



**GREATER SYRACUSE
LAND BANK**

**Greater Syracuse Land Bank
Personnel Policy and Employee Handbook**

Adopted by the Board of Directors

Date: November 19, 2019

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Acknowledgement of Receipt and Review: read this handbook and the acknowledgement of receipt. Review, sign, date the acknowledgement, and provide the signed copy to your Supervisor to be kept in your personnel file.

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Read, sign, and return to your Supervisor

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1.0 Welcome

1.1 About the Land Bank

The Greater Syracuse Land Bank (the “Land Bank”) was established in 2012 and acquired its first properties in late-2013. The Land Bank is the default recipient of properties foreclosed upon by the City of Syracuse for tax-delinquency. The primary purpose of the Greater Syracuse Land Bank is to return vacant, abandoned, underutilized, and tax-delinquent properties to productive use in ways that support the community's long-range vision for its future.

We do this by acquiring these properties, stabilizing them, selling them to responsible buyers for redevelopment, and by assembling and "land banking" projects for long-range redevelopment plans. Responsible, well-planned redevelopment of these properties will increase surrounding property values, improve quality of life for surrounding residents, and stabilize the tax base making it easier for local governments to provide essential services. Ensuring that properties are redeveloped by qualified developers, with adequate plans and financing, and for purposes that benefit the surrounding community will work to reverse the decline of property values in blighted areas.

The Greater Syracuse Property Development Corporation is a New York charitable not-for-profit corporation exempt from taxation under Section 501(c)3 of the Internal Revenue Code and a local public authority created by Inter-municipal Agreement between the City of Syracuse and the County of Onondaga. It is governed by a board of directors appointed by the City and the County. Employees of the Land Bank report to the Executive Director.

1.2 Purpose of this Handbook

Welcome! You have just joined a dedicated organization. We hope that your employment with the Land Bank will be rewarding and challenging. The Land Bank takes pride in its employees.

The Land Bank complies with all federal and state employment laws, and this handbook generally reflects those laws. The Land Bank also complies with any applicable local laws, although there may not be an express written policy regarding those laws contained in the handbook.

The employment policies and/or benefits summaries in this handbook are written for all employees. In the event of a conflict between the benefit summaries in this handbook and the benefit plan documents or contracts, the benefit plan documents and contracts control.

Please take the time now to read this handbook carefully. Sign the acknowledgment at the end to show that you have read, understand, and agree to the contents of this handbook, which sets out the basic rules and guidelines concerning your employment. This handbook supersedes any previously issued handbooks or policy statements dealing with the subjects discussed herein. The Land Bank reserves the right to revise, add, suspend, revoke, terminate, change or delete from this handbook as we determine to be in the Land Bank's best interest at any time. When changes are made to the policies and guidelines contained herein, we will endeavor to communicate them in a timely fashion, typically in a written supplement to the handbook or in a posting on Land Bank bulletin boards located in the office.

Neither this handbook nor any other communication from a director, officer, employee or other land bank representative, whether oral or written, is intended in any way to create a contract of employment. Please understand that no employee handbook can address every situation in the workplace.

If you have questions about your employment or any provisions in this handbook, contact the Executive Director. We wish you success in your employment here at Greater Syracuse Land Bank!

1.3 At-Will Employment

Your employment with the Land Bank is on an "at-will" basis. This means your employment may be terminated at any time, with or without notice and with or without cause. Likewise, we respect your right to leave the Land Bank at any time, with or without notice and with or without cause.

Nothing in this handbook or any other Land Bank document, except for a written contract signed by the Executive Director or Chairman of the Board, should be understood as creating a contract, guaranteed or continued employment, a right to termination only "for cause," or any other guarantee of continued benefits or employment.

2.0 Workplace Commitments

2.1 Mission Statement

To address the problems of vacant, abandoned, or tax delinquent property in the City of Syracuse and the County of Onondaga in a coordinated manner through the acquisition of real property pursuant to New York Not-for-Profit Corporation Law section 1608 and returning that property to productive use in order to strengthen the economy, improve the quality of life, and improve the financial condition of the municipalities, through the use of the powers and tools granted to Land Banks by the Laws of the State of New York.

2.2 Code of Ethics

It is the intent of the Land Bank to strive for the highest ethical conduct from all Board Members and staff. The Land Bank's Code of Ethics applies to all directors and employees of the Greater Syracuse Land Bank and is adopted pursuant to New York Public Authorities Law section 2824(1)(d) and sections 73 and 74 of the New York Public Officers Law. Please refer to the Land Bank's *Code of Ethics* for more information. See appendix A.

2.3 Conflicts of Interest

The Land Bank's Conflicts of Interest Policy provides for a systematic and ongoing method of assisting members of the Board of Directors and Employees (as defined in the *Conflicts of Interest Policy*) in disclosing and resolving potential conflicts of interest, thus assuring the community and the public at large of the good faith and integrity of the employees, officers and members of the Board of Directors in the management of the Land Bank. The Land Bank's Conflicts of Interest Policy is intended to supplement but not replace any applicable state laws governing conflicts of interest applicable to nonprofit and charitable corporations. Please refer to the Land Bank's *Conflicts of Interest Policy* for more information. See Appendix B.

2.4 Disability Accommodation

The Land Bank complies with the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act, and all applicable state and local fair employment practices laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities, including disabilities related to pregnancy, childbirth, and related conditions. Consistent with this commitment, the Land Bank will provide reasonable accommodation to otherwise qualified individuals where appropriate to allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the business.

If you require an accommodation because of your disability, it is your responsibility to notify your Supervisor. You may be asked to include relevant information such as:

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

After receiving your request, the Land Bank will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations.

Where appropriate, we may need your permission to obtain additional information from your medical provider. All medical information received by the Land Bank in connection with a request for accommodation will be treated as confidential.

The Land Bank encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the Land Bank is not required to make the specific accommodation requested by you and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Land Bank.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave provided for by an applicable law, where permitted by law.

The Land Bank will not discriminate or retaliate against employees for requesting an accommodation.

2.5 Equal Employment Opportunity

Equal Employment Opportunity Policy

The Land Bank is committed to complying with all federal, state, and local equal employment laws. To that end, the Land Bank is dedicated to maintaining a work environment that is free from harassment and discrimination on the basis of age, race, creed, color, national origin (including ancestry), religion, gender or sex, gender identity or expression, sexual orientation, pregnancy (including childbirth and related medical conditions), alienage or citizenship status (unless required by law), disability, marital status, partnership status, caregiver status, domestic violence victim status, familial status, military status, genetic information (including genetic characteristics), or any other protected status under federal, state, or local laws. The Land Bank is dedicated to the fulfillment of this policy with respect to all aspects of employment, including, but not limited to, recruiting, hiring, placement, transfer, training, promotion, compensation, termination, and all other terms, conditions, and privileges of employment.

We are all responsible for upholding this policy. You may discuss questions regarding equal employment opportunity with your Supervisor or any other member of management.

2.6 Religious Accommodation

The Land Bank is dedicated to treating its employees with respect and recognizes the diversity of their religious beliefs. The Land Bank makes reasonable accommodations (e.g., adjustments to the work environment or the Land Bank's policies or practices) for employees whose sincerely held religious beliefs, practices or observances conflict with work requirements, unless the accommodation would create an undue hardship.

If you require a religious accommodation, speak with the Executive Director.

2.7 Harassment-Free Workplace Policy

The Land Bank maintains a policy on the prevention of Sexual Harassment and other forms of harassment as required by New York State Law. See Appendix D.

2.8 Whistleblower Policy

The Land Bank requires directors, key volunteers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the organization must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations. Each director, key volunteer, and employee of the Land Bank has an obligation to report in accordance with the Land Bank's Whistleblower Policy: (a) questionable or improper accounting or auditing matters, and (b) violations and suspected violations of the Land Bank's Code of Ethics and/or Conflicts of Interest Policy. The Land Bank's Whistleblower Policy establishes clear policies and procedures for raising concerns in good faith, how concerns are reviewed and confidentiality requirements. Please refer to the Land Bank's *Whistleblower Policy* for more information. See Appendix E.

2.9 Employment of Relatives

We will not employ friends or relatives in circumstances where actual or potential conflicts may arise that could compromise supervision, safety, confidentiality, security, and morale at the Land Bank. It is your obligation to inform the Land Bank of any such potential conflict so the Land Bank can determine how best to respond to the particular situation. Failure to inform the Executive Director of any such potential conflict may result in discipline, up to and including termination of employment.

For the purposes of this policy a "relative" is defined as one of the following: spouse or significant other, parent/step parent, child/step child, grandparent, grandchild, brother/brother-in-law, sister/sister-in-law, uncle, aunt, nephew, niece, first cousin, in-laws (father, mother, son daughter).

2.10 Substance-Free Workplace

To help ensure a safe, healthy and productive work environment for our employees and others, to safeguard the Land Bank's property, and to ensure efficient operations, the Land Bank has adopted a policy of maintaining a workplace free of illegal drugs and alcohol.

As used in this policy, the term "illegal drugs" includes all controlled substances under federal or state law not prescribed for current personal treatment by a licensed medical professional, and all other substances not prescribed for the employee by a licensed medical professional, the use of which is capable of creating adverse effects on a person's physical, emotional or mental state, including, but not limited to, all types of narcotics, hallucinogens, depressants and stimulants. "Controlled substances" are those drugs listed in Schedules I through V of Section 202 of the federal Controlled Substances Act, 21 U.S.C. 812, and include but are not limited to marijuana, cocaine (including "crack" and other cocaine derivatives), morphine, codeine, phenobarbital, heroin, amphetamines, and many barbiturates.

All employees are prohibited from using, selling, purchasing, dispensing, distributing, possessing or manufacturing alcohol or illegal drugs, or attempting to do any such act, on Land Bank property or worksites, including in Land Bank vehicles, or during working hours, and from reporting to work or performing any work with alcohol or illegal drugs in their system.

Further prohibited is the use, sale, possession, distribution, dispensation, formulation, manufacture or transfer of alcohol or illegal drugs on non-working time to the extent such use impairs an employee's ability to perform his/her job or affects the reputation of the Land Bank to the general public or threatens its integrity.

If you are taking drugs prescribed by a physician, dentist or other licensed practitioner which could affect your ability to safely perform your job, you may obtain a written statement from your attending physician specifying any work restrictions. This statement should be given to the Executive Director prior to you starting work under the influence of such drug(s) which may affect your ability to work safely. Employees who are taking any prescription or over-the-counter medication that may impair performance or effect judgment so as to place the employee or others at risk of injury should inform the Executive Director.

The Land Bank may ask an employee to submit to a drug and/or alcohol test when there is reasonable suspicion that the employee may be under the influence of illegal drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism, tardiness or abuses of break times, or the employee is involved in an accident under circumstances where alcohol or illegal drug use was likely to have contributed to the incident.

Violation of this policy will result in disciplinary action, up to and including termination.

