

CHALLENGE, INC.

HUMAN RESOURCE POLICIES AND PROCEDURES MANUAL FOR STAFF MEMBERS

Patrick McKee,
President
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Welcome to the Challenge staff,

You are joining a highly skilled and dedicated group of individuals who share in the Challenge mission. That mission is to support people with disabilities and other barriers to employment in developing and matching their skills, interests, and talents to the needs of today's workplace. This is a fairly broad mission reflected in the wide range of programs and individuals that are brought together to meet it. While the programs are varied, we work very hard to see that we remain a unified organization that values the contribution of each area and each individual.

As partners in the effort to meet the Challenge mission, both Challenge and you have certain responsibilities. Challenge provides a range of benefits for you that are detailed in this manual. Also detailed are your responsibilities related to the organization, to our clients, and to your co-workers. The primary responsibility of Challenge and its staff is to meet the needs of our program participants, but we can only be successful when we act as genuine partners.

It is the intention of Challenge to maintain this manual in as current a state as possible. To that end, updates to the manual will be made on a regular basis and Challenge reserves the right to change, revise, or delete the plans, policies, and benefits and procedures described in this manual at any time. Notice of changes will be provided to you, however it is your responsibility and in your best interest to remain familiar with the most recent addition of the manual.

Policy and procedures manuals are typically read with only casual interest if they are read at all. This is something like the attention paid to automobile manuals. Unfortunately information contained in the manual could often have been quite useful at a much earlier date than when the manual was actually consulted. So, please take the time to carefully review this manual and know that we welcome suggestions for improving it.

Once again, welcome to Challenge,

Patrick J. McKee
President

CHALLENGE, INC.
HUMAN RESOURCE POLICIES AND PROCEDURES

INTRODUCTION

This manual provides employees of Challenge with a uniform set of policies and procedures in regard to the employer/employee relationship. This manual is not a contract of employment and does not create any contractual rights of any kind between Challenge and its employees. Your employment with Challenge is “at-will” and entered into voluntarily. You are free to resign at any time, for any reason. Similarly, the company is free to conclude the employment relationship at any time.

The guiding philosophy of our organization underscores the recognition that our employees are our most valuable resource.

Many of our policies and procedures are comparable to those practiced in other employment environments. However, some are unique due to the nature of our mission. Flexibility, reasonableness and circumstance are always a consideration in the implementation of these Human Resource Policies and Procedures. There are, however, Federal, State and Local requirements that are law. We are obligated, as are all employers, to be in compliance with these requirements.

Our organizational structure provides that the President and the Director of Human Resources, in conjunction with the Board of Directors has the responsibility for developing sound human resource policies and procedures that will attract and retain qualified personnel at all levels of employment. Further, the President, Human Resources Associate and the Human Resource Committee of the Board of Directors recommends policies and major policy revisions to the Board of Directors. The Human Resource Committee consists of the President, Human Resources Associate and members of the Board of Directors with other qualified persons as appointed by the Chairperson of the Board in consultation with the President and the Human Resources Associate. Implementation of management practices and decisions related to policies are the responsibility of the President and the Human Resources Associate.

PERSONNEL DEFINITIONS

EXEMPT STAFF MEMBERS are those employees exempt from the wage and hour provisions of the Fair Labor Standards Act. They are paid a bi-weekly salary and do not receive additional compensation for hours worked beyond the regular workweek.

NON-EXEMPT STAFF MEMBERS are regulated by the provisions of Federal wage and hour laws. They are eligible for overtime compensation pay if time worked exceeds forty (40) hours per week. Time paid but not worked will not be counted in the calculation of overtime. Overtime work must be approved in advance by the employee’s supervisor.

The term employee as used in this policy refers to all exempt and non-exempt personnel.

APPOINTMENTS

Challenge affirms the principles of Equal Employment in accordance with Federal, New York State and Local Laws. All employment decisions are based on the principles of Equal Employment law.

The Human Resource Department will confirm all staff appointments in writing. At the time of employment, a copy of these Human Resource Policies will be given to newly appointed staff members. The appointee will acknowledge, in writing, the receipt of these Policies.

STANDARDS OF CONDUCT

Confidentiality

All information pertaining to individuals served by Challenge is strictly confidential. Such information is to be discussed only on an as needed basis, and then only with Challenge personnel and professional personnel of other organizations directly involved with those individuals and their families. All staff are required to read and sign a confidentiality agreement. For further information, please refer to the Confidentiality Policy.

Professional Conduct

It is important for all staff to conduct themselves with extraordinary discretion in both their public and private life so that Challenge and its mission are not compromised in any way. Employees must provide positive, professional role models for consumers and fellow staff. The Code of Conduct provides further definition about professional conduct, drug and alcohol use, and consumer/staff relationships. All staff shall familiarize themselves with the goals, policies and procedures of the organization. For further information, please refer to the Code of Conduct Policy.

Failure to adhere to these standards of conduct may result in disciplinary action up to and including discharge.

Physical Contact

Employees of Challenge interact on a continual basis with consumers. In all situations, Challenge employees must assure that the rights and safety of consumers are respected at all times. It is essential for all employees to provide positive, professional role models for consumers and fellow staff.

At no time is an employee, intern, volunteer, contractor or other individual associated with Challenge to engage in sexual contact with a consumer. Any sexual contact between a person receiving services and an employee, intern, volunteer or contractor of Challenge is always considered sexual abuse and is prohibited. Physical contact must be limited to contact that is acceptable to both parties, is appropriate to the relationship and location, and is non-sexual in nature. Consumers who have difficulty with physical touching, or inappropriate sexual behavior will have limit setting and education regarding appropriate social distance.

Any employee of Challenge who violates this policy will be subject to disciplinary action, up to and including discharge, depending upon the nature and seriousness of the incident. For further information, please refer to the Physical Contact Policy.

TRIAL PERIOD

It is the policy of Challenge that all new staff and all present staff transferred or promoted to a new job are to serve a trial period. Trial period of all managerial, professional and direct staff will be for a period of six-(6) months' duration. Trial period for all administrative support and hourly staff will be for a period of ninety (90) days' duration. Upon successful completion of the trial period, employees will be considered regular, full-time employees with all rights and privileges consistent with this status.

A trial period may be extended for up to three additional months if the supervisor feels additional time is warranted in order to achieve satisfactory job performance. Unscheduled leaves are not included in the required trial period.

The trial period will be automatically extended by the number of days an employee is absent from scheduled work, regardless of cause.

Supervisors may recommend that a trial employee be discharged before the end of the trial period. Any recommendation for discharge should be submitted in writing to the Human Resources Associate for review, and should include an evaluation and listing of actions taken to assist the employee. Action to discharge must have prior approval of the Human Resources Associate. New employees discharged during or at the end of the trial period are not eligible for payment of accrued vacation time.

Transferred or promoted staff who are unable to perform satisfactorily on their new job during or at the end of their trial period may, at the discretion of management, be returned to their original job, or be considered for other vacancies in the organization. If a suitable position is unavailable, the employee may be discharged.

New staff are eligible for health, dental and life insurance on the first of the month following thirty days of employment. The waiting period for most other organizational benefits is ninety (90) days.

