

THE INCORPORATED VILLAGE OF

SALTAIRE

EMPLOYEE HANDBOOK

BOARD OF TRUSTEES

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INCORPORATED VILLAGE OF SALTAIRE

EMPLOYEE HANDBOOK

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INCORPORATED VILLAGE OF SALTAIRE

EMPLOYEE HANDBOOK

INTRODUCTION

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

ETHICAL STANDARDS/CONFLICT OF INTEREST

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

OPEN DOOR POLICY

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

SUGGESTIONS

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

INCORPORATED VILLAGE OF SALTAIRE

EMPLOYEE HANDBOOK

POLICIES

EQUAL EMPLOYMENT OPPORTUNITY

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

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

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

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

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

HARASSMENT

The Village of Saltaire is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the Village of Saltaire commitment to a discrimination-free work environment. Sexual harassment is

against the law¹ and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with the Village of Saltaire. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

1. The Village of Saltaire policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with the Village of Saltaire. In the remainder of this document, the term “employees” refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The Village of Saltaire will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of the Village of Saltaire who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees² working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the Village Administrator. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject the Village of Saltaire to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. The Village of Saltaire will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. The Village of

¹ While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

² A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, “gig” workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

Saltaire will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

6. All employees are encouraged to report any harassment or behaviors that violate this policy. The Village of Saltaire will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Village Administrator.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee’s body or poking another employee’s body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target’s job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person’s sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
 - Sabotaging an individual’s work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

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

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

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

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

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

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility. The Village of Saltaire cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Village Administrator. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or the Village Administrator.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Village Administrator.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

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

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including

complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The Village of Saltire will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Village Administrator will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections And External Remedies

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

Aside from the internal process at the Village of Saltaire employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

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

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

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

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

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

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

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

VILLAGE OF SALTAIRE
COMPLAINT FORM

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

Name of Complainant: _____ Date Submitted: _____

Job Title: _____

Address: _____

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

Email: _____

Name of Victim (if different than Complainant): _____

Basis of this complaint (check all that apply):

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

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

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

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

Name: _____

Location: _____

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

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

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

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

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

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

Yes _____ No _____

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

Y N. If yes, when and to whom?

JOB CLASSIFICATIONS

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

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

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

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

DEFINITIONS

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

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

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

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PAY PERIOD

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

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

WORK SCHEDULE

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

PAYROLL DEDUCTIONS

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

Required by
Federal & State Law

Authorized by
Employee

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

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

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

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OVERTIME

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

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

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

PAY INCREASES

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

WAGE GARNISHMENT

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

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

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

TIME SHEETS

All employees are required to fill out a time sheet. Your supervisor must sign and approve your time sheet before pay will be processed and issued.

Time sheets are considered Village property and are not to be taken from the assigned area. No employee is allowed to sign any other employee's time sheet. Any notations on your time sheets

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

DIRECT DEPOSIT

Should you desire to have your paychecks deposited directly into your bank, you may do so by completing authorization forms available in the Village Office. All direct deposits will be credited to your account on the payroll date. You should retain the statement of deductions which accompanies your check for your personal records.

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UNACCEPTABLE JOB PERFORMANCE/DISCIPLINARY ACTION

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

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

- ...Oral warnings and reprimands
- ...Written reprimands
- ...Written notices of performance deficiencies
- ...Suspension
- ...Reduction in pay
- ...Demotion
- ...Discharge

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

EMPLOYER GRIEVANCE PROCEDURE

Step 1 - Supervisor Review

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

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

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

Step 2 - Village Administrator Review

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

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

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Step 3 - Board of Trustees Review

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

SEVERANCE ALLOWANCE

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

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

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

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

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

EMPLOYEE PERFORMANCE APPRAISALS

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

PROBATIONARY PERIOD/NEW EMPLOYEES

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

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

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EMPLOYMENT OF RELATIVES

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

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OVERVIEW

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

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

ABSENTEEISM AND TARDINESS

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

SAFETY

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

SUBSTANCE ABUSE

We will not tolerate any substance abuse. Any employee reporting for work under the influence of alcohol or controlled drugs, or in opinion of the employee's supervisor who appears to be under the influence of alcohol or a controlled substance or is otherwise not physically or mentally fit to perform the tasks required for the position, will be asked to leave immediately. Under these circumstances, assistance will be provided to ensure that the employee arrives home safely. Any employee who repeatedly reports to work under the influence of alcohol or drugs may have his/her employment terminated immediately, and a report may be generated for inclusion in the employee's file

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CONSIDERATION FOR SMOKERS AND NONSMOKERS

Smoking is prohibited within all public facilities and Village buildings. Where local ordinances are in effect, they will be observed.

