



Employee Handbook

2026-2027

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MISSION STATEMENT

Children At Play's mission is to provide each child with a unique and individualized educational, therapeutic experience which will lay the foundation for their future as capable and productive adult members of their community.

Children At Play's objective is to use the professional guidance of our caring staff with the most up-to-date professionally recognized treatments, to encourage each child to attain his/her full developmental potential. Equally important, Children At Play is committed to educating parents to understand and advocate for the special needs of their children throughout childhood, adolescence and adulthood.

VISIONS & VALUES

Children At Play:

- is committed to forming a strong partnership with parents.
- respects the rights of parents to take a primary role in making those decisions that directly affect the future of children.
- focuses on maximizing the strengths of each child.
- is committed to providing the highest standard of care with the most advanced and innovative therapies and educational programs.
- recognizes that all children, regardless of developmental disability, race, religion, ethnicity or gender, are entitled to educational and therapeutic services during early childhood that will allow them to develop their full potential.
- is committed to preparing all children for a smooth transition to the next age appropriate experience that capitalizes on strengths and promotes success.
- is dedicated to identifying and collaborating with community organizations and agencies who share our values of inclusion, acceptance and opportunity for all children.

WELCOME TO CHILDREN AT PLAY!

Dear Colleague,

Starting a new job is exciting, but at times can be overwhelming. This Employee Handbook has been developed to help you become acquainted with our agency and answer many of your initial questions.

As an employee of Children At Play Early Intervention Center, the importance of your contribution cannot be overstated. Our goal is to provide the finest-quality services to our students, participants, and families.

We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

Sincerely,

Karen Bryant

Executive Director

INTRODUCTION

The Handbook is designed to introduce you to our agency, familiarize you with agency policies, provide general guidelines on work rules, disciplinary procedures, and other issues related to your employment, and help answer many of the questions that may arise in connection with your employment.

The purpose of the Handbook is simply to provide you a convenient explanation of present policies and practices at Children At Play. This Handbook is an overview or a guideline. It cannot cover every matter that might arise in the workplace.

Children At Play reserves the right to modify any of our policies and procedures, including those covered in this Handbook, at any time. The agency will seek to notify you of such changes by email and other appropriate means. However, such a notice is not required for changes to be effective.

OUR EMPLOYEE RELATIONS PHILOSOPHY

We are committed to providing the best possible climate for maximum development and goal achievement for all employees. Our practice is to treat each employee as an individual. We seek to develop a spirit of teamwork; individuals working together to attain a common goal.

In order to maintain an atmosphere where these goals can be accomplished, we provide a comfortable and progressive workplace. Most importantly, we have a workplace where communication is open, and problems can be discussed and resolved in a mutually respectful atmosphere. We consider individual circumstances and the individual employee.

We firmly believe that with direct communication, we can continue to resolve any difficulties that may arise and develop a mutually beneficial relationship.

PURPOSE OF THIS HANDBOOK

This Employee Handbook contains information about the employment policies and practices of the agency. We expect each employee to read this Employee Handbook carefully, as it is a valuable reference for understanding your job and the agency. The policies outlined in this Employee Handbook should be regarded as management guidelines only, which in a developing business will require changes from time to time. The agency retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the agency. This Employee Handbook supersedes and replaces any and all prior Employee Handbooks and inconsistent verbal or written policy statements. Except for the policy of at-will employment, which can only be changed by the Executive Director of the agency in writing, the agency reserves the right to revise, delete and add to the provisions of this Employee Handbook. All such revisions, deletions or additions must be in writing and must be signed by the Executive Director of the agency. No oral statements or representations can change the provisions of this Employee Handbook.

The provisions of this Employee Handbook are not intended to create contractual obligations with respect to any matters it covers. Nor is this Employee Handbook intended to create a contract guaranteeing that you will be employed for any specific time period. Our agency is an at-will employer. This means that regardless of any provision in this Employee Handbook, either you or the agency may terminate the employment relationship at any time. For any reason, with or without cause or notice. Nothing in this Employee Handbook or in any

document or statement, written or oral, shall limit the right to terminate employment-at-will, no officer, employee or representative of the agency is authorized to enter into an agreement – expressed or implied – with any employee for employment other than at-will unless those agreements are in a written contract signed by the Executive Director of the agency.

This Employee Handbook refers to current benefits maintained by the agency. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plans. Those documents are controlling.

If there are discrepancies between the employment contract and the Employee Handbook, the provisions of employment contract are controlling.

I. EMPLOYMENT POLICIES

A. Hiring Authority

CAP Administrative/ Educational positions: The Executive Director, Educational Director and Waiver Director are responsible for hiring all educational/administrative staff. All new employees are emailed an offer letter. This email will include the name of the employee, salary or wages, date of hire, position, requirements or prerequisites for the position and a request for education credentials such as a high school diploma or college degree; if applicable. Nothing in the email or the hiring process is to be deemed to create a contract of employment for any particular period of time.

CAP Self-Hired Direct Support Professionals: The participants of the Fiscal Intermediary program are responsible for hiring their Direct Support Professionals (DSP). All DSPs must be hired following the OPWDD protocol. CAP is the employer of record for these staff, the participants and their families are the managing employers.

B. Equal Employment Opportunity

CAP is committed to the achievement of Equal Employment Opportunity for all persons without regard to race, creed, color, religion, sex, age, national origin or ancestry, disability or handicap or the perception thereof, marital status, sexual orientation or affectional preference, or citizenship as that term is defined and limited by the Immigration Reform and Control Act of 1986.

It is the practice of CAP to provide equal opportunity in recruitment, hiring, training, promotion, transfers, compensation, and benefits, and in all other personnel actions.

It is the responsibility of each employee of CAP to ensure that these principles and practices are consistently carried out. Each person responsible for the recruitment and selection of employees is responsible for ensuring that all equal opportunity policies and practices are followed.

Any employee or applicant for employment who believes he or she has experienced an act of discrimination may file a complaint directly to the Executive Director or call the Corporate Compliance hotline.

C. Americans with Disabilities Act

The Agency complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act (ADAAA), and all applicable state and local fair employment practices laws, and prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation fringe benefits, job training and other terms, conditions and privileges of employment. These laws do not alter the Agency's right to hire the best-qualified applicant, but it does prohibit discrimination against a qualified applicant or employee because of his or her disability, or because of a perceived disability. As a matter of company policy, the Agency prohibits discrimination of any kind against people with disabilities.

D. Reasonable Accommodation Policy

The Agency will provide a reasonable accommodation to employees if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship to the Agency. Reasonable accommodation rights apply to: (1) disability, (2) religious needs, (3) pregnancy, childbirth, and related medical conditions, (4) victims of domestic violence, sex offenses, or stalking. You may make the request orally or in writing. You should include:

- A description of the accommodation you are requesting.
- The reason you need an accommodation.
- How the accommodation will help you perform the essential functions of your job.

The Executive Director and the Program Director will have a cooperative dialogue with an employee to determine if the request is reasonable and falls within employees' rights. The Agency may ask for additional information, including but not limited to medical verification, regarding the nature of your situation and the nature of your limitations or take other steps necessary to help it determine viable options for reasonable accommodation. The Agency will then work with the employee to determine whether your situation can be reasonably accommodated, and if it can be accommodated, the Agency will explore alternatives with you and endeavor to implement a mutually agreeable accommodation. Reasonable accommodation may take many forms and it will vary from one employee to another. Accommodation that will impose undue hardship on the Agency is not considered reasonable.

E. Hiring of Relatives

Qualified applicants who are relatives of persons currently employed at CAP may be hired as full time or part time or per diem employees only if no direct reporting or supervisory relationship exists between the prospective employee and the relative.

Employees, when hired, are required to disclose any relatives who are working at CAP, even if no direct reporting relationship exists.

For purposes of this policy, relatives are defined to include: spouses or domestic partners; parents or guardians; grandparents; in-laws; children and stepchildren; siblings; aunts and uncles; nieces and nephews; and cousins.

F. Initial Evaluation Period

New CAP staff members serve a six-month Initial Performance Review Period. The Initial review period is intended to be a time of close supervision and evaluation. During their evaluation period the staff member will

be evaluated within 30 days, 60 days, 90 days, six month period and annually thereafter. A written job performance evaluation is completed before the end of the Initial Performance Review Period. Your direct supervisor may extend the Initial Performance Review Period up to six additional months for employees who receive an evaluation that is less than satisfactory. However, the completion of the initial evaluation period does not guarantee employment for any period of time thereafter.

G. Personnel Files

The Program Director maintains the personnel file for each employee in their department. It contains the job application, references, job descriptions, evaluations, correspondence, training records, records of accrued leave, payroll change notices and other relevant material. Access to personnel files is limited to the Directors and others authorized by CAP on a need-to-know basis.

II. EMPLOYEE COMPENSATION

A. Employment Categories and Classification

For purposes of salary administration and eligibility for overtime pay and employee benefits, CAP classifies its employees as follows:

1. Salaried employees are hired to work their scheduled weekly hours on a regular basis.
 - a. Full time employees regularly work at least 30 hours each week.
 - b. Part time employees regularly work less than 30 hours each week.
2. Hourly employees are hired to work varied hours per week. Employees who work a regular schedule of 30 hours may be entitled to benefits as per this employee handbook.
3. Contract Staff and Consultants are hired under the terms of specific agreements for personal services or staffing. These may be executed by or with the approval of the Executive Director. Individuals who provide such services to CAP are not considered employees of CAP and the terms of these policies and benefits do not apply to their engagement.