RESIGNATION, LAYOFF, DISCHARGE

Staff members may be separated from employment with Challenge for reasons such as, but not confined to the following:

Resignation:

Employees are expected to give written notice of their intent to resign. The following time frames are appropriate.

All professional and direct support rehabilitation employees are required to provide at least four (4) weeks notice. All administrative support and hourly employees are required to provide at least two (2) weeks notice. In unusual circumstances, the President or Human Resources Associate may waive these requirements.

In order to provide continuity of service to the people we serve during a transition period, it is requested that vacation or personal days not be used during, or instead of the four-week notification period.

Accrued sick leave of more than two days may not be used during, or instead of any days during the notification period. Additional hours taken will be deducted from remaining vacation, or the calculation of severance pay. Vacation time that has been used, but not earned will be deducted from the employee's final paycheck. Resignation without proper notice will result in forfeiture of vacation benefits.

Employees who are absent from work for three consecutive days without cause or notice to the organization will be considered as having voluntarily resigned.

Layoff:

All positions at Challenge can be subject to layoff. Certain positions are particularly subject to layoff related to the local academic calendar. Individuals on layoff are not eligible to use benefit time during periods of layoff. Staff on temporary layoff may retain health, dental and life insurance provided they pay for their cost of the benefit. The layoff date will be determined as the day after the employee's last day of work.

Discharge:

An individual's employment may be discharged for the following reasons:

- Misconduct
- Unsatisfactory performance

Layoff due to Economic or Business Changes

Separation Pay

Pay for earned, unused vacation leave at the time of discharge will be added to the final paycheck for all staff members who have conformed with the separation policies of the organization, and have been employed beyond the trial period. However, Challenge reserves the right to pay or not to pay benefits to separating employees. Unused vacation leave will not be paid in excess of one (1) year's entitlement. Employees who leave Challenge are required to return keys, credit or telephone cards, and other property of Challenge. Any outstanding debts shall be paid by the employee before separation.

HOURS OF WORK

The normal workweek for most staff is Monday through Sunday, beginning and ending at midnight on Sunday. The Challenge workweek consists of 37.5 hours. Staff are employed on the basis of the requirements of their respective positions, rather than on the basis of specific hours. The normal workday will consist of 7.5 consecutive hours of work with an unpaid meal period. Lunch is normally one-half hour and should be scheduled between 11:00 a.m. and 1:30 p.m. for individuals working during the day shift. In accordance with New York State Law, all staff working a six hour shift or more will receive a 30 minute unpaid meal period. The Agency reserves the right to adjust work hours for all employees to meet the business needs of our customers. The normal work hours are 8:00 a.m. - 4:00 p.m. Staff may schedule their workweek in order to best match the requirements of their job, with the approval of their Department Head. With adequate notice, your supervisor may alter your work schedule if the demands of your job necessitate such change.

PART TIME STAFF

Part time staff working twenty hours per week or more are entitled to benefits on a pro-rated basis. Part time staff working at least twenty (20) hours or more are eligible to participate in the Challenge health and dental insurance plan, Flexible Spending Accounts and the 403(b) plan. 403(b) employer contributions and life insurance are only available to those employees working more than thirty hours per week. Part time staff working less than twenty hours per week do not receive benefits.

TEMPORARY STAFF

Temporary staff may be full or part time with a period of employment of less than six (6) months per year. Temporary staff are entitled to statutory benefits only, which are short-term New York State disability and workers' compensation. Any exceptions to this policy must be pre-approved by the Human Resources Associate and the President.

PAY CHECKS

Paychecks are distributed bi-weekly (every other Friday), or on the last working day, prior to a holiday, if the holiday falls on a payroll Friday. If paycheck distribution occurs during a staff member's vacation, their paycheck may be issued in advance of the vacation, upon the staff member's request to the Finance Department. The Finance Director must approve requests for early check distribution. Payroll is calculated from 12:01 a.m. Saturday through midnight Friday.

WAGE AND SALARY ADMINISTRATION

A Wage and Salary Administration Program has been established to provide effective and equitable employee compensation. It has been designed to meet the needs of Challenge employees and the various programs within the organization. Challenge uses market information on an annual basis to determine equitable salaries for all staff. Salary increases are reviewed on the basis of additional responsibilities taken on by staff or market changes in compensation. The Challenge wage and salary administration program complies with all Federal and New York State wage and labor laws.

Authority for wage and salary determination rests with the President in consultation with the Director of Finance, Human Resources Associate and the Human Resource Committee.

PERFORMANCE APPRAISALS

Each staff member's work performance is reviewed at the end of their trial period by their direct supervisor. After successful completion of the trial period, each employee will be reviewed on an annual basis. Interim reviews may be conducted as necessary. Annual Performance Reviews are shared with the employee and are contained in the employee's personnel file. Areas of evaluation will include the quality of work performed, job knowledge, initiative, communication and the ability to work within a team.

TUBERCULOSIS CONTROL PLAN

Challenge recognizes that Tuberculosis represents a significant health risk to consumers and staff. The Tuberculosis Control Plan is an effort to reduce this risk through education, prevention and screening.

New employees, volunteers and consumers of services are required to provide PPD or TB test results prior to beginning employment or services. The test must have been performed within the previous twelve (12) months prior to the individual's start date with Challenge. Results will be kept in the employee's medical file.

BENEFITS

The following statutory benefits are provided to all employees:

Unemployment Insurance - Challenge is a covered employer under the New York State compensation law and makes contributions for this benefit on behalf of its employees. The organization pays the full cost of this insurance.

Short-Term Disability - Challenge provides income continuation as required by New York State Law for employees who are unable to work due to a non-job-related illness or injury. Employees are not eligible for N.Y.S. short-term disability unless they are absent from work for more than seven (7) calendar days. The first seven (7) days are not paid through disability insurance (waiting period). Available benefit time may be used to cover this waiting period. After the waiting period, disability insurance will pay fifty percent (50%) of the employee's weekly salary up to a maximum of \$170.00 per week. The balance of compensation may be taken from remaining sick, personal or vacation benefits. When Challenge benefits have been exhausted, the employee will receive disability salary directly from the provider for the remaining leave period (not to exceed 26 weeks). Challenge pays the full cost for this insurance. Employees who are absent for more than two (2) consecutive pay periods will be responsible for the health insurance premium co-payment.

Workers' Compensation - Challenge provides benefits to its employees under the Workers' Compensation Laws of New York State. Benefits cover employees for accidental injury or illness proven to be job related. The policy reimburses employees for eligible medical expenses and replacement of lost wages within limits of New York State Law. The organization pays the full cost for this insurance.

Social Security - All employees participate in the Social Security system. Federal Law determines company and employee contributions. Employee contributions are handled through payroll deductions.

The following benefits are provided to all eligible employees:

Health Insurance - Challenge provides a health insurance option for all eligible employees. At the present time Challenge contributes a fixed amount per month toward health insurance coverage. Employees may elect dependent coverage. The employee pays the balance of the family premium through pre-tax payroll deductions. The specific provisions of the plan are available from the Human Resources Department. Coverage begins on the first of the month after 30 days of employment.

Life Insurance - After a thirty (30) day waiting period, all employees regularly working at least thirty (30) hours per week are eligible to participate in this plan. Term Life and Accidental Death and Dismemberment Insurance equal to 1.5 times annual earnings, up to a maximum benefit of \$100,000 is provided. The organization pays the full cost of this insurance for all employees. The specific provisions of the plan are available from the Human Resources Department.

