

# **Personnel Manual**

**Unitarian Universalist Church of Buffalo**

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## I. EMPLOYMENT POLICIES AND PRACTICES

### A. Statement of Purpose

The Board of Trustees of the Unitarian Universalist Church of Buffalo (referred to herein as “the Church”) has approved and authorized this Personnel Manual to help its employees to understand some of the policies and procedures of the Church.

All employees are considered to be employees at will. That means that the employee is authorized to resign their position at any time and that the Church is authorized to terminate the employee’s employment at any time. Nothing in this Manual, or in any written or unwritten policies and practices of the Church, creates an expressed or implied contract, promise or representation between the Church and any employee, or alters the employee-at-will standard. A change from the employee at-will status can only be made by a written contract or agreement expressly granting a different contractual status.

The Church’s policies generally will be applied consistently. However, the Church reserves the right to deviate from normal policy in selected situations. Since every employment situation cannot be anticipated, this Manual provides a general overview only. From time to time, changes in this manual may be made. Therefore, the Church reserves the right to amend, supplement or rescind any provision of this Manual as it considers appropriate. It will be the practice of the Church to advise current employees of such changes as they occur. Revised copies of this Manual or pages of this Manual will be issued and distributed when changes are made.

The Church will maintain a copy of the latest version of this Manual in the Church office as well as on the Church website. Employees are encouraged to consult that copy from time to time to assure that the copy they have of the manual is up to date.

The Manual applied to all staff, whether full-time, part-time, exempt or non-exempt, or salaried or hourly, except where otherwise stated.

This Manual supersedes all previous employment policies, whether written or oral, expressed, or implied. If any provisions of this Manual are found to be invalid or unenforceable, the remaining provisions will remain in full force and effect.

If any employee has any questions or comments about this Manual, or if they desire information, that employee is requested to ask their supervisor or the Minister. In any instance where any oral explanation is inconsistent with the plain meaning of the policies set forth in this manual, the manual, as so written will apply.

### B. Equal Employment Opportunity - Board Policy 4.4.2.1 Equal Opportunity Policy

The Church is committed to equal employment opportunity for all individuals. Decisions about recruiting, hiring, training, promotions, compensation, benefits, and all similar employment decisions must be made in compliance with all federal, state, and local laws and without regard to race, color, religion, sex, gender identity or expression, sexual or affectional orientation, national origin, age, ability/disability, socio-economic status, education,

spirituality, religious belief, or other protected classification. Any discrimination in the workplace based upon any protected classification is illegal and against policy, except that the Church may require employees to respect Unitarian Universalist principles.

Pursuant to the Americans with Disabilities Act (ADA) and New York State (NYS) Human Rights Law, the Church will not discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training and other terms, conditions, and privileges of employment.

The Church will provide reasonable accommodations as necessary and where required by law as long as the accommodation does not pose an undue hardship on the operations of the Church. The policy is not intended to afford employees with any greater protections than those which exist under federal, state, or local law.

Employees who have questions about the terms of this Manual should feel free to consult with the Minister or Chair of the Church's Personnel Committee. Retaliation against individuals who make a claim of discrimination, or participate in the investigation of such a claim, is prohibited by this policy and will not be tolerated.

C. Freedom from Workplace Harassment – Board Policy 4.4.2.3 Freedom from Workplace Harassment

Harassment of any kind is prohibited and will not be tolerated. The Church prohibits conduct directed to its employees that shows hostility or an aversion toward an individual because of race, color, religion, sex, gender identity or expression, sexual affectional orientation, national origin, age, ability/disability, socio-economic status, spirituality or other protected classification. The Church also prohibits any other harassment or bullying, whether or not protected by law. Any action that has the purpose or effect of creating an intimidating, hostile or offensive work environment; has the purpose or effect of unreasonably interfering with the individual's work performance; or otherwise adversely affects and individual who make a claim of discrimination, or participate in the investigation of such a claim, is prohibited by this policy and will not be tolerated.

The Church prohibits conduct directed to its employees that shows hostility or an aversion toward an individual because of their race, color, religion, sex, national origin, age, disability, or any other classification protected by law, or, in addition, because of sexual orientation, or any other harassment or bullying, whether or not protected by law, and that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects an individual's employment opportunities.

Some examples of conduct which may constitute harassment, depending on the circumstances, include but are not limited to, the following:

- Epithets or slurs; or
- Threatening or intimidating acts; or

- Written or graphic material; or
- Written, verbal or physical acts that purport to be jokes or pranks

Any employee who believes they have been harassed by another employee, a supervisor, an agent of the Church, or any other person encountered in the course of employment, should report that conduct immediately to their supervisor or the Minister. Employees may also complete form titled “Complaint of Harassment/Retaliation” found in the Appendix.

#### D. Sexual Harassment

Sexual harassment is prohibited and will not be tolerated. This policy applies to sexual harassment by members of the same or opposite gender identity. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to the conduct is made either explicitly or implicitly a term or condition of employment.

