

EMPLOYEE HANDBOOK



District 1199C Training and Upgrading Fund
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SECTION 1

INTRODUCTION

INTRODUCTION

Welcome Message

Welcome to District 1199C Training & Upgrading Fund! You are now an employee of a labor management partnership. This may or may not be a new experience for you. This handbook is designed to advise you of the policies and practices of District 1199C Training & Upgrading Fund (“the Training Fund”). Please read it thoroughly; if you have any questions, please contact your supervisor.

This handbook is provided to you as a reference and a summary of District 1199C Training & Upgrading Fund’s personnel policies, work rules, benefits, and history. This handbook is *not* intended to be a contract, express or implied, between you and the Training Fund. The Training Fund reserves the right to make any revisions, modifications, interpretations, or deletions as, in its sole judgment, it may deem advisable to any or all policies, procedures, practices, and benefits in whole or in part, with or without notice, at any time. This handbook does not constitute and should not be construed as constituting a contract of employment, but it does represent the spirit in which issues and employee relations will be addressed and resolved at the Training Fund.

This handbook applies to the staff of the Training Fund and *does not* apply to part-time temporary teaching faculty.

Mission Statement

The District 1199C Training & Upgrading Fund's mission is: (1) providing access to career pathways in healthcare and human services for incumbent workers and job seekers through education, training and work-based learning; and, (2) building the capacity of the Delaware Valley's healthcare industry to create a highly-skilled workforce through on-the-job training opportunities and the development of an education pipeline that aligns with career ladder steps.

Goals:

- To alleviate the shortage of health care personnel and provide members and employees increased opportunities for skill improvement, promotion, advancement and upgrading.
- To plan, develop, establish and implement programs and procedures for training, retraining, educating and upgrading of member skills.
- To conduct ongoing research into the health care workforce needs of hospitals and other healthcare institutions.
- To search for financial support from federal, state, and municipal governments, as well as private agencies, in order to meet the ever-growing training needs of the health care workforce.

SECTION 2

EMPLOYMENT

Employment

Hiring Policy

All Training Fund job vacancies must be filled through the Finance & Administration Department. The Executive Director of the Training Fund and/or the Director of Finance & Administration of the Training Fund must be a part of the interviewing process for all applicants being considered for employment. No candidate for employment may be offered employment without the prior approval of the Executive Director.

It is the Training Fund's policy 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. Additionally, the Americans with Disabilities Act (ADA) require employers to reasonably accommodate qualified individuals with disabilities. It is the policy of the Training Fund to comply with all Federal, State and local laws concerning the employment of persons with disabilities.

The Training Fund will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of the job in question. An individual, who can be reasonably accommodated for the job without undue hardship, will be given the same consideration for that position as any other employee or applicant. Individuals who may need accommodations will be expected to inform the Training Fund of that need and to cooperate with the Training Fund in any interactions needed to determine what accommodations are needed and reasonable.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made in regard to that employee's immediate employment situation.

Employment at Will

You may refer to this handbook as a guide, but it does not alter the fact that, unless otherwise stated in a written individual employment agreement, each employee of the Training Fund is an employee-at-will. This means that either you or the Training Fund may terminate the employment relationship at any time, with or without cause, and with or without warning or notice.

No employee of the Training Fund shall be regarded as having a contract of employment with the Training Fund unless the Executive Director of the Training Fund enters into a written contract.

Finally, if any employee of the Training Fund has a written contract with the Training Fund, all policies in this handbook which do not conflict with the terms of that employee's written contract will apply.

Non-discrimination & Sexual Harassment Policy

The Training Fund is committed to a work environment free from all forms of discrimination and unlawful harassment, including sexual harassment. This policy applies to the working relationships between Training Fund employees and applicants, contractors, customers, vendors, and others with whom contact is necessary to perform the organization's business.

Our policy is to maintain a work environment free from discrimination based on race, color, religious creed, national origin, gender or gender identity, sexual orientation, age, disability, veteran status, marital status or any other category protected by federal, state, or local law, with regard to any term or condition of employment. More specifically, it is the Training Fund's policy to make all employment decisions based solely on an individual's qualifications, abilities and performance, without regard to personal traits. This policy applies to all aspects of employment, including hiring, training, performance reviews, promotions, discipline and termination.

This policy also applies to all work-related settings and activities, whether inside or outside the workplace and including customer sites, business trips, and business-related social events. Training Fund property (telephones, copy machines, facsimile machines, computers, and computer applications such as e-mail and Internet access) may not be used to engage in conduct that violates this policy. The Training Fund's policy against harassment covers employees and other individuals who have a relationship with the Organization (including outside contractors, vendors, customers, etc.).

The Training Fund also will not tolerate any form of unlawful harassment in the workplace, including sexual harassment. Sexual harassment is offensive, affects morale, and interferes with the effectiveness of our work.

Sexual harassment is behavior directed towards one or more male or female employee(s) on the basis of gender, and can include sexual advances, requests for sexual favors, or verbal and physical conduct of a sexual nature when:

- 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 the basis for employment decisions affecting an individual;
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance; or,
- The conduct creates an intimidating, hostile, or offensive working environment.

While it is not possible to define precisely what type of conduct will constitute an intimidating, hostile, or offensive working environment, it may include verbal abuse or

insults of a sexual nature, sexual jokes or other references of a sexual nature, display or circulation of sexual pictures or other materials, inquiry regarding another employee's sexual experiences or activities, and other similar offensive conduct.

It is also against the Training Fund's policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion towards an individual because of his or her race, color, gender or gender identity, religion, sexual orientation, age, national origin, physical or mental disability, ancestry, marital status, veteran status, or other protected category (or that of the person's relatives, friends, or associates) that:

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

Depending on the circumstances, the following conduct may constitute discriminatory harassment based on an individual's race, color, gender or gender identity, religion, sexual orientation, age, national origin, ancestry, marital status, veteran status, or physical or mental disability: epithets, slurs, negative stereotyping, jokes, or threatening, intimidating, or hostile acts, and/or written or graphic material that denigrates or shows hostility towards an individual or group that is circulated in the workplace or placed anywhere in the Training Fund's premises, such as on an employee's desk or workspace, or on the Training Fund's equipment or bulletin boards.

The Training Fund's policy is to encourage each employee to come forward with any complaints of sexual or other harassment and/or to cooperate in any investigation of harassment. This policy and the law prohibits retaliation against any employee for filing a complaint of sexual or other harassment or for cooperating in the investigation of such a complaint, and any retaliation will not be tolerated.

Responsibilities

Supervisors are responsible for:

- Responding promptly to all alleged incidents of sexual or other unlawful harassment by immediately reporting them to their manager, the Executive Director, the Director of Finance & Administration, the EEO Officer, and/or the Sexual Harassment Prevention Officer
- Protecting the privacy of the people involved as much as practicable and disclosing information related to the alleged conduct only to those with a need to know.
- When appropriate as determined by the Executive Director the EEO Officer, the Sexual Harassment Prevention Officer, and/or the Director of Finance & Administration, participating in the investigation of the alleged conduct and taking corrective and/or disciplinary action as agreed upon.

As a Training Fund employee, you are responsible for:

- Behaving in a manner that does not constitute sexual or other unlawful harassment of other employees.
- If you wish, discussing the behavior with the individual causing the problem, making him or her aware of the offensive nature of the unwelcome behavior, and requesting that the behavior stop.
- Reporting the behavior to your immediate supervisor. Obviously, the Training Fund can only respond to those situations about which it is aware. If the particular circumstances make a discussion or complaint to the supervisor inappropriate (e.g., if the complaint involves the supervisor or if retaliation from the manager is feared), do not hesitate to bring the matter to the Executive Director, the EEO Officer, the Sexual Harassment Prevention Officer and/or the Director of Finance & Administration.

Process for Investigating Allegations of Harassment

If you believe you have been subjected to sexual or other harassment, you are strongly encouraged to inform your Supervisor, Department Head, Executive Director, the EEO Officer, the Sexual Harassment Prevention Officer and/or the Director of Finance & Administration.

We will investigate any reported incident promptly and thoroughly. While each investigation will proceed as the particular circumstances warrant, an investigation will – at a minimum – involve an interview with the employee making the complaint and interviews with persons identified as witnesses or otherwise having knowledge of the incident or conduct. All people involved in the investigation will be instructed to treat the investigation as confidential and not to discuss the allegations with others, particularly those not involved in the incident or conduct. In addition, all people included in the investigation will be informed that it is unlawful and the Training Fund will not tolerate any form of retaliation directed towards anyone who makes a complaint or who participates or cooperates in an investigation.