NON-EXEMPT EMPLOYEES are entitled to overtime pay as required by applicable federal and state law.

EXEMPT EMPLOYEES are not entitled to overtime pay, pursuant to applicable federal and state laws.

*Upon hire, your supervisor will notify you of your employment classifications

B. Work Schedules

Work schedules for employees are established on a program-by-program basis. All employees are required to submit a copy of their schedule to their direct supervisor. Any changes to this schedule must be discussed with your supervisor before it is taken into effect.

Full time educational staff members are provided with a 30-minute unpaid lunch break. FI and waiver program employees working full time are provided with a 60-minute unpaid lunch break. All staff members must clock in and out for lunch breaks via Paycom app. Employees are expected and encouraged to take their scheduled breaks. However, failure to take lunch will not be considered cause to shorten the workday. Lunch breaks must be scheduled to ensure adequate coverage of work assignments.

*DSP staffs schedules are determined by the participant they work for. Participants and their families are responsible to manage the DSP's schedule, pay rate and weekly hours. CAP is the employer of record only.

C. Time Records

All CAP employees must submit their time accurately dependent on their department and pay class:

- Salary/hourly employees must clock in and out on Paycom
- SEIT employees are required to submit their billing monthly by provided due dates
- Fee for service and evaluation staff must submit their grids bi-monthly/monthly as per their schedule
- CAP FI DSPs are required to submit their time daily on the eVero mobile app
- Contracted/1099 employees are required to submit their grids and Paycom by the 1st of each month for the previous service month

* Failure to submit your time by these dates will result in a delay of payment

D. Pay Period

CAP salaried and hourly employees are paid on a bi-weekly pay schedule. CAP 1099 employees are paid once per month. Some employees are paid in arrears. Your supervisor will tell you your pay schedule at the time of employment.

Bi-weekly paycheck approvals are sent out every other Monday for salaried and hourly employees. Employees are encouraged to check their paycheck approvals for accuracy, if there are any issues with your pay or paycheck deductions you must reach out to your supervisor immediately.

E. Payroll Actions

All payroll actions including hiring, pay changes, transfers, promotions, lay-off and terminations are approved by the Executive Director.

F. Paycheck Deductions

The Agency is required by law to make certain deductions from your paycheck each pay period. Such deductions typically include federal and state taxes, Social Security (FICA) taxes, NY Paid Family Leave (NY PFL) and NY State Disability Insurance (NY SDI). Depending on the state in which you are employed and the benefits you choose, there may be additional deductions. All deductions and the amount of the deductions are listed on your pay stub. These deductions are totaled each year for you on your Form W-2, Wage and Tax Statement. You can update your tax deductions at any time by completing a new W-4 on Paycom. You may request changes to your 401k deductions by contacting Helen at helen@childrenatplayeic.org.

G. Garnishments and Support Orders

CAP complies with all valid claims against wages of employees. If a wage garnishment, child support order, or other legally valid claim is received by CAP against wages, employees are notified about the amount and details of the garnishment and wage order. While employees may attempt to work out financial difficulties with the creditor in such situations, CAP is required to comply with the provisions of the garnishment notice or order.

H. Overtime Pay

In accordance with Federal wage and hour laws, non-exempt employees are paid at a rate of one and one half times their regular hourly rate for all hours worked in excess of 40 hours per week.

Non-exempt employees are required to obtain prior written authorization from the program supervisor before working in excess of 40 hours per week, unless overtime is warranted to provide emergency coverage.

DSPs must email the program manager, Victoria at Victoriasd@childrenatplayeic.org prior to working overtime hours. All overtime hours must be approved by the participant and family that the DSP is working for.

I. Job Performance

Evaluations are used to assist the employee's professional development and to assist CAP in strengthening its programs.

Salary, hourly and fee for services employees will be evaluated within 30 days, 60 days, 90 days, 6 months and annually thereafter.

Self-Hired DSP staff reviews are completed by the participants/families they work for on a yearly basis.

The job performance evaluation process is designed to provide clarification and feedback on what principal responsibilities and objectives individual employees are expected to accomplish, as well as the value-driven competencies and know-how necessary for their accomplishment. Performance evaluations and reviews become part of the employee's personnel file.

J. Personnel Records

It is important that the Agency always maintain accurate personnel records. You are responsible for notifying your supervisor of any change in name, home address, telephone number, marital status, number of dependents, immigration status, or any other pertinent information. Additionally, you are responsible for updating all personal information in Paycom. By promptly notifying the Agency of such changes, you will avoid compromise of your benefit eligibility, the return of W2 forms, or similar inconvenience.

III. LEAVE BENEFITS

A. Family and Medical Leave Policy

1. Overview

The Family and Medical Leave Act of 1993 (FMLA) entitles an eligible employee to job-protected, unpaid leave: 1) upon the birth or adoption of a son or daughter of the employee, or one's placement with the employee for foster care; or 2) when the employee's spouse, child or parent has a serious health condition and requires care from the employee. The law also gives employee job-protected, unpaid leave for their own serious illnesses. The Family Leave Policy will be administered consistent with any applicable state or local laws governing the same or related leave categories.

2. Definition

A family and/or medical leave of absence will be defined as an approved absence available to eligible employees for up to twelve weeks of unpaid leave per year under particular circumstances that are critical to the life of a family. Leave may be taken upon the birth of the employee's child; upon the placement of a child with the employee for adoption or foster care; when the employee is needed to care for a child, spouse or parent who has a serious health condition; or when the employee is unable to perform the functions of his or her position because of a serious health condition.

3. Scope

The provisions of this policy apply to all family and medical leaves of absence except to the extent that such leaves are covered under other paid employment benefit plans or policies for any part of the twelve weeks of leave to which the employee may be entitled under this policy. If an employee is entitled to paid personal leave under another benefit plan or policy, the employee must take the paid personal leave. The paid personal leave will run concurrent with FMLA leave and will count as part of the 12-week entitlement.

4. Eligibility

To be eligible for leave under this policy, an employee must have been employed for at least 12 months in total and must have worked at least 1,250 hours during the last twelve-month period preceding the start of the leave. Family medical leave is calculated based on a twelve-month rolling period, not on a calendar basis, beginning with the first day of an employee's qualifying FMLA leave. Exception: If the employee on leave is a salaried employee and is among the highest paid 10 percent of employees within seventy-five miles, and keeping the job open for the employee would result in substantial economic injury to CAP, reinstatement of the employee on leave can be denied. In this situation, however, the employee will be given an opportunity to return to work immediately.

5. Basic Regulations and Conditions of Leave

CAP will require medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. For the employee's own medical leave, the certificate must include a statement that the employee is unable to perform the functions of his or her position. For leave to care for a seriously ill child, spouse or parent, the certification must include an estimate of the amount of time the employee is needed to provide care. It may be necessary to provide periodic recertification. At its discretion, CAP may require a second medical opinion and periodic recertification at its own expense. If the first and second opinions differ, CAP, at its own expense may require the binding opinion of a third health care provider, approved jointly by CAP and the employee. If medically necessary for a serious health condition of the employee or his or her spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule. If leave is requested on this basis, however, CAP may require the employee to transfer temporarily to an alternative position which better accommodates recurring periods of absence or a part-time schedule, provided that the position has equivalent pay and benefits.

Spouses who are both employed by CAP are entitled to a total of twelve weeks of leave (rather than twelve weeks each) for the birth or adoption of a child or for the care of a sick parent.

6. Notification and Reporting Requirements

When the need for leave is foreseeable, such as the birth or adoption of a child, or planned medical treatment, the employee must provide reasonable prior notice and make efforts to schedule leave so as not to disrupt the agency's operations. In cases of illness, the employee will be required to report periodically on his or her leave status and intention to return to work. An employee will be required to provide certification regarding eligibility to return to work at the end of the leave.

7. Status of Employee Benefits During Leave of Absence

Any employee who is granted an approved leave of absence under this policy is advised to provide for the retention of his or her group insurance coverage by arranging to pay the employee portion of premium contributions during the period of unpaid absence.

In the event that an employee elects not to return to work upon completion of an approved unpaid leave of absence, CAP may recover from the employee the cost of any payments made by CAP to maintain the employee's coverage, unless the failure to return to work is beyond the employee's control. Benefit entitlements based upon length of service will be calculated as of the last paid workday prior to the start of the unpaid leave of absence.

8. Procedures

Completion of Request for Family and Medical Leave of Absence Form:

A request for Family and Medical Leave of Absence Form must be submitted by the employee to the Payroll Specialist. This form should be completed in detail, signed by the employee, submitted to the Payroll Specialist for proper approvals and forwarded to the human resources department. If possible, the form should be submitted thirty (30) days in advance of the effective date of the leave.

All requests for family and medical leaves of absence due to illness will include the following information attached to a completed request for Family and Medical Leave of Absence. Sufficient medical certification stating: 1) the date on which the serious health condition commenced; 2) the probable duration of the condition; and 3) the appropriate medical facts within the knowledge of the health care provider regarding the condition. In addition, for purposes of leave to care for a child, spouse, or parent, the certificate should give an estimate of the amount of time that the employee is needed to provide such care. For purposes of leave for an employee's illness, the certificate must state that the employee is unable to perform the functions of his or her position. In the case of certification for intermittent leave or leave on a reduced leave schedule for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment must be stated.

B. NY Paid Family Leave

Our company recognizes the importance of supporting our employees during significant life events that require time away from work. As such, we provide Paid Family Leave (PFL) benefits in accordance with the New York State PFL law.

