



Research Foundation for Mental Hygiene, Inc.

**HANDBOOK FOR EMPLOYEES**

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# INTRODUCTION

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Welcome to the Research Foundation for Mental Hygiene, Inc. (RFMH).

RFMH is a private, not-for-profit corporation organized in 1952 for the purpose of conducting and directing the conduct of studies, teaching, training and research in all areas of mental disabilities. It is governed by a Board of Directors, which is responsible for formulating and implementing its operational policies and procedures. While affiliated with the New York State Department of Mental Hygiene (DMH), it is not a state agency. Employees of RFMH are not state employees, do not participate in any state retirement system, and do not receive state fringe benefits, however, RFMH employees are required to comply with DMH policies and training requirements applicable to persons working at the facility including those relating to health, safety and security.

Since its inception, RFMH has been the recipient of millions of dollars in grant funds and has been involved in the conduct of hundreds of pioneering projects, many of which have led to important breakthroughs in the care and treatment of mentally disabled persons. We are proud of this tradition and recognize that our success is the result of the dedication and hard work of our employees.

Whether you have just joined our staff or have been with us for a while, we are confident that you will find RFMH to be a dynamic and rewarding place to work. We consider the employees of RFMH to be one of its most valuable resources and look forward to a productive and successful association. This handbook has been written to serve as the guide for the employer/employee relationship.

There are several things to keep in mind about this handbook. The purpose of the Employee Handbook is to serve as a general guide to policies, practices and benefits. This Handbook supersedes all previously issued handbooks and inconsistent verbal or written policy statements. Neither this Handbook, nor any other communication or practice, creates an employment contract or gives any employee special rights or privileges.

RFMH reserves the right to change, amend, or terminate, at any time, the content or application of its policies, programs, or benefits that are described in this Handbook. These changes may be implemented even if they have not been first communicated, reprinted or substituted in this Handbook.

This Handbook is not a contract. Nothing in this Handbook or any other policy or communication changes the fact that all employment is at-will, and may be terminated at any time and for any reason, either by you or RFMH. The at-will nature of the employment relationship may only be modified in a writing signed by the Managing Director or Board of Directors.

Specific questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, should be directed to your local Human Resources department.

# DIVERSITY

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## Equal Employment Opportunity and Affirmative Action

It is the policy of the Research Foundation for Mental Hygiene, Inc. and all of its divisions (collectively referred to as "RFMH") when recruiting, hiring, training, promoting, and terminating employees to comply with those laws which prohibit discrimination as to race, creed, color, sex, age, religion, national origin, sexual orientation, gender identity, pregnancy-related condition, disability, citizenship status, military status or veteran status, marital status, familial status, domestic violence victim status, genetics, arrest/conviction record or known relationship or association with any member of a protected class, and any other characteristic protected by applicable law . In addition, RFMH has a policy of affirmative action in regard to employing, advancing in employment and otherwise treating qualified individuals with disabilities and protected veterans without discrimination based on their physical or mental disabilities or protected veteran status in all RFMH employment practices. It is the Policy of RFMH to ensure that all employment decisions are based only on valid job requirements.

The above Policy, in conjunction with the Affirmative Action Program, reflects RFMH's attitude and its intention to:

- 1) Recruit, hire, train and promote for all job classifications without regard to race, creed, color, sex, age, religion, national origin, sexual orientation, gender identity, pregnancy-related condition , disability, citizenship status, military status or veteran status, marital status, familial status, domestic violence victim status, genetics, arrest/conviction record or known relationship or association with any member of a protected class, and any other characteristic protected by applicable law.
- 2) Base decisions on employment so as to further the principles of equal employment opportunity.
- 3) Ensure that promotion decisions are in accord with the principles of equal employment opportunity.
- 4) Ensure that all other personnel actions, such as compensation, benefits, leaves of absences, transfers, layoffs, recalls, terminations, RFMH-sponsored training, education tuition assistance, social and recreational programs, will be administered without regard to race, creed, color, sex, age, religion, national origin, sexual orientation, gender identity, pregnancy-related condition, disability, citizenship status, military status or veteran status, marital status, familial status, domestic violence victim status, genetics, arrest/conviction record or known relationship or association with any member of a protected class, and any other characteristic protected by applicable law .
- 5) Provide, pursuant to the Rehabilitation Act of 1973, as amended, equal employment opportunities as set forth above to qualified individuals with disabilities.
- 6) Provide, pursuant to the Vietnam Era Veterans' Readjustment Act of 1974, as amended, equal opportunities as set forth above, to those who are qualified protected veterans.

RFMH, in compliance with Executive Order 11246, as amended, the Rehabilitation Act of 1973, as amended, and the Vietnam Era Veterans' Readjustment Act of 1974, as amended, maintains written Affirmative Action Plans. The non-confidential elements of these Plans are available upon request, through the Director of Human Resources during normal business hours.

RFMH makes reasonable accommodations to the physical and mental limitations of qualified individuals with disabilities and qualified protected veterans, unless such an accommodation would impose an undue hardship.

RFMH will take all necessary steps to ensure that no person intimidates, threatens, coerces, or discriminates against any individual because that individual has filed a complaint, furnished information, or assisted or participated in any manner in an investigation, compliance review, hearing, or other activity related to the administration of this Policy.

RFMH maintains an audit and reporting system to measure the effectiveness of its Affirmative Action Program and the implementation of this Policy.

Overall responsibility for directing and implementing this Policy and the Affirmative Action Program has been assigned to the Director of Human Resources at our corporate office. This policy has the full backing and support of the Board, and support of all employees is expected.

RFMH provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, creed, domestic violence victim status, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, citizenship status, military service/leave, or arrest/conviction record or known relationship or association with any member of a protected class, and any other characteristic protected by law. RFMH complies with applicable state and local laws governing nondiscrimination in employment in every work location at which RFMH has employees. This policy applies to all terms and conditions of employment, including recruitment, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training and apprenticeship.

RFMH expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, gender, creed, marital status, sexual orientation, national origin, age, genetic information, disability, citizenship status or veteran status. Improper interference with the ability of RFMH employees to perform their expected job duties is absolutely not tolerated.

RFMH is committed to equal opportunity and to making every effort to ensure that our workforce represents the diversity of our labor market. RFMH has established an Affirmative Action program to initiate and promote equal opportunities throughout RFMH and take affirmative action to recruit, hire, promote, and educate minorities, women, persons with disabilities, and protected veterans.

## Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of RFMH to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is the policy of RFMH not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

RFMH will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace

and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to RFMH. Contact your local Human Resources department with any questions or requests for accommodation.

## Reasonable Accommodation

RFMH is committed to complying with the ADA, the New York Human Rights Laws (NYHRL), and all applicable laws providing for nondiscrimination in employment against qualified individuals with disabilities, including employees with pregnancy-related conditions. We will work with employees with disabilities to develop reasonable accommodations that allow an individual the opportunity to perform the essential functions of his or her job in a safe and efficient manner. Employees are encouraged to inform their local Human Resources department of any physical or mental disability and to suggest appropriate methods of reasonable accommodation. The failure to volunteer this information will not subject an employee to any adverse treatment or penalty. All information concerning disabilities will be considered confidential and will be released only in accordance with the requirements of the ADA and the NYHRL.

In compliance with the NYC Human Rights Law, RFMH provides reasonable accommodation to pregnant women and those who suffer medical conditions related to pregnancy and childbirth. Examples of reasonable accommodation include additional bathroom breaks, leave for a period of disability arising from childbirth, water intake, periodic rest for those who stand for long periods of time, and assistance with manual labor. Please contact your local Human Resources department with questions or requests for accommodation.