If the investigation determines that any individual has engaged in conduct that either constitutes harassment or otherwise violates the Training Fund's policies or rules of conduct, appropriate remedial or disciplinary action will be taken. Such actions could include (among others): eliminating contact between the employees involved in the incident, mandated training and/or counseling, demotion, or termination of the harasser. Also, the Training Fund will meet with the employees involved to make certain that any improper conduct has stopped, and that there has been no discrimination or retaliatory action against the person who made the complaint.

The importance of this policy cannot be emphasized enough. An environment free of sexual and other harassment is not only the law; it is fundamental to our culture at the Training Fund. We hope that, if you believe you have been sexually harassed, you will immediately bring the matter to the attention of your Supervisor, Department Head, Executive Director, the EEO Officer, the Sexual Harassment Prevention Officer and/or the Director of Finance & Administration.

Employees should understand that most typical workplace interactions will not be considered unlawful harassment under this policy. More specifically, job performance instructions and disciplinary action are not, by themselves, evidence of the creation of a hostile work environment that is unlawful. Unlawful harassment occurs only for the reasons described more fully above.

We believe that we have created a fair complaint resolution process and will be able to work together to avoid the escalation of any inappropriate situation involving sexual or other harassment.

Exempt/Non-Exempt Employees

Non-exempt employees are eligible for overtime compensation, according to the provisions of the federal Fair Labor Standards Act (FLSA) and applicable state laws. Exempt employees do not receive overtime pay under the FLSA or applicable state laws.

Full-Time/Part-Time/Temporary Employees

A full-time employee is one whose regularly scheduled workweek is 35 hours or more. Full-time employees are eligible to participate in all of the Training Fund benefits offerings. Certain benefits may require monetary contributions from employees, which may change from time to time.

A part-time employee is one whose regularly scheduled workweek is less than 35 hours. Part-time employees whose usual work schedule is at least 17.5 hours per week are eligible for prorated participation in the Training Fund's benefits offerings, subject to any limitations imposed by third parties. Certain benefits may require monetary contributions from employees.

A temporary employee is one who is hired for a period of up to three (3) months, or who is hired for a special project. The three (3) month period may be extended up to an additional three (3) months or longer in some cases. However, such employee may become a member of the Union after the expiration of the initial three-month period.

Temporary employees will receive holiday pay in the same manner as regular, permanent employees and according to their regularly scheduled days of work.

After three (3) months, temporary employees will begin to accrue vacation and sick leave beginning with the first (1st) day of the fourth (4th) month of employment. If a temporary employee is retained beyond six (6) months of continuous employment, the accrual of vacation and sick leave will be retroactive from the first (1st) day of employment.

Contributions to the Benefit Fund For Hospital & Healthcare Employees – Philadelphia on behalf of temporary employees shall commence three (3) months from date of hire.

Contributions to the Pension Fund For Hospital & Healthcare Employees – Philadelphia,

Training & Upgrading Fund and the Legal Fund will not be made on behalf of temporary employees unless and until they begin permanent employment, in which case such contributions shall commence for the payroll period in which they are made permanent.

A temporary employee who has been employed three (3) months or longer shall be treated as a regular employee for the purpose of filling a vacant or available permanent position for which the employee is qualified.

Working Hours

The work week shall be five (5) days of eight (8) hours each, Monday through Friday inclusive, unless otherwise required according to the needs of the Training Fund. Employees are expected to take one (1) hour unpaid time as a lunch break. **This hour cannot be used to shorten the workday or adjust normal work hours.** Hence, the actual time worked each week should be 35 hours.

On Call

As affiliates of District 1199C, National Union of Hospital & Health Care Employees, the Training Fund and its employees may be called upon from time to time, to support union sponsored activities

Compensatory Time/ Overtime

Staff may not work beyond 35 hours per week except as stipulated below. Compensatory or “comp” time and/or overtime are not typically allowed. Staff members who are directed by their supervisor or the Executive Director to participate in an activity that requires working more than 7 hours in a day must plan with their supervisor to work fewer hours on other days so that the actual hours worked does not exceed 35 hours in any one week. Overtime shall be paid for at the rate of straight time for actual hours worked up to 40 hours in a work week, and time and one-half for all work after 40 hours in a week (applies to only non-exempt employees). Time and one-half shall be paid for all overtime work performed on a holiday (applies to only non-exempt employees).

Non-Exempt Employees

All full-time Training Fund non-exempt employees will be expected to work their regular schedule of 35 hours each week. Part-time non-exempt hourly employees will be expected to work all of their regularly scheduled hours of work each week. Any non-exempt employee who, without good cause, consistently fails to work their regular schedule may be subject to disciplinary action, including, when appropriate, a reduction in that week’s pay.

All non-exempt employees will be required to clock-in each day when they report for work and to clock-out at the end of each work day. All non-exempt employees will be required to take a one hour unpaid lunch break. Non-exempt employees are required to

clock-out at the beginning of their lunch hour and to clock-in when they have concluded their one hour lunch break.

Non-exempt employees shall not be permitted to work more than their regularly scheduled hours of work unless they receive prior written approval to work more than their regularly scheduled hours of work from their Supervisor.

Any non-exempt employee who, with the prior written approval of their Supervisor, works more than 35 hours in a work week, but not more than 40 hours in that work week, shall be entitled to compensatory time for each hour worked in excess of 35 hours during that work week.

An eligible employee who, with the prior written approval of their Supervisor, works more than 40 hours in a work week shall be paid one and one-half times their regular hourly rate for all time worked in excess of 40 hours during that week (an “eligible employee” is an employee who is not exempt from the overtime requirements of the Fair Labor Standards Act).

Any non-exempt employee who works more than their regularly scheduled hours of work without obtaining the prior written approval of their supervisor shall be subject to immediate disciplinary action, including termination.

Exempt Employees

All exempt employees of the Training Fund will be expected to work a regular schedule of 35 hours each week. Any employee who, without good cause, consistently fails to work their regular schedule of 35 hours per week may be subject to disciplinary action up to, and including, termination of their employment.

All exempt employees will be required to clock-in each day when they report for work and to clock-out at the end of each work day using the electronic time-keeping system (Time clock).

All employees will be required to take a one hour **unpaid** lunch break; hence the total recorded hours on the Time clock for each exempt employee’s work week should not be less than 40 hours.

Exempt employees **will NOT be entitled to compensatory time for any hours worked in excess of 35 hours per week**, unless an employee is assigned a special project by their supervisor which requires work in excess of the regular 35-hour work week. An exempt employee, with the prior approval of their Supervisor, shall be entitled to compensatory time for each such hour worked in excess of 35 hours during that work week. Compensatory time cannot be claimed for a day that an exempt employee fails to **clock-in and clock-out** using the electronic time-keeping system (time clock), unless the employee is off-site and has prior approval from their supervisor to work overtime.

Any exempt employee who works more than their regularly scheduled 35 hours of work per week without obtaining the prior written approval of their supervisor shall NOT be entitled to compensatory time for any hours worked in excess of 35 hours per week.

Rest Periods

There shall be two (2) fifteen (15) minute rest periods per day: one in the morning hours and one in the afternoon hours. Rest period schedules will be determined according to the needs of each employee's department.

Orientation

Orientation for new employees will provide information regarding the Fund's programs, objectives, policies, and operating procedures. Orientation regarding benefits will be provided at the union hall (**1319 Locust Street**) on the first Wednesday of every month.

Introductory Period

The Introductory Period is a "getting acquainted" time for both you, as an employee, and the Training Fund, as your employer. During this Introductory Period, the Training Fund will evaluate your suitability for employment, and you can evaluate the Training Fund as well. Please understand, however, that completion of the Introductory Period does not guarantee continued employment, as employment is always at-will. You are free to terminate your employment at any time, with or without reason, and the Training Fund may choose to terminate your employment at any time, with or without reason. At the end of the Introductory Period, your supervisor will discuss your job performance with you.

A former employee who has been rehired after a separation from the Training Fund, for any length of time, is considered an introductory employee during their first thirty (30) days following their rehire. New employees will have an introductory period of at least sixty (60) days.

Confidential Employee Information

All employment files and records belong to the Training Fund. Access to confidential information, including medical and benefits information, is generally limited to persons within the organization who have a business need for the information. Medical and benefit information is kept separately from general employment files.

It is the Training Fund's policy not to release any information about you, other than dates of employment and job title, to external sources without your prior written consent, except where the release is authorized or required by law. The Training Fund will verify salary and earnings information to third parties only with your written authorization. Personnel records will be kept in the Finance & Administration Office. You may make an appointment to review your personnel file.