1. Eligibility:

All eligible employees who work for our company are entitled to PFL benefits. To be eligible, employees must have worked for our company for at least 26 consecutive weeks as a full-time employee or 175 days as a part-time employee.

2. Covered Events:

PFL benefits can be utilized for the following qualifying events:

- a. Bonding with a New Child: Employees may take PFL to bond with a newborn, adopted, or foster child within the first 12 months after the child's birth, adoption, or placement.
- b. Care for a Family Member with a Serious Health Condition: Employees may take PFL to care for a family member (child, parent, grandparent, grandchild, spouse, or domestic partner) with a serious health conditions.
- c. Qualifying Military Exigency: Employees may take PFL for qualifying exigencies related to the active duty or call to active duty of their spouse, domestic partner, child, or parent in the U.S. Armed Forces.

3. Duration of Leave:

The duration of PFL may vary depending on the qualifying event. As of 2023, the maximum duration of PFL benefits is 12 weeks within a 52-week period.

4. Benefit Payments:

During the PFL period, employees will receive a portion of their average weekly wages, subject to the maximum benefit amount set by the New York State Department of Financial Services. The benefit amount is calculated based on the employee's average weekly wage.

5. Notice and Documentation:

Employees are required to provide reasonable notice to their supervisor before taking PFL. The notice should include the expected start date, duration, and reason for the leave. Additionally, employees may be required to submit appropriate documentation, such as medical certifications or adoption papers, when applicable.

6. Job Protection and Benefits Continuation:

Employees who take PFL are entitled to job protection. Upon returning from PFL, employees will be reinstated to their previous position or an equivalent position with the same pay, benefits, and terms of employment.

7. Coordination with Other Leaves:

PFL may run concurrently with other applicable leaves, such as the federal Family and Medical Leave Act (FMLA) and New York State short-term disability benefits, when applicable.

8. Confidentiality:

All information regarding an employee's PFL request will be treated confidentially and in accordance with applicable privacy laws and regulations.

C. Pregnant Workers Fairness Act

The Pregnancy Workers Fairness Act of 2023 (PWFA) is a recent piece of legislation that aims to protect the rights of pregnant workers and those caring for a child with a severe or chronic health condition. The Act was put into place to address the ongoing challenges and discrimination faced by these groups in the workplace.

Under the PWFA, employers are required to provide reasonable accommodations for pregnant workers, including accommodations for pregnancy-related medical conditions and restrictions on work duties. Employers must also take steps to ensure that pregnancy-related discrimination does not occur in the workplace. Additionally, the Act extends workplace protections to working parents who are caring for a child with a severe or chronic health condition, allowing them to take leave and receive reasonable accommodations from their employer.

As a company, we are committed to complying with the PWFA and supporting our employees during their pregnancy and as they care for their children. We value diversity and inclusion and believe it is our responsibility to create a safe and supportive workplace for all employees, regardless of their personal circumstances. This guide outlines our company's policies and procedures for complying with the PWFA and supporting our employees with pregnancy and child-related needs. We encourage all employees to review and familiarize themselves with these policies to ensure a fair and equitable workplace for all.

*All employees are eligible to receive 20 hours of paid prenatal leave per 52 week period. Usage must be taken in one hour increments. Employees are required to provide reasonable notice to their supervisor before taking this leave.

D. Leave Without Pay

Employees may take leave without pay with the prior approval of the Executive Director and in consultation with their direct supervisor. Each request will be considered on its own merits and in accordance with the needs of CAP. While on leave without pay, employees do not earn benefits or accrue paid personal leave. If an employee wishes group health insurance benefits to continue during such leave, he or she will be solely responsible for the monthly premium cost and the timely submission to CAP of all payments for such premium costs. It is the responsibility of employees to ensure that CAP receives payment within 30 days of the due date.

E. Military Leave

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with federal and state law.

The time off will be unpaid, except where state law dictates otherwise. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Accrued vacation may be used for this leave if the employee chooses. Military orders should be presented to your supervisor and arrangements for leave made as early as possible before a departure. Employees are required to give advance notice of their service obligations to the agency unless military necessity makes this impossible. You must notify your supervisor of your intent to return to employment based on requirements of

the law. Your benefits may continue to accrue during the period of leave in accordance with state and federal law.

F. Bereavement Leave

Regular full-time and regular part-time employees may be granted a leave of absence with pay of up to three (3) days in the event of the death of a member of the employee's immediate family. Immediate family is defined as spouse or domestic partner, parent, grandparent, legal guardian, mother-in-law, father-in-law, sibling or child. The employee may be asked by his or her supervisor to provide appropriate documentation. In the event an employee requires additional days due to religious obligations at the time of death, the employee may request to use other paid accrued leave or unpaid leave.

G. Jury Duty and Related Court Leave

When a regular full-time or regular part-time employee is required to appear in court as a juror or as a witness on behalf of the United States, the District of Columbia, a state or local government, such employee is granted necessary leave with pay to discharge such requirements, subject to the following conditions:

An employee who is called for jury duty must notify his or her supervisor immediately upon receipt of an official notice to serve. Upon such notification, the Executive Director and Director of Operations determine the degree of hardship such service would create for the program. The Executive Director may then request that the employee attempt to obtain a postponement of his or her required service. If an employee is required to serve as a juror, he or she may be granted paid leave as an exempt employee for such purpose, subject to the following conditions, which apply both to jury duty and paid leave:

1. Before court leave is granted, the employee must show the supervisor the order or subpoena that requires his or her attendance in court.
2. Upon the completion of court leave, the employee submits a certificate of attendance signed by an appropriate court official.
3. Monies received for reimbursement of travel expenses may be retained by the employee.
4. While on jury duty, an employee must check with his or her supervisor on a daily basis to report availability for work for all or part of any given day during which he or she is serving as a juror.

H. Paid Time Off (PTO) Policy

PTO is calculated as follows for salaried employees that work in the Fiscal Intermediary department:

- If you have worked for CAP 1-5 years and work 10-14 hours per week, you accrue 36 hours per year
- If you have worked for CAP 1-5 years and work 15-19 hours per week, you accrue 48 hours per year
- If you have worked for CAP 1-5 years and work 20-24 hours per week, you accrue 66 hours per year
- If you have worked for CAP 1-5 years and work 25-29 hours per week, you accrue 84 hours per year
- If you have worked for CAP 1-5 years and work 30-35 hours per week, you accrue 114 hours per year
- If you have worked for CAP 6-9 years and work 10-14 hours per week, you accrue 48 hours per year
- If you have worked for CAP 6-9 years and work 15-19 hours per week, you accrue 72 hours per year
- If you have worked for CAP 6-9 years and work 20-24 hours per week, you accrue 84 hours per year
- If you have worked for CAP 6-9 years and work 25-29 hours per week, you accrue 120 hours per year
- If you have worked for CAP 6-9 years and work 30-35 hours per week, you accrue 144 hours per year

- If you have worked for CAP 10+ years and work 10-14 hours per week, you accrue 60 hours per year
- If you have worked for CAP 10+ years and work 15-19 hours per week, you accrue 84 hours per year
- If you have worked for CAP 10+ years and work 20-24 hours per week, you accrue 96 hours per year
- If you have worked for CAP 10+ years and work 25-29 hours per week, you accrue 138 hours per year
- If you have worked for CAP 10+ years and work 30-35 hours per week, you accrue 168 hours per year

Paid Leave is calculated as follows for salaried employees that work in Educational departments:

- If you have worked for CAP 1-5 years and work 10-14 hours per week, you accrue 18 hours per year
- If you have worked for CAP 1-5 years and work 15-19 hours per week, you accrue 24 hours per year
- If you have worked for CAP 1-5 years and work 20-24 hours per week, you accrue 33 hours per year
- If you have worked for CAP 1-5 years and work 25-29 hours per week, you accrue 42 hours per year
- If you have worked for CAP 1-5 years and work 30-35 hours per week, you accrue 57 hours per year
- If you have worked for CAP 6-9 years and work 10-14 hours per week, you accrue 24 hours per year
- If you have worked for CAP 6-9 years and work 15-19 hours per week, you accrue 36 hours per year
- If you have worked for CAP 6-9 years and work 20-24 hours per week, you accrue 42 hours per year
- If you have worked for CAP 6-9 years and work 25-29 hours per week, you accrue 60 hours per year
- If you have worked for CAP 6-9 years and work 30-35 hours per week, you accrue 72 hours per year
- If you have worked for CAP 10+ years and work 10-14 hours per week, you accrue 30 hours per year
- If you have worked for CAP 10+ years and work 15-19 hours per week, you accrue 42 hours per year
- If you have worked for CAP 10+ years and work 20-24 hours per week, you accrue 48 hours per year
- If you have worked for CAP 10+ years and work 25-29 hours per week, you accrue 69 hours per year

Requests for paid leave must be submitted in writing to the supervisor for approval before the date of the requested leave (at least 10 days prior). Requests are subject to supervisor's approval. Personal leave will be granted subject to prior leave requests from other employees and the workload demands of the program. However, such circumstances will not result in the denial of personal leave when the request is for religious observance or a documented emergency.

An employee who requests paid leave due to illness is required to contact his or her immediate supervisor or the supervisor on duty at least one hour before your shift. Failure to contact your supervisor will result in the absence being unexcused for which pay will not be granted and which may be cause for corrective action up to and including termination of employment. The employee's supervisor may ask for medical documentation regarding the reason for the leave and the ability of the employee to return to work.