Some examples of conduct which may constitute sexual harassment, depending on the circumstances, include but are not limited to, the following when:

- Submission to the conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission or rejection of the conduct is used as a factor in employment decisions affecting the individual; or
- The conduct unreasonably interferes with an individual’s employment or creates an intimidating, hostile or offensive employment environment.

#### E. Whistleblower Protection – Board Policy 4.4.2.4

The Church shall protect employees who make any lawful disclosure of information on a matter of Church concern, when they have reason to believe they are reporting a violation of any law, mismanagement, gross waste or misappropriation of Church funds or assets, a substation and specific danger to public health and safety, or other alleged wrongful conduct. Further, the Church prohibits adverse actions being taken against employees, volunteers, or any Church member in knowing retaliation for such disclosure. Any person found to have so violated this policy shall be disciplined, up to and including termination from employment or expulsion of membership.

This policy is designed to protect employees of the Church and address our commitment to integrity and ethical behavior. In accordance with anti-retaliation and whistleblower protection regulations, the Church will not tolerate any retaliation against an employee who:

- Makes a good faith complaint, or threatens to make a good faith complaint, regarding employee violations of the law, including discriminatory or other unfair employment practices; or
- Makes a good faith complaint, or threatens to make a good faith complaint, regarding accounting, internal accounting controls, or auditing matters that may lead to incorrect, or misrepresentations, in financial accounting; or

- Makes a good faith complaint, or threatens to make a good faith complaint, regarding a violation that endangers the health or safety of an employee, client, member, environment, or general public; or
- Objects to, or refuses to participate in, any policy or practices, which the employee reasonably believes is a violation of law; or
- Provides information to assist in an investigation regarding violations of the law; or
- Files, testifies, participates, or assists in a proceeding, action or hearing in relation to alleged violations of the law.

Retaliation is defined as any adverse employment action against an employee, including, but not limited to, refusal to hire, failure to promote, demotion, suspension, harassment, denial of training opportunities, termination, or discrimination in any manner in the terms and conditions of employment.

Anyone found to have engaged in retaliation or in violation of law, policy or practice will be subject to discipline, up to and including termination from employment. Employees who knowingly make a false report of a violation will be subject to disciplinary action, up to and including termination.

Employees who wish to report a violation should contact their supervisor or the Minister directly. Should the complaint involve the Minister, the complaint should be taken to the President of the Board of Trustees. Employees may also complete form titled “Complaint of Harassment/Retaliation” found in the Appendix.

The Church will promptly and thoroughly investigate and, if necessary, address any reported violation.

Employees who have questions or concerns regarding this policy and related reporting requirements should contact their supervisor, the Minister, or the President of the Board of Trustees.

#### F. Resolution of Employee Concerns and/or Grievances – Board Policy 4.4.2.6

It is the policy of the Church that an employee shall have access to the grievance process specified below before a final determination of discharge is made. In no event shall the filing of a grievance result in retaliation. A discharged employee who successfully pursues a grievance will receive back pay for the period between the date of discharge and the date of reinstatement based on the ruling on their grievance.

Effective communication is essential for productive working relationships. To that end, employees are encouraged to discuss any concerns about work or suggestions for improving operations (other than sexual harassment or harassment claims) in the following manner: Any Church employee who has concerns or believes they have been harassed, sexually harassed or otherwise subjected to discriminatory behavior by another employee, a supervisor, an agent of the Church, or any other person encountered in the course of employment should report that conduct immediately to their supervisor or the Minister and together discuss the problem, applicable rules or policies, and possible resolution. The person who receives such a report shall report it as soon as possible to the Minister. If the Minister is not available, or if the report or complaint involves the Minister, the individual making such

report or complaint, or the individual receiving the report or complaint, should immediately report it to the President or Vice-President of the Board of Trustees.

Any such report or complaint may be made orally or in writing. Unless the person originally making such report or complaint receives a written acknowledgment of the receipt of the report or complaint within five days, they should confirm the making of the report or complaint in writing and provide it to the President of the Board of Trustees indicating the date when such report or complaint was originally made and how it was made.

Every complaint or report of harassment, sexual harassment, or a whistleblower violation will be promptly investigated. Although investigations will be conducted with sensitivity to confidentiality issues, investigative information will be communicated as appropriate to those with a need to know (which generally will include the person or persons whose conduct prompted the making of the complaint). If the investigation indicates that a violation of this policy may have occurred, timely and appropriate action will be taken. While the time periods within which such investigation may be undertaken and completed may vary according to the nature of the claims made and other factors that may affect the ability to pursue such investigation effectively (for example, the availability of witnesses and/or other persons important to such investigation who should be interviewed or contacted), the person making a complaint should ordinarily expect an initial response, and an estimate of the time it will take to complete the process, within a period of not more than two weeks.