## Prohibited Harassment Policy

### General

RFMH is committed to maintaining a work environment that is free from discrimination and harassment based on a person's race, creed, domestic violence victim status, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, citizenship status, military service/leave, or arrest/conviction record or known relationship or association with any member of a protected class, and any other characteristic protected by law.

All employees should respect the rights, opinions, and beliefs of others. Harassment of any person because of race, creed, domestic violence victim status, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, citizenship status, military service/leave, or arrest/conviction record or known relationship or association with any member of a protected class, and any other characteristic protected by law, whether directed at an employee, vendor or any other person you interact with as an RFMH employee. Any such harassment is prohibited by this policy whether or not it also violates the equal employment opportunity laws. This policy applies to all employees, officers, and directors of RFMH, up to and including its president and Board of Directors.

This policy prohibits not only behavior that constitutes unlawful harassment, but also other inappropriate or unprofessional behavior that may reasonably be considered offensive or otherwise inappropriate. Such behavior will be subject to disciplinary action, up to and including termination.

### Sexual Harassment

Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, or other gender based conduct, especially where:



- Submission to such conduct is made either explicitly or implicitly a term or condition of employment,
- Submission to, or rejection of, such conduct is used as a basis for decisions affecting an individual's employment; or
- Such conduct had the purpose or effect of interfering unreasonably with an individual's work performance, or creating an intimidating, hostile, or offensive work environment.

### **Other Prohibited Harassment**

Includes verbal or physical conduct that is offensive to or shows hostility or aversion toward an individual because of race, color, creed, religion, national origin, marital and familial status, sex, citizenship status, age, disability, genetic information, predisposition or carrier status, sexual orientation, gender identity, transgender status, military or veteran status, domestic violence victim status, known relationship or association with any member of a protected class, and any other characteristic protected by applicable law.

Other prohibited harassment includes behavior similar to sexual harassment, such as:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Written conduct such as letters or correspondence (including e-mails, text messages and social media posts);
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures; and
- Physical conduct such as assault, unwanted touching, or blocking normal movement.

### **Making Complaints and Reporting Violations**

If you are the victim of harassment, you are requested and encouraged to make a complaint to the Human Resources Director at your work location. You are not required to complain first to the person who is harassing you. If you prefer, you may complain directly to the supervisor of the harasser in addition to your local Human Resources Director. Similarly, if you are aware of harassment of another employee, you are requested and encouraged to report this to one of the persons described above. No reprisal, retaliation, or other adverse action will be taken against any employee for making a good faith complaint or report of harassment, or for assisting in good faith in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to the Human Resources Director at your location.

### **Investigation of Complaints and Reports**

Any complaint or report of a violation of this policy will be promptly and thoroughly investigated. A thorough investigation can take several weeks in some cases.

### **Penalties for Violations**

RFMH will take prompt disciplinary and remedial action if its investigation shows a violation of this policy. Depending on the circumstances, the disciplinary action may range from a warning to a discharge.

A complaint or report that this policy has been violated is a serious matter. Dishonest complaints or reports are also against our policy, and RFMH will take appropriate disciplinary action if its investigation shows that deliberately dishonest and bad faith accusations have been made.

### **Additional Information**

If you have any questions about this policy, contact the Director of Human Resources for additional information. If you have other questions or concerns about discrimination or harassment, you may contact the Director of Human Resources at your location.

### **Individuals and Conduct Covered**

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to RFMH (e.g., an outside vendor, consultant or any other person you interact with as an RFMH employee).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

## Grievances

RFMH is committed to providing a safe and productive work environment where grievances are dealt with sensitively and expeditiously. Grievance resolution is an integral part of a supervisor's duties. Each supervisor has a responsibility to identify, prevent and address problems as they arise in the workplace. If you have a work related problem that is not being adequately addressed by your supervisor, please address the problem with your supervisor's manager. If the problem still has not been adequately addressed, you have the right to file a grievance. Please contact the Human Resources department at your location to obtain a grievance form.

## Disciplinary Action

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Each employee also has the responsibility to perform his/her duties to the best of his/her ability and to the standards set forth in his/her job description or as otherwise established.

Disciplinary action will be taken when RFMH policies, procedures or work rules are violated. Such actions may include, but are not limited to, verbal warning, written warning, suspension or immediate termination. The action taken will depend, in part, on the nature of the violation and the work history of the employee.

# EMPLOYMENT POLICIES AND STATEMENTS

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## Statement of At-Will Employment

Employment at RFMH is on an at-will basis. The employee may leave the job, and RFMH may terminate the employee at any time, for any reason or for no reason, as long as it is not an illegal reason. The provisions of the following policies are not intended to create a contract of employment, and no agreement or promise regarding an employee's terms or conditions of employment is binding on RFMH.

## Employee Classification Categories

All employees are designated as either non-exempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility.

**Exempt employees:** are generally managers, professional, administrative or technical staff who are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

**Non-exempt Employees:** are employees whose work is covered by the FLSA. They are not exempt from the law's requirements concerning minimum wage and overtime.

RFMH has established the following categories for both non-exempt and exempt employees:

**Regular, full time:** Employees regularly scheduled to work RFMH's full-time schedule of 35, 37.5, or 40 hours per week, based on location. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefit program.

**Regular, part time:** Employees regularly scheduled to work less than RFMH's full-time schedule each week. Regular, part-time employees are eligible for some of the benefits offered by RFMH subject to the terms, conditions and limitations of each benefits program.

**Hourly:** Employees who work irregular schedules, or on an "as needed" basis and are paid per hour. Hourly workers are eligible only for legally mandated benefits unless specifically stated otherwise in RFMH policy or are deemed eligible according to plan documents. Hourly workers may be eligible for health benefits if they meet the criteria of working on average thirty (30) or more hours per week during their initial or standard measuring period.

Hourly employees who attain regular employee status begin their benefits and/or waiting periods for benefits when regular employee status is attained.

## Job Announcements

It is our policy to post employment openings for a minimum of three (3) business days. Job announcements are posted on our website at: <http://corporate.rfmh.org> under Employment Opportunities. Applications are only accepted through this website.

Internal applications will be considered with the applications received from outside the organization. However, RFMH reserves the right to hire the most qualified candidate.

## Employee Personnel Files

Employee files are maintained by the Human Resources department and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis. Active employees are permitted access to their own personnel records during business hours and in the presence of a representative of the Human Resources department.

All employees are responsible for notifying their local Human Resources department of any changes that occur that may affect their employment records (e.g., moving to a new address, change of telephone number, name, birth or adoption of a child, marriage or divorce). Incomplete or outdated information could interrupt benefits to employees and/or family members or cause difficulty in notifying an employee's family in case of an emergency.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to personnel information.

## Inventions and Patents

During your employment, individually or in consort with others, you may produce patentable inventions, proprietary technology or other discoveries involving the use of financial support, facilities, materials or other resources of RFMH or any of the Offices of the New York State Department of Mental Hygiene. These activities may be sponsored or funded by government agencies (federal, state or municipal) , commercial entities, not-for-profit organizations, gifts from private individuals or internally sponsored. As a condition of your employment it is expected that you will follow RFMH policies and procedures with regard to discoveries, inventions and improvements to inventions in which you have made an inventive contribution, including those relating to assignment and transfer of rights. Additionally, you are required to disclose any patents issued or pending and any inventions or technology developed prior to or outside of RFMH employment.

Further information can be found at:

[http://corporate.rfmh.org/technology\\_transfer/forms/RFMH\\_Patent\\_Policy.pdf](http://corporate.rfmh.org/technology_transfer/forms/RFMH_Patent_Policy.pdf)

## Nepotism, Employment of Relatives and Personal Relationships

RFMH wants to ensure that its practices do not create situations involving conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion and transfer. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other without prior approval of the director and after appropriate controls are put in place. Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins and domestic partner relatives.