Union Membership

All new employees may become members of District 1199C at the end of their introductory period. Membership is voluntary. You may contact the Director of Finance & Administration for membership forms and information. If you choose to join, Union Dues are deducted from the fourth pay check of each month.

Although membership is voluntary, it is hoped that you will choose to become or remain a member of the Union. There are many rights and privileges of union membership not available to non-members. Only Union members have the right to participate in the affairs of the Union. Among the privileges available only to Union members are the right to attend and participate in Union meetings, the right to run for Union office and to nominate and vote for candidates for Union office, the right to participate in development and formulation of Union policies, and the right to serve as delegates to the National Convention. We believe that without the concerted political activity of the Union movement, the great social legislation of the 20th Century such as the Social Security Act, minimum wage laws, the Family and Medical Leave Act, and the Occupational Safety and Health Act would never have become law. Organizing, legislative activity, lobbying, political activities and litigation related to broader issues of concern to Union members as citizens are critically necessary for the improvement of working conditions of all of the workers we represent.

As a member of District 1199C, you will be a member of the National Union of Hospital and Health Care Employees, AFSCME, AFL-CIO, which has long been recognized as a leading voice for social justice and the rights of working people, and a proud participant in its efforts.

District 1199C Activities

As an employee of District 1199C Training & Upgrading Fund you are invited to attend monthly delegate assemblies, all union rallies, participate in picket lines, and be prepared to participate whenever the call to action comes. You are expected to support the mission of the Union and the Training Fund.

Political Action

The Political Fund supports political candidates and causes approved by the District 1199C Executive Board. A voluntary contribution can be made by signing a card available in the Finance & Administration Office. Employees may consider an annual contribution which can be automatically deducted on a weekly or monthly basis from their paycheck.

United Way Contributions

A voluntary contribution can be made to the United Way of Greater Philadelphia & Southern New Jersey. We hope to have a 100% employee participation rate each year.

Promotions & Lateral Transfers

Promotions to vacated or newly-established positions will be decided according to Training Fund needs, individual experience and qualifications. All promotion decisions will be made by the Executive Director. The Training Fund reserves the discretion as to whether an open position will be posted.

Severance, Lay off, Discharge, Termination

Severance

Upon termination for any reason, severance pay at the rate of one (1) week's pay for each year of service shall be paid, less any monies due to the Training Fund and/or to any of its subdivisions or affiliates, such as the Union, Benefit Fund, Pension Fund and Legal Fund. *Severance pay will not be paid in the case of dishonorable discharge.*

Severance pay entitlement shall become effective after one (1) year of service. Employees on staff for one (1) year or more are entitled to severance pay at the rate of one (1) week for each year of service. Severance pay formulas are as follows:

Entitlement/Length of Service

One (1) week's pay for one (1) year or more but less than two (2) years;
Two (2) weeks' pay for two (2) years or more but less than three (3) years;
Three (3) weeks' pay for three (3) years or more but less than four (4) years'
...and so on.

The above provision shall not apply to persons paid from government and other grant-funded programs. Staff being paid from government and other grant-funded programs shall be given a layoff notice two (2) weeks prior to the expiration date of such grant. Severance for employees who have been paid partially by government funding and partially by the Training Fund will be prorated accordingly.

Layoffs

Layoffs will be determined by department and function and will be based on skills and capabilities required by the Training Fund, as well as seniority. In the event of a layoff, those employees with the least amount of seniority will be the first to be evaluated for layoff. Laid-off employees will be notified of job vacancies for a period of one year from the date of layoff. Employees who are laid off shall be placed on the preferential list from which vacancies or new openings shall be filled. Any employee rehired after a layoff exceeding twelve (12) months, shall be considered a new employee; rehired employees with less than twelve (12) months layoff shall retain seniority which the employee had at time of his/her layoff.

Vacation entitlement for rehired employees shall be prorated from the date of rehire. A laid off employee shall be entitled to receive all vacation money and severance pay according to this agreement, **except for employees working on grant-funded**

programs. Vacation shall be based on the calendar year, and shall be computed on a pro-rata basis for those employees who have not completed the full period.

No employee shall be laid off without two (2) weeks notice. New job vacancies shall be forwarded to laid-off employees for a period of one (1) year.

Discharge

Except in cases of proven dishonesty, employees shall be entitled to earned vacation time and two (2) weeks' notice or two (2) weeks' pay upon discharge in lieu of notice.

Grievance Procedure

The following shall be the process by which problems, grievances and disputes shall be resolved. An employee who has a grievance shall:

1. Present the grievance to his/her immediate supervisor within ten (10) working days of the incident that caused the grievance. If the grievance involves the Supervisor, the grievance should be directed to the Executive Director.
2. The Supervisor shall give an answer to the employee within ten (10) working days after discussion of the grievance.
3. If the grievance is not resolved, it may be presented to the Executive Director of the Training Fund for resolution.
4. If the employee is not satisfied with the decision of the Executive Director, the employee may appeal the decision of the Executive Director to the co-chairs of the Board of the Training Fund within five (5) working days.

Time periods provided in this policy for presenting or responding to grievances may be extended when necessary and appropriate.

Staff Development

A minimum of ten hours of staff development for full time staff must be documented annually in each employee's personnel file. The ten-hour requirement is normally achieved by attending professional development programs and other meetings sponsored by the Training Fund. At times, these programs may occur outside of regular work hours. Employees are encouraged to attend and will receive compensatory time off.

Educational activities outside the Training Fund such as conferences, seminars, workshops, and college or university credit coursework, that are relevant to the individual's duties at the Fund, may be considered as meeting the ten-hour requirements. Approval for such external staff activities must be obtained in advance from the Executive Director. Proof of attendance and a curriculum or agenda must be submitted.

SECTION 3

PAID TIME OFF

Vacation Entitlement

Employees are entitled to vacation days and may use vacation time based only on time earned.

Vacation entitlement shall be determined on the basis of the calendar year and are accrued on a monthly basis. After the first six (6) months of employment, vacation time is earned at the rate of 0.83 days per month for employees with less than five (5) years of employment, 1.67 days per month for employees with five (5) or more years of employment, and 2.08 days per month for employees with fifteen (15) or more years of employment. Vacation days cannot be carried over from year to year and must be used within the calendar year in which they are accrued, unless otherwise authorized by the Executive Director in writing.

Short-Term Sick Leave

Short term sick leave shall be accrued from your date of hire, on a basis of one (1) day per month for the first (1st) year of employment (i.e. twelve [12] days per year).

For the second (2nd) and subsequent years of employment, annual sick leave will be advanced at the beginning of the calendar year, and will be pro-rated for anniversary dates falling on any month of the year other than January. Sick time can be accumulated up to a maximum of 65 days.

Coordination of Paid Leave, Disability, and Insurance Programs

Short term disability leave provides for full pay for the first (1st) five (5) working days of illness, to the extent of entitlement from sick leave. After the 7th calendar day, it provides a supplement to the Benefit Fund, Worker's Compensation, or other insurance disability payments to the extent of sick leave entitlement. It provides a supplement starting with the first (1st) day of disability entitlements which will be deducted from the employee's earned sick time. The supplemental disability pay policy shall not apply to persons with less than one (1) year of employment.

Continuation of Benefits during Paid Leave

If you are granted a paid leave of absence, your Benefit Fund will continue to be deducted from your pay.

Disability and Workers' Compensation Claims

Claims must be forwarded to the Benefit Fund after the 7th calendar day of illness/accident/injury that is not work-related, and the Human Resources Department should be notified of pending disability claims. Work-related accidents/injuries must be reported to the Human Resources Department on an Incident Report form, and claims will be forwarded to the appropriate party.

Payment for Unused Sick Leave

All unused sick leave up to 65 days shall be paid upon retirement, provided the employee has had at least ten (10) years of service and has attained the age of fifty-five (55) prior to retirement.

Holidays

Employees are entitled to receive the following holidays with pay:

New Year's Day	Norman Rayford Day
Washington's Birthday	Dr. Martin Luther King, Jr.'s Birthday
Good Friday	Labor Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

When a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday. When a holiday falls on a Sunday, the following Monday shall be observed as the holiday. When Monday has been legislated as a holiday, the holiday shall be celebrated on that day.

Seniority

Seniority shall be based upon the total length of employment with the Training Fund, unless otherwise provided for in this manual. Seniority as to choice of vacation schedule and working hours shall be determined by length of employment within each department.

Seniority shall accrue during a continuous authorized leave of absence without pay up to six (6) months, provided that the employee returns to work immediately following the expiration of such leave of absence.