If the outcome of the investigative process does not resolve the matter to the employee's satisfaction or to the satisfaction of the person against whom the complaint or grievance is filed, the dissatisfied person (or persons) may then seek a review by the Board of Trustees by written notice delivered or mailed to the President of the Board or Trustees, any such mailing being directed to him or her in care of the Church. Notice of any such request for a review shall be delivered or mailed within thirty (30) days after the employee receives final notice of the disposition of the complaint or grievance.

The Board of Trustees shall then act on the request for review by rejecting it, by considering it on the merits at an executive session of the Board of Trustees or otherwise as it may determine. The person seeking review shall be given the opportunity to speak to the Board, and to be present when others are permitted to speak to the Board, on the subject of the review. Retaliation or reprisal against employees who report harassment or sexual harassment claims is prohibited and will not be tolerated. Any violation of this policy will be treated as a serious matter and will result in disciplinary action, up to and including termination of employment.

#### G. Computer, Internet, and Internet Usage

The Church provides Internet access (including e-mail) to certain of its staff members to assist and facilitate business communications and work-related research. These services are for legitimate business use, although occasional and limited use of these facilities for personal or other purposes is permitted. All materials, information and software created, transmitted,

downloaded, or stored on the Church's computer system are the property of the Church and may be accessed only by authorized personnel.

Inappropriate Internet use includes, but is not limited to:

- Transmitting obscene, harassing, offensive or unprofessional messages; or
- Accessing, displaying, downloading, or distributing any offensive or inappropriate messages including those containing racial slurs, sexual connotations or offensive comments about race, color, religion, sex, national origin, age, disability, or any other classification protected by law, or about sexual orientation, whether or not protected by law; or
- Transmitting any of the Church's confidential or proprietary information, including member/friend data or other materials covered by any confidentiality policy adopted by the Church (including, without limitation, section H of this policy).

The Church reserves the right to monitor employee use of the e-mail system or the Internet at any time, including the right to access and read any information in the e-mail system, with or without prior notice to any customary user of that system. Employees should not consider their Internet usage or e-mail communications to be private. Personal passwords (if used) are not an assurance of confidentiality, and the Internet itself is not secure.

Any software or other material downloaded into the Church's computers may be used only in ways consistent with the licenses and copyrights of the vendors, authors, or owners of the material. The introduction of any software onto the Church's computer system that is not provided by the Church is not permitted without prior approval from the Minister and/or the Board of Trustees.

Only authorized staff members may communicate on the Internet on behalf of the Church. Employees may not express opinions or personal views that could be misconstrued as being those of the Church. Employees may not state their Church affiliation on the Internet unless required as part of their assigned duties. Any violation of this policy may result in disciplinary action, up to and including termination of employment.

#### H. Media Inquiries

All requests for information about the Church from print, Internet, television, and radio media should be directed to the Minister. An appropriate response to a media inquiry would be, "I'm not the best person to answer that question. May I contact the appropriate person and have that individual get back to you?" In the event any such inquiry is made when the Minister is not available, media inquiries will be directed to the President of the Board.

#### I. Confidentiality

UUCB takes the protection of Confidential Information very seriously. "Confidential Information" includes, but it not limited to:

- Member and Employee:

- Lists – names and addresses (except those published in the Church directory)
- Personal or family situations
- Personal information (health conditions, pledge information, social security numbers)
- Formal complaints, grievances, or investigations
- Employee performance information
- Computer processes, programs, codes, software, or databases
- Church financial data, contract details, business, and marketing plans

To protect confidential information, employees may not share or communicate any confidential information or non-public information that is considered the property of the Church or information about the organization to any unauthorized individual. If you receive a request for confidential information, you should immediately refer the request to your supervisor.

To protect confidential information, employees may not share or communicate any confidential or non-public information that is considered the property of the church or information about the organization to any unauthorized individual. If you receive a request for confidential information, you should immediately refer the request to your supervisor.

The unauthorized disclosure of confidential information belonging to the organization, that is not otherwise available to persons or companies outside of the Church, may result in disciplinary action up to, and including termination of employment. If you leave the organization, you may not disclose or misuse any confidential information.

This policy is not intended to restrict an employees' right to discuss, or act together to improve wages, benefits, and working conditions with co-workers or in any way restrict employee's rights under the National Labor Relations Act.

#### J. Conflicts of Interest – Board Policy 4.4.2.5

This policy reflects the Board's determination to prevent 1) the personal interest of paid staff members from interfering with the performance of their duties to the Church; and 2) such staff members from receiving personal, financial, or professional gain at the expense of the Church, beyond the terms of their employment.

Paid staff members are therefore required to disclose any competing financial, professional or personal obligations or interests that do or might interfere with their ability to perform their required duties in a fair and objective manner.

A conflict of interest is defined as a conflict between the private interests and official responsibilities of a paid staff member. This includes, but is not limited to, the following:

- Financial interest: receiving personal gifts or loans from third parties dealing or competing with the Church; having any kind of financial interest in any third party dealing with the Church; or

- Personal interest: relationship to a Board or Committee member, or another employee or contractor of the Church, by blood, adoption, marriage, or domestic partnership; serving in a supervisory capacity to another staff member so related; or
- Professional Interest: holding office, serving on the Board, participating in management or ownership, or being otherwise employed (or formerly employed) by any third party dealing with the Church; using Church time, personnel, equipment, or supplies for other than Church-approved activities, programs, and purposes; being in a position with another organization that leads to approaching the same donors on behalf of both organizations.