If employees begin a dating relationship or become relatives, partners or members of the same household and if one party is in a supervisory position relating to that other employee, the person in the supervisory position is required to inform management and their local Human Resources department of the relationship.

RFMH reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

## Separation of Employment

Separation of employment within an organization can occur for several different reasons:

- **Resignation\*:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide at least two weeks' notice, preferably in writing, to facilitate a smooth transition out of the organization.
- **Retirement\*:** Employees who wish to retire are requested to notify their supervisor and their local Human Resources department in writing at least one (1) month before the planned retirement date.
- **Job abandonment:** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The supervisor shall notify their local Human Resources department at the expiration of the third workday and initiate the paperwork to terminate the

employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits.

- **Termination:** Employees of RFMH are employed on an at-will basis. RFMH retains the right to terminate an employee at any time, for any reason that is not discriminatory.

**Return of RFMH and State Property:** The separating employee must return all RFMH and State property at the time of separation, including all electronic devices, cell phones, keys, identification cards and security passes.

**Accrued vacation leave will be paid on the pay date following your last paycheck or as soon as administratively possible.**

**Rehire:** Rehired employees generally begin benefits just as any other new employee. Previous tenure may be considered in calculating longevity, leave accruals or any other benefits depending on the length of the break in service.

**\*RFMH requires that all employees be present on their final day of employment. If not present on the final day of employment the termination date will be changed to the last day the employee is physically present at work which may impact certain benefit end dates and final payments.**

## Open Door

RFMH recognizes that employees have suggestions for improving the workplace, as well as concerns about the workplace. The most satisfactory solution to a job-related problem or concern is usually reached through a prompt discussion with your supervisor. Please feel free to contact your supervisor with any suggestions and/or concerns. If you do not feel comfortable contacting your supervisor or are not satisfied with your supervisor's response, please contact your local Human Resources department and they will work with you to help find an appropriate resolution.

## Whistleblower

The Research Foundation for Mental Hygiene requires directors, officers, employees and others performing services for RFMH to observe high standards of business, professional and personal ethics, practice honesty and integrity, and comply with all applicable laws and regulations in the conduct of their duties and responsibilities.

It is the responsibility of all directors, officers and employees to report any activity, policy or practice that the person reasonably believes is an illegal, unethical or other inappropriate activity. No director, officer or employee who in good faith reports such an activity shall suffer harassment, retaliation or adverse employment consequence as a result of such report. This Whistleblower Policy is intended to encourage and enable persons to raise serious concerns and to do so within RFMH prior to seeking resolution outside RFMH.

RFMH has an open door policy and encourages good faith reporting to provide RFMH with the ability to investigate, correct and take other appropriate actions. Reports must be made to the RFMH Central Office Director of Human Resources or to the President of the RFMH Board of Directors at 150 Broadway, Suite 301, Menands, NY 12204.

Reports will be promptly investigated and appropriate corrective action will be taken if warranted by the findings of the investigation.

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information is reliable. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be cause for disciplinary action.

When a concern or complaint relates to corporate accounting practices, internal controls or auditing, the Audit Committee of the Board of Directors will be notified and will provide oversight of the investigation, plan of corrective action and other actions taken by RFMH in responding to the concern or complaint.

Reports should be made in writing and may be made on a confidential basis by the complainant. Reports will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and take corrective actions.

## WORKPLACE SAFETY

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### Work-Related Injuries

All employees are protected under New York State Workers' Compensation laws. If an employee suffers a work related injury or illness, he/she may be eligible to receive income replacement as well as payment for doctor and hospital costs incurred. RFMH pays the full premium for this coverage as part of the employee benefit package.

Every accident or injury occurring on the job, regardless of how minor, should be reported to the employee's immediate supervisor as soon as possible, but no later than twenty four (24) hours after the incident. If the supervisor is not available, report the incident to the local Human Resources department.

### Drug and Alcohol- Standards of Conduct

RFMH uses its best efforts to maintain a drug free workplace and prohibits the unlawful use, possession, manufacture, dispensation or distribution of controlled substances, as defined in Federal and State statutes while in the workplace or while performing work related duties at any site outside the workplace. Any of these actions will be subject to criminal, civil and disciplinary actions for any individual contributing efforts to any RFMH project or activity. This policy applies to employees, Principal Investigators, and others participating in RFMH funded programs or projects.

It is the policy of RFMH to provide our employees with a safe and healthful workplace. In order to do so, the following policies will be strictly enforced:

- Employees are prohibited from being under the influence of alcohol or drugs during working hours.
- The sale, possession, transfer, or purchase of illegal drugs on RFMH or DMH property or while performing RFMH business is strictly prohibited. Such actions will be reported to the appropriate law enforcement officials.
- The use, sale, or possession of an illegal drug, alcohol, or controlled substance while on duty may result in discharge.

- Prescription drugs may only be brought on RFMH or DMH property and used by the person to whom they are prescribed. Such drugs must be used only in the manner, combination, and quantity prescribed.
- Employees are prohibited from driving a company vehicle or a personal vehicle on company business while under the influence.

Failure to adhere to these policies may result in immediate discharge.

## Violence in the Workplace

All employees, vendors and others that you associate with in the workplace must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another person will not be tolerated. RFMH resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. RFMH treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported to a supervisor, security personnel, Human Resources department, or any member of senior management as soon as possible. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform their local Human Resources department of any protective or restraining order that they have obtained that lists the workplace as a protected area, and are encouraged to report any safety concerns with regard to these orders. RFMH will not retaliate against employees making good-faith reports. RFMH is committed to supporting victims of violence by providing referrals to community resources and providing time off for reasons related to violence.

RFMH will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. RFMH will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, RFMH may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

## Occupational Safety and Health Administration (OSHA) Statement

RFMH is committed to providing all employees with a safe and healthy working environment that is free of recognizable hazards. Furthermore, it is the policy of RFMH to comply with all applicable state and federal codes and regulations including those promulgated by OSHA. OSHA requires employers to maintain a log that details workers' job-related illnesses or injuries, and to provide employees with a working environment that is free from safety hazards. If you have emergency involving hazardous chemicals, or a question about anything you feel is creating an unsafe work environment, please alert your supervisor immediately.

## Smoke-Free Workplace

In consideration of our employees' health, and for the safety of our work environment, RFMH is a smoke-free workplace. Employees smoking outside of the buildings are required to follow each location's posted smoking rules.

## Right to Know

You have the right to know about any hazardous substances that you might use or encounter on the job. Safety Data Sheets (SDS) for each potentially hazardous chemical used in our workplace can be obtained by contacting your local Human Resources department.

If you are unable to locate a SDS for a particular substance, please ask your immediate supervisor or the department manager for further information.

## WORKPLACE EXPECTATIONS

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### Confidentiality

RFMH is committed to protecting the security and confidentiality of the information and records it maintains. RFMH will create, maintain and use its records in accordance with all applicable federal, state and local laws and regulations.

As an employee of RFMH, you may encounter a variety of confidential matters including information relating to other employees, staff, sponsors, clients, donors, financial matters, operations and research. When doing so, you must maintain the highest level of confidentiality for your fellow employees and other members of the RFMH community and ensure appropriate confidentiality and security of all information and records that you access within the scope of your employment.

### Confidentiality of Health Information

RFMH is committed to protecting the security and confidentiality of research records that include identifiable subject information. RFMH is not a Covered Entity under HIPAA however, many RFMH employees function as members of the HIPAA Workforces of the Office Mental Health, Office for People with Developmental Disabilities and Office of Alcoholism and Substance Abuse Services. Confidentiality of records will be maintained in accordance with federal and state laws and regulations.