Early Dismissals for Personal Reasons

During the first (1st) year of employment, an employee shall be entitled to three (3) early dismissals per year, beginning with the fourth (4th) month following date of hire and following each four (4) months thereafter. Beginning with the second (2nd) year and each subsequent year thereafter, employees shall be entitled to three (3) early dismissal days per year to be taken as requested with prior approval by the Training Fund.

If an employee who terminates has exceeded early dismissal time as it shall accrue under paragraph 1, The Training & Upgrading Fund shall deduct such monies due at such time. Each early dismissal constitutes one and one-half (1 ½) hours of free time for a total of four and one-half (4 ½) hours at the conclusion of each calendar year. Early dismissal hours cannot be accrued and carried over from calendar year to calendar year.

On such early dismissal days, the employee will come in at 9:00 AM., take one-half (½) hour for lunch, and leave at 3:30 PM.

Early dismissals may only be taken one (1) at a time. The overriding consideration on scheduling for such dismissals shall be the needs of the employer.

Personal Days Paid

Employees accrue personal days at the rate of one (1) day for each four (4) months of employment for a maximum three (3) personal days annually.

If an employee resigns or is dismissed or laid off and has exceeded allowable personal days, the excess personal days paid shall be deducted from monies due from the employer at the time of resignation, layoff or dismissal.

Personal days shall be scheduled in advance, consistent with the needs of the employer. Once scheduled, personal days shall not be cancelled except in an emergency. The three (3) personal days must be taken by the end of the calendar year or they are forfeited. Personal days do not carry over into the next year.

One-Half Day Off for Holiday Shopping

During the holiday season, staff members will be entitled to one-half (½) day off, i.e. three and one-half (3 ½) hours for shopping. The three and one-half (3 ½) hours shopping time must be taken at one time. Holiday shopping time must be scheduled and approved in advance, according to the needs of the department.

Note

- 1. If an employee resigns or is dismissed or laid off and has exceeded allowable personal, sick and/or vacation days, the excess personal, sick and/or vacation days paid shall be deducted from monies due from the employer at the time of resignation, layoff or dismissal.*
- 2. Employees who use up all sick time, personal time, comp time and earned vacation time will not be paid for absences until additional time has been earned.*

SECTION 4
LEAVES OF ABSENCE

Leaves of Absence

Family & Medical Leave Act (FMLA)

District 1199C Training & Upgrading Fund complies with all aspects of the Family and Medical Leave Act (FMLA) of 1993, and, in some instances, as outlined in this policy, offers more protection than is afforded by FMLA. This policy sets forth employees' rights and responsibilities under the FMLA, and all employees are expected to follow this policy.

FMLA entitles eligible employees to take up to twelve (12) weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. The 12-month period is a rolling 12-month period which will be calculated at the time when an employee commenced leave under the FMLA. In the event that the Fund changes this method of calculation, it will provide employees with 60 days' advance notice.

In 2008, the National Defense Authorization Act (NDAA) amended the FMLA to allow eligible employees to take up to 12 weeks of leave for any "qualifying exigency" arising out of the fact that a covered military member is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation. The NDAA also provides for up to 26 weeks of leave to care for a service member with a serious injury or illness.

Employee Eligibility:

To be eligible for FMLA benefits, an employee **must**:

- (1) have worked for the Training Fund for at least 12 months; **and**
- (2) have worked at least 1,250 hours over the previous 12 months.

Leave Entitlement

Eligible employees shall be entitled to up to a total of 12 work weeks of **unpaid** leave during any rolling 12-month period for one or more of the following reasons:

1. for the birth and care of a newborn child of the employee;
2. for the placement with the employee of a son or daughter for adoption or foster care;
3. to care for a spouse, parent or child with a serious health condition;
4. to take medical leave when the employee is unable to work because of a serious health condition of his or her own;
5. or for qualifying exigencies arising out of the fact that the employee's spouse, parent, son or daughter is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

The Training Fund will also grant an eligible employee who is a spouse, parent, son, daughter or next of kin of a current member of the Armed Forces, including the National Guard or Reserves, with a serious injury or illness, up to 26 weeks of unpaid leave to care for that service member.

In the event that an employee's spouse also works for the Training Fund, the spousal employees shall be jointly entitled to a combined total of 12 weeks' leave for birth and care of newborn child, placement of child for adoption or foster care, for care for parent who has a serious health condition, or for leave for a qualifying exigency. Spousal employees shall be jointly entitled to a combined total of 26 weeks to care for an injured service member.

Under some circumstances, employees may take FMLA leave intermittently – which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

- (a) If FMLA leave is used for birth and care of newborn or placement for adoption or foster care, use of intermittent leave is subject to the Training Fund's approval
- (b) FMLA leave may be taken intermittently whenever **medically necessary** to care for a seriously ill family member, or because the employee is seriously ill and unable to work.
- (c) If an employee requests intermittent leave, or leave on a reduced leave schedule, that is foreseeable based on planned medical treatment, the Training Fund may require such employee to transfer temporarily to an available alternative position that has equivalent pay and benefits and that better accommodates recurring periods of leave than the regular position of the employee.

Employees shall be required to exhaust all paid leave (including sick, vacation and personal days) prior to using leave under FMLA. Paid time including sick, vacation and personal days used for leave that would otherwise qualify as leave under the FMLA will be counted toward the 12 weeks allotted for FMLA. Additionally, time during which employees are out for leave that would otherwise qualify as leave under the FMLA and during which time the employee receives payments from the Benefit Fund shall also be counted toward the 12 weeks allotted for FMLA.

Employees Receiving Disability Benefits from The Benefit Fund:

For employees who are receiving disability benefits from the Benefit Fund for Hospital and Health Care Employees, leave will be approved for up to 27 weeks.

FMLA Procedure

I. Employee Notice to Employer

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Training Fund's normal call-in procedures.

When intermittent leave is needed to care for an immediate family member or the employee's own illness, and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the employer's operation.

Employees must provide sufficient information for the Training Fund to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave. At the time of the request, the Fund may provide the employee with one of the following appropriate certification forms:

- (a) Certification of Health Care Provider for Employee's Serious Health Condition (Attachment A)
- (b) Certification of Health Care Provider for Family Member's Serious Health Condition (Attachment B)
- (c) Certification of Qualifying Exigency for Military Family Leave (Attachment C)
- (d) Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave (Attachment D)

Upon receiving the above certification(s), the employee **must** have the document completed and returned within **15 days**. Delay in providing this completed document may result in the leave request being delayed or denied. For certifications related to intermittent leave, the Fund may ask that any certifications be updated occasionally, but not more frequently than every 30 days.

All medical information submitted by employees will be treated as confidential and will be kept in separate files in a separate locked cabinet. Access will be limited to the Finance Director and the Executive Director.

All Employees who have applied for disability benefits from the Benefit Fund must also apply for FMLA leave from their employer, and submit a certification, in addition to their application to the Benefit Fund. Failure to do so may result in the denial of leave, and the employee may not be able to return to their prior job when they have recovered.

II. Employer Notice to Employee

The Training Fund will notify the employee in writing whether the leave has been designated as a leave under the FMLA. In the event that the leave is approved, the Fund will notify the employee of the total amount of leave that has been used by the employee in the previous 12-month period, and the total amount of paid leave the employee has remaining. If leave is denied, the employee may appeal by using the grievance procedure.

The Training Fund shall maintain health insurance benefits for an employee on FLMA leave. Some arrangements will need to be made for employees to pay their share of health insurance premiums while on leave.

Upon return from FMLA leave, an employee will be restored to his or her original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment.

III. Summary

In administering this policy, the Training Fund encourages communication so that both the needs of the employees and the needs of the Fund can be met.

You should notify the Director of Finance & Administration of your intent to return to work, two weeks prior to the anticipated date of return, or of any medically necessary changes in the date of return. If the leave was due to your serious health condition, we will require a “fitness for duty” certification from your health care provider, verifying your ability to return to work, with or without restrictions. If you return to work on or before the expiration of available FMLA leave, you will normally be returned to your former position or an equivalent job. If, however, you do not return prior to the expiration of FMLA leave, there is no guarantee of reinstatement. An absence for FMLA leave is not an “occurrence” for purposes of our attendance policy. If you are medically released to return to work and fail to either report to work or call in with a satisfactory explanation, the Training Fund will treat this as a voluntary resignation.

Please contact the Director of Finance & Administration for more information about FMLA requirements and procedures.

Military Leave

If you are a member of the Armed Forces, you may be entitled to a military leave of absence to perform required training or service. The Training Fund will comply with all federal, state and local requirements regarding the provision of military leave.