It is in the interest of the Church to disclose the personal interests of employees, board members and other appointees to prevent these from interfering with the performance of their duties to the Church, or resulting in personal, financial, or professional gain on the part of such persons at the expense of the Church. Employees who have questions about whether an activity violates this policy should discuss the matter with the Minister. The Conflict-of-Interest procedure and form are on file in the church office, and attached to this Manual as Appendix A.

#### K. Outside Employment

Employees shall not engage in any collateral employment or business activity that is incompatible or in conflict with their duties, functions, or responsibilities as an employee of the Church. Activities that may constitute a conflict include use of the Church's time, facilities, equipment or supplies, or the use of the title, prestige, or influence of the Church for private gain or advantage.

An employee shall not engage in any outside activity which, by its nature, hours or physical demands, would impair the employee's performance of Church duties; reflect discredit on the Church; or tend to increase the Church's payments for sick leave, worker's compensation benefits or long-term disability benefits.

#### L. Personnel Records

It is very important that employees keep up-to-date all the information provided to the Church at the time of hire. This information is essential for many purposes, including benefit administration, mailing information to the employee's home, and contacting friends or family in case of emergency. Employees should promptly notify their supervisor of any changes in:

- Address and telephone number
- Marital status (including legal separation)
- Legal change in employee's name
- Dependents
- Changes in beneficiaries
- Person to notify in case of emergency
- Any relevant changes in licensing or education

Supervisors will promptly forward this information to the Church Administrator for updating personnel records.

#### M. Complaint Procedure

The UUCB strongly encourages the reporting of all instances of discrimination, harassment, or retaliation, whether involving employees, members, or visitors. If you believe you have experienced or witnessed harassment or discrimination based on sex, race, national origin, disability, or another protected category, promptly report the incident to your supervisor or any supervisor. Supervisors have a duty to act to prevent discrimination and harassment and are required to report any complaint they receive or any harassment they become aware of or observe to the Minister. Such concerns about the Minister should be brought directly to the Board of Trustees. If you believe it would be inappropriate to discuss this matter with a supervisor, you may report it directly to the Minister.

- Name of the employee making the complaint
- Date the complaint is made
- Name of the alleged harasser
- Date(s) the harassment allegedly occurred
- Description of the alleged harassment
- List of names of any witnesses to the alleged harassment

A Complaint Form is appended to this Personnel Manual.

All reported allegations of harassment or discrimination must be investigated and will be investigated promptly, thoroughly, and impartially, maintaining as much confidentiality as possible.

Effective corrective action will be taken whenever sexual harassment is found to have occurred to stop the harassment and prevent its recurrence. Any employee found to have engaged in any form of sexual or other unlawful harassment may be subject to disciplinary action, up to and including termination of employment. Any supervisor who fails to report such harassment may be subject to disciplinary action, up to and including termination of employment.

The UUCB expressly prohibits retaliation against any individual who reports discrimination or harassment or assists in investigating such charges. Any form of retaliation is considered a direct violation of this policy and, like discrimination or harassment, will be subject to disciplinary action, up to and including termination of employment.

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

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

Federal-United States	U.S. Equal Opportunity Commission (EEOC)	An individual may file a complaint with the EEOC Anytime within 300 days from the harassment via phone at 1-800-669-4000 Via website at <a href="http://www.eeoc.gov">www.eeoc.gov</a> or via email at <a href="mailto:info@eeoc.gov">info@eeoc.gov</a>
State- New York	NYS Division of Human Rights	NYS Division of Human Rights One Fordham Plaza, 4th Floor, Bronx, NY 10458 (716) 741-8400 <a href="http://www.dhr.ny.gov">www.dhr.ny.gov</a>
Local-Many localities Enforce laws protecting Individuals from sexual harassment and discrimination	A person should contact the county, city, or town in which they live to find out if such law exists.	
Local – if the harassment Involves unwanted Touching, coerced physical Confinement or coerced Sex acts, the conduct may Constitute a crime	City of Buffalo Police Dept.	Call 911, or (716) 851-4444 <a href="http://www.bpdny.org">www.bpdny.org</a>

## II. WAGE AND HOUR ADMINISTRATION - Board Policy 4.4.2.2 Fair Compensation

The Church strives to maintain fiscal and ethical integrity with respect to compensation to employees. Thus, the Church shall fulfill employment agreements in terms of hours of work, wages, and benefits. Employment agreements will be offered within the confines of the projected annual budget. Our goal is to follow the UUA guidelines for fair compensation.