RFMH authorizes only those individuals who administer health insurance plans access and use of health information of employees. Health information is strictly confidential and should never be disclosed, nor confirmed to anyone who is not specifically authorized under RFMH's policies or applicable law to receive the information.

Failure to adhere to state or federal law or RFMH's policies and procedures regarding the confidentiality of personally identifiable information will be considered a breach of confidentiality and will result in the imposition of appropriate disciplinary actions. Failure to report a breach will be considered a violation and also subject to disciplinary action.



## Workplace Investigations and Searches

RFMH may occasionally find it necessary to conduct a workplace investigation, where behavior or other relevant circumstances raise questions concerning, for example, work performance, reliability, honesty, trustworthiness, or potential threat to the safety of coworkers, clients, or others. Employees are required to cooperate with the company's lawful efforts to obtain relevant information, and may be disciplined up to and including termination for failure to do so. Employees' clothing, personal belongings, including any bags, purses, briefcases, and vehicles on Company premises, and all Company property, are also subject to inspection and search, with or without notice.

## Pay Transparency Policy Statement

RFMH will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

## Conflicts of Interest

It is important that all the activities you engage in, both personally and professionally, are free of conflict (actual or apparent) with your responsibilities and obligations as an employee or representative of RFMH.

No employee, officer, director, member or agent on behalf of RFMH shall:

- Accept other employment or engage in business or professional activities which will impair their independence of judgment in the exercise of their duties and responsibilities or otherwise impair their ability to carry out their obligations and responsibilities.
- Accept employment or engage in any business or professional activity which will require them to disclose confidential information which they have gained by reason of their position.
- Disclose confidential information acquired by them in the course of their duties, except as required by law, or use such information to further their personal interests, unless such information has previously been made public.
- Use or attempt to use their position to secure privileges for themselves or others.
- Engage in any transaction with any business entity in which they have a direct or indirect financial interest.
- By their conduct, give reasonable basis for the impression that any person can improperly influence them or unduly enjoy their favor in the performance of their duties, or that you are affected by the kinship, rank, position or influence of any party or person.
- Hire, transfer, or promote a relative to a position where they have influence over any of the following: employment, performance review, salary administration, promotion, or other employment-related decisions without the approval of the Institute Director or the Managing Director of RFMH. For the purpose of this policy, relatives include, but are not limited to: spouse, spousal equivalents, parents, grandparents, brothers, sisters, children, grandchildren, aunts, uncles, nephews, nieces, and relatives by marriage (in-laws) and anyone living in the same household as a family member (See RFMH Policy on Nepotism).

- Make personal investments in enterprises which they have reason to believe may be directly involved in decisions to be made by them or which will otherwise create conflict between their duties in the best interest of RFMH and their private interest.
- Pursue a course of conduct which will reasonably raise suspicion that they are likely to be engaged in acts that are in violation of their trust.

Disclosure: Actual or potential conflicts of interest must be disclosed to the Institute Director or the Managing Director of RFMH. The disclosure will be reviewed and a determination made as to whether there is a violation of this policy or whether a plan must be put in place to manage the conflict. Additionally, RFMH has adopted a Financial Conflict of Interest Policy which requires disclosure of Financial Interests for certain personnel involved in research and related activities.

[http://corporate.rfmh.org/research\\_compliance/forms/FCOI\\_Dec2012.pdf](http://corporate.rfmh.org/research_compliance/forms/FCOI_Dec2012.pdf)

All reports of possible violations of the Conflict of Interest Statement shall be immediately reported to your Institute Director or the Managing Director of RFMH.

Violations: In addition to any penalty contained in any provision of law, anyone who knowingly and intentionally violates any of the preceding provisions may be suspended from employment with RFMH or their relationship with RFMH may be terminated. Any officer or employee of RFMH convicted of a felony may be subject to dismissal. The felony need not arise out of the course of RFMH employment in order for this penalty to be invoked.

RFMH employees and officers should also be aware that they are subject to the provisions of Section 74 of the New York State Public Officer's Law which imposes obligations to avoid conflicts and abide by certain standards of conduct under threat of civil penalties and/or suspension or removal from office or employment.

## Gifts and Gratuities

Employees are prohibited from soliciting or accepting gifts from a vendor or contractor. Gifts of promotional items without significant value that are routinely distributed by vendors to clients are acceptable. Gratuities or gifts of money, whatever the amount, cannot be accepted at any time, and should be returned immediately.

## Outside Activities

No RFMH employee may engage in any outside activity which would interfere with the proper conduct of his or her RFMH duties. This rule applies whether or not the employee receives compensation from the activity.

Outside Activity is any personal service activity outside of an employee's RFMH assignment, for which a fee, salary, retainer, stipend, or honoraria is paid, or where travel reimbursements are made, or any other consideration of value is received in payment or recognition for services rendered. Also included is service on Boards of Directors or similar policy making bodies regardless of whether any consideration of value is received.

RFMH Policy requires employees to file for approval of Outside Activities to allow a determination as to whether there is a "conflict of interest" or a "conflict of commitment" between the Outside Activities and the employee's RFMH duties. A conflict of commitment means the Outside Activities would interfere with the employee's ability to perform the employee's RFMH job during regularly scheduled RFMH work hours. A conflict of interest means the Outside Activities presents the risk that the employee will no longer act out of undivided loyalty to the interests of RFMH in doing the employee's RFMH job, but may instead act out of self-interest. Whether or not the employee actually will act out of self-interest is not the issue. The risk that the

employee's actions may be influenced by self-interest creates an appearance of impropriety which itself undermines the reputation of RFMH and makes the outside activity impermissible.

Employees **must** apply for and receive approval prior to engaging in Outside Activities. If an employee has received prior approval but the employee's RFMH duties or outside activity materially change, the employee must receive new approvals.

**Examples of Outside Activities:**

- All privately conducted professional and technical services
- Teaching and/or lecturing
- Consulting
- Receipt of honoraria or travel reimbursement
- Membership on a corporate board (including non-profit boards)
- Any services provided in connection with an academic affiliation

**The following people must file for approval of Outside Activities:**

- Full and part time employees in positions Grade 23 and above
- Hourly employees, Grade 23 and above, who are in policy making positions

**Employees engaged in Outside Activities are prohibited from the following:**

- Engaging in activities which present a conflict of interest (or the appearance of impropriety) with regard to the proper discharge of duties as a RFMH employee.
- Selling any goods or services having a value of more than \$25 to RFMH (except by way of competitive bid).
- Contracting or providing any goods or services having a value of more than \$25 to a private entity where the decision to contract, appoint or retain on behalf of the private entity is exercised, directly or indirectly, by RFMH (except by way of competitive bid).
- Using the designation of RFMH in connection with any notice, business card, bulletin, or brochure related to outside Activities.
- Selling any goods or services to any entity which is licensed or whose rates are fixed by DMH.
- Engaging in such activities during regular duty hours.
- Using on-duty RFMH or State employees in the conduct of outside Activities.

Disciplinary action will be taken if an RFMH employee does not comply with this policy. Such actions may include, but are not limited to, verbal warning, written warning, suspension or immediate termination. The action taken will depend, in part, on the nature of the violation and the work history of the employee.

## Employee Conduct and Work Rules

Employment at RFMH carries with it the responsibility of representing us in just about everything you do. Your conduct outside the organization will reflect on our reputation as surely as your performance on the job.

Reasonable rules of conduct are necessary for the orderly, efficient, and safe operation of business. The following list identifies conduct which will result in disciplinary action up to and including termination. This list is meant to serve as a guideline and is not intended to be all inclusive. RFMH may impose an unpaid disciplinary

suspension of one or more full days for serious misconduct. This practice applies to all employees, whether exempt or nonexempt.