2.11 General Safety Policy

It is the responsibility of all Land Bank employees to maintain a healthy and safe work environment. Report all safety hazards and occupational illnesses or injuries to your Supervisor as soon as reasonably possible and complete an occupational illness or injury form as needed. Failure to follow the Land Bank health and safety rules may result in disciplinary action, up to and including termination of employment. See your Supervisor if you have specific questions or safety concerns.

2.12 Injury Reporting

Employees have the right, and obligation to, report any work-related injuries and illnesses to the Land Bank. An employee who suffers a work-related injury or illness must report such injuries and illnesses in accordance with the following procedure:

- Promptly notify your Supervisor or the Executive Director of any injury or illness at work, no matter how slight.
- The report shall be made as soon as practicable (generally no later than the same working day during which the injury or illness occurred).
- The report shall accurately describe the circumstances of the injury or illness.

The Land Bank and the law prohibit discharging or discriminating against employees for reporting work-related injuries or illnesses.

2.13 Policy Against Workplace Violence

As the safety and security of our employees, vendors, contractors, and the general public is in the best interests of the Land Bank, we are committed to working with our employees to provide a work environment free from violence, intimidation, and other disruptive behavior.

The Land Bank has a zero tolerance policy regarding workplace violence and will not tolerate acts or threats of violence, harassment, intimidation, and other disruptive behavior, either physical or verbal, that occurs in the workplace or other areas. This applies to management, co-workers, employees, and non-employees such as contractors, customers, and visitors.

Workplace violence can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm, damage to property, or any intentional behavior that may cause a person to feel threatened.

Prohibited conduct includes, but is not limited to:

- Physically injuring another person.
- Threatening to injure a person or damage property by any means, including verbal, written, direct, indirect, or electronic means.
- Taking any action to place a person in reasonable fear of imminent harm or offensive contact.
- Possessing, brandishing, or using a firearm on Land Bank property or while performing Land Bank business.
- Violating a restraining order, order of protection, injunction against harassment, or other court order.

Report to your Supervisor or the Executive Director, in accordance with this policy, any behavior that compromises our ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. You are expected to cooperate in any investigation of workplace violence.

The Land Bank prohibits retaliation against an employee who in good faith reports a violation of this policy. If you believe you have been wrongfully retaliated against, immediately report the matter to the Executive Director or the Chairman of the Board.

Violating this policy may subject you to criminal charges as well as discipline up to and including immediate termination of employment.

2.14 Problem Solving Procedures

The Land Bank strives to provide a comfortable, productive, legal, and ethical work environment. Employee disputes are best resolved informally directly between an employee and their Supervisor. However, the Land Bank recognizes that there are situations when a formal procedure may be beneficial and additional perspectives may be needed to review a dispute.

The purpose of this policy is to provide an opportunity for Land Bank employees to internally resolve disputes arising out of conduct or activity concerning Land Bank rules, regulations and policies. Employees utilizing this process in good faith will be protected from any retaliatory actions, such as reprimands or harassment.

Procedure

1. If you believe there is inappropriate conduct or activity on the part of the Land Bank, management, its employees, vendors, customers, or any other persons or entities related to the Land Bank, bring your concerns to the attention of your Supervisor at a time and place that will allow the person to properly listen to your concern.
2. If you have already brought this matter to the attention of your Supervisor before and do not believe you have received a sufficient response, or if you believe that person is the source of the problem, present your concerns to the next level of Management if any. Describe the problem, those persons involved in the problem, efforts you have made to resolve the problem, and any suggested solution you may have.
3. If you have already brought this matter to the attention of the next level of Management before and do not believe you have received a sufficient response, or if you believe that person is the source of the problem, present your concerns to the Executive Director, in writing. Describe the problem, those persons involved in the problem, efforts you have made to resolve the problem, and any suggested solution you may have.
4. If you have already brought this matter to the attention of Executive Director before and do not believe you have received a sufficient response, or if you believe that person is the source of the problem, present your concerns to

the Chairman of the Land Bank's Board of Directors in writing. Describe the problem, those persons involved in the problem, efforts you have made to resolve the problem, and any suggested solution you may have.

Notwithstanding procedures established in any of the Land Bank's policies, employees are expected to follow the problem-solving procedures set forth in this policy.

3.0 Wage and Timekeeping Policies

At the Land Bank, pay may depend on a wide range of factors, including pay scale surveys, individual effort, performance, market forces, among other factors. If you have any questions about your compensation, including matters such as paid time off, overtime, benefits, or paycheck deductions, speak with your Supervisor.

3.1 Attendance Policy

Employees are expected to arrive on time and ready for work. If you know ahead of time that you will be absent or late, provide reasonable advance notice to your Supervisor. In every case of illness or emergency, a call must be made early on the first day of absence to notify the Executive Director, except in the case of pre-approved leaves of absence for a specified duration. You may be required to provide documentation of any medical or other excuse for being absent or late, where permitted by applicable law.

Requests for time off should be made via the time and attendance online portal.

Time off requests should be submitted at least three days in advance except in case of illness or emergency. If you are requesting three or more consecutive days off, your request should be submitted a month in advance.

The Land Bank reserves the right to apply unused, accrued Paid Time Off to unauthorized absences. Absences resulting from approved leave, vacation, or legal requirements are governed by our Paid Time Off policy.

3.2 Work Schedules

Business office hours are to be set by the Executive Director in consultation with the board of directors to ensure that the administrative offices are accessible to the public during normal business hours. Typical office hours are 8:30 a.m. to 5:00 p.m. Monday through Friday.

Your Supervisor is responsible for providing you with your work schedule and your work schedule may change at the discretion of your Supervisor. You are expected to work the schedule provided to you. Deviations from your standard work schedule are not permitted unless you receive written authorization from your Supervisor.

Full-time employees are expected to work 40 hours per week. Non-exempt employees may not work more than 40 hours a week without prior written approval from their Supervisor.

Failure to abide by your required work schedule may result in discipline, up to and including termination of employment.

3.3 Timekeeping

The Land Bank is required by applicable federal, state, and local laws to keep accurate records of hours worked by certain employees. To ensure that the Land Bank has complete and accurate time records and that employees are paid for all hours worked, non-exempt employees are required to record all working time using Land Bank time sheets. No “off the clock” work is permitted at any time. Exempt employees may also be required to track days or time worked. Speak with your Supervisor for specific instructions.

You must accurately record all of your time to ensure you are paid for all hours worked, and must follow established Land Bank procedures for recording your hours worked. Time must be recorded as follows:

- Immediately before starting your shift.
- Immediately after finishing work, before your meal period.

- Immediately before resuming work, after your meal period.
- Immediately after finishing work.
- Immediately before and after any other time away from work.

Employees will “clock in” and “clock out” electronically either at their desk or via a smart phone as instructed by the Executive Director. Employees must certify their electronic time sheets, attesting to the accuracy of their reporting, at the end of each week.

Notify your Supervisor of any pay discrepancies, unrecorded or mis-recorded work hours, or any involuntarily missed meal or break periods. Falsifying time entries is strictly prohibited. Falsifying time entries includes working "off the clock." If you falsify your own time records, or the time records of co-workers, or if you work “off the clock,” you will be subject to discipline up to and including termination. Immediately report to the Executive Director any employee, supervisor, or manager who falsifies your time entries or encourages or requires you to falsify your time entries or work “off the clock.”

3.4 Overtime

If you are non-exempt, you may qualify for overtime pay. All overtime work must be approved in advance, in writing, by your Supervisor.

At certain times, the Land Bank may require you to work overtime. We will attempt to give as much notice as possible in this instance. However, advance notice may not always be possible. Failure to work overtime when requested or working unauthorized overtime may result in discipline, up to and including termination.

Unless otherwise required or exempted by law, overtime pay of one and one-half times your regular rate of pay is paid for any hours worked in excess of 40 hours in a workweek. Holidays, vacation days, and sick leave days do not count as time worked for computing overtime.

3.5 Job Abandonment

If you fail to show up for work or call in with an acceptable reason for the absence for a period of three consecutive days, you will be considered to have abandoned your job and voluntarily resigned from the Land Bank.

3.6 Pay Period

At the Land Bank, the standard pay period is semi-monthly for all employees. Pay dates are the 15th of the month and the last day of the month. If a pay period falls on a holiday or weekend, you will be paid on the preceding workday.

If you enroll in direct deposit, you can access your electronic pay stubs online. Ask the Executive Director for instructions on how to access online payroll records. You may view and print your paystub at the Land Bank for no charge. Review your paycheck for accuracy. If you find an issue, report it to your Supervisor immediately.

3.7 Direct Deposit

The Land Bank encourages all employees to enroll in direct deposit. If you would like to take advantage of direct deposit, ask the Director of Administration or the Executive Director for an application form. Typically, the Land Bank will begin the direct deposit of your payroll within 30 calendar days after you submit your completed application.

If you have selected the direct deposit payroll service, a written explanation of your deductions and digital pay stubs can be downloaded from the payroll provider's online portal at no cost to you. Contact your Supervisor for information on how to access these online records.

3.8 Paycheck Deductions

The Land Bank is required by law to make certain deductions from your pay each pay period. This includes income and unemployment taxes, Federal Insurance Contributions Act (FICA) contributions (Social Security and Medicare), and any other deductions required under law or by court order for wage garnishments. The amount of your tax deductions will depend on your earnings and the number of exemptions you list on your federal Form W-4 and applicable state withholding form. You may also authorize voluntary deductions from your paycheck, including contributions for insurance premiums, retirement plans, spending accounts, or other services. Your deductions will be reflected in your wage statement.

The Land Bank will not make deductions to your pay that are prohibited by federal, state, or local law. If you have any questions about deductions from your pay, contact your Supervisor. You will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law. If an error is found, you will receive an immediate adjustment, which will be paid no later than your next regular payday.

3.9 Accommodations for Nursing Mothers

Greater Syracuse Land Bank will provide nursing mothers at least 20 minutes paid break time once every three hours to express milk for their infant child(ren) for up to three years following the child's birth.

If you are nursing, the Land Bank will make reasonable efforts to provide you a private room, other than a restroom, to express milk. The room will be clearly designated, in close proximity to your work area, contain a chair and small table or other flat surface, and either have a lock or a sign on the door to indicate when the room is in use.

Expressed milk can be stored in Land Bank refrigerators. Sufficiently mark or label your milk to avoid confusion for other employees who may share the refrigerator.

You are encouraged to discuss the length and frequency of these breaks with your Supervisor.

3.10 Meal and Rest Periods

The Land Bank strives to provide a safe and healthy work environment and complies with all federal and state regulations regarding meal and rest periods. Employees working a shift of more than six hours must take at least 30 unpaid minutes for a meal midway through the shift (i.e., between the hours of 11:00 a.m. and 2:00 p.m). The meal break cannot be taken at the start or end of the shift. So long as the employee works the number of hours per week that is expected of him/her in accordance with his/her work schedule, the employee is permitted to take up to 60 minutes for the meal period. Meal breaks less than 30 minutes or greater than 60 minutes are not permitted. Your Supervisor is responsible for approving the scheduling of your meal break.

Accurately record the time taken for your meal break on your time records. No work is permitted to be performed during the meal break. If you perform any work during a meal break for any reason, report it to your Supervisor the same working day.