### A. Employment Classifications

For purposes of determining the applicability of various policies, practices, and benefits, employees are classified by the nature of the position to which they are assigned and by their regular work schedule. Employees who are subject to state or federal minimum wage and overtime laws are referred to as “non-exempt” employees. Those in administrative, management, or supervisory positions who are not subject to such regulation are referred to as “exempt” employees. Non-exempt, full-time employees are regularly scheduled to work 37.5 hours per week. Non-exempt employees scheduled to work less than 37.5 hours per week will be considered part-time employees. Employees who are expected to work less than six months and who are not otherwise contracted with or to the Church are considered temporary employees.

## B. Hours of Work

**Exempt Employees:** For exempt professional employees, the Unitarian Universalist Association recommends a unit-based system for measuring service rendered and determining compensation levels. A unit is defined as a morning, afternoon or evening devoted to the congregation's work. In the unit system, 12 units per week constitute full-time service.

**Non-exempt Employees:** The hours worked will be arranged individually with each nonexempt employee. Individual work schedules may change from time to time. If a non-exempt employee works in excess of 37.5 hours and up to 40 hours during any week, they will be compensated for the additional hours on a straight-time basis. Work over 40 hours per work week will be compensated at a rate of time and one-half. No employee is permitted to work more than 37.5 hours per week without prior written approval from his/her supervisor or the Minister. Attendance at meetings at the request of the employee's supervisor or the Minister will be considered time worked. Typically, lunch breaks are not included in the calculation of hours worked for overtime purposes.

## C. Timekeeping and Overtime

The Church will maintain an appropriate system for keeping accurate time records of employee work. All employees of the Church (exempt and non-exempt) are expected to keep track of their worked time and submit timecards to their supervisor on a weekly basis (unless on leave of absence). As part of this responsibility, the employee's supervisor will establish standards for reasonable work breaks and time off for lunch or other meals during the working period.

## D. Pay and Payroll Deductions

Pay adjustments generally will be considered for all employees once a year and any adjustments will normally start at the beginning of the fiscal year. There is no guarantee of an annual pay adjustment.

Deductions made from employees' wages are reflected on the stubs of their paychecks. Federal and state laws require deductions from pay for income tax. Federal law also provides for deductions for Social Security and Medicare. Other deductions may include wage garnishments. Some deductions are optional and are made only if the employee has authorized their deduction.

Employees are responsible for promptly notifying the Church Administrator of any changes to or errors in their deductions. Any necessary adjustments will be made and reflected in the employee's next paycheck.

### III. WORKING CONDITIONS & HOURS

- A. The pay week is Saturday through Friday. Payroll is distributed bi-weekly on Fridays.

Supervisors will advise employees of their scheduled shifts including starting and ending times. Business needs may necessitate a variation in your starting and ending times as well as the total hours you may be scheduled to work each day and each week.

- B. Emergency Closing

At times, emergencies such as severe weather, fires, health emergencies or power failures can disrupt normal operations. In extreme cases, these circumstances may require closing the facility. The decision to close or delay regular operations will be made by the Board President. When a decision is made to close the office, employees will receive notification from their supervisor.

### IV. EMPLOYEE BENEFITS

Temporary employees or regulate employees working less than 750 hours a year are not eligible for these benefits, except those required by law

#### Insurance Programs

- A. Workers' Compensation

The Church provides certain employee benefits, including state law mandated workers' compensation coverage and New York State short-term disability Insurance. All on-the-job injuries or illnesses, regardless of severity, should be reported immediately to the employee's supervisor, or the Minister. Employees will be required to provide a treatment provider's statement in order to receive workers' compensation benefits, or to return to work.

- B. Health Insurance

Eligibility for health insurance will be pro-rated according to the percentage of time worked, unless because of the position or amount of time worked or other applicable factors, the employee is not eligible for insurance. Choir soloists are not entitled to health insurance, except as may be required by law. The Church offers a local health insurance plan to regular employees working 750 hours/year or more. The Church will pay 100% of the insurance premium (pro-rated by percent of time worked) for individual (single) coverage. Verified dependents may be added to the plan at the employee's cost. Employees who are Medicare-eligible must select Medicare as their insurance plan when first eligible.

- C. Life Insurance, Long-Term Disability, Dental, and Vision

These types of insurance are available to eligible employees through the UUA Insurance Program, subject to its conditions, if the employee wants to purchase these benefits. Eligible employees are strongly encouraged to purchase Long-Term Disability Insurance.

Actual coverage of any insurance plan is determined by the express terms of the plan documents. We encourage you and your family to review the plan’s Summary Plan Description (SPD) materials carefully.

If there are any conflicts between the handbook or summaries provided and the plan documents, the terms outlined in the plan documents will apply. As the Church’s needs and budget considerations may change over time, the Church reserves the right to amend, interpret, modify, or terminate any of its employee benefits programs without prior notice to or the extent allowed by law.

**D. Retirement**

The UUA maintains a defined contribution plan qualified retirement plan to assist eligible employees to accumulate tax-deferred savings for retirement. In order to be eligible for retirement benefits, an employee must work at least half time and have worked for a UUA organization for a minimum of one (1) year. The Church contributes 10% of the employee’s wages, and the employee has the option of making additional voluntary contributions on a pre-tax basis. These benefits are immediately vested.