**Any of the following conducts will result in disciplinary action, up to and including termination, depending on the seriousness of the offense under the facts and circumstances as determined by management:**

- Research Misconduct: Fabrication, falsification or plagiarism in proposing, performing or reviewing research or reporting research reports.
- Rude, abusive, or obscene language or conduct in the RFMH workplace or during the performance of activities in your capacity as a RFMH employee.
- Fighting, disorderly conduct, threatening another person with verbal or physical violence.
- Using another employee's password.
- Gambling in the RFMH workplace.
- Harassing, interfering with or refusing to cooperate with co-workers in the performance of their duties.
- Tampering, altering, or recording time on behalf of another employee.
- Acts of dishonesty or theft, including falsification of employment applications or other personnel records.
- Damage to equipment, wasting materials, or defacing RFMH property.
- Insubordination or refusal to follow a supervisor's instructions or to perform assigned work.
- Failure to adhere to RFMH policies.
- Actions which result in valid complaints from persons doing business with RFMH affecting the reputation or business of RFMH.
- Commission of a crime or possession of a weapon on work premises.
- Violation of co-workers, patients, human subjects or others rights on discriminatory grounds in violation of RFMH equal opportunity policy.
- Failure to adhere to RFMH, Federal and New York State regulations for the protection of human and animal research subjects.
- Repeated unapproved absences and/or tardiness. Tardiness is defined as fifteen (15) minutes or more after the employee's regular start time.
- Failure to follow work rules or procedures.
- Failure to complete assigned work in a timely manner.
- Wasting time, sleeping, loafing or loitering.
- Leaving the work area during working hours without permission.
- Negligence or carelessness.
- Unauthorized or improper use of property or machinery including telephones, computers or use of the Internet.
- Abuse of break or meal periods.
- Refusal to accept assigned overtime when necessary.
- Unsatisfactory work performance.
- Inappropriate dress.
- Solicitation of fellow employees for any purpose during periods of the workday without prior management approval.

- Distribution of literature in working areas of the building or during periods of your workday when you are engaged in or required to be performing your work assignments.

Discussions between the supervisor and the employee are encouraged to allow the employee to correct their behavior before the situation reaches the stage necessitating management actions including disciplinary actions. These discussions will be documented and become a part of the employees' personnel record. This information will be considered when evaluating an employee's performance for purposes of promotion, transfer, additional discipline and/or continued employment.

## Attendance and Punctuality

If you are unable to report for work due to illness or an unanticipated emergency situation, you must personally notify your supervisor or a person designated by your supervisor as soon as possible or within thirty (30) minutes before the start of your workday. Leaving a voicemail message or phone text is generally not permitted.

You are also required to personally call your work unit each day that you are unable to report to work, unless you have received approval from your supervisor for several days of absence when you initially report your unanticipated absence (e.g., a death in the family, hospitalization).

Use of vacation, personal time and floating holidays must be approved by your supervisor in advance. Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps. A no call/no show lasting three (3) days may be considered job abandonment and may be deemed an employee's voluntary resignation.

## Time Reporting

Time and attendance records are kept for each employee. Exempt employees are required to record hours worked and/or leave accruals charged. Non-exempt employees are required to sign in at the beginning and out at the end of both the workday and meal periods as well as break periods in excess of twenty (20) minutes. Most employees are required to submit electronic timecards.

Salaried timecards must be completed and submitted to your supervisor by the Monday following the last day of the pay period. Employees who are delinquent in submitting time cards may be removed from direct deposit until timecards are brought up to date.

When an employee is on disability leave, time cards must be completed when accruals are being charged.

**Hourly Vouchers:** To ensure timely payment, hourly vouchers documenting actual hours worked must be submitted to supervisors by the Monday following the end of each payroll period for which work is performed.

Vouchers must be provided to the local payroll office with time to allow for processing before the payroll closing date. The payroll calendar is available on our website at:

[http://corporate.rfmh.org/human\\_resources/index.asp?page=paycalendar](http://corporate.rfmh.org/human_resources/index.asp?page=paycalendar)

## Work Schedule

Your work schedule will be determined by your supervisor. Employees will submit their timecard bi-weekly. Each employee is to maintain an accurate daily record of his or her hours worked. All absences from work schedules must be appropriately recorded.

In the event that a non-exempt employee works more than their scheduled 35 or 37.5 hours during the work week which runs from 12:01 a.m. Thursday through 12:00 p.m. the following Wednesday, they may be credited with compensatory time for hours up to forty (40) in that week. Hourly or non-exempt employees who work in excess of forty (40) hours in a workweek will be paid at one and one half (1 ½) their regular rate of pay. Overtime must be approved in advance by a supervisor.

## Teleworking

RFMH neither prohibits nor encourages telecommuting or teleworking by its employees. The decision to allow an employee to telework must be made on a case by case basis. Institute Human Resources, Supervisors and Institute Director should be involved in the decision and it is recommended that the decision to allow teleworking be made at first, on a trial basis to ensure it is meeting the expectations of all that are involved. If approved, there must be a one and three month review followed up by an annual renewal. Contact your local Human Resources office for the Flexible Work Arrangement application.

## Flexible Work Schedules

RFMH recognizes the challenges that employees may face in balancing personal and professional responsibilities. Flexible work schedules must be approved in advance by the employee's supervisor and Department Head, however, not all departments offer the option of flexible work schedules. Additionally, some positions may not be eligible for flexible work schedules if the efficiency of the work and/or position is compromised when the employee is not present. If the flexible work schedule becomes unfeasible at any time, it may be terminated at the discretion of RFMH, with reasonable notice thereof.

## Meal/Rest Periods

The scheduling of meal periods at RFMH is set by the employee's immediate supervisor with the goal of providing the least possible disruption to RFMH operations.

### **Mandatory Meal Period**

Employee meal periods are important to RFMH productivity and employee health. Employees who work at least six (6) consecutive hours will be provided a meal break of at least thirty (30) minutes. The meal period will not be included in the total hours of work per day and is not compensable. Non-exempt employees are to be completely relieved of all job duties while on meal breaks and must document time in and out for meal periods. Meal periods are designated by your supervisor and must be taken.

## Rest Breaks

Employees are allowed to take rest periods (breaks) if the workload of the office permits. Breaks are for no more than fifteen (15) minutes; one in the morning and one in the afternoon. Employees are expected to adhere to this time limit. Since rest periods are a privilege and not a right, they can be canceled if necessitated by work requirements or if the employee abuses the privilege. Employees may stay in their general work area during rest periods, only if it does not interfere with the flow of work in the section.

## Impermissible Use of Meal Period and/or Rest Breaks

Neither the lunch period nor the rest break(s) may be used to account for an employee's late arrival or early departure or to cover time off for other purposes (e.g., rest breaks may not be accumulated to extend a meal period, and rest breaks may not be combined to allow one half-hour long break).

## Attire and Grooming

In order for RFMH to project a professional image within the corporate environment and to any visitors, employees are expected to dress in appropriate **professional** attire. Personal grooming and hygiene should contribute to a clean and neat appearance. Supervisors or other management personnel can specify additional or alternative dress and/or grooming requirements for safety reasons or based on the business needs of their departments.

## Workers Compensation

Employees are protected by the Workers' Compensation Act of New York. If you suffer a work related injury or illness, you are eligible to receive income replacement as well as payment for doctor and hospital costs incurred.

Every accident or injury occurring on the job, regardless of how minor, must be reported to your immediate supervisor as soon as possible, but no later than twenty four (24) hours after the incident. If your supervisor is not available, report the incident to the Human Resources or Safety Department at your location.