3.11 Travel Time Pay

Some non-exempt positions within the Land Bank require travel. The Land Bank pays non-exempt employees for travel time in accordance with federal and state law.

3.12 Inclement Weather

In the event that weather or road conditions warrant closing the office, you will generally receive a call from your Supervisor. Leadership may also elect to start early or dismiss early. If the office is not closed and you elect not to come in, you may be required to use any available paid leave time to cover the absence. Please use your best judgment when making this decision, as it will be up to you to determine whether you can make it to the office safely.

4.0 Employment Classifications

4.1 Regular Full-Time Personnel

Regular full-time employees are those who have completed their introductory period and are regularly scheduled to work more than 30 hours per week. Unless stated otherwise or specifically permitted by law, all the benefits provided to employees the Land Bank are for regular full-time employees only. This includes Paid Time Off, holiday pay, health insurance, and other benefits coverage.

4.2 Regular Part-Time Personnel

All employees who work fewer than 30 hours per week are considered part-time. Part-time employees are not eligible for Land Bank benefits unless specified otherwise in this handbook, in the benefit plan summaries, or specifically required by law.

4.3 Exempt/Non-Exempt Personnel

If you are classified as “exempt” at the time of your hiring, you are not eligible for overtime pay as otherwise required by federal, state, or local laws. “Non-exempt” employees are eligible for overtime pay after 40 hours in a workweek. If you have a question regarding whether you are exempt or non-exempt, contact your Supervisor for clarification.

5.0 Employee Conduct

5.1 Standards of Conduct

The Land Bank wishes to create a work environment that promotes job satisfaction, respect, responsibility, integrity, and value for all our employees and other stakeholders. We all share in the responsibility of improving the quality of our work environment. By deciding to work here, you agree to follow our rules.

While it is impossible to list everything that could be considered misconduct in the workplace, what is outlined here is a list of common-sense infractions that could result in discipline, up to and including immediate termination of employment. This policy is not intended to limit our right to discipline or discharge employees for any reason permitted by law.

Examples of inappropriate conduct include:

- Violation of the policies and procedures set forth in this handbook.
- Possessing, using, distributing, selling, or negotiating the sale of illegal drugs or other controlled substances.
- Being under the influence of alcohol during working hours on Land Bank property (including in Land Bank vehicles), or on Land Bank business.
- Inaccurate reporting of the hours worked by you or any other employees.
- Providing knowingly inaccurate, incomplete, or misleading information when speaking on behalf of the Land Bank or in the preparation of any employment-related documents including, but not limited to, job applications, personnel files, employment review documents, intra-company communications, or expense records.
- Taking or destroying Land Bank property.
- Possession of potentially hazardous or dangerous property (where not permitted) such as firearms, weapons, chemicals, etc., without prior authorization.
- Fighting with, or harassment of (as defined in our Harassment-Free Workplace policy), any fellow employee, vendor, or customer.
- Disclosure of Land Bank trade secrets and proprietary and confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development information, customer lists, patents, trademarks, etc.) of the Land Bank or its suppliers or vendors.
- Insubordination.
- Refusal or failure to follow safety rules and procedures.
- Excessive tardiness or absences.
- Smoking in non-designated areas.
- Working unauthorized overtime.
- Solicitation of fellow employees on Land Bank premises during working time.
- Failure to dress according to Land Bank policy.
- Use of obscene or harassing (as defined by our Harassment-Free Workplace policy) language in the workplace.
- Engaging in outside employment that interferes with your ability to perform your job at the Land Bank.
- Gambling on Land Bank premises.
- Lending keys or keycards to Land Bank property to unauthorized persons.

Disciplinary action for violation of the Land Bank's policies and procedures, including these Standards of Conduct, will be handled on a case-by-case basis. Disciplinary action is not necessarily progressive and one form of discipline is not guaranteed to precede another. The Land Bank reserves the right to take appropriate disciplinary action in its discretion for violations of its policies and procedures, including immediate termination.

5.2 Personal Appearance

Your personal appearance reflects on the reputation, integrity, and public image of the Land Bank. All employees are required to report to work neatly groomed and dressed.

Business casual attire is appropriate, as long as it projects a professional image. Employees must use common sense and good judgment in relation to their attire when working in the office, attending meetings or traveling on business. More casual attire is appropriate for employees who are working “in the field” on Land Bank properties, but such clothing must be in good repair and not include any offensive or inappropriate words or imagery.

You are expected to maintain personal hygiene habits that are generally accepted in the community, including clean clothing, good grooming and personal hygiene, and appropriate attire for the workplace and the work being performed. This may include wearing uniforms or protective safety clothing and equipment, depending upon the job. Use common sense and good judgment in determining what to wear to work.

Fragrant products, including but not limited to perfumes, colognes, and scented body lotions or hair products, should be used in moderation out of concern for others with sensitivities or allergies.

The Land Bank, in accordance with applicable law, will reasonably accommodate employees with disabilities or religious beliefs that make it difficult for them to comply fully with the personal appearance policy unless doing so would impose an undue hardship on the Land Bank. Contact your Supervisor to request a reasonable accommodation.

Failure to comply with the personal appearance standards may result in being sent home to groom or change clothes. Frequent violations may result in disciplinary action, up to and including termination of employment.

5.3 Personal Data Changes

It is your obligation to provide the Land Bank with your current contact information, including current mailing address and telephone number. Inform the Land Bank of any changes to your marital or tax withholding status. Failure to do so may result in loss of benefits or delayed receipt of W-2 and other mailings. To make changes to this information, contact the Director of Administration.

5.4 Use of Personal Vehicle and Maintenance of Valid Driver’s License

All employees required to operate a motor vehicle as part of their employment duties must maintain a valid driver's license, acceptable driving record, and appropriate insurance coverage. All employees required to operate a motor vehicle as part of their employment duties must provide an abstract of your driving record to the Executive Director once annually. If the employee’s license has been suspended or revoked at any point during employment at the Land Bank, this may be grounds for termination, or the employee may be required to provide an updated abstract of their driving record at more frequent intervals depending on the circumstances of the suspension and the terms of any disciplinary action imposed. It is your responsibility to provide a copy of your current driver's license and insurance coverage for your personnel file. Any changes in your driving record, including, but not limited to, driving infractions or changes to your insurance policy, must be reported to the Land Bank as soon as you become aware of them.

State law requires all motorists to carry auto liability insurance. It is against the law to drive without insurance. If you use your own vehicle as a part of your employment duties, you must provide management with a current proof of insurance statement or card. New proof of insurance is required every time your policy expires and renews.

If you use your personal vehicle in the course and scope of employment, you may not operate such vehicle while:

1. Under the influence of drugs, alcohol, or any other substance that might impair your judgment or ability to drive; or
2. Texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

5.5 Criminal Activity/Arrests

The Land Bank will report all criminal activity in accordance with applicable law. Involvement in criminal activity while employed by the Land Bank, whether on or off Land Bank property, may result in disciplinary action including suspension or termination of employment.

5.6 Computer Security and Copying of Software

Software programs purchased and provided by the Land Bank are to be used only for creating, researching, and processing materials for Land Bank use. By using Land Bank hardware, software, and networking systems you assume personal responsibility for their use and agree to comply with this policy and other applicable Land Bank policies, as well as city, state, and federal laws and regulations.

All software acquired for or on behalf of the Land Bank, or developed by Land Bank employees or contract personnel on behalf of the Land Bank, is and will be deemed Land Bank property. It is the policy of the Land Bank to respect all computer software rights and to adhere to the terms of all software licenses to which the Land Bank is a party.

You may not illegally duplicate any licensed software or related documentation. Unauthorized duplication of software may subject you and/or the Land Bank to both civil and criminal penalties under the United States Copyright Act. To purchase software, obtain your Supervisor's approval.

You may not duplicate, copy, or give software to any outsiders including contractors, customers, or others. You may use software on local area networks or on multiple machines only in accordance with applicable license agreements entered into by the Land Bank.

5.7 Employer-Provided Cell Phone/Mobile Device Policy

The purpose of this policy is to provide guidance to employees regarding eligibility for the Land Bank-provided cell phones and plans, and the appropriate use of the phone and plan.

You must have a legitimate business need for a cell phone/mobile device and the issuance of same must be approved by your Supervisor. The typical legitimate reasons employees may need a cell phone/mobile device include: job responsibilities that dictate large amount of time in the field away from the office during which time the employee must be reachable, frequent business travel, or for key personnel who must be immediately reachable during an emergency.

Land Bank-provided cell phones are not to be used for personal use.

If you drive a vehicle during your employment, you may not use any cell phone/mobile device or other communication device while driving unless the device is equipped or configured with a "hands-free" listening/speaking option, and you in fact utilize the hands-free device in accordance with applicable traffic laws. This option must be approved by your Supervisor.

As Land Bank-issued mobile devices are the property of the Land Bank, employees should maintain no expectation of privacy with respect to messages or other data stored on or transmitted through the mobile device.

The Land Bank owns and remains entitled to all cell phone/mobile devices, including all passwords controlling access to them. You may not change those passwords except with permission. At the time of employment termination, all such equipment and passwords must be returned to the Land Bank in operable condition.

5.8 Use of Employer Credit Cards

Credit cards may be issued to an employee by the Executive Director for the sole purposes of use in connection with official Land Bank business. All employees in the possession of a credit card issued by the Land Bank must adhere to the strictest guidelines of responsibility for the protection and proper use of that card. Credit card purchases over \$100 must receive prior approval from your Supervisor. Sales receipts for all purchases using Land Bank credit cards must be obtained and saved by the employee. The employee must submit all sales receipts generated by use of the Land Bank credit card weekly to the CFO.

Your Land Bank credit card may not be used for any personal purpose. Personal use prohibited under this policy includes temporary “holds” placed on the card for personal hotel rooms, rental cars, or any other non-business expense. Use of the Land Bank credit card is restricted to pre-approved, business-related expenses only.

Immediately report lost or stolen Land Bank cards to your Supervisor. Failure to follow this policy may result in disciplinary action up to and including termination.

5.9 Personal Cell Phone/Mobile Device Use

While the Land Bank permits employees to bring personal cell phones and other mobile devices (i.e. smart phones, PDAs, tablets, laptops) into the workplace, you must not allow the use of such devices to interfere with your job duties or impact workplace safety and health.

Use of personal cell phones and mobile devices at work can be distracting and disruptive and cause a loss of productivity. Thus, you should primarily use such personal devices during non-working time, such as breaks and meal periods. During this time, use devices in a manner that is courteous to those around you. Outside of non-working time, use of such devices should be minimal and limited to emergency use only.

You are expected to comply with Land Bank policies regarding the protection of confidential and proprietary information when using personal devices.

While operating a vehicle on work time, the Land Bank requires that the driver's personal cell phone/mobile device be turned off. If you need to make or receive a phone call while driving, pull off the road to a safe location unless you have the correct hands-free equipment for the device that is in compliance with applicable state laws.

You may connect your personal device to the Land Bank public Wi-Fi network, but not to Land Bank equipment (computers, printers, etc.).