Paid leave accrues during the employee's Initial Evaluation Period, however the employee is not entitled to use this time until after 3 months of employment.

Paid leave may be banked from year to year depending on how long you've worked for CAP. The policy is as follows:

- If you've worked for CAP 1-5 years, you can carry over 57 hours
- If you've worked for CAP 6-9 years, you can carry over 72 hours
- If you've worked for CAP 10+ years, you can carry over 84 hours

Additional policy restrictions for accrued time:

- Upon separation from employment, and provided the employee gives proper notice as required by the section on resignation, a salaried staff member is eligible to receive in pay one-half the amount of paid leave accrued.

I. NYC Sick Leave

Hourly staff are entitled to the New York Sick Leave Act, which is one hour accrued for every 30 hours worked. Hourly employees are not entitled to take more than 56 hours of sick time in one fiscal year. Please note that NYC Sick Leave will not be paid out upon separation of employment.

*Please see Attachment A for more details on the NYC Sick Leave Policy

J. Holidays

Salaried staff are entitled to the following holidays:

- New Year's Day
- Martin Luther King, Jr.'s Birthday
- President's Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- The day after Thanksgiving
- Christmas Day

If a paid holiday falls on a Saturday or Sunday, the Executive Director schedules an alternative work day as a paid holiday.

K. Professional Development

Our agency believes in supporting the individual growth of its employees. To encourage employee development, our agency offers a professional development reimbursement program to eligible employees who attend job-related seminars.

To participate in this program, you must be a full-time employee who has completed your introductory period.

Approval from your supervisor must be received prior to registration for the seminar. Our agency will pay a percentage of the cost of approved job-related seminars.

Employees may be asked to sign a letter of commitment prior to receiving funding for job-related seminars.

* In an effort to keep our agency informed of new developments, we ask that you share any new information presented at the seminar with the rest of the staff.

L. Employee Assistance Program

Eligible full-time employees may participate in our employee assistance program immediately upon hire. Our employee assistance program (EAP) helps eligible employees and their immediate families with a wide range of problems. Situations addressed by the EAP include marriage and family problems, emotional problems, alcoholism and alcohol abuse, drug abuse and dependency, financial problems, compulsive gambling and eating disorders. Your conversations and all records are strictly confidential. The administrative cost of this program is fully paid by the agency. Complete details of this program may be obtained by calling 1-800-EAP-4YOU.

M. Open Door Policy

The Agency believes that communication is key to helping create a better work environment. The purpose of the open-door policy is to encourage open communication, feedback, and discussion about any matter of importance to an employee. The Agency encourages you to speak with any of the supervisors or the Executive Director about possible problems, questions, or concerns that arise in your day-to-day.

IV. HEALTH AND OTHER BENEFITS

A. Health Insurance

Medical insurance coverage is available to all full-time employees, spouses and their unmarried dependent children. Full time employment is defined as being a salaried employee at 30 hours or more per week. Hourly employees must average 30 hours per week over a 3 month period in order to be considered.

The effective date of medical coverage is the first of the month following 60 days after hire for full time salaried employees. A summary plan description describing coverage is provided to all employees. Premium costs are shared by CAP and the employee through payroll deductions. Under Section 125 of the Internal Revenue Code, a health spending account has been established to allow employees to use before-tax dollars for employee premium contributions for CAP-provided group health insurance. Employees who select this option have no federal, state, local, or social security taxes taken from bi-weekly contributions made for medical benefits. Open enrollment occurs each year November through December.

B. Continuing Your Group Health Insurance

The federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, gives employees and their qualified dependents the opportunity to continue health insurance coverage under CAP's group health plan when a "qualifying event" would normally result in the loss of coverage. Some common qualifying events include:

1. Separation of employment, except in instances of gross misconduct;
2. Death of an employee;
3. Reduction in an employee's hours or a leave of absence;
4. Employee's divorce or legal separation; and
5. A dependent child no longer meets eligibility requirements.

Upon separation from employment, medical coverage ceases on the last day of the month in which separation occurs. Employees will receive a written notice describing their options under COBRA and the rules and regulations governing eligibility and premium payment. You and your covered dependents will have the opportunity to continue medical benefits for a period of up to 36 months. Employees are encouraged to consult with the Payroll Specialist regarding other qualifying events, which may pertain to them or their dependents.

C. Short-term Disability Benefits

Employees are eligible for short-term disability insurance after four consecutive weeks of full-time employment or 25 days of regular part-time employment in accordance with state law. This insurance is designed to provide income for you when you are absent from work for more than seven calendar days due to non-occupational illness, injury or pregnancy-related disability. The benefits are calculated as a percentage of your salary, up to a maximum each week as specified by law, for a duration of up to 26 weeks. The cost of this insurance is fully paid by the agency. Provide written notice including a doctor's certificate stating the nature of the disability and your expected date of return to work. Disability insurance information may be obtained from the Executive Director or Payroll Specialist.

D. Workers' Compensation

CAP provides a comprehensive workers' compensation insurance program. This program covers any illness or injury sustained in the course of employment that requires medical, surgical or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately. Workers' Compensation leave runs concurrently with Family and Medical Leave.

Any employee who sustains any type of work-related injury or illness should inform his or her supervisor immediately. It is important that an on-the-job injury be reported on the correct form(s) immediately, no matter how minor it may appear. This enables an eligible employee to qualify for coverage as quickly as possible.

E. Retirement Plan

CAP offers a 401k retirement plan for the greater security of all employees. All employees are immediately eligible to enroll and contribute. Please contact the Payroll Specialist for more details and to enroll in the plan.

F. Direct Deposit

CAP provides the option of Direct Deposit to all employees. Through Direct Deposit, employees have their pay deposited into their checking or savings account. This option is independently completed by the employees through Paycom.

G. Unemployment Insurance

CAP pays applicable State and Federal Unemployment Insurance Taxes and those benefits are available to separated employees who qualify.

V. EMPLOYEE CONDUCT

A. Sexual and Other Unlawful Harassment

CAP prohibits sexual harassment in the workplace, whether committed by supervisory or non-supervisory personnel. Specifically, no supervisor may threaten or insinuate, either explicitly or implicitly, that an employee's submission to, or rejection of, sexual advances will in any way influence any personnel decisions regarding that employee's employment, pay, advancement, assigned duties, shifts or any other condition of employment or career development.

Other sexually harassing conduct in the workplace that may create an offensive work environment, whether it be in the form of physical or verbal harassment, and regardless of whether committed by supervisory or non-supervisory personnel, is also prohibited. This includes, but is not limited to unwelcome conduct that creates an offensive environment and is severe, persistent or pervasive, such as sexual flirtations, advances, propositions, continued or repeated verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual and the display in the workplace of sexually suggestive objects or pictures.

Sexual harassment committed by an employee in the workplace will result in corrective action up to and including dismissal and may lead to personal liability.

Employees are encouraged to call the compliance hotline if they are confronted with sexual harassment or any prohibited form of harassment. Such internal complaints are investigated promptly, and, where possible, a mutually satisfactory resolution will be sought. Corrective action is taken where it is determined that sexual harassment and/or discrimination occurred. No employee will suffer retaliation, reprisal or intimidation as a result of using the compliance hotline. CAP maintains confidentiality in these investigations to the extent feasible and consistent with an effective investigation and resolution.

Anyone who willfully files a false charge of sexual harassment or discrimination is subject to disciplinary action, up to and including dismissal.

Discriminatory treatment which is found to be based upon an individual employee's race, ethnicity, age, religion or other legally protected characteristic is also strictly prohibited and the same disciplinary (and investigative) standards applicable to sexual harassment will be applicable to other forms of unlawful harassment to the same extent.

B. Bullying

CAP will not, in any circumstance, tolerate bullying behavior. Workforce bullying can take the form of threatening, humiliating, intimidating, and harassing. Employees found in violation of this policy will be terminated from their position. Employees who experience, witness, or suspect bullying or harassment behavior must report the behavior to their supervisor, Executive Director or Compliance officer.

C. Conflict of Interest/Code of Ethics

Our agency's reputation for integrity is its most valuable asset and is directly related to the conduct of its officers and other employees. Therefore, employees must never use their positions with the agency, or any of

their students/participants, for private gain, to advance personal interests or to obtain favors or benefits for themselves, members of their families or any other individuals, corporations or business entities.

The agency adheres to the highest legal and ethical standards applicable in our business. The agency's business is conducted in the strict observance of both the letter and spirit of all applicable laws and the integrity of each employee is of utmost importance.

Employees of the agency shall conduct their personal affairs in such a fashion that their duties and responsibilities to the agency are not jeopardized and/or legal questions do not arise with respect to their association or work with the agency.

D. Standards of Conduct

Each employee has an obligation to observe and follow the agency's policies and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken.

Disciplinary action may include a verbal warning, written warning, suspension with or without pay, and/or discharge. The appropriate disciplinary action imposed will be determined by the agency. The agency does not guarantee that one form of action will necessarily precede another.

The following may result in disciplinary action, up to and including discharge: violation of the agency's policies or safety rules; insubordination; unauthorized or illegal possession, use or sale of alcohol or controlled substances on work premises or during working hours, while engaged in agency activities; unauthorized possession, use or sale of weapons, firearms or explosives on work premises; theft or dishonesty; physical harassment; sexual harassment; disrespect toward fellow employees, visitors or other members of the public; performing outside work or use of agency property, equipment or facilities in connection with outside work while on agency time; poor attendance or poor performance. These examples are not all inclusive. We emphasize that discharge decisions will be based on an assessment of all relevant factors.