Employees are responsible for keeping their work area clean and free of hazards.

## Computer and Internet Use

The following guidelines have been established for using the Internet, RFMH or DMH-provided cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, RFMH or DMH provided equipment (e.g., laptops, cellular phones and computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon RFMH or be contrary to RFMH's best interests; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and RFMH or DMH -provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.

- Employees must not use the system in a way that disrupts its use by others.
- Employees may not send or receive files that are not related to work.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the RFMH or DMH.

### **Right to Monitor**

All technology, including computers and cell phones, and work records provided to employees in the course of their employment with RFMH may be monitored by RFMH and/or the affiliated state agency, or the service provider on behalf of RFMH. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

## Cellular Phones

This policy outlines the use of personal cell phones at work, the personal use of business cell phones and the safe use of cell phones by employees while driving.

### **Personal Cellular Phones**

While at work, employees are to exercise the same discretion in using personal cellular phones as they do for work phones. Excessive personal calls or texting during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. RFMH encourages a reasonable standard of limiting personal calls and/or texting during work time to no more than one per day as needed. Employees are therefore asked to make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of RFMH's policy. Flexibility will be provided in circumstances demanding immediate attention.

RFMH will not be liable for the loss of personal cellular phones brought into the workplace.

### **Personal Use of RFMH-Provided Cellular Phones**

Where job or business needs demand immediate access to an employee, the RFMH may issue a business cell phone to an employee for work-related communications. Such phones are to be used for business purposes only. The employee will be asked to reimburse the RFMH for the cost of personal use of RFMH cell phones. Failure to report such use may result in disciplinary action. Failure to reimburse the RFMH for the cost of the call may also result in disciplinary action up to and including termination of employment.

Employees in possession of RFMH equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.



## **Safety Issues for Cellular Phone Use**

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees must pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If the placing or acceptance of a call is unavoidable and pulling over is not an option, employees must use hands-free equipment, keep the call short, refrain from discussion of complicated or emotional issues and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

Employees are prohibited from texting or making use of electronic mail functions while the vehicle is in motion. This prohibition includes the time waiting for a traffic signal to change.

In situations where job responsibilities include regular driving and accepting of business calls, hands-free equipment will be provided to facilitate the provisions of this policy.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Violations of this policy will subject the employee to disciplinary action, up to and including termination.

## **Recording Devices**

Many RFMH programs take place in state facilities and as such, RFMH employees working in state facilities must adhere to the policies of the state facility where they work regarding the use of recording devices. Policies surrounding recording devices are in place to reduce risk to employee and patient/client privacy. These policies shall apply equally to employees or staff of the facility or program, as well as to patients and visitors (including contractors and vendors) of programs. Questions surrounding the policy at your work location should be directed to the Human Resources Director at your work location.

## **Social Media**

At RFMH, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media. This policy applies to all employees who work for RFMH.

### **Guidelines**

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with RFMH, as well as any other form of electronic communication. The same principles and guidelines found in RFMH policies apply to

your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, suppliers, people who work on behalf of RFMH or RFMH's legitimate business interests may result in disciplinary action up to and including termination.

### **Know and follow the rules**

Carefully read these guidelines and other RFMH and New York State policies to ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### **Be respectful**

Always be fair and courteous to fellow employees, members, suppliers or people who work on behalf of RFMH. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage members, associates or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or RFMH policy.

### **Be honest and accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about RFMH, fellow associates, members, suppliers, and people working on behalf of RFMH or its competitors.

### **Post only appropriate and respectful content**

Do not create a link from your blog, website or other social networking site to a RFMH website without identifying yourself as a RFMH employee.

Express only your personal opinions. Never represent yourself as a spokesperson for RFMH. If RFMH is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of RFMH, fellow employees, members, customers, suppliers or people working on behalf of RFMH. If you do publish a blog or post online related to the work you do or subjects associated with RFMH, make it clear that you are not speaking on behalf of RFMH. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of RFMH."

### **Using social media at work**

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager. Do not use RFMH email addresses to register on social networks, blogs or other online tools utilized for personal use.

### **Retaliation is prohibited**

RFMH prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Media contacts**

Employees should not speak to the media on RFMH's behalf without contacting the Human Resources department. All media inquiries should be directed to them.

## Consent to Monitor

Employee use of the RFMH's technology resources constitutes consent to RFMH's accessing, intercepting, monitoring and disclosure of any information or data created, received or stored on or transmitted over those resources.

## Solicitations, Distributions and Posting of Materials

RFMH prohibits the solicitation, distribution and posting of materials at RFMH business locations by any employee or nonemployee, except as may be permitted by this policy.

### **Provisions:**

- Nonemployees may not solicit employees or distribute literature of any kind on RFMH premises at any time except as part of a RFMH approved or sponsored activity.
- Employees may only admit nonemployees to work areas with management approval or as part of a RFMH sponsored program. These visits should not disrupt workflow. An employee must accompany the nonemployee at all times.
- Employees may not solicit other employees during work times, except in connection with a RFMH-approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a RFMH approved or sponsored event.
- The posting of materials or electronic announcements are permitted with approval from your local Human Resources department.

Violations of this policy should be reported to the local Human Resources department.

## COMPENSATION

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### Performance and Salary Review

Performance reviews are managed on an on-going basis and generally are formally conducted on an annual basis. The performance review will be discussed, and both the employee and supervisor will sign the form to

ensure that all strengths, areas for improvement and job goals for the next review period have been clearly communicated. Performance evaluation forms will be retained in the employee's personnel file.

A positive performance review does not automatically result in a salary increase. Performance increases are based on availability of funds and are not guaranteed.

## Payment of Wages

- Paydays are bi-weekly every other Wednesday.
- RFMH workweek is seven (7) consecutive calendar days beginning at 12:01 a.m. Thursday and continuing through 12:00 midnight the following Wednesday.
- Hourly employee payments are also paid bi-weekly with such payment covering hours worked in the prior bi-weekly period
- Employees may be paid by check or through direct deposit of funds to either a savings or checking account at the financial institution of their choice.
- It is the policy of RFMH that employee paychecks will only be given personally to that employee or mailed to his/her home address.
- Direct deposit statements are sent via email and/or made available via the electronic time and attendance system on the payday (Wednesday).

Employees who do not use direct deposit will have their paychecks mailed directly to their home address. Although paychecks are mailed before the pay date, employees should allow extra time for the mail delivery. RFMH will not be responsible for delayed mail.

In the event of a lost paycheck, your local Human Resources department must be notified in writing as soon as possible. A replacement check can be issued. However, if the lost paycheck is subsequently found to have been endorsed by the employee and deposited or cashed, the employee must remit the amount of the replacement check to RFMH within seven (7) calendar days of the time written notice is provided to the employee. It is the policy of RFMH that no salary advances will be made.

### **Statement of Earnings**

Employees should review their statement of earnings included with their paychecks or direct deposit statements bi-weekly. The statement of earnings includes information such as gross pay, regular and overtime hours and all applicable deductions. If an employee's marital status changes or the number of exemptions previously claimed increases or decreases, a new Form W-4 must be submitted to their local Human Resources department to enable appropriate deductions to be made.

## Overtime pay

Non-exempt employees who exceed forty (40) hours of work time in a workweek will be paid time and one half of their regular rate of pay. Paid leave, such as holiday, sick or vacation pay, does not apply toward work time.

Employees who anticipate the need for overtime to complete the week's work must notify their supervisor in advance and obtain approval before working hours that extend beyond their normal schedule.

Supervisors are required to obtain approval from their manager prior to approving overtime.

During busy periods or when other circumstances make it necessary employees may be required to work extended hours.

