employee for investigation or family assessment; or, if the judge believes that no local

department of social services in a reasonable geographic distance can be impartial in responding to the reported case, the judge shall assign the report to the court service unit of his court for evaluation. The judge may consult with the State Department of Social Services in selecting a local Department to respond to the report or

complaint. Such a complaint may be oral or in writing and shall disclose all information which is the basis for the suspicion of abuse or neglect of the child.

Child Abuse and Neglect State Statutes Series Compendium of Laws
Reporting Laws: Immunity for Reporters

VIRGINIA Va. Code Ann. § 63.1-248.5 (Michie 1995)

Any person who makes a report or complaint pursuant to the reporting laws, or who takes a child into custody pursuant to law, or who participates in a judicial proceeding resulting from such actions, shall be immune from any civil or criminal liability in connection therewith, unless it is proven that such person acted in bad faith or with malicious intent.