You should contact your Supervisor and the Director of Finance & Administration to discuss the leave and notification requirements.

Continuation of Benefits during Unpaid Leave

If you are granted an unpaid military leave or FMLA, your benefits will continue for the time of the approved leave. However, you are required to continue to pay your Benefit Fund co-pay. Failure to do so may result in termination of benefits.

Please note that any requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), and/or any other federal, state, and local requirements related to leaves of absence will supersede any policy established by the Training Fund.

Marriage Leave

Employees are entitled to receive three (3) paid days off in the event of their marriage. Employees are required to provide a copy of their marriage certificate.

Condolence Leave

All employees shall receive three (3) days off with pay in the event of death in the immediate family (mother, father, spouse, child, sister, brother, grandparents, grandchildren and stepchildren). Employees are required to provide documentations.

Paternity Leave

An employee shall be granted one (1) day off at his regular rate of pay for the birth of his child.

Voting

Employees are encouraged to exercise their civic rights and responsibilities by voting, if they are eligible to do so. Voting polls are typically opened sufficiently early and late to allow you to vote without needing time off from work to do so. If you believe your work schedule will prevent you from being able to vote, please discuss the issue in advance with your supervisor.

Jury Duty

The Training Fund considers it your civic responsibility to report for jury duty when called. If called for jury duty or subpoenaed to appear in court as a witness, you will be given the necessary time off. You need to notify your supervisor within two business days of receipt of the jury summons and provide a copy of the notice. If you are called for jury duty, the Training Fund will provide full time employees with up to 10 days of paid jury duty leave. Employees are required to submit jury pay to the Director of Finance & Administration. If you are a part-time employee, we will provide a prorated payment for the same period of time. To be eligible to receive this pay, you must furnish evidence from the court of your jury service.

SECTION 5

BENEFITS

Benefits

Health Benefits and Pension

All permanent employees who are employed to work 17.5 hours or more shall be covered under the Benefit Fund For Hospital and Health Care Employees and the Pension Fund For Hospital and Health Care Employees. **Coverage information and documentation can be obtained from the Benefit and Pension Fund office located at 1319 Locust Street, Philadelphia, PA 19107, 3rd floor. Telephone # (215) 735-5720.**

The Training Fund will begin to make contributions to the Benefit Fund For Hospital and Health Care Employees and the Pension Fund For Hospital and Health Care Employees on behalf of eligible employees after thirty (30) days from his/her date of hire. Coverage information is described in the Summary Plan Description available from the Benefit and Pension Fund's offices.

Training and Upgrading Benefits

All permanent employees who are employed to work at least 17.5 hours are eligible to participate in the Training and Upgrading component of the Training Fund to improve their skills, according to information in the Training Fund's Summary Plan Description brochure. Scholarship and tuition reimbursement information can be obtained from the Training Fund's Tuition Reimbursement office. **Telephone # (215) 735-5555.**

Legal Services

All permanent employees who are employed to work at least 17.5 hours are eligible for the services available from the District 1199C Legal Services Plan for their personal needs. For more information, contact the Legal Fund at 1319 Locust Street, 4th floor. **Telephone # (215) 790-0081.**

SECTION 6

TRAVEL & EXPENSES

Travel Policy

District 1199C Training & Upgrading Fund reimburses eligible expenses connected with work-related business travel, including attendance at professional meetings. **You must obtain specific approval in advance from your supervisor** if you anticipate submitting expenses for reimbursement.

Travel and entertainment must be consistent with our business and professional objectives. We expect you to conduct yourself in these circumstances with integrity and professionalism, and in compliance with applicable laws/directives, and in a manner that excludes any personal gain or advantage.

When submitting expenses for reimbursement, you must provide receipts with full detail included. You must complete and sign a Business Travel Expense Report and have it signed by your supervisor. You are personally responsible for the truth and accuracy of your business expense reports.

If you are responsible for approving business travel expenses, you must ensure that the expenses are business-related and that they are consistent with Training Fund expectations. The Training Fund will determine if an expense is reasonable. If you have any question regarding whether an expense is reasonable, you should ask in advance.

Bus and/or train fares for any trip should be consistent with the regular fares charged the general public. Taxi fares are reimbursable when it is necessary to use this method of transportation. You must submit an original receipt and provide an itemization of costs when submitting such expenses.

Prior approval is required for obtaining a rental car. If you use a rental car you must submit the original rental agreement and invoice with the expense report. You may also use privately-owned vehicles for travel. Reimbursement for private vehicles is made at the approved IRS standard mileage rate, which covers all operating expenses.

Parking and tolls are allowable expenses when accompanied by original receipts showing the date and exact payment made.

We follow the guidelines established by the U.S. General Services Administration (GSA) in regards to the maximum daily reimbursement (per diem) rates for meals and incidental expenses. The rates for meals and incidental expense rates differ by travel location. You can view the per diem rate for your primary destination on the government website: <http://www.gsa.gov/portal/category/21287>

If you cannot find your travel location, please check with the Director of Finance & Administration to verify rates before your trip.

The per diem does not apply to meals in the Philadelphia region. If you have a business meal with visitors/guests, you must bring the original receipt(s), not a credit card receipt, for reimbursement. Meals with other Training Fund employees will not be reimbursed.

All meal expenses must be supported with original receipts. You must include the name(s) of the person(s) who were included in the expense. Please note that the IRS considers reimbursements for your share of meals not part of overnight travel as imputed income to you. We will report such reimbursements on your W-2 form at the end of each calendar year.

Please note that the Training Fund does not provide reimbursement for purchase of alcoholic beverages.

Expenses such as air fares, hotels, car rentals, gasoline, tolls, and parking also require original receipts for reimbursement. Lodging charges may not exceed the normal charge for a single room. The Training Fund expects you to exercise good judgment in selecting a place to stay, and that you will make your best effort to obtain the lowest commercial rate available at the place of lodging.

To be eligible for reimbursement, registration fees for seminars and/or conferences must be accompanied by a letter or registration form. Proof of payment must also be submitted with the expense report.

District 1199C Training & Upgrading Fund does not reimburse charges for babysitting, traffic violations, loss or damage to personal property, repairs to personal vehicles used for business-related travel, or travel expenses for spouses, family members, or friends.

Any exceptions to The Training Fund's travel policies must be approved by the Executive Director.

SECTION 7
EMPLOYEE RESPONSIBILITIES

Employee Responsibilities

Change of Contact Information, Dependents, or Status

To ensure that insurance and personnel records are updated appropriately, you must report any changes in the following information to the Finance & Administration Department:

- Name
- Address
- Telephone number(s)
- E-mail address
- Emergency contact(s)
- New dependents
- Dependent status
- Visa status

If you have a change in marital or dependent status, you may be eligible to file a new tax withholding form and/or to update eligible beneficiaries in the organization's sponsored benefit plans. Information regarding such changes and appropriate forms can be obtained from the Finance & Administration Department.

Attendance

As a member of the Training Fund team, it is very important that you demonstrate dependability in attendance. When you are late or absent, you place an extra burden on fellow employees who are present at work and also greatly impact our productivity.

The following are guidelines regarding punctuality and attendance:

- As soon as you know that you will be late or absent, contact your supervisor to explain the situation, state when you expect to arrive or return, and leave a cell phone number where you can be reached (if there is no cell phone number where you can be reached, leave an alternate number). Notify your Supervisor on each day of an absence, unless you and your Supervisor have both agreed to do otherwise in advance.
- If you are absent due to illness for three or more consecutive days, you may be asked to provide a physician's note. There also may be times when this note will need to specify when and under what circumstances you may return to work.
- In case of a scheduled absence other than an absence governed by another policy in this handbook, please inform your Supervisor in writing at least two days in advance of the date. When leaving on that date, inform your Supervisor that you are leaving.
- Absences, with or without documentation, that cause disruption to the normal operation of the Training Fund may be cause for disciplinary action.
- If you display tardiness or attendance problems, the Training Fund may attempt to work with you by providing counseling or other disciplinary actions that may include a verbal warning, written warning, or suspension. The Training Fund

reserves the right to determine the form of disciplinary action it considers appropriate in any particular circumstance, up to and including termination. Absences that qualify for leave under any state or federal law will not be counted in determining whether discipline is appropriate.

- Failure to report to work as scheduled for two consecutive days, without notifying your Supervisor will be considered job abandonment; you will be considered to have resigned and your employment will be terminated.