Flexible Spending Accounts Plan - Flexible Spending Accounts are pre-tax employee dollars which can be used for qualified health or day care expenses for the employee and his/her dependents. Dollars are deducted from the employee's paycheck before taxes, and are paid back to the employee when qualified services are submitted. The specific provisions of this plan are available from the Human Resources Department.

403(b) Retirement Plan - All employees may voluntarily contribute to the plan through bi-weekly, pre-tax, payroll deductions. After two (2) years of continuous, full-time employment, Challenge will contribute 4% of annual salary for eligible administrative, managerial and salaried employees. Eligible employees must complete an enrollment, beneficiary and salary reduction agreement. For those staff who become eligible and do not complete the proper documentation, investments will be placed in a low interest, secure investment option within the plan. The specific provisions of this plan are available from the Human Resources Department.

Direct Deposit - Employees may elect to have their net pay or a portion of their pay deposited directly into a checking or savings account of participating financial institutions. Forms for this process are available in the Human Resources Department.

Extension of Health Insurance Coverage - COBRA - It is the policy of Challenge to comply with the requirements of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). The purpose of this law is to allow staff and their dependents to continue to participate in our basic health insurance plans upon separation of employment, or other qualifying events.

The Human Resources Department will inform staff members of their rights under this law. When a staff member leaves the organization, the Human Resources Department will notify the employee of the option to purchase continued health coverage for themselves and/or their dependents. Individuals will be given sixty (60) days in which to notify Challenge of their decision. Sixty (60) days will begin after the loss of coverage, or the day COBRA notice is sent to the individual. Retroactive premiums are due upon acceptance of COBRA. Payments must be received by the first of the month to continue insurance coverage. Individuals are encouraged to notify Challenge of COBRA conversion as soon as possible to provide consistent coverage.

BENEFIT TIME

It is the policy of Challenge to provide paid benefit time to all employees. It is important that all staff adhere to the policies listed below with good attendance and punctuality. Excessive absenteeism and tardiness have a negative effect on fellow staff, consumers and services. As a guideline, the agency has determined that any of the following may be considered excessive absenteeism and subject to disciplinary action:

- a. Unexcused absences,
- b. Exceeding the number of paid absences provided,
- c. Any regular pattern of absences such as an unusual number of Fridays or Mondays off,
- d. Excessive breaks or tardiness.

Employees who are absent from work for three (3) consecutive days without notice to the agency will be considered as voluntarily resigned without notice and will lose any separation benefits. Challenge will mark the discharge in the employee file and notify the individual by mail.

VACATION

Vacation benefits begin on the first day of employment and accrue each pay period. No vacation can be used during the first ninety (90) days of employment. Approval of vacation is at the discretion of the individual's Manager or Department Head. Vacation leave for administrative, managerial and salaried staff members will be earned at the rate of 4.33 hours per pay period for a total of fifteen (15) days per year. Vacation leave for hourly staff members will be earned at the rate of 2.88 hours per pay period for a total of ten (10) days per year. Vacation time may be used in 1/2 hour increments with the proper prior notification and approval of the employee's direct Supervisor (Leave Request Form). * Regular part-time staff will accrue vacation leave in direct ratio to their regular hours of employment. All staff must successfully complete the trial period to use vacation benefits. Benefit time used, but not earned cannot exceed 5 days of unearned time without prior approval of the Director of Human Resources or the President.

Additional vacation leave will be granted after five (5) years of employment at the rate of one (1) additional day for each subsequent year of service, up to a total of twenty (20) vacation days for administrative, managerial and salaried staff. Additional vacation leave will be granted after five (5) years of employment at the rate of one (1) additional day for each subsequent year of service, up to a total of fifteen (15) days for Production hourly staff.

Because the organization believes in the benefits of regularly planned vacations, earned vacation leave will not be accumulated beyond five (5) days per calendar year. Vacation time in excess of 5 days will be forfeited unless otherwise approved by the individual's manager or Department Head and the Human Resources Associate.

Staff who leave the organization will be paid out a maximum of three (3) weeks of vacation in their final paycheck. Vacation time that has been used, but not earned by service time will be deducted from the employee's last paycheck.

SICK LEAVE

Sick leave for administrative, managerial and salaried staff members will be earned at the rate of 3.46 hours per pay period, for a total of twelve (12) days per year. Sick leave for hourly staff members will be earned at the rate of 1.73 hours per pay period, for a total of six (6) days per year. No sick leave can be used during the first ninety (90) days of employment. If a staff member is sick during the trial period, the time will be allowed without pay. Administrative, managerial and salaried staff members may accumulate a total of up to one hundred (100) sick days, (750 hours). Production hourly staff members may accumulate a total of up to thirty (30) sick days, (225 hours). Sick leave will be displayed in hours on the employee paycheck and may be used in hourly increments as necessary with the proper notification to the Receptionist and/or direct Supervisor. *Regular part-time staff members will earn sick leave in direct

proportion to their regular hours of employment based on their benefit category. Staff will forfeit unused sick leave upon separation of employment.

Sick leave may be used for the following:

- Sickness or injury of the employee,
- Family or Household member's illness, up to ten (10) days per year,
- Medical appointments.

All employees must complete a Leave Request Slip for a scheduled doctors' appointment, or call the main office when using sick time. If no notification is received by 8:30 a.m. on the day of work, the employee will not be paid for the day.

If a staff member has exhausted sick leave, any time off will be without pay and may be subject to disciplinary action. In the event of a qualified medical event, the President and/or Human Resources Associate may grant an unpaid, medical leave. See Family and Medical Leave Policy.

A Doctor's certificate will be required after three (3) consecutive sick days or at the discretion of the Human Resources Associate.

FAMILY AND MEDICAL LEAVE

It is the policy of Challenge to comply with the provisions of The Family and Medical Leave Act of 1993. The organization will grant up to twelve (12) weeks of family and medical leave (FML) during a twelve (12) month period to eligible employees for qualified events. If an employee and spouse are employed within the organization, the 2 employees will share the twelve (12) weeks of FML. Employees are eligible for FML if they have completed at least one (1) year of service immediately preceding the start of leave and have worked at least 1250 hours within the last year. The employee must give Challenge thirty (30) days advance notice of a leave request whenever situations permit. Benefit time will be used toward FML first, with the remainder of the leave unpaid, depending upon the benefit status of the employee(s). The Family and Medical Leave Request Form shall serve as proper notice, and is available in the Human Resources Department.

Challenge defines the twelve (12) month period as a rolling twelve months beginning with, and prior to the date FML begins.

A qualifying event is defined as the birth, adoption or foster placement of a child; the care of a child, spouse, or parent with a serious health condition; or the employee's own serious health condition.

Challenge shall maintain an employee's health insurance coverage during FML at the same level and co-payment that was in effect prior to the FML. Contributions may be taken directly through payroll deduction if the employee continues his/her salary during FML. If the leave is unpaid, the employee will be responsible for any co-payments to continue benefit coverage. Failure to pay premiums will jeopardize the employee's continuation of coverage.