Nothing in this policy is designed to modify our employment-at-will policy.

E. Conduct At a Student's or Participant's Home

The opinions and attitudes that our families and community have toward our agency may be determined by the actions of one employee.

The importance of professional conduct when working in a home or out in the community cannot be emphasized enough. Professional conduct is a broad term that is open to many interpretations. The following are guidelines for appropriate conduct when working at a home or in the community:

- The service and care of those that we serve is a personal and private matter. Avoid conversations about the student or participant's matters with, or in the presence of, persons other than those directly involved in the care and treatment of the student or the participant.
- Be sensitive and respectful to the cultures and the customs that are practiced in the homes
- A professional appearance must be maintained at all times.
- Only authorized employees may perform work at the person's home. Refrain from bringing persons that are unaffiliated with the agency to the student or participant's home.

Each employee must be sensitive to the importance of providing courteous and professional treatment in all working relationships. All records are confidential and this confidence must be maintained and respected by all staff members.

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the professional image we present to members and visitors. During work hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

F. Protecting Agency Information

Protecting our agency's information is the responsibility of every employee, and we all share a common interest in making sure it is not improperly or accidentally disclosed. Do not discuss the agency's confidential business with anyone who does not work for us.

All inquiries regarding a current or former employee's position/compensation with our agency must be forwarded to the Director of Operations.

The agency's address shall not be used for the receipt of personal mail.

G. Confidentiality of Information

Each employee must observe strict confidentiality in the safeguarding of all personal information pertaining to students, participants, their families, and other employees. Such confidential information may be made available to CAP and its employees and may not be released to others without written approval of the member or employee or authorized supervisor. Member and personnel files are kept locked when not under the direct supervision of the staff charged with their maintenance.

Employees are responsible for safeguarding information when using computer equipment. Employees must use caution when using passwords and are not permitted to release such information to unauthorized staff. Failure to comply with confidentiality requirements is cause for dismissal.

H. Dress Code

As an employee of the Children At Play, the Agency expects you to present a clean and professional appearance when you represent us, whether you are in or outside of the office. You are, therefore, required to dress in "appropriate" attire and to behave in a professional and respectful manner. It is essential that you act in a professional manner and always extend the highest courtesy to co-workers, visitors, customers, vendors and families.

The current Agency dress code is casual. Please keep in mind, however, that the Agency is a professional setting, where clients and others visit. Generally, clean, neat clothing is acceptable.

I. Attendance and Punctuality

It is important for you to report to work on time and to avoid unnecessary absences. The Agency recognizes that illness or other circumstances beyond your control may cause you to be absent from work from time to time. However, frequent absenteeism or tardiness may result in disciplinary action up to and including discharge. Excessive absenteeism and/or frequent tardiness put an unnecessary strain on your coworkers and can have a negative impact on the success of the Agency.

You are expected to report to work when scheduled. Whenever you know in advance that you are going to be absent, you should notify your immediate supervisor. If your absence is unexpected, you should attempt to reach your immediate supervisor as soon as possible, but in no event later than one hour before you are due at work. If you must leave a message on voicemail, you must provide a number where your supervisor may reach you if need be. Regular delays in reporting to work will result in disciplinary action up to and including discharge.

J. Severe Weather

The Agency is open for business unless there is a government-declared state of emergency or unless you are advised otherwise by your supervisor. There may be times when the Agency will delay opening and on rare occasions the Agency may have to close. However, use common sense and your best judgment when traveling to work in inclement weather.

In the event that the Agency's facilities are closed by the Agency for any reason including inclement weather or government action, employees will be paid for the day. If the Agency's facilities are open and you are delayed getting to work or cannot get to work at all because of inclement weather, speak to your supervisor. You should always use your judgment about your own safety in getting to work. When potentially dangerous weather develops during the day and a decision is made by the Agency to close early, you will be compensated for the full day.

K. Internal Investigations

From time to time, CAP may be required to conduct internal investigations, including but not limited to, security, auditing, or work-related matters. Employees are expected to cooperate fully with, and assist in, these investigations if requested to do so.

L. Care of Equipment

You are expected to demonstrate proper care when using the agency's property and equipment. No property may be removed from the premises without the proper authorization of management. If you lose, break or damage property, report it to your supervisor at once.

M. Workspace

Employees are responsible for maintaining the workspace assigned to them and keeping your desk clean and presentable. Shared workspaces are to be maintained by the employees that utilize the shared space. Employees should keep in mind that their workspace is part of a professional environment that portrays the Agency's overall dedication to providing quality service to its clients.

N. Solicitation and Distribution

In order to avoid unnecessary annoyances and work interruptions, solicitation by an employee of another employee is prohibited while either person is on working time. Employee distribution of literature, including handbills, in work areas is prohibited at all times. Trespassing, soliciting or distribution of literature by non-employees on these premises is prohibited at all times.

O. Personal Telephone Calls/Cell Phone Usage

It is important to keep our telephone lines free for incoming calls. Although the occasional use of the Agency's telephones for a personal emergency may be necessary, routine personal calls should be kept to a minimum.

Personal cellular telephones must be used at a minimum during work hours. Personal cellular use should not disrupt lessons, other personnel, participant's or general work requirements while in the building or out in the community.

P. Electronic Mail Monitoring

We recognize your need to be able to communicate efficiently with fellow employees, student/participant families, and other related parties.

The email system is intended for business use only. The use of the Agency's email system to solicit fellow employees or distribute non-job-related information to fellow employees or families is strictly prohibited. Employees are not permitted to use their work email address for any personal use.

Our Agency's policies against sexual and other types of harassment apply fully to the email system. Violations of those policies are not permitted and may result in disciplinary action, up to and including discharge. Therefore, employees are also prohibited from the display or transmission of sexually explicit images, messages, ethnic slurs, racial epithets or anything which could be construed as harassment or disparaging to others.

Employees shall not use unauthorized codes or passwords to gain access to others' files.

Violation of this policy may result in disciplinary action, up to and including discharge.

For business purposes, management reserves the right to enter, search and/or monitor the private agency email system and the files/transmission of any employee without advance notice and consistent with applicable state and federal laws.

Employees are required to check their email on a regular basis.

Q. Internet Usage

The Internet is intended for business use only. Use of the Internet for any non-business purpose, including but limited to, personal communication or solicitation, purchasing personal goods or services, gambling and downloading files for personal use, is strictly prohibited.

Our Agency's policies against sexual and other types of harassment apply fully to Internet usage. Violations of those policies are not permitted and may result in disciplinary action, up to and including discharge. Therefore, employees are also prohibited from displaying, transmitting and/or downloading sexually-explicit images, messages, ethnic slurs, racial epithets or anything which could be construed as harassment or disparaging to others.

Consistent with applicable federal and state law, the time you spend on the Internet may be tracked through activity logs for business purposes. All abnormal usage will be investigated thoroughly.

Employees learning of any misuse of the Internet shall notify the Executive Director. Violation of this policy may result in disciplinary action, up to and including discharge.

R. Work from Home

This work from home policy is designed to help create a supportive remote work environment for our hybrid workers.

Employees may qualify for remote work if their job roles are compatible with working from home. Supervisors will assess and approve remote work requests on a case by case basis based on specific requirements of the department involved and the needs of the team and the company. Remote employees are required to maintain a consistent work schedule that will be discussed with your supervisor. If there are any changes that need to be made to your schedule, you must request approval from your supervisor prior.

Prior to working from home, employees are required to submit their work from home location, which will allow them to clock in and out from that specified location. This location must have a secure wifi connection. Employees are not permitted to work at other locations unless otherwise approved by your supervisor. Remote employees are required to clock in and out as usual for the day and lunch breaks. Failure to clock in and out from your designated work from home location may result in loss of remote working privileges.

CAP expects all employees to maintain high levels of performance and productivity whether they work in-office or remotely. To ensure success of remote work arrangements, CAP emphasizes the need for open and regular communication. Remote employees should use the following approved communication channels to remain connected with supervisors and team members: Teams, email, work phone. Employees are required to have their office phone connected to their cell phone at all times during work from home. Failure to answer work calls at home may result in loss of remote working privileges.

To enable efficient remote work, CAP provides remote employees with laptops, chargers, phone access, and secondary monitors if needed. Remote employees must maintain equipment in good working condition. It is imperative to never leave CAP equipment in the car, or any other location that could allow it to be compromised, stolen, or damaged. In the event of any equipment issues, suspected security threats, or data breaches, please let your supervisor know immediately.

CAP reserves the right to terminate or modify remote work arrangements at the Agency's discretion, based on factors including but not limited to job performance issues, evolving business requirements, or changes in responsibilities.

S. Parking

Free parking facilities are available to employees. The agency requires that you park within the rear parking lot or on the street. The agency is not responsible for loss, damage or theft of your vehicle. Therefore, we suggest that you lock your car doors.

T. Recording Devices in the Workplace

Employees are prohibited from having any form of recording or photography device in the workplace and from recording or photographing fellow employees in the workplace or during working time. Violations of this policy may result in immediate discipline (including the possibility of termination), immediate removal of the

recording device and/or the employee from the workplace, and retention of the recording device for inspection by the agency and/or legal authorities.

Limited exceptions will apply where the employee in possession of the recording device has been provided advance written authorization to use the recording device by an authorized member of agency management and the recording device is being used in an authorized manner to further agency business.