Work Behavior/Discipline Procedures

As described more fully in the Introduction to the Handbook, your employment with the Training Fund is at-will and either you or the Training Fund may terminate that relationship at any time. Nevertheless, if a manager or supervisor determines that coaching, counseling, and/or training may assist you in correcting a performance, conduct, or behavior issue, that person will work with you to provide you with notice of the problem and an opportunity to improve. The Training Fund has full discretion to determine whether corrective action short of termination is appropriate in any particular case. This judgment often depends on your work history and the nature of the infraction.

When management determines that corrective action is appropriate, corrective action such as informal or formal counseling, formal corrective action, and/or a performance improvement plan may be implemented. For example, if the issue is a performance problem that we believe you can successfully address, your supervisor may meet with you to discuss the situation, outline areas for improvement, and provide a set of objectives for you to achieve. Good communication between you and your supervisor is critical to maximizing the likelihood of success.

The Training Fund does not want to establish more rules and regulations than are necessary. However, we do believe certain standards are necessary for the efficient operation of our business. From time to time, problems may arise that require appropriate corrective action. The Training Fund reserves the sole right to determine both the appropriateness and level of counseling, discipline (e.g., oral warning, written warning, performance improvement plan, etc.), or other corrective action in each situation, or whether immediate termination is warranted. In each case, we will respond to the situation in what we deem to be the best interest of the organization and our employees. Management always reserves the right to dismiss employees without first issuing prior warnings.

To maintain the high standard of integrity and productivity that the Training Fund has been associated with over the years, you will be required to follow the following standards of conduct:

- Perform your job functions expediently;
- Cooperate with, and respect your supervisor(s), co-workers and students;
- Conform strictly to assigned attendance and work schedules; and,
- Follow safety procedures and report any safety problems or accidents to your supervisor.

Confidentiality and Non-Disclosure

You are expected to protect sensitive information and confidential records of the Training Fund, its partners and its clients. Furthermore, if you are given authorized possession of or provided access to sensitive or confidential documents, you are personally responsible for protecting against the unauthorized disclosure, improper use, or distribution of information contained in these documents and for returning them to the Training Fund upon termination of employment. You are not authorized to disclose any information regarding the Training Fund, its partners or clients without the written consent of the Executive Director.

Conduct that is dishonest, unethical, or illegal will not be tolerated. What follows is a list of the more obvious types of conduct that are unacceptable at the Training Fund. This list is not intended to be all-inclusive. These or other conduct of a similar nature may result in a variety of disciplinary actions, up to and including immediate termination:

- Any act of dishonesty, including theft or misappropriation of organization funds, time, or property.
- Any act by you that puts your integrity in question, such as falsification or misuse of employment applications, organization records and documents, or engaging in conduct which may adversely affect the organization or its reputation.
- Damaging, defacing, destroying, abusing, or sabotaging the Training Fund's property or the property of employees or others, such as vendors or students or clients.
- Any act by you that may create a dangerous situation, such as assaulting or threatening another individual, fighting or attempting to cause bodily harm, or disregard of property and safety standards, including failure to report an on-the-job accident.
- Allowing unauthorized access to user ID number(s) and password(s) and/or misusing this number in regards to entering data.
- Releasing confidential information of the organization or a student or client without authorization.
- The use or possession of liquors, narcotics, or any kind of drugs not prescribed by a licensed physician while at work or reporting to work while under the influence of the same or otherwise in a condition unfit for work.
- Smoking and/or the use of smokeless tobacco on organization property that has been designated as a "non-smoking" area.
- Failure to adhere to attendance or time keeping regulations including excessive absenteeism and/or tardiness.
- Refusal to perform a job assignment or reasonable request of supervision, insubordination, or discourteous conduct toward students, clients, guests, vendors, employees, or supervisors.
- Arguing or using profane, extreme, or abusive language.
- Sleeping on the job.
- Excessive use of cell phones in hallways, classrooms or other public spaces during business hours.

- Engaging in horseplay, harassment, or other unsafe conduct disruptive to supervisors, co-workers, guests, students, clients or vendors.
- Failure to adhere to work rules and regulations, or other violations of the Training Fund policy.
- Failure to comply with safety rules or policies.
- Failure to comply with policy, procedures, and guidelines established in any of the Training Fund's policies and procedures, manuals or documents.
- Gambling on the Training Fund premises.
- Improper use of the Training Fund name and promotional materials.

Dress Code

It is expected that all staff dress in a manner appropriate for a professional office setting. Clothing should be clean, neat, and in accordance with what is considered acceptable clothing and accessories in a professional office environment. In general, male staff members are expected to wear "dress shirts," ties and office-appropriate slacks. Women may wear office-appropriate pants, skirts, blouses or dresses. Inappropriate clothing for staff would include sweatpants, shorts, overalls, jeans of any color, short Capri pants, spandex or other formfitting (e.g. bicycle shorts) attire. Inappropriate footwear would include flip-flops and sneakers, unless prescribed by a physician. T-shirts, except for designated union events or clean-up days, and clothing that reveal bare shoulders are not appropriate office attire. Hats and other headgear are generally not acceptable, except when worn for religious, spiritual or cultural reasons.

Non-Smoking Environment

The Training Fund is a non-smoking environment. For the health and safety of all our employees, smoking is not allowed anywhere inside any of the Training Fund's buildings or work areas or bathrooms. Smoking is limited to meal and break time in approved areas only. Violation of this policy can result in disciplinary action, up to and including termination.

Drugs and Alcohol

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. You are forbidden to use or possess illegal drugs or un-prescribed prescription drugs (both of which are referred to as "illicit drugs") at any time during standard business hours or anywhere on the organization's premises. Use or possession of alcohol also is forbidden, subject to the exception stated in this policy.

You may not consume or be under the influence of any illicit drug or alcohol while in the workplace or while operating a vehicle or equipment owned or leased by the organization. Possessing, manufacturing, distributing, transferring, or purchasing illegal drugs, or selling alcoholic beverages during standard business hours, while attending business-related activities, or while operating a vehicle or machine leased or owned by the Training Fund

is not permitted and such activities may lead to disciplinary action, up to and including termination.

If you must use a prescription or commercially available non-prescription drug that might impair your ability to perform your duties, you must inform your supervisor that you are taking such medication on the advice of a physician. You are responsible for informing your supervisor of the possible side effects (e.g., drowsiness, impaired reflexes or reaction time) of the drug on performance and its expected duration of use. If use of a prescription or commercially available non-prescription drug could cause production or safety problems, the Training Fund may grant you sick leave or temporarily assign you to different duties.

From time to time, the organization may sponsor events or gatherings where alcohol is served. Alcohol may be served at these events only with the approval of the Executive Director. At these gatherings, you are allowed to consume a moderate amount of alcohol while enjoying this social setting. You are expected to always represent the organization in a responsible, professional demeanor and in no instance may you consume so much alcohol that you impair your ability to do so.

Driving Under the Influence of Alcohol or Drugs

If you are convicted of driving under the influence of alcohol and/or illegal drugs when driving your own vehicle for organization business, the Training Fund reserves the right to take immediate disciplinary action, up to and including termination.

Complaint Procedures

In cases where there may be a conflict in the workplace, you should seek resolution by first discussing the problem with your immediate supervisor. If your immediate supervisor is unable to help you or if you are not comfortable raising the matter with him/her, bring the matter to the attention of the Director of Finance & Administration.

Computer, Internet and Telephone Use

The Training Fund provides electronic communication and storage systems to employees to assist and facilitate operations and communications as needed. These systems represent a considerable commitment of organization resources for telecommunications, networking, software, storage, etc. This policy is intended to help you understand the organization's expectations for the use of those resources, and to help you use the resources wisely. It also describes the organization's approach to the use and monitoring of its electronic and telephone communications systems, including e-mail, voice mail, fax, Internet, mobile communication devices, and computer systems.

All electronic and telephonic communication systems and all communications and stored information sent, received, created on, or contained in the organization's information systems are the property of the Training Fund and are to be used primarily for job-related purposes.

You should not have *any* expectation of privacy as it relates to any organization electronic or telephone communication system. Even erased or deleted material may remain available to the organization. The Training Fund explicitly reserves the right to monitor, review, and print out any information stored or transmitted on our systems at any time, with or without notice, and regardless of whether any material is protected by any password. You must provide the organization with any password(s) used by you if asked to do so by management.

Maintaining the security of the organization's network is extremely important. The possibility of our system being infected by one or more viruses is a serious, ongoing threat to the integrity of our network and the organization's business information and operations. Viruses can enter the system in a number of ways, including via e-mail attachments, as well as simply by visiting a website on the Internet. In order to ensure the ongoing security and integrity of our network, use of the Internet, software, and business equipment should generally be limited to business purposes only.