## Deductions from Salary

RFMH is committed to complying with the Fair Labor Standards Act and New York’s Labor Law. Non-exempt employees will be paid overtime in accordance with state and federal law. RFMH prohibits any improper deductions from the salaries of exempt employees. To ensure that you are paid properly for all time worked and that no improper deductions are made, you should review your pay stub to make sure it is correct.

If you believe an improper deduction has been made from your salary, you should immediately report this information to your local Human Resources office. Reports of improper deductions will be investigated promptly. If it is determined that an improper deduction has occurred, you will be reimbursed promptly for any improper deduction made.

No employee will be retaliated against for making an inquiry or report of an improper payment or wage deduction.

## Employee Travel and Reimbursement

RFMH reimburses most ordinary and necessary travel expenses incurred while on official RFMH business. Our official travel policy contains information and limitations of travel expenses as well as the procedures for obtaining reimbursement. All travel must be pre-approved. Before you travel on RFMH business you should acquaint yourself with RFMH policies and procedures:

[http://corporate.rfmh.org/accounts\\_payable/forms/TravelPolicy.pdf](http://corporate.rfmh.org/accounts_payable/forms/TravelPolicy.pdf)

## Professional Meetings and Conventions

RFMH realizes the importance of keeping current in your field. With your supervisor’s approval, you may attend professional meetings that directly relate to your work assignment. You will be paid your regular rate for attendance and will be reimbursed for travel expenses in accordance with RFMH travel policy. RFMH does not pay employees or reimburse their expenses for attending meetings or conventions that are merely of general interest and cannot be directly related to the employee’s areas of research or work assignment. Requests to attend professional meetings, seminars or conventions must be made, in advance, through your supervisor.

# TIME OFF/LEAVES OF ABSENCE

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## Holidays

The following are paid holidays for RFMH employees. If any of these holidays fall on a Sunday it is observed as a paid holiday on the following Monday. Holidays which fall on a Saturday will be carried as a floating holiday. Holidays are pro-rated for part-time employees.

New Year’s Day  
Washington’s Birthday  
Labor Day  
Veteran’s Day

Dr. Martin Luther King Jr. Day  
Memorial Day  
Columbus Day  
Thanksgiving Day

Lincoln’s Birthday\*  
Independence Day  
Election Day\*  
Christmas Day

\*Indicates that most RFMH offices will remain open on these days and employees who are eligible to observe holidays will, on that date, receive credit of up to eight (8) hours (Pro-rated for part time employees).

**The following guidelines will be used when determining payment for designated holidays:**

- Holiday hours are earned based on the employee's percentage of full-time effort. Pay in lieu of holidays will not be granted.
- If you must work a holiday, you will receive credit for the amount of hours worked on the designated holiday up to a maximum of eight (8) hours.
- A new employee must work at least one day before being eligible to be paid for a holiday.
- Hourly employees are not eligible for paid holidays.
- At the time of separation of employment, there will be no payment made for unused holiday hours.
- At no time shall holiday accruals exceed sixty-four (64) hours.
- Holiday hours must be used after the holiday occurs.

At separation from employment all unused holiday accruals will be forfeited.

## Vacation Leave

Before taking vacation leave, employees must obtain advance written approval from their supervisors. Salaried employees working at least 50% of full-time effort begin to accrue, but are not eligible to use vacation accruals until they have completed thirteen (13) bi-weekly pay periods. Once past this waiting period, you receive credit retroactive to your employment date. If your employment terminates before you complete the eligibility period, you will not receive any vacation credit.

Once you have completed the eligibility period you will earn one half (.5) day of vacation every two (2) weeks (pro-rated for part-time employees), with one bonus day on the anniversary date of your employment for each year worked, up to seven (7) years. After seven (7) years, you will receive the maximum regular vacation accrual of twenty (20) days per year and will earn three-quarters of a day (.75) of vacation every two weeks.

Employees with over twenty (20) years of service earn bonus vacation credit in recognition of their longevity to be credited on your employment anniversary date.

- 20-24 years of service earns one (1) additional day
- 25-29 years of service earns an additional two (2) days
- 30-34 years of service earns an additional three (3) days
- 35+ years of service earns an additional five (5) days

An employee may accrue more than thirty (30) days per year provided that the balance of vacation accruals does not exceed forty (40) days on the final pay date of each calendar year.

Upon separation from employment, eligible employees will be paid for unused vacation accruals up to a maximum of thirty (30) days. In the event of the employee's death, earned unused vacation time will be paid to the employee's estate.

RFMH reserves the right to withhold vacation payments in the event an employee does not provide a full two (2) weeks of notice prior to separation of employment. Unused vacation time in excess of thirty (30) days will be forfeited.

## Sick Leave

Salaried employees working at least 50% of full-time effort are eligible to earn sick accruals. Sick leave may be used for personal illness, doctors' appointments as well as funeral attendance for a member of the employee's immediate family. Employees shall be allowed to charge absences from work in the event of death or illness in the employees' immediate family member against sick accruals up to a maximum of 15 days in any one calendar year. Immediate family is defined as spouse, domestic partner, mother, father, siblings, children, grandparents, and grandchildren. In order to ensure that you are provided with appropriate benefit information, you must notify your local Human Resources office in the event of an absence of five consecutive days (regardless of leave accrual charged) related to illness of yourself or a family member. In addition, an absence due of this nature and time will require a note from your doctor indicating you are able to return to work.

Absences of five (5) consecutive work days for illnesses will require a doctor's note.

Sick accruals roll from year to year and may never exceed more than 200 days.

At the time of separation from employment, unused sick accruals will be forfeited.

### **NYC Earned Sick Time Act**

Under the New York City's Earned Sick Time Act, RFMH provides hourly employees who work in New York City and work more than eighty (80) hours in a calendar year, paid sick leave. Employees will accrue sick leave at the rate of one hour for every thirty (30) hours worked, up to a maximum of forty (40) hours sick leave per calendar year. At the time of separation from employment, there will be no payment made for unused sick leave.

## Leave Donation Program

If you are eligible to earn leave accruals and have been employed in a full or part time salaried position for a period of one (1) continuous year, you may be a candidate to receive accruals through our Leave Donation Program. This program allows employees to donate vacation accruals in order to provide RFMH employees who have exhausted all leave accruals with continued income and benefits while absent from work due to a serious medical condition. The following conditions apply:

### **Recipient Eligibility:**

- Employed in a full-time or part-time salaried position for a period of one (1) continuous year and be eligible to earn leave accruals.
- Exhausted all leave accruals.
- Experiencing a serious medical condition certified by a physician.

### **Donor Eligibility:**

- Employed in a full-time or part-time salaried position for a period of one (1) continuous year and be eligible to earn leave accruals.
- Must have at least ten (10) vacation days remaining after donation.

At no time may the combination of wages received from other benefits such as short-term disability and compensation received from donated leave exceed the employee's regular wages.

## Family and Medical Leave Act (FMLA)

The FMLA entitles eligible employees of RFMH to take paid or unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

To be eligible, an employee must have been employed for at least twelve (12) cumulative months (i.e., fifty two (52) cumulative weeks), and performed a minimum of 1,250 hours of service during the twelve (12) consecutive months immediately preceding the beginning date of the leave.

Eligible employees are entitled to twelve (12) workweeks of leave in a twelve (12) month period for:

- the birth of a child and to care for the newborn child within one year of birth;
- the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- to care for the employee's spouse, child or parent who has a serious health condition;
- a serious health condition that makes the employee unable to perform the essential functions of his or her job;
- any qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on "covered active duty;"
- Twenty-six workweeks of leave during a single twelve (12) month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

RFMH uses the twelve (12) month period measured forward from the first date an employee takes FMLA leave.