PERSONAL LEAVE

Three (3) days of personal leave will be provided to all full time, regular staff per year and is accrued each pay period. No personal leave can be used during the first ninety (90) days of employment. Personal leave can be taken in hourly increments and must be approved by the appropriate supervisor. It is not necessary to give the specific purpose for which personal leave is being used. The integrity of the staff member will be respected. Earned Personal Leave will not be carried over from year to year. Staff will forfeit unused personal leave upon separation of employment.). * Regular part-time staff will accrue personal leave in direct ratio to their regular hours of employment. All staff must successfully complete the trial period to use personal leave benefits.

BEREAVEMENT PAY

In the event of a death in the immediate family (spouse, domestic partner, child, mother, father, sister, brother, mother-in-law or father-in-law, grandchild, grandparent, or any other person who is a permanent member of the household) of a staff member, time off with pay, not to exceed three (3) days will be granted.

In the event of the death of an aunt or uncle, one (1) day with pay will be granted for the purpose of attending services.

LEAVE OF ABSENCE

It is the policy of Challenge to grant employees a leave of absence under certain other circumstances. Except as stated below, employees will not receive compensation during a leave of absence. In the case of a leave of absence without compensation, benefits will cease at the end of the month in which the leave of absence begins. Eligible employees can continue health insurance payments on their own, as provided by COBRA law. Vacation, sick and personal time benefits will stop accruing immediately. Employees are eligible for a leave of absence if they have completed at least one (1) year of service. The duration of each leave of absence and the compensation received by the employee, if any, during the leave of absence shall be determined by the President and the Human Resources Associate.

An authorized Leave Of Absence is not a guarantee of reinstatement. If conditions change, and in the judgment of the organization, it is not practical to keep the position open, an employee will be given consideration for other available positions. The following types of leaves shall be considered:

PERSONAL LEAVE - Individuals may request personal time for professional or personal business which cannot be accomplished during the employee's regular work schedule.

MILITARY LEAVE OF ABSENCE - As required by Federal Law, a military leave of absence will be granted if an employee enlists, is inducted, or is recalled to active duty in the armed forces of the United States for a period of not more than four years (plus any involuntary extension for not more than one year). Employees who perform and return from military service in the Armed Forces, the Military Reserves or the National Guard shall have and retain such rights with respect to reinstatement, seniority, vacation, layoffs, compensation, and length of service or pay increases provided by applicable federal or state law. Specific legal requirements are available in the Human Resources Department. See updated USERRA posting at www.dol.gov

If an employee has an obligation to fulfill two (2) weeks of active duty in the military reserves, Challenge will pay the full salary for the period involved, and the employee shall reimburse Challenge for the amount received for military pay.

Requests for a leave of absence or any extension of a leave of absence should be submitted in writing to the employee's Department Head and the Human Resources Associate thirty (30) days prior to commencement of the leave period or extension. The Human Resources Associate, in consultation with the President and Departmental Manager, will make the final decision concerning the request for leave.

Employees returning from a leave of absence will be reinstated to their same job or one of similar status and pay, provided Challenge's circumstances have not changed to the extent that it would be impossible or unreasonable to provide reinstatement. If the same job or one of similar status and position is not available, reinstatement may be deferred until a position is available, and the employee will be granted a preference in recall.

If any employee fails to return to work on the first working day following the conclusion of an approved leave of absence, the employee will be considered as having voluntarily resigned and will be discharged from employment.

A Leave of Absence will not be extended beyond a six (6) month period.

Employees continue to accrue benefits while they are on a paid leave of absence.

HOLIDAYS

It is the policy of Challenge to designate and observe certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed.

The following holidays will be observed*:

New Year's Day	Thanksgiving Day
Martin Luther King, Jr's Birthday	Day after Thanksgiving
President's Day	Two weekdays between Christmas and
Memorial Day	New Year's to be scheduled by the
Fourth of July	President in consultation with the Dept. Heads
Labor Day	Christmas Day

*Refer to the schedule of holidays and other organizational closings for the current year.

If a holiday falls on Saturday, the holiday will be taken on the preceding Friday. If a holiday falls on a Sunday, the holiday will be taken on the following Monday. If an employee is required to work on a holiday, the employee will be paid for the holiday plus any hours worked.

When Christmas and New Year's fall on the weekend, the President in consultation with the Department Heads will decide which dates will be observed.

Temporary staff, staff on leave of absence, or staff on lay off are not eligible to receive holiday pay. Full-time staff are eligible to receive their regular rate of pay for each observed holiday. Holiday pay will be based on the standard 7.5 hour work day. Part time staff are eligible to receive holiday pay only for holidays on which they would normally be scheduled to work, and only for their regularly scheduled number of hours.

To receive holiday pay, an eligible staff member must work, or have an approved absence, on the workdays immediately before and immediately after the day on which the holiday is observed.

JURY DUTY

If a staff member is called for jury duty that coincides with their regular work day, Challenge will pay the full salary for the period involved. The staff member must notify their immediate supervisor with a copy of the jury notice and complete a Leave Request Slip with the proper signatures to receive compensation for Jury Duty. The staff member shall reimburse Challenge for the amount received for jury duty, but not for the amount received for parking and mileage. A staff member who is excused from jury duty or relieved for the day is required to return to work.

NEWS MEDIA AND PRESS RELEASES

The President, Development Associate and Chairperson of the Board of Directors are the appointed spokespersons for Challenge. All inquiries from the news media or public should be referred to the President or Development Associate. A staff person may not respond to the media on behalf of or about Challenge without prior approval from the Development Associate or the President.

NEPOTISM

A staff members' immediate family will be considered for employment provided the applicant possesses all the qualifications for employment. An immediate family member may not be hired, however, if such employment would:

Create either a direct or indirect supervisor/subordinate relationship with a family member, or;

Create either an actual conflict of interest, or the appearance of a conflict of interest.

These criteria will also be considered when assigning, transferring, or promoting a staff member. For purposes of this policy, "immediate family" includes: the staff members' spouse, domestic partner, brother, sister, parents, children, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the staff member's household.

Staff members who marry or become members of same household may continue employment as long as there is not:

A direct or indirect supervisor/subordinate relationship between such staff members, or;

An actual conflict of interest, or the appearance of a conflict of interest.

Should one of the above situations occur, management will attempt to find a suitable position within the organization to which one of the affected staff members may transfer. If accommodations are not feasible, the staff members will be permitted to determine which person will resign whenever possible.

EDUCATIONAL POLICY

It is the policy of Challenge to provide educational assistance to staff in accordance with the guidelines established below.

Employees are eligible for educational assistance after they have successfully completed their six (6) month probationary period. All course work requested for reimbursement must be approved in advance by the department head and the Human Resources Associate. Course work must be job-related or required for the completion of an approved degree program. Staff must submit a completed tuition reimbursement form to the Human Resources Associate prior to enrollment of each course. Forms may be obtained in the Human Resource Department.

Staff reimbursement for eligible educational assistance will be contingent upon a grade report of "C" or better. Challenge will reimburse tuition at 80%, up to \$500 per course with a maximum of \$1000 per calendar year. Reimbursement will be made after the coursework is completed and a final grade is received by the Human Resources Department.

All educational assistance requests are subject to the availability of funds through the budget as determined by the Vice President and the Human Resources Associate. Fees, books, transportation, and other expenses associated with coursework are the staff member's responsibility. Limited release time for course work during work hours may be possible and must be submitted and approved by the employee's immediate supervisor and department head. Staff members are expected to responsibly complete their work and obligations to Challenge. Requests for exceptions to the education policy can be made to the President.