You may have the opportunity to use your personal devices for work purposes. Before using a personal device for work-related purposes, you must obtain written authorization from management. The use of personal devices is limited to certain employees and may be limited based on compatibility of technology. If you are authorized to use a personal device, you will receive a monthly stipend based on the estimated use of the device. If you obtain or currently have a plan that exceeds the monthly stipend, the Land Bank will not be liable for the cost difference.

You will be subject to disciplinary action up to and including termination of employment for violation of this policy.

5.10 Off-Duty Use of Employer Property or Premises

You may not use Land Bank property or equipment for personal use. This includes but is not limited to use of the land bank's real property, copy machines, computers, phones, cameras, or office supplies for personal use without prior authorization.

You are responsible for maintaining Land Bank property in good condition and repairing or replacing any property damaged as the result of negligence.

It is Land Bank policy to control off-duty and nonworking hour use of Land Bank property and facilities either for business or personal reasons. You are prohibited from using Land Bank property and facilities during off-duty or nonworking hours without the written consent of your Supervisor. If you use Land Bank property or facilities during your off-duty hours or Land Bank off-hours, you may be required to sign a log-in and log-out sheet maintained by the Land Bank or building manager.

5.11 Security

All employees are responsible for helping to make the Land Bank a secure work environment. Upon leaving work, lock all desks, lockers, and doors protecting valuable or sensitive material in your work area and report any lost or stolen keys, passes, or similar devices to your Supervisor immediately. Refrain from discussing specifics regarding Land Bank security systems, alarms, passwords, etc. with those outside of the Land Bank.

Immediately advise your Supervisor of any known or potential security risks and/or suspicious conduct of employees, customers, or guests of the Land Bank. Safety and security is the responsibility of all employees and we rely on you to help us keep our premises secure.

5.12 Social Media Policy

At Greater Syracuse Land Bank, we recognize the Internet provides unique opportunities to participate in interactive discussions and share information using a wide variety of social media. However, use of social media also presents certain risks and carries with it certain responsibilities. To minimize risks to the Land Bank, you are expected to follow our guidelines for appropriate use of social media.

This policy applies to all employees who work for the Land Bank.

Guidelines

For purposes of this policy, "social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether associated or affiliated with the Land Bank, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you communicate in social media. Land Bank principles, guidelines, and policies apply to online activities just as they apply to other areas of work.

By way of example, postings that include unlawful discriminatory remarks, harassment, and threats of violence or other unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Maintain Accuracy and Confidentiality

When posting information:

- Maintain the confidentiality of trade secrets, intellectual property, and confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) related to the Land Bank.
- Do not create a link from your personal blog, website, or other social networking site to a Land Bank website that identifies you as speaking on behalf of the Land Bank.
- Never represent yourself as a spokesperson for the Land Bank. If the Land Bank is a subject of the content you are creating, do not represent yourself as speaking on behalf of the Land Bank. Make it clear in your social media activity that you are speaking on your own behalf.
- Respect copyright, trademark, third-party rights, and similar laws and use such protected information in compliance with applicable legal standards.

Using Social Media at Work

Do not use social media while on your work time, unless it is work related as authorized by your manager or consistent with policies that cover equipment owned by the Land Bank.

5.13 Media Contacts

If you are not authorized to speak on behalf of the Land Bank, do not speak to the media on behalf of the Land Bank. Direct all media inquiries for official Land Bank responses to the Executive Director.

5.14 Telecommuting

Telecommuting is defined as regularly working a full or partial workday from home or some other alternate work site.

The Land Bank will make telecommuting available to employees when it benefits organizational and departmental needs. This option may not be available in some job classifications due to business needs. Each department manager will determine, in his or her discretion, the positions within the department that may be suitable for telecommuting.

If you are granted a telecommuting arrangement, you will be subject to the same performance standards as prior to telecommuting. Telecommuting work areas may be evaluated to ensure that appropriate safety standards are met. Telecommuting may be a reasonable accommodation; consult the Executive Director if you are requesting telecommuting as a reasonable accommodation.

5.15 Telephone Use

The Land Bank phones are principally for work-related communications. Unless there is an emergency, limit long distance telephone calls to business purposes only. Limit personal use of Land Bank telephones to brief communications during breaks where possible. Casual conversation with friends and relatives during working hours is strongly discouraged. Telephone use is subject to the Voicemail/Email/Internet Usage Policy.

5.16 Voicemail, Email, and Internet Policy

This Voicemail/Email/Internet Policy is intended to provide Land Bank employees with the guidelines associated with the use of the Land Bank's voicemail/email/Internet system (the system). This policy applies to all employees, contractors, vendors, partners, or associates, and any others accessing and/or using the system through onsite or remote terminals.

General Provisions

- The system is to be used for business purposes only.
- The system, and all data transmitted or received through the system, is the exclusive property of the Land Bank. You should not have any expectation of privacy in any communication over this system. If you are permitted to have access to the system, you will be given a voicemail, email, and/or Internet address and/or access code and will have use of the system consistent with this policy.
- The Land Bank reserves the right to monitor, intercept, and/or review all data transmitted, received, or downloaded over the system. Any individual who is given access to the system is hereby given notice that the Land Bank will exercise this right periodically, without prior notice and without the prior consent.
- The interests of the Land Bank in monitoring and intercepting data include, but are not limited to: protection of Land Bank trade secrets, proprietary, and similar confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.); managing the use of the computer system; and/or assisting employees in the management of electronic data during periods of absence.
- You should not interpret the use of password protection as creating a right or expectation of privacy. To protect everyone involved, no one can have a right or expectation of privacy regarding the receipt, transmission, or storage of data on the Land Bank voicemail/email/Internet system.

In order to ensure system security, employees are required to adhere to the following:

- Refrain from downloading attachments sent by unknown parties, as they may contain viruses that could harm the system.
- Refrain from attempting to evade an Internet firewall and/or proxy server by accessing the Internet directly, whether by modem or another service provider, unless the employee has prior approval from management
- Immediately run computer protection programs when directed to do so by management.
- Refrain from interfering or disabling any computer protection programs.
- Immediately report any actual or potential security violations to management

Any employees who violate this policy will be subject to corrective action, up to and including termination of employment. If necessary, the Land Bank will also advise law enforcement officials of any illegal conduct.

5.17 Third Party Disclosures

From time to time, the Land Bank may become involved in news stories or potential or actual legal proceedings of various kinds. When that happens, lawyers, former employees, newspapers, law enforcement agencies, and other outside persons may contact our employees to obtain information about the incident or the actual or potential lawsuit.

If you receive such a contact, you should not speak on behalf of the Land Bank and should refer any call requesting the position of the Land Bank to the Executive Director. If you have any questions about this policy or are not certain what to do when such a contact is made, contact the Executive Director.

5.18 Employer-Sponsored Social Events

The Land Bank may hold periodic social events for employees. Be advised that your attendance at these events is voluntary and does not constitute part of your work-related duties. Any exceptions to this policy must be in writing and signed by a Supervisor prior to the event.

Alcoholic beverages may be available at these events. If you choose to drink alcoholic beverages, you must do so in a responsible manner. Do not drink and drive. Instead, please call a taxi or appoint a designated driver.

5.19 Nonsmoking Policy

The Land Bank is concerned about the effect that smoking and secondhand smoke inhalation can have on its employees and clients. Smoking, including the use of e-cigarettes, in the office, client areas, and restrooms is prohibited.

5.20 Outside Employment

Outside employment that creates a conflict of interest or that affects the quality or value of your work performance or availability at the Land Bank is prohibited. The Land Bank recognizes that you may seek additional employment during off hours, but in all cases expects that any outside employment will not affect job performance, work hours, or scheduling, or otherwise adversely affect your ability to effectively perform your duties. Any conflicts should be reported to your Supervisor. Failure to adhere to this policy may result in discipline up to and including termination.

6.0 General Policies

6.1 Workplace Privacy and Right to Inspect

The Land Bank property, including but not limited to lockers, phones, computers, tablets, desks, work place areas, vehicles, or machinery, remains under the control of the Land Bank and is subject to inspection at any time, without notice to any employees, and without their presence.

You should have no expectation of privacy in any of these areas. We assume no responsibility for the loss of, or damage to, your property maintained on Land Bank premises including that kept in lockers and desks.

6.2 Travel and Business Expenses Policy

As required by the NY Public Authorities Accountability Act, the Land Bank maintains policy on travel and business expenses. See appendix E.

6.3 Access to Personnel and Medical Records Files

The Land Bank maintains separate medical records files and personnel files for all employees. Files containing medical records are stored separate and apart from the personnel file and any business-related records in a safe, locked location. The medical file is the repository for sensitive and confidential information related to an individual's health, health benefits, health-related leave and/or accommodations, and benefits selections and coverage. Medical records are kept confidential in compliance with applicable laws and access is on a "need-to-know" basis only.

Supervisors and others in management may have access to your personnel file for possible employment-related decisions. If you wish to review your personnel or medical records file, you must give the Land Bank reasonable notice. Inspection must occur in the presence of a Land Bank representative.

All requests by an outside party for information contained in your personnel file will be directed to the Executive Director, who is the only person authorized to give out such information.

6.4 Inventions

Any invention created, in whole or in part, during your work hours, or from the use of equipment or facilities belonging to the Land Bank, is a "work for hire" and is the property of the Land Bank.

If you intend to develop and maintain property rights to any invention that relates in any way to products or services of the Land Bank, you are required to obtain a written waiver of this policy, signed by both you and the Chairman of the Board.

6.5 Employee Parking

The parking lot on-site at the Land Bank's office is for guests of the building. The Land Bank's lease prohibits land bank employees from utilizing this parking lot on a regular basis or for extended periods of time. Employees are required to respect this and are responsible for making their own arrangements for parking elsewhere.

7.0 Benefits

7.1 401(k) Plan

Eligible employees (as determined by the terms of the plan) may participate in the Land Bank 401(k) plan. The Land Bank provides for employee pre-tax deferral contributions and after tax Roth contributions and also provides for employer matching funds of one dollar for each dollar you contribute up to a maximum Land Bank contribution of five percent of wages per pay period. Employees are 50% vested after one year of full-time employment with the Land Bank and 100% vested after two years of employment with the Land Bank. Refer to your Summary Plan Description (SPD) for specifics.

Contact the Executive Director to find out if you are eligible to participate in the Land Bank 401(k) plan. The Land Bank is required to let you know if you are eligible.

This benefit, as well as other benefits, may be canceled or changed at the discretion of the Land Bank, unless otherwise required by law.

7.2 Holidays

The Land Bank offers the following paid holidays each year:

- New Year's Day
- Martin Luther King Day
- Memorial Day
- Presidents' Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

When a holiday falls on a Saturday, it will be observed the preceding Friday. Holidays falling on a Sunday will be observed the following Monday.

If a holiday falls on your regular day off, ask your Supervisor how it affects you.

Regular part-time employees, who have been employed for more than 12 calendar months, will receive holiday pay equal to their average daily pay during the previous four-week period.