Family and medical leave is unpaid. An employee may be eligible to substitute accrued paid leave for FMLA leave if the request complies with the terms and conditions of RFMH's paid leave policies. RFMH reserves the right to require employees to use accrued paid leave.

If leave is taken because of the employee's own serious health condition for which he/she is receiving workers' compensation, disability, or other income replacement benefits, paid leave may be used if mutually agreed upon between the employee and employer. The use of paid time off may not be used to extend the length of a family and medical leave.

Requests for family and medical leave should be submitted in writing to your local Human Resources department indicating the reason for the leave and the requested duration. Employees should also indicate if they are requesting leave without pay, or with pay by applying leave accruals.

### **Qualifying Exigency Leave under the Family and Medical Leave Act**

The Family and Medical Leave Act (FMLA) entitles eligible employees who work for covered employers to take up to twelve (12) workweeks of unpaid, job-protected leave in a twelve (12) month period for a "qualifying exigency" arising out of the foreign deployment of the employee's spouse, son, daughter, or parent. FMLA leave for this purpose is called qualifying exigency leave.



## Personal Leave

Personal leave is paid leave for personal business, including but not limited to, religious observance, transportation problems and care of dependents. Eligible full-time employees are credited with five (5) days of personal leave each year on the time card containing their employment anniversary. Part-time employees receive a pro-rated amount of leave based on the percentage of full-time effort on their anniversary time card. Requests to use personal leave should be scheduled in advance whenever possible so that the employee's absence will not interfere with the proper functioning of the unit. At no time can you carry more than five (5) days of personal leave.

At the time of separation from employment, there will be no payment made for unused personal leave.

## Jury Duty

To allow employees to perform their civic duties without penalty, employees are entitled to leave with pay without the use of accumulated leave time to report for jury duty or appear as a witness in a court or quasi-judicial proceeding in response to a subpoena or other order, provided the employee is not a party to the action.

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, employees must notify their supervisor and provide him/her with a copy of the jury summons. RFMH will pay regular full-time and regular part-time employees for time off for jury duty up to four (4) weeks of pay. Employees are required to return to work for the remainder of any day that you are not required to serve. The official notification of jury duty must be provided to your local Human Resources department. When completing your timecard ensure that Jury Duty is properly recorded.

## Blood Donation Leave

Pursuant to the New York Labor Law, RFMH provides employees who work for an average of 20 or more hours a week time off to donate blood, without the use of accumulated leave time. Employees are granted three (3) hours of leave in any (twelve) 12 month period for off premise donations, or granted two (2) times per year at blood drives that take place at the employee's place of employment, with sufficient time necessary to donate blood, to recover; including partaking nourishment after donating, and to return to work.

## Paid Leave for Bone Marrow Donors

Full-time and part time employees may take up to twenty-four (24) hours of paid leave without charge to their leave accruals to undergo a medical procedure to donate bone marrow.

You must give at least fourteen (14) days prior written notice to your supervisor of your intention to use this leave, unless there is a medical emergency attested to by a physician that requires you to undergo the medical procedure for which leave is sought within fourteen (14) days.

This leave is available each time an employee serves as a bone marrow donor and is in addition to any other leave allowed; can be used for either full or partial days while serving as a bone marrow donor or recovering from the medical procedures involved in such donation; includes any necessary travel time, as well as any medical testing or other procedures to determine bone marrow donation compatibility.

## Military Leave

RFMH is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is RFMH's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or RFMH policy. If any employee believes that he or she has been subjected to discrimination in violation of RFMH policy, the employee should immediately contact their local Human Resources department.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact their local Human Resources department to request leave as soon as they are aware of the need for leave. For request forms and detailed information on eligibility, employee rights while on leave and job restoration upon completion of leave, refer to the policies, procedures and forms on the RFMH website at:

[http://corporate.rfmh.org/human\\_resources/forms/Fillable\\_Military%20Leave.pdf](http://corporate.rfmh.org/human_resources/forms/Fillable_Military%20Leave.pdf)

## Leave of Absence for Military Spouses

RFMH intends to comply with applicable law with respect to a leave of absence for a military spouse. State law currently provides for an unpaid leave of absence of up to ten (10) days for an employee who works an average of twenty (20) or more hours per week and who is the spouse of a member of the armed forces of the United States, or the National Guard or Reserves deployed during a period of military conflict to a combat theater or combat zone of operations. Such leave shall only be used when such person's spouse is on leave from the armed forces of the United States, National Guard or Reserves while deployed during a period of military conflict to a combat theater or combat zone of operations.

## Lactation/Breastfeeding

RFMH shall provide reasonable unpaid break time or permit an employee to use paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years following child birth. RFMH shall make reasonable efforts to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy.

## Leave without Pay (LWOP)

In exceptional cases, RFMH may grant a leave of absence without pay (LWOP) for personal, non FMLA reasons. LWOP must be requested in writing and approved in advance by your supervisor, department or division head and your local Human Resources department. Unscheduled LWOP will be considered unauthorized and may

subject the employee to disciplinary action. All LWOP must be reported on the employee's time card when there are insufficient accruals to cover the absence.

There is no guarantee of re-employment.

- LWOP cannot be used in increments less than one full day for exempt employees if paid accruals are available.
- LWOP is not granted for more than one year.
- LWOP cannot be used to accept temporary employment.
- LWOP is granted at the discretion of the project director and RFMH administration.
- Health and Dental insurance can be continued by pre paying the full-share (employee and employer shares) of your health and dental insurance premiums.
- All other RFMH benefits, benefit eligibility periods, and time accruals are frozen.
- Your anniversary dates for computing certain benefits and future leave accruals may be adjusted upon your return. If you are not re-employed within ten (10) calendar days after the approved LWOP ends, you are considered terminated retroactively to the date the leave began.
- Employees on LWOP have no guarantee of re-employment.

## BENEFITS

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Your salary is only part of the total compensation you receive as an RFMH employee. You also may be eligible for a wide range of benefits at reduced or no cost. Our benefit package has been designed to protect you and your family against financial loss due to illness, injury, or death, as well as to help you plan for your retirement. These benefits, along with their eligibility requirements, enrollment form, benefit carrier and employee costs are outlined in the RFMH Summary of Benefits available on our website at;

[http://corporate.rfmh.org/human\\_resources/forms/BenefitsChart.pdf](http://corporate.rfmh.org/human_resources/forms/BenefitsChart.pdf).

New employees will be provided comprehensive information at the new hire orientation.

It is your responsibility to notify your local Human Resources department immediately of any changes that may affect your benefits, such as marriage, divorce or birth/adoption of a child. Delay of notification could impact eligibility and/or effective dates of coverage(s).

Should you have any questions or require additional information on any of the benefits described and/or the eligibility requirement, feel free to contact your local Human Resources department.

### **Benefits Disclaimer**

As described above this Handbook and the referenced Benefits Chart contains only brief descriptions of the various benefit plans provided to eligible employees. For the actual descriptions of the benefits available, reference must be made to the individual benefits plans. Where benefits are governed by a formal plan document or certificate of insurance policy, the exact terms of those documents will govern. While it is RFMH's intent to continue all current benefits, RFMH reserves the right to change, amend, or terminate at any time, any benefit plan or policy presently in effect.

## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

This employee handbook describes important information about RFMH, and I understand that I should consult my immediate supervisor or my local Human Resources department regarding any questions not answered in the handbook. **I have entered into my employment relationship with RFMH voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or RFMH can terminate the relationship at will, with or without cause, at any time, so long as there is not a violation of applicable federal or state law.**

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that the revised information may supersede, modify, or eliminate existing policies.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

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EMPLOYEE'S SIGNATURE

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DATE

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EMPLOYEE'S NAME (Please Print Clearly)

September 2016