Actual coverage is determined by the express terms of the plan documents. If there are any conflicts between the handbook or summaries provided and the plan documents, the terms outlined in the plan documents will apply. The Church reserves the right to amend, interpret, modify, or terminate any of its employee benefits programs without prior notice to or the extent allowed by law.

**E. Vacation**

Vacations with pay will be granted to eligible employees from the date of hire. Employees accrue vacation from the date of hire but are not permitted to take vacation time for the first six (6) months of employment. Vacation time is capped at twenty (20) days maximum and cannot accrue beyond that number. Vacation days are earned and credited bi-weekly and must be used within a year of the date earned. Vacation will be earned on the following schedule for full-time employees. Part-time employees will earn vacation at a rate pro-rated according to their percentage of full-time equivalent.

<i><b>Years Employed</b></i>	<i><b>Vacation Days for Full Time Employee</b></i>	<i><b>Bi-weekly accrual rate</b></i>
<i><b>6 months – 4 years</b></i>	<i><b>10 days annually</b></i>	<i><b>.4 days bi-weekly</b></i>
<i><b>5 years - 10 years</b></i>	<i><b>15 days</b></i>	<i><b>.6 days bi-weekly</b></i>
<i><b>10 + years</b></i>	<i><b>20 days</b></i>	<i><b>.8 days bi-weekly</b></i>

While every effort will be made to grant an employee his/her/their vacation during the requested time, a vacation shall be granted only at such time as the work of the church permits. A vacation schedule will be arranged upon consultation with the employee’s supervisor.

Vacation time must be requested 3 days in advance and can be taken only with the approval of the employee's supervisor. In the event of conflicting vacation requests, vacation generally will be granted in accordance with the employee's length of service and consistent with workload requirements. Summertime vacations generally are encouraged.

Specific employment contracts take precedence over these general policy statements.

Unused, accrued vacation up to the maximum allotment as defined per policy will be paid out upon separation from service for employees with six (6) or more months of service. In the event of separation from service before six (6) months of employment, unused available vacation time will not be paid out.

Vacation time does not count as time worked for the purpose of calculating overtime pay.

#### F. Holidays

Employees with a regularly scheduled work week of at least twenty (20) hours are entitled to paid holidays observed by the Unitarian Universalist Church of Buffalo.

Pro-ration for those working 20+ hours per week is determined as follows:

- Total number of scheduled hours per week is divided by 5: this is the amount of Holiday pay the employee is entitled to. Example, an employee normally scheduled to work 31 hours per week would divide that by 5 and would be paid for 6.2 hours of holiday pay.

The Church will provide the following paid holidays to eligible employees each year:

New Year's Day

Martin Luther King Day

Presidents' Day

Memorial Day

Fourth of July

Labor Day

Veterans' Day

Columbus Day/Indigenous Peoples Day

Thanksgiving Day

Winter Holiday (on or near December 25th)

The period between the Winter Holiday (on or near December 25<sup>th</sup>) and New Year's Day

An alternative day off may be substituted for any of the above holidays, provided (a) the employee requests the change, and (b) the supervisor determines that the substitution will serve the best interests of the Church as well as meeting the needs of the employee. Any such arrangement must be approved in writing prior to the designated holiday.

Holiday time does not count as time worked for the purpose of calculating overtime pay.

G. Leaves of Absence – The following benefits are available only to eligible employees.

- Bereavement

Leave due to a death in the family may be taken with pay, not to exceed three (3) consecutive days, if granted by the supervisor to an employee in the event of death occurring in the employee's immediate family. "Immediate family" shall include parent, spouse, brother, sister, son, daughter, grandparent, grandchild, parent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, other relatives, or another member of the employee's household. If, due to unusual circumstances, an employee encounters more than one incident of bereavement in the same calendar year, he/she/they may request the approval of the Minter for a second leave of absence.

- Jury Duty

(NYS Judiciary Law § 519): Employees called to jury duty or witness duty are paid their regular salary for scheduled court dates, for a period not to exceed ten (10) working days per (calendar) year. Additional time off will be unpaid.

Employees must provide their immediate supervisor with a copy of their jury or witness summons as soon as possible so that the supervisor may make arrangements to accommodate their absence. The supervisor should be notified immediately by the employee upon notice of selection by the court (or upon service of a subpoena to appear as a witness in an action to which the employee is not a party). The employee shall, however, report for work as scheduled when on stand-by status or otherwise excused as a juror (or as a witness) during working hours.

An employee who is party to a legal action will not be granted paid leave under this section.

- Military Service Leave

(Military Law § 317): Unpaid leave for military reserve duty will be granted upon the production of duly issued orders.

The Church grants employees time off for service, training, and other obligations in the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and any applicable state law.

All employees requesting time off for military service must provide advance notice to their immediate supervisor, unless military necessity prevents such notice, or it is otherwise impracticable.