7.3 Leave

A. Paid Time Off (PTO) Policy

Regular full-time employees shall be allowed up to a maximum of twenty (20) days per calendar year, or pro-rated portion thereof, to be used for any purpose including, but not limited to, the following purposes: sick, vacation, or personal time off ("PTO"). After five years of continuous full-time employment with the organization, an additional five days of PTO per year will be awarded—for a total of twenty-five (25) days of PTO awarded on the fifth anniversary of employment with the Land Bank. Employees working less than full-time shall be allowed a pro-rated portion of the amount described above, based on the number of hours per week worked as a portion of a full-time position (i.e. ½ time, ¾ time, etc.).

PTO may be taken at any time during the year with prior approval of the Executive Director, subject to guidelines for notice outlined in section 3.1 of this handbook. In every case of illness or emergency, a call must be made early on the first day of absence to notify the Executive Director.

Up to five (5) days of unused PTO may be carried over to the next calendar year, but at no time may more than twenty-five (25) days be accumulated and 'banked.' If more than five (5) unused PTO days remain at the end of the year, such time is forfeited and not carried over to the next year.

At the time of an employee's separation from employment, the Land Bank will pay the employee for up to twenty (20) accumulated unused PTO days; provided that the resignation is voluntary (employment was not terminated by the land bank) and the employee has provided the Executive Director with at least two weeks' notice. Any unused PTO time in excess of 20 days shall be forfeited and not paid out. Employees who are involuntarily terminated (including for any form of misconduct, as determined by the Land Bank's in its discretion) and employees who do not work the two-week notice period do not receive payment of any unused PTO.

Paid days off shall be considered "advanced" at the beginning of each year of employment and, upon termination, only those that have been earned during the pro-rated portion of that year at a rate of one and one-third days per month shall be paid, if the employee is entitled to payout of any unused PTO time. For example, an employee leaving in the middle of their second year could be paid out for up to ten PTO days if none had yet been used, provided the employee meets the requirements for such time to be paid out.

Pay in lieu of taking PTO is not allowed.

B. Paid Family Leave

No Land Bank employees are eligible for benefits under the federal Family and Medical Leave Act ("FMLA") since the Land Bank is a public agency with fewer than 50 employees.

The Land Bank provides eligible employees with paid leaves of absence for various family- and military-related reasons in accordance with the New York State Paid Family Leave Program. Such leaves of absence are referred to in this policy as "PFL."

Eligibility

In general, an employee whose regular employment schedule is 20 or more hours per week will become eligible to receive PFL benefits after 26 weeks of employment. An employee whose regular employment schedule is less than 20 hours per week will become eligible to receive PFL benefits after 175 days worked. Eligibility for PFL does not necessarily mean an employee is eligible for leave under the Family and Medical Leave Act ("FMLA").

Qualifying Reasons For Leave

An eligible employee may be entitled to PFL:

- (1) To participate in providing care, including physical or psychological care for a family member (spouse, domestic partner, child, parent, parent-in-law, grandparent, or grandchild) of the employee made necessary by a serious health condition of the family member.
- (2) To bond with the employee's child during the first 12 months after the child's birth; during the first 12 months after the placement of the child for adoption or foster care; or before the actual placement or adoption of a child if an absence from work is required for the placement for adoption or foster care to proceed.
- (3) Due to any qualifying exigency (as set forth in the Family and Medical Leave Act) arising out of active duty or an impending call or order to active duty in the Armed Forces of the United States for the spouse, domestic partner, child or parent of the employee.

Length of Leave and Benefit Rate

On or after January 1, 2019 the length of allowable PFL and paid benefit rate is as follows:

- up to 10 weeks during any 52 consecutive week period; and
- paid at 55% of the employee's average weekly wage, not to exceed 55% of the statewide average weekly wage.

On or after January 1, 2020 the length of allowable PFL and paid benefit rate is as follows:

- up to 10 weeks during any 52 consecutive week period; and
- paid at 60% of the employee's average weekly wage, not to exceed 60% of the statewide average weekly wage.

On or after January 1, 2021 the length of allowable PFL and paid benefit rate is as follows:

- up to 12 weeks during any 52 consecutive week period; and
- paid at 67% of the employee's average weekly wage, not to exceed 67% of the statewide average weekly wage.

The 52-week consecutive period is computed retroactively to the first day for which benefits are claimed. The benefit rate for the employee's period of PFL is the rate that is in effect on the first day of PFL taken.

Paid Time Off and Other Leaves

An employee on PFL may use available paid time off concurrently with PFL to supplement PFL benefits in order to receive his or her full compensation during PFL.

An employee who is eligible for both New York State short-term disability benefits and PFL benefits during the same period of 52 consecutive calendar weeks may not receive more than 26 total weeks of combined New York State short-term disability benefits and PFL benefits during that period of time. Employees may not use PFL during periods of time when the employee is receiving workers' compensation benefits.

When an employee simultaneously qualifies for both PFL and any other statutorily required leave of absence or any other leave of absence under the Land Bank's policies, the employee's PFL and other leave run concurrently to the extent allowable by applicable law.

Requesting PFL

When an employee's need for PFL is foreseeable, the employee is required to provide the Land Bank 30 days advance notice of his or her intention to use PFL. If the need for PFL is not foreseeable, the employee must notify the Land Bank as soon as practical. In providing notice of the intention to use PFL, the employee must provide information sufficient to make the Land Bank aware of the qualifying event and the anticipated timing and duration of the leave, including identifying the type of PFL as listed above. When filing a claim for PFL, the employee must submit supporting documentation, which may include medical documentation, depending on the nature of the requested PFL. The Land Bank's insurance carrier receives and processes the employee's claim for PFL and makes the determination as to whether the claim is granted or denied.

Continuation of Health Insurance

During PFL, the Land Bank maintains the employee's health coverage under its group health plan; provided, the employee continues to make his or her portion of the premium contribution. It is the employee's responsibility to tender payment to the Land Bank his or her portion of the health insurance premium.

Payroll Deductions and Waiver

Deductions are made from the employee's pay for PFL premium payments in accordance with law. In limited circumstances, employees whose regular work schedules are temporary or seasonal may opt out of PFL. Employees who complete a waiver will not contribute to PFL through payroll deductions and will not be eligible to take PFL. If the

employee's schedule changes and will be expected to qualify for PFL, the waiver is automatically revoked and the employee is responsible for paying any required PFL contributions from the first day of employment.

Employees with questions concerning PFL should direct them to the Executive Director.

C. Voting Leave

Employees who are registered voters are provided up to three hours' time off without loss of pay at the beginning or end of working hours to vote in any election. Any registered voter seeking time off to vote must notify his or her Supervisor at least two working days before the election.

D. Jury Duty Leave

The Land Bank encourages employees to fulfill their civic duties related to jury duty. If you are summoned for jury duty, notify your Supervisor as soon as possible to make scheduling arrangements.

If you are classified as exempt, you will not incur any deduction in pay for a partial week's absence due to jury duty. If you are classified as nonexempt, you will not be compensated for time spent on jury duty, except for up to \$40 for the first three days of jury service. You may opt to use PTO in place of unpaid leave.

The Land Bank reserves the right to require employees to provide proof of jury duty service to the extent authorized by law.

The Land Bank will not retaliate against employees who request or take leave in accordance with this policy.

E. Bereavement Leave

The Land Bank recognizes the importance of taking leave when there is a death in the family. Full-time employees are entitled to take up to four (4) days off with pay for the funeral of an immediate relative (spouse or significant other, parent/step-parent, child/step-child, grandparent, grandchild, father/mother-in-law, brother/brother-in-law, or sister/sister-in-law). A one (1) day paid leave will be granted if the employee attends the funeral of any other family member. Pay is at the employee's regular base rate of pay for the number of hours the employee would have been scheduled to work. Additional time off, including authorized leave without pay or the use of PTO time, may be permitted in extenuating circumstances, at the discretion of the Land Bank. Notify your Supervisor of your intention to take bereavement leave as soon as the need arises. The Land Bank may request documentation to support absences for bereavement leave.

F. Crime Victim and Witness Leave

The Land Bank will provide eligible employees with time off from work, without pay, for any of the following reasons in accordance with applicable law:

- To comply with a subpoena to testify in a criminal proceeding (including time off to consult with the district attorney);
- To give a victim impact statement at a pre-sentencing proceeding;
- To give a statement at a sentencing proceeding; or

- To give a statement at a parole board hearing.

You are eligible for time off under this policy if you are:

- The victim of the crime at issue in the proceedings;
- The victim's next of kin;
- The victim's representative if the victim is deceased as a result of the offense;
- A "Good Samaritan"; or
- Pursuing an application or the enforcement of an order of protection as provided under relevant law.

If you are required to attend a criminal proceeding either as a witness or as a crime victim (or a close family member of a crime victim), you must notify your Supervisor as soon as possible and at least one day before taking leave to make scheduling arrangements. The Land Bank reserves the right to require employees to provide proof of the need to attend the criminal proceedings to the extent authorized by law.

The Land Bank will not retaliate against employees who request or take leave in accordance with this policy.

G. Leaves of Absence

An unpaid leave of absence may be considered for personal, family, or medical reasons for a period not to exceed thirty (30) days. Unpaid leaves of absence may be permitted or extended, depending on the reasons and circumstances.

A request for an unpaid leave of absence must be in writing and supported by valid reasons. Approval by the Board of Directors is required. To the extent permissible by law, leaves of absence under this policy run concurrently with any statutorily required form of leave and are not intended to extend such leaves.

H. Military Leave (USERRA)

The Land Bank complies with applicable federal and state law regarding military leave and re-employment rights. Unpaid military leave of absence will be granted to members of the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA; with amendments) and all applicable state law. You must submit documentation of the need for leave to the Executive Director. When returning from military leave of absence, you will be reinstated to your previous position or a similar position, in accordance with state and federal law. You must notify your Supervisor of your intent to return to employment based on requirements of the law. For more information regarding status, compensation, benefits, and reinstatement upon return from military leave, contact the Executive Director.

7.4 Health, Vision, and Dental Insurance (and COBRA)

The Land Bank offers a group health insurance plan to full-time employees. If you do not apply for health care coverage within thirty (30) days of your eligibility date but apply for coverage at a subsequent date, you must wait until the next open enrollment period, unless you have a qualifying event as defined by the applicable carrier.

Medical plan benefits for eligible employees and their dependents are described in detail in the Summary Plan Description (SPD) that is available to all eligible employees.

Contact the Executive Director for more information regarding health, vision and dental insurance. These benefits may be canceled or changed at the discretion of the Land Bank, unless otherwise required by law.

All full-time employees are eligible for the Land Bank dental plan. Dental plan benefits are described in detail in the Summary Plan Description (SPD).

COBRA: If you or a dependent become ineligible for benefits due to a change in work hours or through a life event, or you leave employment with us, you may have the right to continue your medical benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA). The Land Bank will mail you information about your COBRA rights.

Flexible Spending Account (FSA) – Employees have the option of having pre-tax dollars withheld from their paycheck and deposited into a Flexible Spending Account. They can use these funds for unreimbursed medical expenses or for dependent care expenses. For more information on FSA enrollment and to find out if you're eligible, contact the Executive Director.