PROFESSIONAL ORGANIZATIONS, CONFERENCES AND DEVELOPMENT

Staff may be reimbursed for membership(s) in professional organizations, participation in conferences and development programs appropriate to their professional field. All expenses are subject to approval by the department head and the Vice President.

CONFERENCE AND MEETING EXPENSES

Budgetary constraints and other practical considerations will determine the number and frequency of conference attendance. Staff attendance at professional conferences is encouraged.

Expenses must be approved in advance by the supervisor or department head, and the Director of Human Resources. Reasonable expenses associated with a conference or meeting will be reimbursed by the agency. Additional information in the area listed **TRAVEL**.

TRAVEL

Challenge will reimburse employees for reasonable and normal expenses incurred while traveling for company business, attending training sessions, seminars and conferences. It is the policy of the organization that staff travel performed in the course of conducting business must be approved in advance. Travel time for non-exempt staff will be considered working time and will be paid accordingly. Challenge maintains a tax-exempt status for expenses incurred during business. Tax exemptions should be claimed at all times. Tax exempt forms are included in the Business Travel Packet and are available in the Finance office. All travel will be reviewed and reimbursed according to the guidelines below.

All travel must be approved in advance by the staff member's supervisor and department head. Staff should provide their supervisor with a copy of their itinerary before leaving on business travel.

All travel arrangements for training, transportation and accommodations will be made through the staff member's supervisor. See Transportation Policy for information regarding vehicle usage.

Challenge may issue periodic bulletins specifying or restricting travel booking requirements. All staff must use the "Tax Exempt Status" when expenses are incurred. Under normal circumstances, staff members are to stay in, and eat at moderately priced establishments and exercise discretion when incurring travel expenses. Reimbursement for meals is based on the Government CONUS daily rates and varies by geographic area. Please see Human Resources or Finance for guidelines on travel reimbursement.

Any travel expenses deemed unreasonable will not be paid or reimbursed and are the staff member's personal responsibility. Alcohol is not covered within this policy and will not be reimbursed by Challenge.

Staff expenses for approved travel will be paid or reimbursed when properly documented by the staff member and approved by the supervisor. Original itemized, receipts attached to a completed Expense Report are required for reimbursement.

Telephone calls will be covered within the travel policy that are reasonable and necessary for conducting business. Calls made to home while traveling should not exceed ten minutes per day. When staying in a hotel, staff should avoid making calls that have a surcharge. To minimize surcharges charges to telephone calls, a calling card should be used whenever possible. Calling cards are available from the Finance Department.

Staff members may obtain a cash advance for approved business travel by submitting a written check request to the Director of Finance. Challenge credit cards must be requested in advance and their use must be pre-approved by the Departmental Manager. Cash advances and credit cards are available from the Finance Department.

Cash advances and credit cards are company property, and their use is not to be abused. All advances and charges must be properly documented and approved as outlined in the paragraphs above. Any fraudulent activities or abuse of Challenge funds or credit cards will be subject to disciplinary action, up to and including discharge.

AUTOMOBILE USAGE

It is the policy of Challenge to provide vehicles for business use, to allow staff to drive on company business, and to reimburse staff for the use of personal vehicles on company business according to the guidelines below. In an effort to control travel expenses, staff are encouraged to carpool whenever possible. Reimbursement will be provided for one (1) vehicle per four (4) staff, unless pre-approved by the Director of Finance or the Human Resource Associate.

Before approving a driver, the Human Resources Department will verify the existence of a valid driver's license, check the staff member's driving record, and make sure the staff member is eligible for coverage under the Challenge insurance policy. Staff members approved to drive on agency business are required

to inform the Human Resources Associate of any changes that may affect either their legal or physical ability to drive, or their continued insurability.

The Challenge insurance policy will cover staff members and passengers while they are using a Challenge vehicle for business. Staff using their personal vehicle for business must have their own auto insurance. In the case of an accident in an employee's car, the driver's insurance policy will cover automobile damage and liability. The Challenge policy will come into effect after the driver's liability insurance coverage has been exhausted. Any injuries to staff or consumers during work time will be covered under the Challenge Worker's Compensation Insurance. For details or questions, contact the Human Resources Associate.

Staff members holding jobs that require regular driving for business must meet the driver approval standards of this policy as a condition of employment. Driver approval standards include a valid New York State Drivers license, insurance as required to operate a vehicle in New York State and approval of the Challenge insurance company through Department of Motor Vehicle license checks. For all other jobs, driving is considered only an incidental function of the position. License checks through the Department of Motor Vehicle may be performed at any time by Challenge or the insurance company representing Challenge.

Staff members who drive a vehicle on agency business must also exercise due diligence to drive safely and must make sure that the vehicle meets legal standards for insurance and safety. Staff members are responsible for any driving infractions or fines as a result of their driving.

Staff members are not permitted to operate an agency vehicle, or a personal vehicle for agency business, when any physical or mental impairment causes the staff member to be unable to drive safely. This prohibition includes circumstances in which the staff member is temporarily unable to operate a vehicle safely or legally because of illness, medication, or intoxication.

Staff members must report any accident involving an agency vehicle or a personal vehicle used on agency business to their supervisor and the Human Resources Associate. Such reports must be made as soon as possible but no later than forty-eight (48) hours after the accident. Staff members are expected to cooperate fully with authorities in the event of an accident.

Time spent by non-exempt staff members (those subject to the wage and hour provisions of the Fair Labor Standards Act) to drive an agency or personal vehicle for agency business during working hours will be considered working time and will be paid accordingly.

Staff members who use their personal car for approved business purposes will receive mileage allowance based upon the current approved reimbursement rate (For current reimbursement rates please refer to Reimbursement Guidelines located in Challenge's Financial Policies section or see Finance). This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance. In addition, staff members driving on agency business may claim reimbursement for parking fees and tolls incurred. Staff driving agency vehicles may charge or claim reimbursement for gasoline and other expenses directly incurred for business purposes. Receipts are required for reimbursement of expenses incurred while driving for agency purposes. Use of a Challenge vehicle must be pre-arranged through the Receptionist. Charges and claims for mileage allowance, or for vehicle use reimbursement must be properly documented, approved by the staff member's supervisor and submitted to the Finance Department for payment.

PROBLEM RESOLUTION AND REFERRAL PROCEDURE

PROBLEM RESOLUTION - INFORMAL PROCEDURE

A staff member who is dissatisfied with work conditions or has unresolved issues with co-workers, should discuss the issue with their immediate supervisor, or the staff member involved. If the matter is not resolved, the employee should meet with their department head. If the issue cannot be resolved, the matter should be referred to the Human Resources Associate and the President. Performance evaluation is not subject to the formal problem and referral procedure.

PROBLEM RESOLUTION - FORMAL PROCEDURE

A problem is a statement by a staff member of violation or misinterpretation of these Human Resources Policies and Procedures. If a staff member believes that a violation of these Human Resources Policies and Procedures has occurred, the following steps must be taken within the time period provided.