Prohibited “recording devices” under this policy include but are not limited to cameras, camcorders, video devices, picture or video capable cellular telephones, and digital voice or image recorders. Cellular telephones, portable computers, and other devices are covered if they are equipped with any device or technology that has the capability to record images or sounds. This prohibition applies irrespective of whether the recording capability is activated or not.

U. Contact With the Media

All media inquiries regarding the agency and its operations must be referred to the Executive Director. Only the Executive Director is authorized to make or approve public statements pertaining to the agency or its operations. No employees, unless specifically designated by the Executive Director, are authorized to make those statements.

V. A Drug-Free Workplace/Use of Drugs and Alcohol

CAP does not tolerate any activity related to illegal or controlled substances or alcohol in the workplace or while on working time and takes immediate corrective action against any offenders. Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace; such behavior subjects employees, students, participants and visitors to our facilities to unacceptable safety risks and undermines CAP’s ability to operate effectively and efficiently.

Employees are urged to immediately report any incidents or suspected incidents of drug or alcohol activity, including use or impairment, to their supervisor or to the Executive Director. To the extent feasible and consistent with handling the problem, an employee's report of suspected drug activity is handled in a confidential manner.

When appropriate, CAP may permit employees who violate this policy to successfully complete an approved drug or alcohol abuse assistance or rehabilitation program as a condition of continued employment. For individuals who are deemed under the influence of alcoholic beverages, drugs or controlled substances, rehabilitation will be offered once. Information on drug or alcohol related disabilities and medical conditions are maintained separately and employees with legally recognized disabilities are treated consistent with the law. Employees may use physician-prescribed medications provided that the use of such medications does not adversely affect job performance or the safety of members, employees, or other individuals in the workplace.

Violation of the policy may be cause for immediate termination based on the applicable laws.

W. Possession of Personal Weapons and Firearms

Use, possession, sale or purchase of personal weapons, including firearms, by any employee at any time on CAP premises or during work hours, or by any employee on CAP business anywhere, is strictly prohibited.

X. Corrective Action

The purpose of taking corrective action is for the supervisors to help an employee get back on track, and to improve and develop further. Taking corrective action is part of a continuous development process that includes establishing clear performance expectations, training and coaching.

Corrective action emphasizes that it is the employee's responsibility to meet job expectations. The Agency works constructively with the employee to seek solutions to the identified difficulties, but the responsibilities to correct poor performance or misconduct rests with the employee.

In circumstances where it is required, a conference is held with the employee and is accompanied by a corrective action form to the employee with a file copy to his or her personnel file. The memorandum should include:

1. The name and position of the employee;
2. Identification of the difference between present performance and agreed upon expectations;
3. Impact of employee performance/behavior;
4. Plan of correction; and
5. Consequences of failing to meet expectations.

Although the goal of corrective action is that the employee will recognize and accept his or her job responsibilities, it is not always achieved. Where the corrective action process does not succeed in resolving performance and behavior problems, action will be taken which may result in sanctions, up to and including termination. Depending on the seriousness of unsatisfactory performance, misconduct or violation of policy or procedure, severe sanctions, such as termination, may be warranted promptly.

Y. Suspensions

The Executive Director may affect administrative suspensions. Written notice of suspension will include employee name, program, and effective date of suspension, signature of the hiring authority or designee, and date.

Administrative suspension is the separation from duty of an employee as the result of an accusation of misconduct or violation of the Agency's policy that must be investigated to determine the facts and validity of the charges. Where the Agency must investigate allegations of misconduct or a violation of the Agency's policy and where the continued presence of such employee might deter such investigation or may otherwise not be in the best interest of CAP, an employee's supervisor effects an administrative suspension.

During an administrative suspension, the employee does not report for work. Administrative suspensions generally may not be effective for longer than one week. The type of investigation conducted is determined by the supervisor in consultation with the Executive Director.

If the results of the investigation disclose no misconduct or violation on the part of the suspended employee, he or she is reinstated.

If the investigation substantiates the allegations, appropriate corrective action is taken which may include termination.

Z. If You Must Leave Us

Should you decide to leave your employment with us, we ask that you provide your supervisor with at least 20 business days advance notice. Your thoughtfulness is appreciated and will be noted favorably should you ever wish to reapply for employment with the agency.

Employees, who are rehired following a break in service other than an approved leave of absence, must serve a new initial introductory period whether or not such a period was previously completed. Such employees are considered new employees from the effective date of their reemployment for all purposes of measuring benefits.

Our agency does not provide a “letter of reference” to former employees. Generally, we will confirm upon request our employees’ dates of employment, salary history and job title.

Additionally, all resigning employees should complete a brief exit interview prior to leaving, all agency property, including (not limited to) technology and intellectual property, must be returned to your supervisor upon termination. Otherwise, the agency may take action to recoup any replacement costs and/or seek the return of agency property through appropriate legal recourse.

You should notify the agency if your address changes during the calendar year in which termination occurs so that your tax information will be sent to the proper address.

AA. Safety and Accident Rules

Safety is a joint venture at the Agency. The Agency provides a clean, hazard-free, healthy, safe environment in which to work and make every effort to comply with all relevant federal, state and local occupational health and safety laws, including the Occupational Safety and Health Act. As an employee, you have a duty to comply with the safety rules of the Agency, and you are expected to take an active part in maintaining this hazard-free environment. You should observe all posted safety rules, adhere to all safety instructions provided by your supervisor and use safety equipment where required. Your workplace should be kept neat, clean and orderly. You are required to report any accidents or injuries – including any breaches of safety – and to promptly report any unsafe equipment, working condition, process or procedure to a supervisor. Program directors are responsible for maintaining workplace safety by ensuring that all safety policies and procedures are followed, identifying and addressing potential hazards, providing proper training and guidance to employees, and promoting a culture of safety within their teams.

BB. Medical Procedures

If you become ill or get hurt while at work, you must notify your manager immediately. Failure to do so may result in a loss of benefits under the state workers’ compensation law. The Agency is concerned about the physical well-being of its staff and encourages all employees to have periodic physical examinations. Check your Health Plan documents to determine coverage.

RECEIPT OF EMPLOYEE HANDBOOK AND EMPLOYMENT-AT-WILL STATEMENT

This is to acknowledge that I have received a copy of the Children At Play Early Intervention Center Employee Handbook and understand that it sets forth the terms and conditions of my employment as well as the duties, responsibilities and obligations of my employment with the agency. I understand and agree that it is my responsibility to read the Employee Handbook and to abide by the rules, policies and standards set forth in the Employee Handbook.

I also acknowledge that my employment with Children At Play Early Intervention Center is not for a specified period of time and can be terminated at any time for any reason, with or without cause or notice, by me or by the agency. I acknowledge that no oral or written statements or representations regarding my employment can alter the foregoing. I also acknowledge that no supervisor or employee has the authority to enter into an employment agreement- express or implied- providing for employment other than at-will.

I also acknowledge that, except for the policy of at-will-employment, the Agency reserves the right to revise, delete, and add to the provisions of this Employee Handbook. All such revisions, deletions or additions must be in writing and must be signed by the Executive Director of the Agency. No oral statements or representations can change the provisions of this Employee Handbook. I also acknowledge that, except for the policy of at-will employment, terms and conditions of employment with the agency may be modified at the sole discretion of the Agency, with or without cause or notice, at any time. No implied contract concerning any employment-related decision, term of employment or condition of employment can be established by any other statement, conduct, policy or practice.

I understand that the foregoing agreement concerning my at-will employment status and the Agency's right to determine and modify the terms and conditions of employment is the sole and entire agreement between me and Children At Play Early Intervention Center concerning the duration of my employment, the circumstances under which my employment may be terminated and the circumstances under which the terms and conditions of my employment may change. I further understand that this agreement supersedes all prior agreements, understandings and representations concerning my employment with the agency.

If I have questions regarding the content or interpretation of this Employee Handbook, I will bring them to the attention of the Executive Director.

Name: _____

Date: _____

Employee Signature: _____

*Your E-signature on Paycom will be your acknowledgment of this policy

Attachment A

NEW YORK STATE PAID SICK LEAVE FAQ

All private sector workers in New York State are now covered under the state's new sick and safe leave law, regardless of industry, occupation, part-time status, overtime exempt status, and seasonal status.

The law requires employers with five or more employees to provide their employees with paid sick and safe leave. Businesses with fewer than five employees and a net income of \$1 million or less must provide unpaid sick and safe leave to employees.

AMOUNT OF LEAVE

Employees will receive an amount of sick leave depending on the size of their employer:

Number of Employees	Employer Sick Leave Requirements
0 - 4	If net income is \$1 million or less in the previous tax year, the employer is required to provide up to 40 hours of unpaid sick leave per calendar year.
0 - 4	If net income is greater than \$1 million in the previous tax year, the employer is required to provide up to 40 hours of paid sick leave per calendar year.
5 - 99	Up to 40 hours of paid sick leave per calendar year.
100+	Up to 56 hours of paid sick leave per calendar year.

For counting employees, small employers who reported a net income of less than \$1 million do not need to pay their employees sick leave, but must provide the additional allotted leave time. Note: "calendar year" means the 12-month period from January 1 to December 31. For other purposes, including use and accrual of leave, employers may set a calendar year to mean any 12-month period.

DEFINITIONS

WHO QUALIFIES AS A "FAMILY MEMBER" FOR THE PURPOSES OF THIS LAW?

"Family member" is defined as an employee's child, spouse, domestic partner, parent, sibling, grandchild, or grandparent; and the child or parent of an employee's spouse or domestic partner. "Parent" is defined as a biological, foster, step, or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child. "Child" is defined as a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

WHAT IS A CALENDAR YEAR?