7.5 Short-Term Disability Insurance

If you are unable to work for more than seven consecutive days due to a non-work-related illness or injury, or pregnancy-related disability, you may be eligible for disability benefits. Disability benefits provide up to 26 weeks of partial wage replacement benefits during any 52-consecutive-week period. Benefits are payable beginning on the eighth consecutive day of disability.

The cost of your disability insurance coverage is paid by the Land Bank.

If you have been disabled for more than seven days, the Land Bank will provide you with a Form DB-271S, *Statement of Rights*, within five days of learning that you are disabled. The *Statement of Rights* provides information on how to file a claim for benefits. You must file a claim within the first 30 days of your disability or all or part of your claim may be rejected. You must be under the care of a physician, chiropractor, podiatrist, psychologist, dentist, or certified nurse midwife to qualify for disability benefits.

Disability benefits are a wage replacement benefit, not a protected leave benefit.

To learn more about the New York Disability Benefits law, including eligibility requirements and benefits, or to obtain a claim form (Form DB-450), contact the New York State Workers' Compensation Board (www.wcb.ny.gov).

7.6 Unemployment Compensation Insurance Policy

Unemployment compensation insurance is paid for by the Land Bank and provides temporary income for employees who have lost their job under certain circumstances. Your eligibility for unemployment compensation will, in part, be determined by the reasons for your separation from the Land Bank.

7.7 Workers' Compensation Insurance Policy

Workers' compensation is a no-fault system designed to provide benefits to all employees for work-related injuries. Workers' compensation insurance coverage is paid for by employers and governed by state law. The workers' compensation system provides for coverage of medical treatment and expenses, occupational disability leave, and rehabilitation services, as well as payment for lost wages due to work related injuries. If you are injured on the job while working at the Land Bank, no matter how slightly, you are to report the incident immediately to your Supervisor. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim for benefits.

To receive workers' compensation benefits, notify your Supervisor immediately of your claim. If your injury is the result of an on-the-job accident, you must fill out an accident report. You will be required to submit a medical release before you can return to work.

7.8 Continuing Education Policy

We believe in the continuing education of our employees. If the Land Bank sends you to a class or training program during normal working hours related to your employment and you are nonexempt, you will be paid for that time. If you are interested in attending an outside class and having the Land Bank pay for your attendance, you are required to provide advance written notice describing the class, including the subject matter, length, and cost. Depending on the type of training, the Land Bank may reimburse some or all of the fees, including materials expenses, meals, and transportation. If your Supervisor approves of your attendance at a class that is not sponsored by the Land Bank, you will be reimbursed once you have attended and paid for the class.

8.0 Performance, Discipline, and Termination

8.1 Performance Evaluations and Performance Improvement

The Land Bank will make efforts to periodically review your work performance. The performance improvement process will take place at the conclusion of the introductory period and annually, or as business needs dictate. You may specifically request that your Supervisor assist you in developing a performance improvement plan at any time. An employee's job description serves as a general basis for evaluating employee performance. The Executive Director is responsible for implementing staff performance evaluations and making recommendations to the Personnel Committee on appropriate changes to job title and content, classification, performance and wage increases. Every employee's performance shall be reviewed and discussed with the employee by the Executive Director.

The performance improvement process is a means for increasing the quality and value of your work performance. Your initiative, effort, attitude, job knowledge, and other factors will be addressed. You must understand that a positive job performance review does not guarantee a pay raise or continued employment. Pay raises and promotions are based on numerous factors, only one of which is job performance.

8.2 Pay Raises

Depending on the financial health of the Land Bank and other business factors, efforts will be made to give pay raises consistent with job performance, and the consumer price index. The Land Bank may also make individual pay raises based on merit or due to a change of job position. Pay raises are not guaranteed.

8.3 Disciplinary Process

Violation of the Land Bank policies or procedures may result in disciplinary action including verbal counseling, written warning, demotion, transfer, leave without pay, or termination of employment. Disciplinary action for violation of the Land Bank's policies and procedures will be handled on a case-by-case basis. Disciplinary action is not necessarily progressive and one form of discipline is not guaranteed to precede another. The Land Bank reserves the right to take appropriate disciplinary action in its discretion for violations of its policies and procedures, including immediate termination.

Understand that while the Land Bank is concerned with consistent enforcement of our policies, we are not obligated to follow any disciplinary or grievance procedure and that depending on the circumstances, you may be disciplined or terminated without any prior warning or procedure.

8.4 Voluntary Termination

Should you decide to leave your employment with us, we ask that you provide the Executive Director with at least two (2) weeks' advance written notice. Your thoughtfulness is appreciated and will be noted favorably should you ever wish to reapply for employment with the Land Bank.

All Land Bank property, including this Employee Handbook, must be returned at the end of employment. Otherwise, the Land Bank may take action to recoup any replacement costs and/or seek the return of Land Bank property through appropriate legal recourse.

8.5 Exit Interview

You may be asked to participate in an exit interview when you leave the Land Bank. The purpose of the exit interview is to provide management with greater insight into your decision to leave employment; identify any trends requiring attention or opportunities for improvement; and to assist the Land Bank in developing effective recruitment and retention strategies. Your cooperation in the exit interview process is appreciated.

8.6 Post-Employment References

The Land Bank policy is to confirm dates of employment and job title only. With written authorization, the Land Bank will confirm compensation. Forward any requests for employment verification to the Executive Director.

9.0 Customer Relations

9.1 Customer, Client, and Visitor Relations

The Land Bank strives to provide the best services possible to our customers and community residents. Our customers and local tax-payers support this organization and fund your wages. You are expected to treat every customer, client, or visitor with the utmost respect and courtesy during your working time. You should never argue or act in a disrespectful manner towards a visitor or customer during your working time. If you are having problems with a customer, client, or visitor, notify your Supervisor immediately. If a customer, client, or visitor voices a suggestion, complaint, or concern regarding our services, inform your Supervisor or a member of management. Lastly, make every effort to be prompt in following up on customer, client, or visitor orders or questions. Positive customer, client, and visitor relations will go a long way to establishing our Land Bank as an asset to our community.

9.2 Services Knowledge

As a representative of the Land Bank, you are expected to be familiar with the services we offer. Take every opportunity to learn the interrelationship between your department or division and the others of the Land Bank. We consider our employees to be the best reflection of the Land Bank's success.

Acknowledgment of Receipt and Review

By signing below, I acknowledge that I have received a copy of the Land Bank Employee Handbook (handbook) and that I have read it, understand it, and agree to comply with it. I understand that the Land Bank has the maximum discretion permitted by law to interpret, administer, change, modify, or delete the rules, regulations, procedures, and benefits contained in the handbook at any time with or without notice. No statement or representation by a supervisor, manager, or any other employee, whether oral or written, can supplement or modify this handbook. Changes can only be made if approved in writing by the Board of Directors of the Land Bank. I also understand that any delay or failure by the Land Bank to enforce any rule, regulation, or procedure contained in the handbook does not constitute a waiver on behalf of the Land Bank or effect the right of the Land Bank to enforce such rule, regulation, or procedure in the future.

I understand that neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. I further understand that I am employed "at-will" and this handbook does not modify my "at-will" employment status.

Violation of any policy in this Handbook, or any policy included as an addendum, may be grounds for discipline, up to and including termination and that I am not entitled to any particular sequence of disciplinary measures prior to termination.

This Handbook does not include every process, policy, and expectation applicable to employees, or my position specifically; I may be counseled, disciplined, or terminated for poor behavior or performance even if the behavior or performance issue is not addressed in the Handbook.

This handbook supersedes any previous handbook or policy statements, whether written or oral, issued by the Land Bank.

If I have any questions about the content or interpretation of this handbook, I will contact the Executive Director.

Employee Signature

Date

Print Name

APPENDICES

The following appendices are adopted as stand-alone policies by the Land Bank board of directors and are required by the ABO and/or state law.

- Appendix A: Code of Ethics
- Appendix B: Conflicts of Interest
- Appendix C: Harassment-Free Workplace Policy (includes Sexual Harassment Complaint Form)
- Appendix D: Whistleblower Policy
- Appendix E: Travel and Discretionary Funds Policy

Appendix A

Code of Ethics

This Code of Ethics shall apply to all directors, officers and employees of the Land Bank. These policies shall serve as a guide for official conduct and are intended to enhance the ethical and professional performance of the directors, officers and employees and to preserve public confidence in the Land Bank's mission. This code is adopted pursuant to New York Public Authorities Law section 2824(1)(d).

Responsibility of Directors and Employees

1. Directors and employees shall perform their duties with transparency, without favor and refrain from engaging in outside matters of financial or personal interest, including other employment, that could impair independence of judgment, or prevent the proper exercise of one's official duties.
2. Directors and employees shall not directly or indirectly, make, advise, or assist any person to make any financial investment based upon information available through the director's or employee's official position that could create any conflict between their public duties and interests and their private interests.
3. Directors and employees shall not accept or receive any gift or gratuities where the circumstances would permit the inference that: (a) the gift is intended to influence the individual in the performance of official business or (b) the gift constitutes a tip, reward, or sign of appreciation for any official act by the individual. This prohibition extends to any form of financial payments, services, loans, travel reimbursement, entertainment, hospitality, thing or promise from any entity doing business with or before the Land Bank.
4. Directors and employees shall not use or attempt to use their official position with the Land Bank to secure unwarranted privileges for themselves, members of their family or others, including employment with the Land Bank or contracts for materials or services with the Land Bank.
5. Directors and employees must conduct themselves at all times in a manner that avoids any appearance that they can be improperly or unduly influenced, that they could be affected by the position of or relationship with any other party, or that they are acting in violation of their public trust.
6. Directors and employees may not engage in any official transaction with an outside entity in which they have a direct or indirect financial interest that may reasonably conflict with the proper discharge of their official duties.
7. Directors and employees shall manage all matters within the scope of the Land Bank's mission independent of any other affiliations or employment. Directors, and employees employed by more than entity shall strive to fulfill their professional responsibility to the Land Bank without bias and shall support the Land Bank's mission to the fullest.
8. Directors and employees shall not use Land Bank property, including equipment, telephones, vehicles, computers, or other resources, or disclose information acquired in the course of their official duties in a manner inconsistent with State or local law or policy and the Land Bank's mission and goals.
9. Directors and employees are prohibited from appearing or practicing before the Land Bank for two (2) years following employment with the Land Bank, consistent with the provisions of Public Officers Law.

Implementation of Code of Ethics

This Code of Ethics shall be provided to all directors and employees upon commencement of employment or appointment and shall be reviewed annually by the Governance Committee.

The board may designate an Ethics Officer, who shall report to the board and shall have the following duties:

- Counsel in confidence Land Bank directors and employees who seek advice about ethical behavior.
- Receive and investigate complaints about possible ethics violations.
- Dismiss complaints found to be without substance.
- Prepare an investigative report of their findings for action by the Executive Director or the board.

- Record the receipt of gifts or gratuities of any kind received by a director or employee, who shall notify the Ethics Officer within 48 hours of receipt of such gifts and gratuities.