DRESS CODE

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

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

OUTSIDE EMPLOYMENT

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

TERMINATIONS

We hope to retain good employees. However, employment at the Village is for no specified time, It is “at will,” regardless of length of service. Just as you are free to leave for any reason, we reserve the same right to end our relationship with you at any time, with or without notice, for any reason not prohibited by law, in accordance with relevant civil service procedures

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

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

PROPRIETARY INFORMATION/CONFIDENTIALITY

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

PROTECTION OF VILLAGE AND EMPLOYEE PROPERTY

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

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RELEASE OF INFORMATION

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

COMPUTER SOFTWARE PROTECTION

It is the policy of the Incorporated Village of Saltaire to prohibit any employee from violating the copyright protection on any computer software for use on any computer, whether Village owned or owned by an individual and used by the Village.

PERSONNEL FILES

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

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

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

TELEPHONE USE

Telephones are a vital part of our business since much of our business is handled on the phone. Personal use of the telephone should be limited to emergencies and unusual circumstances. Also, personal calls should be brief. Personal long distance calls not billed to the employee may not be made without maintaining accurate records and reimbursing the Village for the cost of the call.

EMPLOYEE HOUSING

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

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BULLETIN BOARD

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

POLITICAL ACTIVITY

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

SOLICITATIONS AND DISTRIBUTIONS

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

EXIT INTERVIEWS

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

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BENEFITS

VACATIONS

All full-time employees are eligible for vacation. Temporary or Seasonal employees and part-time employees are not eligible for vacation.

Annual vacations are determined by length of service and are accrued as follows:

| <u>Length of Service</u> | <u>Days of Vacation Accrued Annually</u> |
|--------------------------|--|
| 1 month to 12 months | 5 |
| 13 months to 48 months | 10 |
| 49 months to 120 months | 15 |
| 121 months and up | 20 |

Vacations must be scheduled to avoid conflicts with other employees' vacations and with busy periods of the year. Specific vacation dates must be approved by your supervisor at least 30 days prior to the anticipated vacation. All employees entitled to vacation time should understand that some or all of the requested time for vacation may be denied if, in the sole discretion of either the supervisor or the Village Administrator, the time requested conflicts with other employees' vacations or the normal busy periods of the year.

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

HOLIDAYS

Full-time employees are eligible for holiday pay.

The following paid holidays will be observed:

| | |
|-----------------------|--------------------------------------|
| Washington's Birthday | Election Day (1/2 Day) |
| Memorial Day | Thanksgiving Day and Friday After |
| Labor Day | Christmas Day and following work day |

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Independence Day

New Years Day and following work day

You may not elect financial compensation in lieu of not taking time off for a holiday. If you request to work on a holiday, an alternative day off will be allowed in lieu of taking the holiday.

Should you not report to work on the day prior to or the day immediately following the holiday, without prior approval, you will not be paid for the holiday.

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

SICK LEAVE

Full-Time Employees accrue sick leave according to the following schedule:

| | |
|-------------------------|---------|
| First Year worked | 3 days |
| Second Year worked | 5 days |
| Third Year worked | 7 days |
| Fourth Year worked & up | 10 days |

A notification from a doctor that you are able to return to work will be required for any absences of three days or longer.

Sick Leave may be taken for the illness of the employee or any dependent.

Sick days may be carried over to the next year and banked for use when needed as verified as described above, with a maximum allowed to be banked each year according to the following schedule, and with maximum of 15 sick days in total from all previous years allowed to be banked.

| | |
|----------------------------|--------|
| First Year worked | 1 days |
| Second & Third Year worked | 2 days |
| Fourth Year worked & up | 3 days |

Financial compensation is not provided in lieu of sick days, either those for the current year or any banked sick days. A leave of absence is an extended period of time absent from work without loss of employment. Leave of absence is without pay. During the first 30 days of a leave of absence the village continues to pay Village-paid benefits; the employee must pay premiums for dependent coverage in advance to the Village.

You must present a written request for a leave of absence, providing full explanation of the circumstances, presented to your employee's immediate supervisor at least two weeks before the

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start date of the leave of absence, subject to a lesser period as approved by the Village. Failure to report to work on the first day after the expiration of the leave of absence, without approval, will be considered a voluntary termination of employment.