To determine the total number of employees, "calendar year" means the 12-month period from January 1 to December 31. For other purposes, including use and accrual of leave, employers may set a calendar year to mean any 12-month period.

CAN AN EMPLOYER REQUIRE AN EMPLOYEE TO TELECOMMUTE OR WORK FROM HOME INSTEAD OF TAKING SICK LEAVE?

No. An employer cannot require an employee to work from home or telecommute instead of taking sick leave. But an employer can offer the employee the options of working from home or telecommuting. If employees voluntarily agree to work from home or telecommute, employees will retain the paid or unpaid sick leave that they have accrued.

ACCRUALS

DO EMPLOYEES CONTINUE TO EARN SICK LEAVE WHILE USING PAID SICK LEAVE UNDER THIS LAW?

No. Employees are only required to be credited with leave time for hours worked and not for hours spent using sick leave time under this law.

DO EMPLOYEES ACCRUE LEAVE FOR PAY RECEIVED FOR NON-WORKING TIME?

No. Employees do not accrue leave for payments that are not for hours worked, such as bonuses or subject-to-call time. However, time that is considered “hours worked,” including on-call time, training time, and travel time, must be counted for the purposes of accruing leave.

THE LAW PROVIDES THAT EMPLOYEES ACCRUE SICK LEAVE AT A RATE OF NOT LESS THAN ONE HOUR PER EVERY THIRTY HOURS WORKED. IF AN EMPLOYEE FOR A MEDIUM-SIZE BUSINESS WITH 50 EMPLOYEES WORKS IN EXCESS OF 1,200 HOURS DURING A CALENDAR YEAR, IS THE EMPLOYER REQUIRED TO PROVIDE OVER 40 HOURS OF PAID SICK LEAVE?

No. For employers with between 5 and 99 employees in any calendar year, this law requires that each employee be provided with up to 40 hours of paid sick leave in each calendar year. While an employer may provide additional paid sick leave hours for their employees, they are not required to do so.

PERMITTED USES

CAN AN EMPLOYEE USE SAFE LEAVE IF THE POLICE HAVE NOT BEEN CONTACTED OR THE PERPETRATOR HAS NOT BEEN CONVICTED?

Yes. An employee’s eligibility for safe leave is not dependent on reporting to law enforcement or a criminal conviction.

IF AN EMPLOYER HAS BEEN ORDERED TO CLOSE TEMPORARILY DUE TO A PUBLIC HEALTH EMERGENCY, MAY EMPLOYEES USE ACCRUED SICK LEAVE DURING THE PERIOD OF CLOSURE?

Whether or not the usage of sick leave in this scenario would be fact specific depending on the type of health emergency, including the risk of contagion, and other health considerations. Accrued sick leave may be used by an employee for preventive care of a mental or physical illness, injury or health condition.

Sick leave under this law is separate and additional to the quarantine leave for employees subject to a precautionary or mandatory order of quarantine or isolation related to COVID-19 (Ch. 25 of the laws of 2020), and use of COVID-19 leave does not impact or otherwise utilize an employee’s paid sick leave accruals or usage. More information on COVID-19 Leave is available at paidfamilyleave.ny.gov/covid19.

CAN AN EMPLOYEE USE SICK LEAVE FOR DOCTOR, DENTIST, EYE DOCTOR, OR OTHER ROUTINE APPOINTMENTS?

Yes. Employees may use sick leave for appointments when they require treatment for a condition or for preventive medical care.

DOES SICK LEAVE INCLUDE BEREAVEMENT LEAVE? CAN AN EMPLOYEE USE ACCRUED SICK LEAVE WHEN THERE IS DEATH IN THEIR FAMILY?

Permissible reasons to use accrued sick leave does not include a period of bereavement. However, employers must provide sick leave for a mental or physical illness, injury, or health condition, regardless of whether they have been diagnosed or require medical care, as well as for the preventative care for such illnesses, injuries, or conditions.

WHO IS ELIGIBLE

IS THERE A MINIMUM PERIOD OF EMPLOYMENT BEFORE AN EMPLOYER IS RESPONSIBLE FOR PROVIDING SICK LEAVE?

No. Employees are immediately eligible to accrue leave under the law.

IS THERE A MINIMUM PERIOD OF EMPLOYMENT BEFORE AN EMPLOYEE CAN USE THEIR ACCRUED SICK LEAVE?

There is no minimum period of employment before an employee can use sick leave. However, unless an employer provides the required amount of sick leave up-front at the beginning of a calendar year or otherwise has a sick leave policy that exceeds the requirements of the law, an employee would have to work at least 30 hours before accruing any sick leave.

IF A BUSINESS IS JOINTLY OWNED BY TWO INDIVIDUALS AND THE BUSINESS FAILS TO PROVIDE SICK LEAVE AS REQUIRED UNDER THE LAW, WHICH OWNER IS RESPONSIBLE?

Both owners would be jointly and severally responsible for the failure to comply with the law. The term “employer” includes any person, corporation, limited liability company, or association employing any individual in any occupation, industry, trade, business, or service.

IF A BUSINESS WITH 15 FULL-TIME, YEAR-ROUND EMPLOYEES ALSO HIRES SEASONAL PART-TIME WORKERS, MUST THE EMPLOYER PROVIDE SICK LEAVE TO THESE PART-TIME SEASONAL WORKERS AS WELL?

Yes. For the purposes of this law, an employee is defined as “any person employed for hire by an employer in any employment.” If an employer has five or more employees but fewer than 100, all employees, including part-time seasonal workers, are entitled to accrue one paid sick hour for every 30 hours they work.

DOES A SMALL BUSINESS WITH ONLY THREE EMPLOYEES BUT WITH JUST OVER ONE MILLION DOLLARS EARNINGS HAVE TO PROVIDE PAID LEAVE TO EMPLOYEES?

A business employing four or fewer people is obligated to provide paid sick leave if it has over one million dollars in net income.

DOES AN EMPLOYER HAVE TO PROVIDE SICK LEAVE TO EMPLOYEES WHO TELECOMMUTE OUTSIDE OF NEW YORK STATE?

Employees who telecommute are covered by the law only for the hours when they are physically working in New York State, even if the employer is physically located outside New York State.

IF AN EMPLOYER HAS MULTIPLE BUSINESS LOCATIONS WITHIN NEW YORK STATE, WITH FOUR OR FEWER EMPLOYEES AT EACH LOCATION, DOES THE EMPLOYER HAVE TO PROVIDE PAID SICK LEAVE UNDER THE LAW?

To determine the number of employees in this scenario, the employer would count the total number of employees across all locations. For example, if there were 3 employees who worked at one location, and 4 employees who worked at another location, the employer would have 7 total employees, and would be required to provide up to 40 hours of paid sick time in each calendar year, for each employee.

DOES AN EMPLOYEE’S IMMIGRATION STATUS AFFECT WHETHER THEY ARE ENTITLED TO SICK LEAVE UNDER THE LAW?

No. An employee’s immigration status has no effect on their eligibility for sick leave benefits under this law.

ARE DOMESTIC WORKERS COVERED BY THE LAW?

Domestic workers are eligible for leave protections under the law depending on the size of their employer, in addition to leave under the State Domestic Worker Bill of Rights, which is available at labor.ny.gov/legal/domestic-workers-bill-of-rights.shtm

ARE NONPROFIT EMPLOYERS EXEMPT?

No. Nonprofit employers must comply with the law.

LEAVE INCREMENTS

CAN AN EMPLOYEE USE SICK LEAVE FOR ONLY HALF OF A WORKDAY?

The maximum increment an employer may set for the use of sick leave under this law is four hours. An employee may use four hours of accrued sick leave as needed (or less, if an employer allows for smaller increments of sick leave usage, such as one or two hours).

RATE OF PAY

HOW DO EMPLOYEES WHO ARE PAID ON A COMMISSION, FLAT RATE BASIS, OR OTHER NON-HOURLY BASIS ACCRUE SICK LEAVE?

When employees are paid on a non-hourly basis, accrual of sick leave is measured by the actual length of time spent performing work.

IF AN EMPLOYEE USES LEAVE DURING HOURS THAT WOULD HAVE BEEN OVERTIME IF WORKED, DOES THE EMPLOYER HAVE TO PAY THE OVERTIME RATE OF PAY?

No. Employees are required to be paid their normal pay for leave time under the law.

ARE EMPLOYERS REQUIRED TO PAY EMPLOYEES FOR LOST TIPS AND GRATUITIES DURING LEAVE TIME?

No. Employers are not required to pay employees for lost tips or gratuities, but employers may not take a tip credit for leave time and must pay the employee their normal rate of pay or the applicable minimum wage, whichever is greater.

CAN A BUSINESS IN THE HOSPITALITY INDUSTRY THAT NORMALLY PAYS EMPLOYEES A TIPPED WAGE (ALLOWING FOR A TIP CREDIT/ALLOWANCE) PAY THAT SAME RATE WHEN EMPLOYEES USE SICK LEAVE?

No. Any employer who normally utilizes a tip allowance as a credit against the minimum wage requirements of their industry (e.g., in accordance with the Hospitality Industries Wage Order) cannot do so for employees' accrued sick leave. The rate of pay must be consistent with the applicable statutory minimum wage applicable to the employee.

WHAT IF AN EMPLOYEE IS PAID AT DIFFERENT RATES FOR DIFFERENT TASKS?