E-mail attachments from someone unknown to you (or **unexpected** e-mail attachments from someone known to you) should be **deleted without being opened** to avoid deliberate or inadvertent infection of our system by a virus that may be contained in such attachments. You should also **delete without opening** any email attachment whose title contains any of the following extensions: ".exe", ".com", or ".bat" (note that a computer may be infected by a virus-carrying attachment when that email is being "previewed" in Outlook; infection can occur without the document ever being opened).

You may not use the organization's electronic and telephone communications systems to violate the laws and regulations of the United States or the laws and regulations of any state, city, province, or other local jurisdiction. Use of the Training Fund's resources for illegal activity is grounds for immediate dismissal, and we will cooperate with any legitimate law enforcement activity. If you send or receive occasional personal communication, you must reimburse the organization for any long-distance or other charges incurred. If you use our equipment for personal purposes, you do so at your own risk and should have **no** expectation of privacy in relation to that usage.

You are responsible for maintaining the confidentiality of material on our systems. You may not remove from the premises or systems any hardware, software, files, or data without written permission from your supervisor. You may not use a code, access a file, or retrieve any stored communication in another person's area of the system, unless authorized to do so by the organization.

Because of the danger of incompatibility and/or system infections, any planned or desired acquisition or use of any hardware or software (including mice, peripherals, digital cameras, mobile communications devices, etc.) must be reviewed in advance by the Training Fund's Information Technology Specialist.

Access to the Internet is intended as a business tool, provided at significant cost. Unnecessary and/or unauthorized Internet usage can cause network and server congestion. While the Internet may be occasionally accessed for lawful personal use, you should not

use organization resources to participate in chat groups, newsgroups, or other Internet communications that are not business-related. You may not use organization Internet resources to download entertainment software or games, or to play games against opponents over the Internet. You may not download or distribute pirated software, music, or data. You may not use the organization's Internet resources to knowingly disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.

It is mandatory that you comply with copyright and trademark laws when downloading material from the Internet.

The Training Fund provides support for organization hardware and software only. Also, only computers purchased and owned by the Training Fund may be used to dial in, or be connected in any way, to the organization's network.

Violations of this policy are subject to disciplinary action, up to and including termination from employment, at the sole discretion of the Training Fund.

Software Code of Ethics

Unauthorized duplication of copyrighted computer software violates the law and is contrary to the Training Fund's standards of conduct. We disapprove of such copying and recognize the following principles as a basis for preventing its occurrences:

- We will neither engage in nor tolerate the making or using of unauthorized software copies under any circumstances.
- We will provide legally acquired software to meet the legitimate software needs of the organization in a timely fashion and in sufficient quantities for all our computers.
- We will comply with all license or purchase terms regulating the use of any software we acquire or use.
- We will enforce strong internal controls to prevent the making or using of unauthorized software copies, including effective measures to verify compliance with these standards and appropriate disciplinary measures for violation of these standards.

Social Networking Internet Sites

No personal networking may be done on Training Fund time and/or Training Fund equipment. Social networking that is work-related must adhere to the guidelines below.

In general, employees should exercise restraint and caution in drafting and transmitting messages over the Internet and should assume that their message will be saved and reviewed by someone other than the intended recipients. When using social networking sites, use the following guidelines:

- Do not blog or post to any public forum on organization time (unless specifically authorized to do so by your supervisor or manager in connection with a business-related reason).
- Do not disclose confidential or proprietary information.
- Do not include defamatory or offensive sexual material or material that is offensive on the basis of race, color, age, national origin, religion, or any other status protected under law.
- Do not disparage the Training Fund or its products or a competitor.
- Do not use the organization logo (unless specifically authorized to do so by your supervisor or manager in connection with a business-related reason).
- Be truthful and respectful.

Violations of this policy are subject to disciplinary action, up to and including termination from employment, at the sole discretion of the Training Fund.

Outside Activities and Additional Employment (“Moonlighting”)

We recognize that all employees have interests outside of work, as well as personal activities unrelated to their employment with the organization. We encourage you to have such outside interests, as engaging in other activities provides personal fulfillment and makes one a more well-rounded person. However, there are times when outside activities and other employment can conflict with one’s responsibilities as an employee of the Training Fund organization.

While employed by the Training Fund, you are not permitted to engage in outside activities or accept other employment that interferes with your ability to perform your job, or otherwise has an impact upon your ability to dedicate yourself to the responsibilities of your position. You may not spend time working on any outside activity during Training Fund time.

You may engage in outside activities or other employment outside of normal working hours (also known as “moonlighting”), provided that you do not work for a competitor or otherwise in competition with the Training Fund (including self-employment). Such employment is always unacceptable and will result in immediate termination. You may not work for a customer or vendor without prior approval of your supervisor.

In those circumstances where moonlighting is permissible, you shall not engage in any activity, business, or employment that would conflict with the Training Fund’s interests or diminish your ability to render to the organization the full, loyal, and undivided service which is contemplated in your employment by the Training Fund. We expect that you will treat your work at the Training Fund as your primary job and will not allow other job(s) to interfere with the performance of your work. Work schedules will not be changed or adjusted to accommodate additional employment. Additional employment must not interfere with your ability to work beyond required regular working hours. If the organization subsequently determines that the moonlighting is negatively impacting your performance at the Training Fund, the organization reserves the right to ask you to give up the additional activities or employment at the Fund.

The Training Fund expressly prohibits you from using, or disclosing to any third party, any confidential information about the Training Fund, its business, or its past, current, or prospective customers. Other than for the purposes of the Training Fund's business, the organization also prohibits the use of the Training Fund's resources, tools, and equipment, including but not limited to its computers, software, mobile communication devices, vehicles, credit cards, Internet access, and so forth, either during or before or after normal work hours, without the express written permission of the Executive Director. The Training Fund also prohibits your engagement in any controversial or illegal activities that would affect your reputation or the reputation of the Training Fund.

If you are contemplating or involved in any outside activity or employment that may be in violation of this policy, or if you have any questions regarding the policy, please discuss it with the Director of Finance & Administration or the Executive Director.

Use of Organization Property

Proper use of organizational property and equipment is very important to employee safety, as well as the efficiency and fiscal stability of the Training Fund. If you are authorized by the Training Fund to use vehicles, equipment, or tools, you must follow the safety guidelines recommended for that specific piece of equipment. Use of the organization's supplies, vehicles, equipment, or tools for personal use is not permitted. Supplies include items such as paper goods and other office supplies. Equipment and tools include fax, computers, stamp machines and all other Training Fund tools and equipment.

You should have *no* expectation of privacy in relation to any piece of organization property. The Training Fund explicitly reserves the right to access any piece of organization property, including your desk, at any time, with or without notice and with or without your consent.

Religious Expression

This policy distinguishes between prohibiting staff and faculty from "teaching religion" as opposed to what is permissible – "teaching about religion."

It is the policy of the Fund that staff and faculty must maintain religious neutrality. To this end, staff and faculty may not participate in religious activities or advocate particular religious views when they are teaching or counseling students or acting as representatives of the school. This does not apply to circumstances where students are not present.

Staff and faculty should avoid sharing their personal religious views with students. If a Fund employee's religious views become the subject of discussion, the staff or faculty member must make clear that he or she is in no way encouraging students to adopt those views. Students must never be encouraged to accept or conform to specific religious beliefs or practices. The Constitution requires government funded agencies, which includes the Fund, ensure that government-supported activity – such as classroom and student interaction – is not used for religious indoctrination. Fund employees are directed to refrain from expressions of religious viewpoints in the classroom and like settings.

SECTION 8

HEALTH & SAFETY

Health and Safety

Alcohol and substance abuse policy

The Training Fund is committed to maintaining a drug-free workplace, as required by the Drug-Free Workplace Act of 1988, and a workplace free of alcohol and substance abuse. The unlawful manufacture, distribution, possession or use of a controlled substance is prohibited at the Training Fund. A controlled substance is defined as an illegal drug; or a drug requiring a prescription, for which the employee does not have a prescription.

Employees who violate this rule will be subject to immediate termination. All employees must abide by the provisions of this policy statement and notify the Executive Director of any such personal involvement or knowledge of involvement of any staff person immediately. Employees convicted on drug charges will be disciplined and may be discharged. The Training Fund has the option of requiring an employee who has been convicted to complete drug rehabilitation as part of a corrective action plan.

Fire evacuation procedures

If you discover fire or smoke, sound the building fire alarm at the alarm signal stations located in the hallways (directions are located beneath the alarm signals). The security person at the front desk in the lobby will immediately notify the Fire Department when the alarm is transmitted.