PERSONAL LEAVE OF ABSENCE AND PERSONAL DAYS

We have a policy of granting personal leaves of absence in a few exceptional cases. A personal leave of absence may be granted up to a maximum of 30 days. An extension beyond 30 days will be considered in the event of serious or extenuating circumstances. Full-time employees, after working at least 1500 hours per year, are entitled to Personal Days according to the following schedule, that cannot be carried over to future years or combined with Holidays, Sick Days or Vacation Days.

| | |
|------------------------------|--------|
| First & Second Year worked | 3 days |
| Third and Fourth Year worked | 4 days |
| Fourth Year and Over | 5 days |

DISABILITY LEAVE OF ABSENCE

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

MILITARY LEAVE OF ABSENCE

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

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

JURY DUTY LEAVE OF ABSENCE

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

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

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WITNESS DUTY LEAVE OF ABSENCE

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

BEREAVEMENT LEAVE OF ABSENCE

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

VOTING

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

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

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GROUP INSURANCE

MEDICAL INSURANCE

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

The cost for medical insurance is paid as follows:

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

Employee Rate: Employer Rate:

Plan Prime:

Core Plus All Enhancements

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

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

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

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

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

A full-time employee over 55 years of age and with at least 20 years of service to the Village upon retirement, shall be entitled at retirement to continued medical benefits at the same employee cost sharing rate that is applied to the retiring employee in the year of his or her retirement, provided that the Village of Saltaire is the current primary employer of the employee upon retirement. Employees who have at least 3 years of uninterrupted full time employment with the Village by December 31, 2006 do not have to meet the 20 year minimum service requirement in order to be eligible for medical benefits into retirement. The medical benefits will generally be of the level and type of benefits provided to the employees of the Village at that time and the retiring employee shall be specifically eligible to continue the type of benefit package that he or she had been receiving just prior to his or her retirement. The coverage shall continue for the life of the employee and for the life of the employee's spouse, if the spouse was specifically identified as an insured under the policy provided by the Village to the employee for the last three (3) years prior to retirement. The Village specifically reserves the right to change the policy coverage and benefits provided to the retired employee, at any time, so long as the new benefits and coverage provided to the retired employee are the equivalent of the coverage and benefits that are being offered by the Village to its current employees at that time. Further, the Village reserves the right to terminate this policy of continued benefits at any time for any employee who has not meet the above described thresholds, upon any notice, by resolution of the Village Trustees. These Medical Plans were selected to ensure the employees are not burdened with extreme medical costs. This very comprehensive policy as developed for the benefit of all full-time employees. See the current medical coverage booklet regarding specific plan for detailed coverage information.

DENTAL INSURANCE

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

The cost for dental insurance is paid as follows:

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

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

REFUSAL OF MEDICAL AND DENTAL INSURANCE

Any full-time employee who is eligible for medical and dental coverage may elect not to be covered under the medical and dental plans offered by the Village to other full time employees. In such case, the full-time employee who elects the option of non-coverage will be offered monetary compensation at a rate of 30% of the net cost to the Village for the insurance that the employee would have otherwise been entitled. The employee must elect this non-coverage option by separate agreement by either June 15 or December 15 of any year of employment. If the non-coverage option is selected by June 15, the monetary compensation will be paid to the employee December 15 for the months worked from June through November. If the non-coverage option is selected by December 15, the monetary compensation will be paid to the employee June 15 for the months worked from December through May. Once the non-coverage option is selected by a full time employee, the non-coverage option will automatically renew every six months on the prescribed anniversary dates unless the employee notifies the Village in writing that he wishes to be covered by the Village’s medical and dental insurance. Once the employee switches from non-covered status to back to covered status, he will be ineligible to elect to switch back to non-covered status for a minimum of 18 months.

Any monetary compensation paid to any employee who elects non-covered status will be paid as a bonus to the employee’s salary for that pay period. The employee will be responsible for all payroll taxes for the monetary compensation, which will be withheld from the bonus paycheck at an amount based upon the withholding selections on file for the employee at the time of compensation.

VISION CARE

At the discretion of the Board and if available, we will make available a comprehensive Vision Care program to all full-time employees, working at least 1500 hours per year.

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LIFE INSURANCE

At the discretion of the Board and if available, a group Life Insurance Plan will be provided to give basic protection to all full-time employees. Temporary and part time employees working less than 1500 hours per fiscal year are not eligible. This Group Policy will be in force on the first regular work day following a 30-day waiting period. You should be aware that New York State Employees and Police Retirement provides life insurance to its membership.