Step 1 -The staff member will submit written explanation of the problem and a proposed remedy to his/her immediate supervisor within five (5) working days of the occurrence. The supervisor will review the problem, interview the involved parties to determine the relevant facts, and submit a written response within five (5) working days after receipt of the written problem to the staff member. The supervisor will immediately hold a conference with the staff member to explain the written response.

Step 2 - If the staff member is not satisfied with the results of the conference and the written response, the staff member will submit a copy of the documentation to the department head within three (3) working days of the receipt of the written answer. Within a period of five (5) working days thereafter, the department head will review the problem and the supervisor's answer; interview the involved parties to determine the relevant facts; and provide a written disposition of the problem to the staff member. The department head will hold a conference with the staff member explaining the reasons for the answer at the time the written answer is given to the staff member.

Step 3 - If the staff member is not satisfied with the results of Step 2, the staff member will then submit a copy of the written problem, the supervisor's answer, and the department head's answer to the President and the Human Resources Associate within three (3) working days of the receipt of the written information.

The President will review the problem and the written information submitted, hold a conference with the staff member and department head. The President will issue a written disposition within a period of five (5) working days.

The President has final authority in all cases.

The Chairperson of the Board and the Chairperson of the Human Resources Committee will be briefed on all cases that reach Step 3.

PERSONNEL FILES

Personnel files maintained at the agency contain a variety of documents pertaining to an individual's employment. Personnel files include information about placement, salary history, date of hire, evaluations, disciplinary actions, benefits, employee development, copies of correspondence, etc. All personnel files are property of Challenge and are confidential.

Requests for review of information must be submitted to the Human Resources Associate in writing, 24 hours prior to review. Approval of an employee request to review their personnel file is not required by law and will be granted at the discretion of the Human Resources Associate.

Information contained in an individual's personnel file is confidential. Compensation levels of Challenge personnel are confidential. Access to the files will be made only to the President, Human Resources Associate, Human Resources Assistant and Departmental Manager.

Personnel files are to remain within Challenge at all times. All reasonable efforts will be made to assure the privacy and security of the personnel files.

DISCLOSURE OF INFORMATION

Challenge does not release or disclose personal information about individual applicants, staff, or former staff, unless the individual authorizes the disclosure in writing. However, requests for information must be released when issued by a court order.

Challenge will provide reference information only with written authorization from the individual. If there is no authorization from the individual, Human Resources will supply the individual's job title and dates of hire.

EMPLOYEE ASSISTANCE PROGRAM

Challenge offers an Employee Assistance Plan administered through the Arpi Hovaguimian, LCSW in Ithaca. The benefit is provided for all staff that work at least twenty hours per week.

There is a clear relationship between a staff member's personal problems and the demands of the workplace. Distress in one's personal life can adversely affect work performance, relationships with co-workers, and other vital work place factors. Declining work performance often results in supervisory attention to the staff member, creating an increasingly uncomfortable cycle of tensions and pressures. The Employee Assistance Plan provides a range of services designed to identify and respond to problem areas that affect, or have the potential for affecting job performance. The plan provides individual and family counseling with referral services to staff and their dependents. The EAP also provides on-going training and consultation services to supervisory staff in the areas of problem assessment and counseling.

The main objective of an Employee Assistance Program (EAP) is to provide a confidential resource, which can be used by employees and supervisors for support with personal or employment problems.

In specific situations of problematic performance, an employee may be referred to the EAP as a part of their corrective action plan. During this process, information about attendance will be shared with Challenge and EAP. All other information shared with the EAP counselor is completely confidential and will not be shared with Challenge.

In order to schedule an appointment with the EAP, call 319-4774. Information regarding the EAP are available through the Human Resources Office.

SECURITY

Challenge is open for business during the hours of 8:00 a.m. to 4:00 p.m. Challenge relies on staff and consumers to support the security policy for the safety of all who are in and out of the building. Keys for the building, offices, file cabinets, vehicles and other agency equipment will be issued to those whose duties require access. The President, Vice President, and Building and Grounds Supervisor have access to all keys. The Building and Grounds Supervisor is responsible for the security and issuance of all keys. Employees will be required to turn in keys when the nature of their job changes or when their employment ends.

Employees may have access to the building and grounds after normal business hours only with authorization from their supervisor. Employees may only use the vehicles after hours with permission of their supervisor. Employees are not allowed to use agency equipment or vehicles for personal business. Violation of this policy will be subject to disciplinary action, up to and including discharge.

VISITORS

It is the agency policy to assure the safety of all individuals on the premises at all times. All visitors are required to check in at the front desk and sign the visitor registration book upon entering the building. Visitors must wear a visitor tag while in the building. Tags are available at the front desk.

All visitors will be accompanied by a staff or consumer while in the building. Visitors must observe all agency rules while visiting. Any visitor who violates agency rules will be asked to leave the premises. Visitors are not allowed in the Production areas for any reason other than business. Visitors under the

age of sixteen (16) are not allowed in any Production area. Any visitor who is not authorized to be in the building should be escorted to the front desk by a staff member.

Visitors are not allowed on the premises outside of normal working hours without prior management approval.

SMOKING

Challenge has adopted a no smoking policy. Smoking is prohibited throughout the premises and in all Challenge vehicles.

Challenge offers smoking cessation programs for staff and consumers. For information about smoking cessation programs, contact the Human Resources Department.

The Challenge Management team reserves the right to change this policy at any time with proper notice to staff and consumers.

PERSONAL PROPERTY

It is the policy of Challenge to assist employees in safeguarding their personal property while at work.

Employees are expected to exercise reasonable care to safeguard personal items of value brought to work. Such items should never be left unattended or in plain view. Challenge does not assume responsibility for the loss or theft of personal belongings. Employees are advised not to carry unnecessary amounts of cash or other valuables when they come to work.

COMMUNICATIONS POLICY

Challenge telephones, mail, stationary, fax and computers are available during work hours for business use. The use of company communications for personal purposes should be minimized. The agency's name, address, phone number and email address should not be used for personal solicitation or other non-business use. For further information about computer use, refer to the Computer Agreement and Policy.

INCOMING MAIL PROCESSING

Challenge receives a large variety of mail on a daily basis. All mail received by Challenge is agency property and shall be treated as agency property. Confidential, personal mail should be sent to individual residences, not to Challenge. The following mail will be opened and date-stamped prior to distribution:

- 1) All incoming mail addressed to a member of the Management Team.
- 2) All incoming mail for the Finance Department, including invoices and checks. In the case of checks, they will be individually stamped with the "For Deposit Only" rubber stamp and the name of the payer, date and amount will be recorded in the loose-leaf book used for that purpose.
- 3) All incoming mail, addressed to Challenge that does not include the name of an individual member of staff in the outer envelope.

All other incoming mail that has the name of an incumbent staff member on the outer envelope will not be opened. The outer envelope will be date-stamped and the mail will be distributed to that individual. It is the responsibility of the recipient to retain the outer envelope or date stamp the correspondence, if the correspondence is time sensitive. It is also the responsibility of the recipient to distribute copies to other staff members, as necessary.

DRESS CODE

All employees represent the agency in their appearance and actions. Therefore, all employees are expected to dress in a manner that is acceptable in a work environment. Challenge has adopted a casual business dress code. Short shorts, low cut or halter-tops, inappropriate logo t-shirts and ripped pants are

not acceptable work attire. Jeans are permitted on Fridays. Open-toe/heel shoes are neither permitted inside the yellow line on the training center workfloor, Microfilm/Digital areas, at the Dishrooms, nor at Finger Lakes Fresh. This list is not all-inclusive; Supervisors are responsible for enforcing the Challenge dress code.