Penalties

In addition to any penalty contained in any other provision of law, a Land Bank director or employee who knowingly and intentionally violates any of the provisions of this code may be removed in the manner provided for in law, rules or regulations.

Reporting Unethical Behavior

Employees and directors are required to report possible unethical behavior by a director or employee of the Land Bank to the Ethics Officer. Employees and directors may file ethics complaints anonymously. However, filing a complaint anonymously may impede the Land Bank's ability to investigate a claim. The Land Bank prohibits retaliation for filing a good faith complaint under this policy.

Appendix B

Conflicts of Interest

A conflict of interest is a situation in which the financial, familial, or personal interests of a director or employee come into actual or perceived conflict with their duties and responsibilities with the Land Bank. Perceived conflicts of interest are situations where there is the appearance that a board member and/or employee can personally benefit from actions or decisions made in their official capacity, or where a board member or employee may be influenced to act in a manner that does not represent the best interests of the Land Bank. The perception of a conflict may occur if circumstances would suggest to a reasonable person that a board member and/or employee may have a conflict. The appearance of a conflict and an actual conflict should be treated in the same manner for the purposes of this policy.

Board members and employees must conduct themselves at all times in a manner that avoids any appearance that they can be improperly or unduly influenced, that they could be affected by the position of or relationship with any other party, or that they are acting in violation of their public trust. While it is not possible to describe or anticipate all the circumstances that might involve a conflict of interest, a conflict of interest typically arises whenever a director or employee has or will have:

- A financial or personal interest in any person, firm, corporation or association that has or will have a transaction, agreement or any other arrangement in which the Land Bank participates.
- The ability to use his or her position, confidential information, or the assets of the Land Bank, to his or her personal advantage.
- Solicited or accepted a gift of any amount under circumstance in which it could reasonably be inferred that the gift was intended to influence him/her, or could reasonably be expected to influence him/her, in the performance of his/her official duties or was intended as a reward for any action on his/her part.
- Any other circumstance that may or appear to make it difficult for the board member or employee to exercise independent judgment and properly exercise his or her official duties.

PROCEDURES

Duty to Disclose: All material facts related to the conflicts of interest (including the nature of the interest and information about the conflicting transaction) shall be disclosed in good faith and in writing to, when reasonably feasible, the Governance Committee, or otherwise to the directors at a meeting of the directors. Such written disclosure shall be made part of the official record of the proceedings of the Land Bank.

Determining Whether a Conflict of Interest Exists: The Governance Committee or the directors, as applicable, shall advise the individual who appears to have a conflict of interest how to proceed. The Governance Committee or the directors of the Land Bank, as applicable, should seek guidance from counsel or New York State agencies, such as the Authorities Budget Office, State Inspector General or the Joint Commission on Public Ethics (JCOPE) when dealing with cases where they are unsure of what to do.

Recusal and Abstention: No board member or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any organization in which he or she is deemed to have an interest. Board members and employees must recuse themselves from deliberations, votes, or internal discussion on matters relating to any organization, entity or individual where their impartiality in the deliberation or vote might be reasonably questioned, and are prohibited from attempting to influence other board members or employees in the deliberation and voting on the matter.

Records of Conflicts of Interest: The minutes of the Land Bank’s meetings during which a perceived or actual conflict of interest is disclosed or discussed shall reflect the name of the interested person, the nature of the conflict, and a description of how the conflict was resolved.

Reporting of Violations: Board members and employees should promptly report any violations of this policy in accordance with the Land Bank’s Whistleblower Policy.

Penalties: Any director or employee that fails to comply with this policy may be penalized in the manner provided for in law, rules and regulations.

Appendix C

Harassment-Free Workplace Policy

Sexual Harassment

The Land Bank is committed to maintaining a work environment that is free of discrimination and harassment. Sexual harassment is a violation of the Land Bank's policy and a violation of federal, state and local laws.

Sexual harassment of any employee by another employee, manager, or non-employee (e.g., intern, volunteer, independent contractor, contract worker, vendor, client, customer or visitor), regardless of their sex or gender, is prohibited.¹ Sexual harassment of non-employees by our employees is also prohibited. Further, any retaliation against an individual who has complained about sexual harassment or who has cooperated with a sexual harassment investigation is also unlawful and will not be tolerated.

Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination of employment.

What is Sexual Harassment?

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

Unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct based on an individual's sex constitutes sexual harassment when:

- Submission to the conduct is an explicit or implicit term or condition of employment; or
- Submission to or rejection of the conduct is used as the basis for decisions affecting an individual's employment; or
- The conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

Sexual harassment is not limited to the physical workplace. It can occur while employees are traveling for business or at employer sponsored events or parties. It can occur outside work hours.

Examples of Sexual Harassment

While it is not possible to list all acts which may constitute sexual harassment, it may include explicit sexual propositions or flirtations; sexual innuendo; suggestive comments; sexually oriented teasing; comments or jokes about gender-specific traits, sexual orientation, gender identity or gender expression; foul or obscene language or gestures; unwanted physical contact; the display or transmission of obscene, demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs; and hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or the status of being transgender, such as interfering with the individual's ability to perform the job, bullying, or name-calling.

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

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

Although one joke or comment may not be enough to constitute sexual harassment, a single incident of inappropriate conduct may be enough to rise to the level of sexual harassment depending on the severity of the incident.

What is Retaliation?

Retaliation is any action that would keep an individual from coming forward to make or support a sexual harassment claim. The action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. Both the New York State Human Rights Law and Title VII of the Civil Rights Act of 1964 protect individuals who engage in “protected activity.” Protected activity occurs when a person has:

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

Retaliation against an employee who, in good faith, makes a complaint of sexual harassment will not be tolerated and will itself be subject to disciplinary action, up to and including termination of employment. Furthermore, no adverse actions will be taken against employees who report violations of this policy in good faith or participate in the investigation of such violations.

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

Reporting Sexual Harassment

Sexual harassment is a form of employee misconduct. No employee is required to submit to, or accept, sexual harassment in order to maintain their position, promotional opportunities, benefits, or to meet any other condition of employment.

Any employee or non-employee who believes they have been a target of sexual harassment or who believes the actions of another employee or non-employee constitute sexual harassment, is encouraged to immediately notify their Supervisor, the Executive Director, or Chairman of the Board.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is available from the employee’s Supervisor, Executive Director, or Chairman of the Board. Individuals reporting sexual harassment on behalf of someone else should also use the complaint form.

Employees or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums as explained below.

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior, become aware of sexual harassment, or for any reason suspect that sexual harassment is occurring, are required to report such suspected behavior to the Executive Director or the board of directors. In addition to being subject to discipline if they engage in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Investigation of a Sexual Harassment Complaint

ALL complaints of sexual harassment will be investigated whether the information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt and thorough. The investigation will be confidential to the extent possible. Corrective action will be taken whenever sexual harassment is found to have occurred.

All persons involved, including complainants, witnesses, and alleged perpetrators, will be accorded due process to protect their rights to a fair and impartial investigation. All employees are required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against.

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

- Upon receipt of a complaint, the Executive Director, the Chairman of the Board or other appropriate member of management will conduct a review of the allegations, and take any interim actions, as appropriate.
- Relevant documents, electronic communications, emails, or telephone records will be reviewed.
- All parties involved, including any relevant witnesses, will be interviewed.
- Written documentation of the investigation (i.e., letter, memo, or email) will be created and kept in a secure and confidential location, which will include a list of all documents reviewed; the names of those interviewed; a timeline of events; and the basis for the decision and final resolution of the complaint, together with any corrective actions action(s).

Upon conclusion of the investigation any identified corrective actions will be taken. The individual(s) who complained and the individual(s) accused will be notified about the final determination.

Legal Protections and External Remedies

Aside from the Land Bank's internal process, employees may also choose to pursue legal remedies with several governmental entities.

The Human Rights Law ("HRL") applies to employers in New York State with regard to sexual harassment. The HRL protects employees and non-employees, regardless of immigration status. A complaint alleging violations of the HRL may be filed either with the New York State Division of Human Rights or in New York State Supreme Court.

The United States Equal Employment Opportunity Commission ("EEOC") enforces anti-discrimination laws, including Title VII of the Civil Rights Act of 1964. Sexual harassment is unlawful under Title VII. If an employee believes s/he has been discriminated against at work, s/he can file a discrimination charge with the EEOC.

Many localities enforce laws protecting individuals from sexual harassment. An individual should contact the county, city, or town in which they live to find out if such a law exists. For example, individuals who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights.

Remedies available to a target of sexual harassment may include: reinstatement, back pay, front pay, compensatory damages, punitive damages, and attorneys' fees.

Other Forms of Harassment

It is the Land Bank's policy to promote a productive work environment and not to tolerate verbal or physical conduct by any employee that harasses or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment.

All employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. In addition to prohibiting sexual harassment, the Land Bank also prohibits harassment on the basis of other legally protected statuses, including on the basis of: race; color; religion; creed; genetic information; national origin; sexual orientation; pregnancy, childbirth, or related medical conditions; age; disability; citizenship status; uniform service member status; military status; veteran status; predisposing genetic characteristics; domestic violence victim status; marital status; familial status; or any other protected class under federal, state, or local law.

Examples of conduct prohibited under this policy include comments, jokes, foul or obscene language or gestures, or hostile actions taken against an individual because of that individual's protected status.

All employees should understand that submission to, or acceptance of, any form of unlawful harassment is not a term or condition of employment. No employee is required to submit to, or accept, any form of unlawful harassment in order to maintain their position, promotional opportunities, benefits, or to meet any other condition of employment.

Any employee or non-employee who believes they have been a target of harassment or who believes the actions of another employee or non-employee constitutes harassment, is encouraged to immediately notify your Supervisor, the Executive Director, or Chairman of the Board. All supervisors and managers who receive a complaint or information about suspected harassment, observe what may be harassing behavior, become aware of harassment, or for any reason suspect that harassment is occurring, are required to report such suspected behavior to the Executive Director or Chairman of the Board.

ALL complaints of unlawful harassment will be investigated whether the information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected harassment will be prompt and thorough. Corrective action will be taken whenever harassment is found to have occurred.

Retaliation against an employee who, in good faith, makes a complaint of unlawful harassment will not be tolerated and will itself be subject to disciplinary action, up to and including termination of employment. Furthermore, no adverse actions will be taken against employees who report violations of this policy in good faith or participate in the investigation of such violations.

Sexual Harassment Complaint Report

If you believe that you or another person has been subjected to sexual harassment, this form may be used to file a complaint. If you are unsure what sexual harassment is kindly refer to our sexual harassment policy. When completing the form, please provide as much detail as possible as the information will be used to assist in the investigation of your complaint. Submit the completed form to the Executive Director or the Chairman of the Board of Directors.

Your Name: _____

Your Contact Information (e.g., work phone or email): _____

Name(s) of Alleged Victim(s) _____

Name(s) of Alleged Harasser(s) _____

Detailed statement of the incident(s) including dates, times, places, and names of witnesses. Attach additional sheets as needed.