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WORKERS COMPENSATION

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

If you are injured while working, please report it immediately to your supervisor, regardless of how minor the injury may be. If you have any questions regarding the workers compensation insurance program, please contact the Village Administrator.

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

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

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

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EMPLOYEE DEVELOPMENT

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

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

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

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

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

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NEW YORK STATE EMPLOYEES RETIREMENT SYSTEM

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

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CODE OF ETHICS

Definitions

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

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

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

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

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

General Prohibition

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

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

Recusal

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

Gifts

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An officer or employee shall not solicit a gift having a value of \$75. or more, whether in the form of money, service or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her, or could reasonably be expected to influence him or her, in the performance of his or her official duties or was intended as a reward for any specific action on his or her part from any person who is seeking a financial or other personal benefit from the Village, nor shall an officer or employee accept such a gift from any person who the officer or employee knows or has reason to know has received a financial or other personal benefit from the Village within the prior twelve (12) months.

Representation

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

Appearance

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

Confidential Information

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

Political Solicitation

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

Revolving Door

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

Avoidance of Conflicts

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

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Inducement of Others

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

Transactional Disclosure

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

General Exception

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

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WORKPLACE VIOLENCE PREVENTION POLICY

OBJECTIVE

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

DEFINITION

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

SCOPE OF POLICY

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

ZERO TOLERANCE

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

PROHIBITED CONDUCT

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

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

Shoving, pushing, harassing, intimidating or coercing another person;

Causing physical injury to another person;

Making threatening remarks;

Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing another or waving arms and fists).

Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;

Intentionally damaging employer property or property of another employee;

Unauthorized possession of a weapon while on company property or while on company business;

Committing acts motivated by, or related to, sexual harassment or domestic violence.

REPORTING PROCEDURES

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

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

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

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

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

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

IDENTIFYING POSSIBLE THREATS

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

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

ENFORCEMENT

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

TRAINING PROGRAM

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

INCIDENT MANAGEMENT

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

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

VILLAGE OF SALTAIRE

Policy for Use of Computers, Internet and E-Mail

Terms and Conditions for Computer, Internet and E-Mail Use

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

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

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

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

1. Authorized full and part-time employees of the Village of Saltaire.

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2. Volunteers who are authorized to use the Village of Saltaire resources to access the Internet.
3. Contractors who are authorized to use Village of Saltaire owned or leased equipment or facilities.

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

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

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

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

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

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

Privileges:

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

Inappropriate Use of Village of Saltaire computer resources:

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

Security:

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

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

Village of Saltaire Rights:

- a) The Village of Saltaire retains the right to monitor employees' use of Computer Resources (including computers, the Internet and e-mail) to assure compliance with applicable laws, rules and regulations, as well as the Village of Saltaire's Use Policy. This includes, but is not limited to, accessing stored information, reviewing logs of incoming and outgoing information and messages, as well as the content of that information. There can thus be no expectation of privacy with respect to an employee's use of the Internet.
- b) The Village of Saltaire through the System Administrator, reserves the right to record the location of all Internet sites accessed by users.
- c) The Village of Saltaire through the System Administrator, reserves the right to block access to or from any Internet resources.

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- d) The Village of Saltaire will not be responsible for any damages. This includes but is not limited to the loss of data resulting from delays, non-deliveries, viruses or service interruptions. Use of any information obtained is at the user's risk. Any computer connected to the Village of Saltaire's network should have anti-virus software installed.

SEE ATTACHED ORGANIZATIONAL CHART

INCORPORATED VILLAGE OF SALTAIRE

EMPLOYEE HANDBOOK

Incorporated Village of Saltaire EMPLOYEE PROPRIETARY INFORMATION AGREEMENT

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

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

INCORPORATED VILLAGE OF SALTAIRE

EMPLOYEE PROPRIETARY INFORMATION SHEET

7. Successors and Assigns. This Agreement shall be binding upon my heirs, executors, administrators or other legal representatives and is for the benefit of the Village, its successors and assigns.

8. Governing Law. This Agreement shall be governed by the laws of the State of New York.

9. Counterparts. This Agreement shall be signed in two counterparts, each of which shall be deemed an original and both of which shall together constitute one agreement.

Dated: _____

Accepted and Agreed:

Incorporated Village of Saltaire

By: _____

By: _____
Signature of Employee

Printed Name and Position

Printed Name and Position

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

INCORPORATED VILLAGE OF SALTAIRE

EMPLOYEE REFUSAL OF MEDICAL AND DENTAL INSURANCE

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

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

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

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

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

Employees Name & Social Security Number

Date

Employees Signature