All employees must dress appropriately and safely for their work area. Specific personal protective equipment or attire may be required depending on the employee's department and job responsibilities. The dress of all employees must be neat, clean and appropriate for the work being performed.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of Challenge Industries to provide equal employment opportunities to all staff and applicants. No person shall be denied employment on the basis of race, color, creed, religion, national or ethnic origin, sex, sexual orientation, age or disability.

This policy applies to all terms, conditions, and privileges of employment including, but not limited to, hiring, probation, training, placement and employee development, promotion, transfer, compensation, benefits, educational assistance, layoff and recall, social and recreation programs, employee facilities, termination, and retirement.

The Human Resources Associate is responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity. The Human Resources Associate duties may include, but are not necessarily limited to:

- A. Assisting management in collecting and analyzing employment data.
- B. Developing policy statements and recruitment techniques designed to promote and comply with the equal employment policies of the agency.
- C. Compliance with various statutory record keeping and notice requirements.
- D. Assisting supervisory personnel in arriving at solutions to specific personnel problems.
- E. Serving as liaison between Challenge and government agencies, minority and women's organizations, and other community groups.
- F. Keeping management informed of the latest requirements and developments in the equal employment opportunity area.

All information concerning equal employment opportunity matters will be referred to Human Resources Associate.

While overall authority for equal employment is assigned to the Human Resources Associate, an effective program cannot be achieved without the support of all staff.

DISCIPLINARY POLICY

These disciplinary guidelines emphasize the need for employees to understand, and uphold a high standard of conduct. There is a continual need for an ongoing rapport between supervisors and employees. Supervisory efforts concentrate on preventing serious personnel problems, rather than discipline for misconduct. In following these guidelines, agency personnel strive for fairness and consistency while recognizing the uniqueness of individual situations.

PURPOSE

The purposes of disciplinary procedures are:

To inform the employee that certain specific aspects of his/her conduct or performance is below standard or in violation of Challenge policy.

To provide appropriate guidelines and documentation for situations which require disciplinary actions.

To provide an opportunity for employees to seek assistance in trying to improve performance or conduct. Such an opportunity may not be possible in cases of serious misconduct.

CAUSES FOR DISCIPLINARY ACTION

Certain standards of performance and conduct must be maintained in any work group. Disciplinary action should be taken in situations including, but not restricted to, misconduct such as the following:

INSUBORDINATION OR REFUSAL TO WORK - Physical or verbal resistance to authority and work direction. Those who disregard instructions or refuse to comply with directions are considered insubordinate.

ALCOHOL/DRUGS – possession, use, sale, or distribution of alcoholic beverages or unauthorized drugs.

UNDER INFLUENCE OF ALCOHOL OR NARCOTICS - Under the influence of alcohol or unauthorized drugs on the job. Bringing liquor or unauthorized drugs on agency property.

THEFT OR DISHONESTY - Theft of agency-owned property or property belonging to an employee or consumer. Dishonest actions such as falsification of records, improperly completing the application form, time records, production reports, shipping or receiving records or other agency records.

CONFLICT OF INTEREST, employees are prohibited from engaging in any activity, practice, or act which may conflict, or give the appearance of conflict with the interests or business of the agency, its customers or consumers. Situations which create an actual conflict of loyalty or interest, or even the appearance of such conflict must be avoided.

PROPERTY DAMAGE OR UNAUTHORIZED USE - Willful damage or unauthorized use of agency property.

PHYSICAL, FIGHTS, ASSAULT, OR HARASSMENT - Employees engaged in fighting, wrestling or similar encounters. Physical or verbal harassment including all racial, ethnic, religious and gender –based insults.

FIREARMS/WEAPONS - Possession of firearms or other weapons on agency property.

TARDINESS /ABSENTEEISM - Repeated absenteeism, tardiness or unauthorized absences.

DISCOURTEOUS treatment or abuse of consumers, co-workers, visitors or customers.

INCOMPETENCY, inefficiency, inaccuracy.

INTERFERENCE with the job performance of other employees.

INEXCUSABLE neglect of work or duty.

GAMBLING on agency property or other work sites.

STOPPING WORK, loitering, or leaving work during working hours without permission.

WILLFUL VIOLATION OF SAFETY RULES - Any conduct which risks injury to persons or property.

NEGLECT, waste, or mishandling of equipment or supplies.

DISTRIBUTION of literature or solicitation for any cause during working hours without permission.

OBSCENE and abusive language, malicious gossip.

CONVICTION of a felony.

CONVICTION of misdemeanor involving moral depravity or relating to job responsibilities.

UNPROFESSIONAL conduct.

FRAUD in securing employment.

VIOLATIONS of Challenge Industries policies or regulations.

ANY other activity that is deemed to be unacceptable behavior.

This list is for purpose of example and may not be all-inclusive for disciplinary action.

DISCIPLINARY PROCEDURES

Supervisors are required to take disciplinary action when established procedures are not followed or when rules of conduct are ignored to the detriment of the work group or the organization. Disciplinary penalties and procedures range in severity from oral and written warnings to suspension, demotion or discharge depending on the situation.

These guidelines exist to ensure fairness and consistency in handling misconduct while providing allowance for individual judgment in assessing the facts specific to a particular situation.

The types of disciplinary actions are outlined below.

VERBAL WARNING

The supervisor should discuss the matter privately and in a positive manner. The first objective is to find out whether the employee understands the rules involved or the standard expected. The supervisor should be open to considering whether special circumstances may have been involved.

The supervisor should keep a written record of the date and content of this discussion, by noting it on his/her calendar and keeping notes to file.

WRITTEN WARNING

The supervisor should give a written warning for serious infractions or for a continuing problem that requires more than a verbal warning. All written warnings must be pre-approved by the Human Resources Associate or President. The supervisor should meet with the employee and confirm the warning in writing. The written warning should reference earlier verbal warnings. It should also indicate how the employee has failed to meet the standards, a suggested course of action, and a time period to check progress. The written warning should also inform the employee that unless the situation is corrected, more severe disciplinary action will follow, up to and including discharge. During the meeting, the supervisor should stress the seriousness of a

written warning and inform the employee that a copy of the warning will be placed in the personnel file. The employee will sign the warning to acknowledge receipt.

The supervisor will submit the original written warning to the Human Resources Associate for the employee's personnel file. A copy of the warning will be given to the employee.

The written warning serves a number of purposes in the disciplinary process. It indicates to the employee the seriousness of the offense, a course of action for improvement and the consequences of failure to correct the situation. It also provides documentation if further action is required.

ADMINISTRATIVE SUSPENSION

Administrative suspension occurs when an allegation of unacceptable behavior or unethical conduct is reported and an investigation begins. The staff and or consumer (s) involved may be put on paid administrative suspension while the agency conducts an investigation to determine what happened. The agency will assign the investigation to a trained investigator who will interview all parties and report the findings to the President, Human Resources Associate and Departmental Manager. The individual will be notified in person of the allegation and if necessary, will be put in immediate notice of administrative suspension. The individual will be notified by a member of management when the investigation is complete. Disciplinary action will be determined by the President, Human Resources Associate and Departmental Manager depending on the severity of the situation. For further detail about the process to report an allegation of unacceptable behavior or unethical conduct, refer to the Allegation of Unacceptable Behavior policy and reporting form.