Are there documents, emails, text messages, etc. which contain information supporting the incident(s) described above? If so, please describe or attach a copy.

To investigate this report, it will be necessary to interview you, the alleged victim(s), the alleged harasser(s), and any witnesses with knowledge of the allegation(s). To the extent possible, the investigation and any resulting management action will be handled in a confidential manner.

Retaliation against an individual who has complained about sexual harassment or who has cooperated with a sexual harassment investigation is unlawful and will not be tolerated.

The information provided in this report is true and correct to the best of my knowledge. I am willing to cooperate fully in the investigation of my report.

Signature of Reporting Person _____ Date _____

Appendix D

Whistleblower Policy

It is the policy of the Land Bank to afford certain protections to individuals who in good faith report violations of the Land Bank's Code of Ethics or other instances of potential wrongdoing within the Land Bank. This policy is adopted pursuant to New York Public Authorities Law section 2824(1)(e).

The Whistleblower Policy and Procedures set forth below are intended to encourage and enable employees to raise concerns in good faith within the Land Bank and without fear of retaliation or adverse employment action.

Definitions

"Good Faith": Information concerning potential wrongdoing is disclosed in "good faith" when the individual making the disclosure reasonably believes such information to be true and reasonably believes that it constitutes potential wrongdoing.

"Land Bank Employee": All board members, and officers and staff employed at the Land Bank whether full-time, part-time, employed pursuant to contract, employees on probation and temporary employees.

"Whistleblower": Any Land Bank Employee who in good faith discloses information concerning wrongdoing by another Land Bank Employee, or concerning the business of the Land Bank itself.

"Wrongdoing": Any alleged corruption, fraud, criminal or unethical activity, misconduct, waste, conflict of interest, intentional reporting of false or misleading information, or abuse of authority engaged in by a Land Bank Employee that relates to the Land Bank.

"Personnel action": Any action affecting compensation, appointment, promotion, transfer, assignment, reassignment, reinstatement or evaluation of performance.

Section I: Reporting Wrongdoing

All Land Bank Employees who discover or have knowledge of potential wrongdoing concerning board members, officers, or employees of the Land Bank; or a person having business dealings with this Land Bank; or concerning the Land Bank itself, shall report such activity in accordance with the following procedures:

- a. The Land Bank Employee shall disclose any information concerning wrongdoing either orally or in a written report to his or her supervisor, or to the Land Bank's Ethics Officer (if one has been appointed), general counsel, human resources representative or to any Member of the Board.
- b. All Land Bank Employees who discover or have knowledge of wrongdoing shall report such wrongdoing in a prompt and timely manner.
- c. The identity of the whistleblower and the substance of his or her allegations will be kept confidential to the best extent possible.
- d. The individual to whom the potential wrongdoing is reported shall investigate and handle the claim in a timely and reasonable manner, which may include referring such information to the Authorities Budget Office or an appropriate law enforcement Land Bank where applicable.
- e. Should a Land Bank Employee believe in good faith that disclosing information within the Land Bank pursuant to Section 1(a) above would likely subject him or her to adverse personnel action or be wholly ineffective, the Land Bank Employee may instead disclose the information to the Authorities Budget Office or an appropriate law enforcement Land Bank, if applicable. The Authorities Budget Office's toll free number (1-800-560-1770) should be used in such circumstances.

Section II: No Retaliation or Interference

No Land Bank Employee shall retaliate against any Whistleblower for the disclosure of potential wrongdoing, whether through threat, coercion, or abuse of authority.

No Land Bank Employee shall interfere with the right of any other Land Bank Employee by any improper means aimed at deterring disclosure of potential wrongdoing.

Any attempts at retaliation or interference are strictly prohibited and:

- a. No Land Bank Employee who in good faith discloses potential violations of the Land Bank's Code of Ethics or other instances of potential wrongdoing, shall suffer harassment, retaliation or adverse personnel action.
- b. All allegations of retaliation against a Whistleblower or interference with an individual seeking to disclose potential wrongdoing will be thoroughly investigated by the Land Bank.
- c. Any Land Bank Employee who retaliates against or had attempted to interfere with any individual for having in good faith disclosed potential violations of the Land Bank's Code of Ethics or other instances of potential wrongdoing is subject to discipline, which may include termination of employment.
- d. Any allegation of retaliation or interference will be taken and treated seriously and, irrespective of the outcome of the initial complaint, will be treated as a separate matter.

Section III: Other Legal Rights Not Impaired

The Whistleblower Policy and Procedures set forth herein are not intended to limit, diminish or impair any other rights or remedies that an individual may have under the law with respect to disclosing potential wrongdoing free from retaliation or adverse personnel action.

- a. Specifically, these Whistleblower Policy and Procedures are not intended to limit any rights or remedies that an individual may have under the laws of the State of New York.
- b. With respect to any rights or remedies that an individual may have pursuant to Civil Service Law § 75-b or Labor Law § 740, any employee who wishes to preserve such rights shall prior to disclosing information to a government body, have made a good faith effort to provide the appointing authority or his or her designee the information to be disclosed and shall provide the appointing authority or designee a reasonable time to take appropriate action unless there is imminent and serious danger to public health or safety. (See Civil Service Law § 75-b[2][b]; Labor Law § 740[3]).

Appendix E

Travel and Discretionary Funds

SECTION 1. PURPOSE AND APPLICABILITY. This Travel and Discretionary Funds Policy (the "Policy") shall apply to every member of the Greater Syracuse Property Development Corporation (the "Land Bank") and all officers and employees thereof. The purpose of this Policy is to protect against the use of discretionary funds for purposes that do not advance the Land Bank's mission and purpose. This Policy is adopted in accordance with Public Authorities Law §2824(1)(b), which requires the Land Bank to adopt a policy governing travel, and the Authorities Budget Office Recommended Governance Practice encouraging all state and local authorities to adopt a policy on the proper use of discretionary funds that incorporates the legal principals set forth in Opinion No. 2007-F4 of the Office of the Attorney General.

SECTION 2. USE OF DISCRETIONARY FUNDS. The expenditure of Land Bank funds must relate to an enumerated power, duty or purpose of the Land Bank. Land Bank funds may not be spent in a manner that supports the private or personal interests of any member, officer or employee or benefits any member, officer or employee individually.

SECTION 3. PRIOR APPROVAL. Any expenditure of discretionary funds in excess of Fifty Dollars (\$50.00) and all official travel for which a reimbursement will be sought shall be approved by the Executive Director prior to such expenditure and shall fall within the Land Bank's current budget allocations. Provided, however, in the instance where the Executive Director seeks an expenditure of discretionary funds, such expenditure must be pre-authorized by the Chairman. The Executive Director or the Chairman, as the case may be, shall review the proposed expenditure and approve such expenditure only if it (i) primarily benefits the Land Bank as opposed to an individual member, officer or employee; (ii) advances a power, duty, or purpose of the Land Bank; and (iii) is reasonable and necessary.

SECTION 4. TRAVEL.

a. **Payment of Travel.** The Land Bank will reimburse all reasonable expenses related to meals, travel and lodging that were incurred by any director, officer or employee as a result of the performance of their official duties. All official travel shall be properly authorized, reported and reimbursed. Under no circumstances shall expenses for personal travel be charged to, or temporarily funded by, the Land Bank. It is the traveler's responsibility to report his or her travel expenses in a responsible and ethical manner, in accordance with this policy.

b. **Travel Expenses.** Travelers may use their private vehicle for business purposes if it is less expensive than renting a car, taking a taxi or using alternative transportation. The traveler will be reimbursed at a standard mileage reimbursement rate as set by the Internal Revenue Service. Travelers will use due diligence to obtain the lowest cost for travel expenses.

c. **Documentation.**

- i. **Travel Expense Voucher.** A travel expense voucher reporting all expenses pertaining to a particular approved trip must be submitted to the Treasurer of the Land Bank within 45 days of the end of the trip. The travel expense voucher should include:
 1. Date and time of departure from and return to the office of the Land Bank or traveler's residence;
 2. Purpose of the travel or the nature of the business benefit derived as a result of the travel;
 3. Whether or not the expenses incurred during the travel were pre-approved; and
 4. The amount of each expenditure, listed by date and location.

- ii. **Receipts.** The original of the following receipts must be submitted along with the travel expense voucher:
 - 1. All travel tickets (i.e. airline tickets, train tickets, rental car agreement);
 - 2. All meal receipts (i.e. signed credit card slips or payment stubs); and
 - 3. All lodging receipts (i.e. hotel, motel receipts).

- iii. **Final Approval.** The Treasurer shall review each travel expense voucher in order to ensure that the traveler has provided adequate substantiation and to determine whether the expenses listed therein are reasonable. The Treasurer may require a traveler to submit additional substantiation and, if the Treasurer finds a particular expense to be unreasonable (either as to amount or purpose), the Treasurer may deny reimbursement of the expense or reduce the amount of the reimbursement for such expense. In instances where the Treasurer seeks approval for his or her own travel expenses, the Chairman shall review the travel expense voucher and make the determinations set forth in this subsection (iii) of section 4(c)

SECTION 5. APPROPRIATE EXPENDITURE GUIDANCE.

A. Membership Dues. Membership dues paid by the Land Bank to belong to a professional peer organization are generally a permissible use of Land Bank funds. However, individual membership costs for board members, officers and employees to belong to a professional, social, or fraternal organization is an impermissible use of Land Bank funds.

B. Charitable Contributions and Sponsorships. The appropriateness of any sponsorship or charitable contribution will depend on whether it relates to the powers, duties and purposes of the Land Bank and whether such expenditure will advance the Land Bank's core mission and public purposes.

C. Food and Beverages. With the exception of food and beverage purchases during business travel as provided in the Land Bank's Travel Policy, purchases of food and beverages for the personal consumption of members, officers or employees shall not be considered an appropriate use of Land Bank discretionary funds. However, expenditures for food and beverages purchased for or during the conduct of Land Bank meetings and conduct of business with persons that do, or may do, business with the Land Bank may be an appropriate expenditure of Land Bank discretionary funds, provided the expense is reasonable in light of the circumstances surrounding the Land Bank activity and is approved as set forth herein.

D. Professional Training and Conferences. Paying the costs to attend training or professional conferences may be an appropriate expenditure of Land Bank discretionary funds, provided it is approved as set forth herein.

E. Marketing. Paying costs incurred in the course of marketing the Land Bank's properties to potential buyers and maintaining relations with existing industries, businesses and supporting partners in furtherance of the Land Bank's mission is an appropriate expenditure of Land Bank discretionary funds, provided it is approved as set forth herein.

SECTION 6. IMPROPER USES OF DISCRETIONARY FUNDS. Land Bank discretionary funds shall not be used for any expense intended to personally benefit a member, employee, or officer. Examples of improper uses of discretionary funds include the following: (i) purchases of alcohol or tobacco products; (ii) renewal of professional licenses for Land Bank employees; (iii) purchases of flowers, gifts, or cards for Land Bank members, officers, or employees; (iv) celebrations for special occasions that do not directly relate to a public purpose of the Land Bank; and (v) personal use of Land Bank vehicles, unless properly documented for tax purposes.