When the fire alarm signal is sounded, listen carefully to the announcements and instructions given over the loudspeaker system, close doors behind you, and proceed to the designated fire exits on your floor; ***please vacate the building premises immediately.*** Cross over to the other side of the street and wait for further instructions.

Feel the door that leads from your office to the hallways before opening it. If it is hot or smoke is seeping in, do not open. If you become trapped in your office and cannot reach the fire exit, keep the door closed and seal off any cracks. Use the telephone in your office to call the Fire Department, dial 9-1-1, and give the name and location of the building, the floor you are on, and the telephone number to the office. If the door feels cool, open it cautiously; be braced to slam it shut if the hall is full of smoke or if you feel heat pressure against the door. If the hall is clear, proceed with escape plan. If you are caught in smoke or heat, stay low, where the air is better. Take short breaths (through nose) until you reach the fire exit.

In case of fire evacuation, DO NOT USE ELEVATORS. In the event of a power failure, occupants may become trapped in the elevators. Elevator shaft ways are like chimneys; smoke could enter the elevator shaft, thereby asphyxiating the occupants trying to evacuate the building.

Staff with disabled clients attending classes are responsible for notifying the Executive Director and the Director of Finance & Administration of that person's class schedule so

that Building Management can be notified to bring the freight elevator to the floor in case of fire. A copy of the fire policy is posted on every floor.

IMPORTANT: *Be sure the fire exit doors are kept closed at all times, so smoke cannot enter stairways. If at anytime you observe fire exit doors being tied or propped open, please report it to the Building Manager.*

Weather Emergency

If public schools are closed because of bad weather, the Training Fund will cancel all classes at the Breslin Learning Center. If you are not sure if classes are cancelled, you may call in at (215) 568-2220 to receive confirmation. Instructors do not have to report to work. ***All other staff are expected to report to work, unless otherwise notified, when classes are cancelled.***

SECTION 9

LEGAL MATTERS

Legal Matters

You must communicate immediately any matters that have any potential legal impact upon the Training Fund to the Executive Director. All legal matters are treated confidentially and disclosed only on a need-to-know basis, or as required by law. If you receive a subpoena or other legal notice on behalf of the Training Fund or in your capacity as an employee of the Training Fund, or if you are contacted by anyone about any legal proceeding involving the organization, please inform the Executive Director immediately, *before* offering any response.

If an employee or representative of any local, state, or law enforcement agency telephones, writes, or visits the Training Fund on any official business, that individual must be referred immediately to the Executive Director. In no instance should anyone other than the Executive Director provide any information to a law enforcement agency representative.

Fiduciary Responsibility

Fiduciary Responsibility is a critical aspect of employment at the Training Fund. The following list is a guideline, but common sense and ethical judgment must be used to ensure fiduciary responsibility is maintained at all times:

1. No solicitation of students to participate in activities that are not part of the work of the Fund
2. No solicitation of other employees during work hours to participate in activities outside of the work of the Fund, the employers or the Union
3. No selling of products or services to students except for fundraising for Fund and Fund affiliated programs and services. Participation is voluntary.
4. No formal and informal relationships with outside agencies in which Fund employees benefit by soliciting other Fund employees or students
5. Use of Fund utilities (copy machine, computers, fax, telephone, stamp machine, etc) to conduct business not related to the workplace, is not permitted

Prohibition Against Fraudulent and Criminal Activities

Employees shall not enroll ineligible individuals, embezzle, intentionally misapply, extort, or obtain by fraud any moneys, funds, assets or property. If there is a reason to believe that an employee has violated this provision, the employee shall be subject to immediate suspension until an investigation is completed, and immediate termination if found in violation. The Fund will press charges against employees believed to have violated the law.

SECTION 10
EMPLOYEE ACKNOWLEDGEMENT

I, _____, have received a copy of the District 1199C Training & Upgrading Fund Employee Handbook.

I understand and acknowledge that I am responsible for reading and following the policies and procedures described in this Handbook.

I also understand that the policies and procedures described in this Handbook are not all-inclusive, and that I am responsible for asking my Supervisor or Manager for additional information as it is needed.

I understand that this Handbook has been prepared for my general information and is not intended to create any contractual rights or other legal obligations by District 1199C Training & Upgrading Fund.

I also understand that District 1199C Training & Upgrading Fund reserves the right to resolve individually each employment issue that arises, as well as the right to modify, add, or delete any of the provisions in this Handbook at its own discretion.

Employee Signature

Date

Print Name

APPENDICES

APPENDIX A

CONFLICT OF INTEREST POLICY

The purpose of this Conflict of Interest Policy (the “Policy”) and procedures is to complement the Philadelphia Hospital and Health Care District 1199C Training and Upgrading Fund’s (“Fund”) obligations under ERISA to prevent the personal interest of staff members, Board of Trustees, and volunteers from interfering with the performance of their duties to, or result in personal financial, professional, or political gain on the part of such persons at the expense of the Fund or its participants, supporters, and other stakeholders.

Trustees, staff members and volunteers (“individual[s]”) should disclose to the Board and avoid participating in decisions regarding situations where their personal and professional relationships may create actual or apparent conflicts of interest with the Board or the Fund. Generally speaking, a conflict of interest occurs when an individual or an individual’s immediate family’s personal interest interferes, has the potential to interfere, or appears to interfere with: (a) the interests or activities of the Board or the Fund; or (b) the ability of the individual to carry out his or her duties and responsibilities.

An individual who becomes aware of a proposed Covered Transaction should immediately:

1. Disclose to the Board the existence and circumstances of any transaction or relationship that he or she reasonably expects could give rise to an actual or apparent conflict of interest with the Board or the Fund;
2. Refrain from using his or her personal influence to encourage the Board or the Fund to enter into the transaction; and,
3. Physically excuse himself or herself from participation in any discussions regarding the transaction with the Trustees, professionals and employees of the Fund and at meetings of the Board, except to respond to requests for information about the transaction.

If the Board believes there has been a violation of this Policy or a failure to disclose actual or possible conflicts of interest, it shall take action necessary to correct the violation.

Annual Statements

1. Each staff member, Trustee, and volunteer with delegated powers shall annually sign a statement which affirms such person:
 - a. Has received a copy of the conflict of interest policy,

- b. Has read and understands the policy,
 - c. Has agreed to comply with the policy, and
 - d. Understands the Fund is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.
- 2. Each Trustee of the Board shall annually sign a statement which declares whether such person is an independent trustee. A trustee shall be considered “independent” for the purposes of this policy if he or she is “independent” as defined in the instructions for the IRS 990 form.
- 3. If at any time during the year, the information in the annual statement changes materially, the trustee shall disclose such changes and revise the annual disclosure form.
- 4. The Executive Committee shall regularly and consistently monitor and enforce compliance with this policy by reviewing annual statements and taking such other actions as are necessary for effective oversight.

Periodic Reviews

To ensure Fund operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information (if reasonably available), and the result of arm’s length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations, if any, conform to Fund’s written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement or impermissible private benefit or in an excess benefit transaction.

Use of Outside Experts

When conducting the periodic reviews, Fund may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring periodic reviews are conducted.

**Trustee and Officer
Annual Conflict of Interest Statement**

1. Name: _____ Date: _____

2. Position:

Are you a Trustee? Yes No

Are you an Officer? Yes No

If you are an Officer, which Officer position do you hold:

_____.

Are you a Staff Member? Yes No

3. I affirm the following:

I have received a copy of the Philadelphia Hospital and Health Care District 1199C Training and Upgrading Fund Conflict of Interest Policy. _____ (initial)

I have read and understand the policy. _____ (initial)

I agree to comply with the policy. _____ (initial)

I understand that Philadelphia Hospital and Health Care District 1199C Training and Upgrading Fund ("Fund") is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of tax-exempt purposes. _____ (initial)

4. Disclosures:

a. Do you have a financial interest (current or potential), including a compensation arrangement, as defined in the Conflict of Interest policy with Fund? Yes No

i. If yes, please describe it: _____

ii. If yes, has the financial interest been disclosed, as provided in the Conflict of Interest policy? Yes No

b. In the past, have you had a financial interest, including a compensation arrangement, as defined in the Conflict of Interest policy with the Fund? Yes No

i. If yes, please describe it, including when (approximately):

ii. If yes, has the financial interest been disclosed, as provided in the Conflict of Interest policy? Yes No

5. Are you an independent trustee, as defined in the Conflict of Interest policy? Yes No

a. If you are not independent, why? _____

Signature of Staff Member

Date: _____

Date of Review by Executive Committee: _____