Employees who are paid at more than one rate of pay must be paid for leave under the law at the weighted average of those rates. The weighted average is the total regular pay divided by the total hours worked in the week. Overtime exempt employees who are paid on an hourly basis are assumed to work 40 hours per workweek, when deriving their regular rate unless the terms and conditions of the employment specify or require otherwise. However, as noted above, employers are prohibited from reducing an employee's rate of pay for leave time hours only.

DO EMPLOYERS NEED TO PAY EMPLOYEES FOR UNUSED LEAVE AT THE END OF THE EMPLOYMENT RELATIONSHIP?

Unless required by another agreement or policy, including the employer's own written leave policy, employers are not required under this law to pay employees for unused sick leave at the end of an employment relationship. Seasonal employees who maintain an ongoing employment relationship with their employer maintain their leave accruals through such breaks in employment.

ALTERNATIVE ACCRUAL SYSTEM

CAN AN EMPLOYER FRONT-LOAD ACCRUAL FOR PART-TIME EMPLOYEES?

Yes. At the beginning of each calendar year, an employer can provide part-time employees with the hours of sick leave they would accrue based on the hours they are anticipated to work at the accrual rate of one hour of sick leave for every 30 hours the employee is anticipated to work. However, if the employer frontloads fewer than 40 hours, the employer must still track the employee's hours worked and accrual of sick leave because a part-time worker may work more hours than anticipated. If the employee works more hours than anticipated, the employer must allow the employee to accrue leave at the rate of one hour for every 30 hours worked until the total amount of front-loaded plus accrued sick leave in a calendar year equals 40 hours. Employees who are front-loaded less than 40 hours in a calendar year must be allowed to use up to 40 hours of sick leave in a calendar year if they have accrued it. An employer who front-loads fewer than 40 hours must allow employees to carry over up to 40 hours of unused sick leave into the new calendar year, in addition to front-loading the amount of time the employer expects the employee to earn in the new calendar year. Reminder: If the employer has not calculated employees' use and accruals, the employer cannot change the policy in the new calendar year since employees are entitled to carry over unused sick leave and use those hours at the beginning of the new calendar year.

COLLECTIVE BARGAINING AGREEMENTS

WHAT IS REQUIRED FOR COLLECTIVE BARGAINING AGREEMENTS THAT ARE ENTERED INTO ON OR AFTER SEPTEMBER 30, 2020?

The law further provides that collective bargaining agreements entered into on or after September 30, 2020 may provide for different leave benefits, so long as such benefits are "comparable benefits for the employees" to those required by the law, and the agreement specifically acknowledges the provisions of Section 196-b of the Labor Law. Such acknowledgement should also specifically identify any benefits deemed comparable to the leave in the law.

DOES A COLLECTIVE BARGAINING AGREEMENT NEED TO ACKNOWLEDGE THE STATE SICK LEAVE REQUIREMENTS, OR IS A GENERAL REFERENCE SUFFICIENT?

To satisfy the requirements of this law, any agreement entered into after September 30, 2020 must specifically reference Labor Law Section 196-b. DOL recommends that the "comparable benefits for the employees" be explicitly identified and labeled as such in the agreement to avoid confusion or misunderstanding.

WILL THE DEPARTMENT OF LABOR TAKE COMPLAINTS FROM EMPLOYEES COVERED BY A COLLECTIVE BARGAINING AGREEMENT?

Yes. All employees, regardless of union status, may file a complaint under the State Paid Sick Leave law with the Department of Labor. For the purposes of enforcement, DOL looks first to the existence of language in a Collective Bargaining Agreement that specifically acknowledges the provisions of Section 196-b of the Labor Law before looking to the specific practices complained of. If no such language exists in the agreement or the agreement predates Section 196-b, the Department will generally then proceed with its investigation to determine if the employer complied with the requirements of Section 196-b.

OTHER LEAVE LAWS

I LIVE IN WESTCHESTER COUNTY, WHICH PROVIDES DOMESTIC WORKERS UP TO 40 HOURS OF LEAVE PER YEAR REGARDLESS OF EMPLOYER SIZE. IS THAT STILL THE LAW?

Westchester County law currently provides that domestic workers accrue sick leave at the rate of one hour for every 7 days worked and earn and can use up to 40 hours of paid sick leave per year, regardless of the size of the employer. These benefits will continue to be available to domestic workers in Westchester County.

I LIVE IN NEW YORK CITY AND AM COVERED BY THE NEW YORK CITY PAID SAFE AND SICK LEAVE LAW. CAN I FILE A COMPLAINT WITH THE CITY FOR THIS LAW?

New York City may continue to enforce the provisions of the New York City Paid Safe and Sick Leave Law to the extent that such provisions meet or exceed the end standard or requirements for minimum hour and use set forth in the New York State Paid Sick Leave Law, as determined by the Commissioner of Labor.

MAY PAID FAMILY LEAVE BE USED CONSECUTIVELY WITH PAID SICK LEAVE (E.G. THREE DAYS OF PAID SICK LEAVE, TWO DAYS OF PAID FAMILY LEAVE)?

An employee can only choose to use sick leave during Paid Family Leave (PFL) if the employer allows it. Taking sick leave at the same time as PFL may allow the employee to receive their full salary for all or part of the leave. However, an employee cannot receive more than their full wages while receiving PFL benefits.

WHAT ABOUT OVERLAPPING STATE AND FEDERAL REQUIREMENTS?

The New York State Paid Sick law operates independently from other State and Federal leave requirements and must therefore be paid in addition to any other State or Federal leave entitlements.

EMPLOYEE RIGHTS & PROTECTIONS

DOES LEAVE REQUIRED UNDER NEW YORK LABOR LAW SECTION 196-B EXPIRE AT THE END OF A CALENDAR YEAR?

Sick leave that is unused by an employee over the course of the year must be carried over to the next calendar year. However, employers may limit employee use to the number of hours that the employee is entitled to use within any calendar year (i.e., 56 hours for employers with 100 or more employees and 40 hours for employers with 99 or fewer employees). This may result in an employee maintaining a leave balance in excess of the amount they are permitted to use in any calendar year.

WHAT IS THE BENEFIT OF CARRYING OVER SICK LEAVE WHEN USAGE IS STILL LIMITED?

When sick leave is carried over into a new calendar year, an employee is able to use it right away instead of waiting to accrue leave.

CAN AN EMPLOYER REQUIRE THAT AN EMPLOYEE LOCATE A REPLACEMENT WORKER TO COVER A SHIFT/JOB IF THE EMPLOYEE ELECTS TO USE THEIR SICK LEAVE?

No. So long as an employee is using the sick leave for one of the reasons prescribed under the law, an employer may not require any additional preconditions.

HOW MUCH NOTICE DOES AN EMPLOYEE HAVE TO GIVE TO THE EMPLOYER PRIOR TO USING THEIR ACCRUED SICK LEAVE?

There is no specified notice or time period requirement under the law, provided, however, that there is an oral or written request to the employer prior to using the accrued sick leave, unless otherwise permitted by the employer.

DOES PAID SICK LEAVE TRANSFER IF AN EMPLOYEE IS PROMOTED, DEMOTED, OR TAKES A DIFFERENT POSITION WITHIN A COMPANY?

Yes. Leave accruals may not be reduced or otherwise restricted if an employee changes positions, roles, or locations with the same employer. Paid sick leave under this law must be paid out at the employee's rate of pay at the time the leave is taken.

IF A COMPANY CHANGES OWNERSHIP OR MERGES WITH ANOTHER ENTITY, WILL EMPLOYEE SICK LEAVE ACCRUALS BE AFFECTED?

It depends. The obligation to provide sick leave under the law derives from an individual or entity's status as an employee's employer and is not limited to a single employer as the Labor Law imposes such obligations on "joint" employers (those who employ an individual with one or more others).

When investigating a claim for unpaid leave, DOL will evaluate the continuing obligations of employers on a case-by-case basis to determine if the circumstances are such that the employee, in fact, changed employers and no longer works for their former employer. As stated above, employees may file a complaint with the Department of Labor by calling **888-469-7365**.

WHAT ARE THE PENALTIES IF AN EMPLOYER DOES NOT PROVIDE THE REQUIRED SICK LEAVE TO ITS EMPLOYEES?

Under New York State Labor Law, failure to provide employee benefits such as sick leave, is equivalent to a failure to pay employee wages. Should an employer fail to provide their employees with sick leave as required under the law, they may be subject to civil/administrative actions and/or criminal penalties, including but not limited to, an order assessing the full amount of the wage underpayment, 100% liquidated damages, and civil penalties in an amount up to double the total amount to be due.

WHAT DO I DO IF MY EMPLOYER ISN'T PROVIDING ME WITH SICK LEAVE AS REQUIRED BY THE LAW?

Employees may file a complaint with the Department of Labor by calling **888-469-7365**.

MISCELLANEOUS

CAN AN EMPLOYER HAVE A POLICY THAT PERMITS EMPLOYEES TO DONATE UNUSED LEAVE TO OTHER EMPLOYEES?

Yes. An employer can have a policy that allows employees to donate unused leave to other employees, as long as the policy is entirely voluntary.

CAN AN EMPLOYER DISCIPLINE AN EMPLOYEE WHO MISUSES SICK LEAVE?

Yes. An employer may take disciplinary action, up to and including termination, against an employee who uses leave for purposes other than those provided for under the law, or who lies to their employer in connection with taking such leave.

For more information about New York State's Paid Sick Leave, including additional FAQs, regulations, and more, please visit ny.gov/paidsickleave.