The Church complies with all rights and protections under all applicable state laws granting time off for service, training, and other obligations in the uniformed services. This includes, but is not limited to, benefits entitlement and continuation, notice and recertification requirements, and reemployment application requirements.

- Sick Leave with Pay

Sick leave accrues at a rate of .4 of one day bi-weekly not to exceed 10.4 days yearly. No more than 30 days may be rolled over into the next calendar year. Sick time is forfeited when

employment with the Church ends (and will not be paid out). The administrator should remain cognizant of any future changes to NYS sick leave law.

- Paid Family Leave and Disability Benefits

Paid family leave is offered in connection with New York State Paid Family leave law. Disability insurance is available to eligible employees through the UUA Insurance Program, subject to its conditions, if the employee wants to purchase these benefits. Eligible employees are strongly encouraged to purchase Long-Term Disability Insurance.

- Voting Leave (NYS Election Law)

The Church requests that, whenever possible, employees vote before or after work hours to avoid interference with business operations. If an employee, however, does not have sufficient time outside of work hours to cast a ballot, the employee may be eligible for time off to vote.

The Church may specify the hours during which an employee may take leave to vote. Such time will generally be limited to the beginning or end of a working shift unless otherwise mutually agreed upon.

If there are fewer than four (4) consecutive hours between the opening of the polls and the beginning of an employee's workday or between the end of an employee's workday and the closing of the polls, an employee may take up to two (2) hours of paid leave to vote on Election Day. Employees must provide no more than ten (10) and no less than two (2) days' written notice of their need for leave under this policy.

- Breastfeeding Break Time

Eligible employees can take breaks from work to express breast milk for their nursing child up to three (3) years after childbirth.

- Pregnancy Accommodation

Employees who are limited in their abilities to perform their jobs because of pregnancy, childbirth, and related medical conditions may request a reasonable accommodation as is necessary. The Church will provide eligible employees with reasonable accommodations so long as the accommodation does not impose an undue hardship of the organization.

Employees should be prepared to verify the need and anticipated duration for the requested accommodation. If an employee takes leave as an accommodation, the leave is unpaid; however, employees may use accrued vacation leave for this purpose. To the extent allowed by law, leave taken under this policy runs concurrently with leave provided under other relevant laws. Upon expiration of leave taken under this policy, an employee will generally be reinstated to their position with equivalent seniority, benefits, pay, seniority, and other terms and conditions of employment.

The Church will not retaliate against an employee who requests or uses a reasonable accommodation under this policy.

## V. OTHER EMPLOYEE POLICIES

## A. Attendance and Punctuality

Each employee is expected to be prompt and regular in their attendance at work. Personal appointments should be scheduled before or after work hours, if possible. All unscheduled absences must be approved in advance by the supervisor. Employees who are unable to report to work at their scheduled time must call their supervisor as soon as possible to report the absence and the expected time of return to work. Employees must call in each day they are absent, unless otherwise authorized by the supervisor.

Unscheduled absences, such as returning late from lunch or leaving work before the end of the workday, must be approved by the employee's supervisor. If the employee expects to be absent the following day, they should inform the supervisor of that fact at the same time.

Any employee who is absent for three (3) consecutive days without notifying their supervisor, or who fails to report to work on or before the expiration of a leave, will be deemed to have resigned, consistent with applicable law.

## B. Work and Disciplinary Guidelines

Certain guidelines must be observed by all employees to protect the integrity of the Congregation. Violations may result in disciplinary measures including verbal warning, written warnings, suspension with or without pay, or termination of employment, depending upon the severity of the problem and the frequency of occurrence. The UUCB reserves the right to administer disciplinary action at its discretion and based upon the circumstances.

Engaging in any of the following examples of unacceptable conduct may result in disciplinary actions. These examples are intended only as a guide and are not all-inclusive.

- Failure to perform work in a manner acceptable to the Church
- Absenteeism or tardiness
- Leaving work without permission
- Failure to report absence as required
- Sexual harassment or other harassment described in this Manual or as prohibited by law
- Dereliction of duties
- The use, possession, distribution, or sale, or being under the influence of alcohol or controlled substances (other than those used for bona fide medical purposes) while working or while on Church premises (including meal and other breaks)
- Unauthorized possession of weapons
- Disclosure of confidential information
- Unauthorized disclosure of any "Church/organization secrets" or other confidential, non-public proprietary information relating to the organization's products, services, customers or processes
- Smoking anywhere in the building
- Failure to report on-the-job injuries
- Violation of safety or health rules
- Working another job while absent

- Failure to accurately complete, or permitting another person to complete, the employee's timecard
- Arrest and conviction for criminal offenses that are job-related, including those that may affect the employee's ability to perform their job
- Theft or dishonesty
- Falsifying records or information or misuse or unauthorized manipulation of any computer or electronic data processing equipment or system
- Discourteous treatment of others
- Taking Church property without paying for it or written permission (or compensation)
- Reckless, careless, or unauthorized use of Church property, equipment, or materials
- Improper or profane language
- Making maliciously false statements about co-workers
- Threatening, intimidating, coercing, or otherwise interfering with the job performance of fellow employees
- Insubordinate behavior
- Violation of any other Church policy

This policy is not intended to restrict an employee's right to discuss, or act together to improve wages, benefits, and working conditions with co-workers or in any way restrict employees' rights under the National Labor Relations Act.