SUSPENSION

Suspension or disciplinary layoff involves time off without pay, usually for a period of two to five workdays. Before initiating a suspension, the supervisor must discuss the situation with the department head and Human Resources Associate. However, if the department head and Human Resources Associate are unavailable, the supervisor may remove the employee from the work group for the remainder of the work period, pending discussion. Notification of suspension must be given to the employee in person and confirmed in writing. A suspension is usually not imposed unless the employee has been given a previous oral and written warning. However, if a serious incident occurs which may warrant discharge, an employee may be suspended pending investigation.

DISMISSAL

Except in cases of serious offenses, discharge from employment should be used only as a last resort. All discharges must be pre-approved by the Human Resources Associate and the appropriate Department Head. In extreme situations, the individual may be escorted out of the building by Management.

SEQUENCE AND NUMBER OF DISCIPLINARY ACTIONS LEADING TO DISCHARGE

In many cases discipline is progressive, beginning with verbal warning, progressing to written warnings, and finally dismissal. The numbers and types of such warnings depend on many factors. Usually there is at least one verbal and one written warning prior to dismissal and generally not more than three written warnings. In some cases other measures such as demotion and suspension are appropriate. Depending on the nature of the offense, it may be appropriate to give a written warning even though there was no previous verbal warning. Discharge or suspension without prior warnings may be justified for serious offenses.

The seriousness of the case and the previous record of the employee will determine which type of disciplinary action is appropriate. When disciplinary action is being taken, the supervisor must be certain that the employee clearly understands the violation and consequences. The supervisor must provide follow up on all warnings within the period specified.

The President and Human Resources Associate are available for consultation with the supervisor or the employee at any stage of the disciplinary process. In cases involving a suspension or discharge, the supervisor will review the matter with the Human Resources Associate. The President and/or Human Resources Associate may meet with the employee before a final decision is made.

Under normal circumstances, the written record of disciplinary action may be removed from the employee's personnel file if no additional disciplinary actions have been recorded in the three (3) years following the incident.

If the employee objects to any disciplinary action, he/she should follow the problem solving procedure outlined in the Problem Resolution—Formal Procedure section.

SEXUAL HARASSMENT

This policy is to stress the organization's strong opposition to sexual harassment and identify the complaint procedures available to victims, as well as the disciplinary penalties that could be imposed for sexually harassing conduct or behavior as listed below.

Sexual harassment includes any unwelcome sexual advances, display of obscene materials, request for sexual favors, and other verbal or physical conduct of a sexual nature that interferes with an individual's work performance or simply creates an intimidating, hostile or offensive work environment.

It is illegal and against the agency's policy for any worker, male or female, to harass another worker or to create a hostile working environment by either committing or encouraging:

Physical assaults on another employee, including but not limited to, rape, sexual battery, molestation, or attempts to commit these assaults.

Intentional physical conduct that is sexual in nature, including, but not limited to, touching, pinching, patting, or brushing up against another employee's body.

Unwanted sexual advances, propositions, or sexual comments, including sexual gestures, jokes, or comments made to, or in the presence of any employee, consumer or other individual, slang including jargon to describe sexual acts, body parts or body functions.

Challenge will not condone any sexual harassment of its staff members. All workers, including supervisors and managers, will be subject to severe discipline, up to and including discharge, for any act of sexual harassment.

Individuals who feel victimized by sexual harassment at work should report the harassment to their supervisor and/or the Human Resources Associate immediately. If the individual's immediate supervisor is the source of the alleged harassment, the individual should report the problem to the supervisor's superior or the Human Resources Associate. Any complaints of sexual harassment should be reported as soon as possible; within two weeks of the occurrence.

The Human Resources Associate will be responsible for the investigation of all sexual harassment complaints. Every effort will be made to preserve the confidentiality of the parties involved. All actions taken to resolve complaints of sexual harassment will be confidential. All complaints will be handled promptly and, to the extent possible, the privacy of the complaining party and the person accused of sexual harassment will be kept confidential, consistent with the need to fairly investigate and correct the situation.

Retaliatory action of any kind against an employee who charges sexual harassment will not be tolerated and will be subject to disciplinary action.

PARKING

Because of limited space available for parking and the need for access to the agency by visitors and customers, it is necessary to restrict the use of parking areas.

The parking areas located in the front and on the west side of the building are to be used only by authorized personnel. Individual staff members and consumers may be permitted to park in the parking areas providing that they satisfy the following requirements:

1. The staff member uses his/her personal vehicle frequently during the work day for business related matters, or
2. The staff member or consumer has a qualifying disability and possesses a Special Vehicle Identification Permit or License Plate issued by a City, Town or Village in New York State authorized to issue such a permit, or the staff member or consumer has a written physician's request based on a medical situation.

All department heads are granted parking spaces. Other staff, who use their personal vehicles frequently during the workday for agency related matters may also be granted parking spaces. These individuals have been assigned specific numbered parking spaces. Their spaces are not to be shared or used by other individuals.

All other staff members and consumers are not to park in these parking areas. If an individual feels that he/she is entitled to a parking space, a written request must be submitted to the Human Resources Associate. If the request is based on a permanent or temporary disability, the request must be accompanied by a Special Vehicle Identification Parking Permit issued by a New York State City, Town or Village authorized to issue such a permit. A request based upon a disability without a local permit will only be considered if there is space available, the need is short term and the need is supported by a physician's recommendation.

Program Participants who need assistance should speak with their counselor who may assist with the application. Because of space limitations, Challenge may not be able to accommodate everyone who requests parking. Individuals who meet the stated criteria and cannot be accommodated due to lack of space will be put on a waiting list and will be granted permission to park, as space becomes available.

Challenge reserves the right to request updated information periodically to verify the continuation of parking privileges to those individuals who are parking on our property because of a disability. Refusal to comply with any of the requirements stated in this policy may result in the loss of parking privileges. We reserve the right to take away parking privileges from any individual if they do not cooperate with fellow staff or abuse the privilege of parking at Challenge.

Parking spaces are available for employee's to rent on a monthly basis. The cost is will be deducted directly from the employee's paycheck. See the Human Resources Department for further information about additional parking.

HIPAA

Challenge complies fully with all Federal and State privacy protection laws and regulations. Violations of any policy and procedure provisions will result in severe disciplinary action, which may include termination and possible referral for criminal prosecution. Notice and information will be provided to all subject individuals, and all uses and disclosures of protected health information will be done in accordance with Challenge privacy policy and procedures.

Employee health information is “protected health information” and is subject to Federal and State privacy and protection laws and regulations. For further information, please refer to the “Challenge Privacy Policy Statement” or the “Challenge Notice of Privacy Practices”.

POLICY REVIEW

In order to retain necessary flexibility in the administration of policies and procedures, the agency reserves the right to change, revise or delete the plans, policies, benefits and procedures described in this manual at any time. If at any time there is a change to the Human Resource Policies and Practices Manual, a copy of the change will be provided to each staff member. No agency representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, contrary to this policy.