Other forms of misconduct not listed above may also result in disciplinary action, up to and including termination of employment. If you have any questions regarding the standards of conduct, please direct them to your supervisor or the Minister.

### C. Workplace Violence

The UUCB strictly prohibits workplace violence, including any act of intimidation, threat, harassment, physical violence, verbal abuse, aggression or coercion against a co-worker, vendor, customer, or visitor. The UUCB is committed to providing a violence-free workplace and to protect employees from such acts noted above from co-workers, vendors, customers, or visitors.

Prohibited actions include but are not limited to:

- Physically injuring another person
- Threatening to injure another person
- Engaging in behavior that subjects another person to emotional distress
- Using obscene, abusive, or threatening language or gestures
- Bringing an unauthorized firearm or other weapon onto church property
- Threatening to use or using a weapon while on church premises, on church-related business, or during job-related functions
- Intentionally damaging property

All threats or acts of violence should be reported immediately to your supervisor. Employees should warn their supervisor(s) of any suspicious workplace activity that they observe or that appears problematic. Employee reports made pursuant to this policy will be kept confidential to the extent possible. The UUCB will not tolerate any form of retaliation against any employee for making a report under this policy.

The UUCB will take prompt remedial action, up to and including immediate termination against any employee found to have engaged in threatening behavior or acts of violence and appropriate action regarding inappropriate behaviors of vendors, customers, or visitors.

#### D. Impaired Employee Policy

The use of over-the-counter drugs and legally prescribed drugs is permitted if they are used in the manner for which they are prescribed and provided that such use does not hinder an employee's ability to safely perform their job. Employees should inform their supervisor if they believe their medication will impair their job performance, safety, or the safety of others, or if they believe they need a reasonable accommodation when using such medication.

#### E. Smoking and Electronic Smoking Devices

The UUCB provides a smoke-free environment for its employees, visitors, and customers. Smoking is prohibited throughout the workplace.

#### F. Intellectual Property

All electronic files and work materials that are created by church staff as part of their work process are owned by the Church unless otherwise specified by written agreement. All electronic files including written (presentations, emails, reports, etc.) and graphic materials created for the Church or music, e-books, software of any kind, purchased by the Church are considered Church property. All electronic Church property must be stored and maintained on the Church's electronic hardware/systems/servers/directories and be accessible to authorized personnel at all times.

Any action contrary to the guidelines set herein may result in disciplinary action, up to and including termination.

#### G. Visitors in the Workplace

The UUCB's buildings and grounds are private property to be used for the achievement of the Church's ministries. To ensure the safety and security of the UUCB and its members and employees, the Church reserves the right to limit visitor access to the facilities and the use of facility equipment as it deems appropriate.

#### H. Standards of Conduct and Electronic Computer Systems

The UUCB strives to maintain a workplace free of discrimination and harassment. The UUCB, therefore, prohibits the use of the organization's ECS for bullying, harassing, discriminating, or engaging in other unlawful misconduct, in violation of the organization's policy against discrimination and harassment.

## I. Electronic Communications Systems (ECS) Guidelines

The following behaviors are examples of previously stated or additional actions and activities under this policy that are prohibited:

- Sending or posting discriminatory, harassing, or threatening messages or images about coworkers, supervisors, members, or the organization that violate the organization's policy against discrimination or harassment.
- Stealing, using, or disclosing someone else's code or password.
- Pirating or downloading UUCB-owned or licensed software without permission.
- Sending or posting the organization's confidential material, trade secrets, or non-public proprietary information outside of the organization. *Wages and other conditions of employment are not considered confidential information.*
- Violating copyright laws and failing to observe licensing agreements.
- Participating in the viewing or exchange of pornography or obscene materials.
- Sending or posting messages that threaten, intimidate, coerce, or otherwise interfere with the job performance of fellow employees.
- Attempting to break into the computer system of another organization or person.
- Refusing to cooperate with a security investigation.
- Using the Internet for gambling, or any illegal activities.
- Sending or posting messages that disparage another organizations or person's products or services.
- Passing off personal views as representing those of the UUCB.

Employees have no right or expectation of personal privacy when using UUCB's ECS. This is not intended to restrict an employee's right to discuss, or act together to improve wages, benefits and working conditions with coworkers or in any way restrict employees' rights under the National Labor Relations Act.

## J. Company Supplies

Only authorized persons may purchase supplies in the name of the UUCB. No employee whose regular duties do not include purchasing shall incur any expense on behalf of the UUCB or bind the UUCB by any promise or representation without express written approval from a supervisor.

