



Meeting Agenda – Employment & Compensation Committee
 Genesee County Economic Development Center
 Thursday, December 15, 2022
 Location: 99 MedTech Drive, Innovation Zone
 Time: 3:30 p.m.

Page #s	Topic	Discussion Leader	Desired Outcome
	1. Call to Order	T. Bender	
	2. Chairman’s Report & Activities 2a. Agenda Addition / Deletions / Other Business	T. Bender	
2-21	3. Discussions / Official Recommendations to the Board: 3a. Administrative Guidelines	T. Bender	Disc / Vote
	4. Adjournment	T. Bender	Vote

**Administrative
Guidelines & Procedures**
(Including Compensation, Reimbursement, Attendance & Travel)
For

**Genesee County
Economic Development Center**

Personnel

Revised ~~January 2017~~ December 2022



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INTRODUCTION

The Genesee County Industrial Development Agency d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (Center) is a public benefit corporation established in 1970 under New York State General Municipal Law. The primary purpose of the Center is to bring about economic development authority in Genesee County - activity which results in the creation and retention of employment opportunities for County residents.

A board of seven members is responsible for the operations of the Center. Appointments are made by the Genesee County Legislature and Center members all serve in a voluntary capacity without compensation. The Center employs a professional staff to carry out the Center's work program and to administer day-to-day activities in support of this program.

The Administrative Guidelines set forth the general personnel and office procedures of the Center. These Administrative Guidelines are not a contract of employment and do not change the at-will nature of the employment relationship; meaning that both the Center and employee can terminate the employment relationship at any time with or without cause. These Guidelines are intended to provide both the Center and its staff with a clear understanding of their respective rights and obligations. To maintain the maximum efficiency of the operations of the Center, the established procedures must be observed by every employee in his or her conduct of the Center's business.

Some subjects will only be touched upon by these guidelines since they are too complicated to be covered completely here. Details on these are available from personnel whose functions are directly related to the subject in question. Details on others may be contained in separate manuals to be distributed to the staff.

The Center reserves the right in its sole discretion to add to, delete or modify the Administrative Guidelines at any time.



I. EMPLOYMENT

A. DEFINITIONS

Non-Exempt Employees

Non-exempt employees include all regular employees who are covered by the overtime provisions of the Federal Fair Labor Standards Act or any applicable state laws.

- Hourly full-time employees are entitled to premium pay for work in excess of 40 hours in a workweek.
- Part-Time Employees defined as those employees who are hired to work on a regular basis for less than 35 hours a week.

Exempt Employees

Full time salaried employees are classified by the Center as exempt from the overtime provisions of the Federal Fair Labor Standards Act and any applicable state laws.

B. APPOINTMENT

The employees of the Center are not under the civil service of the State or Genesee County.

The qualifications of a prospective employee will be evaluated with regard to education, training, previous experience and special skills as required to perform the duties of a particular position.

~~All appointments are to be made by members of the Center acting upon the recommendations of an Employee and Compensation Committee.~~ Creation of positions requires the approval of the Center (board).

C. PROMOTION

As opportunities develop for advancement of the Center's staff, a recommendation for promotion of an existing staff member may be made to the Employee and Compensation Committee by the Chief Executive Officer. Such recommendation will be based on the following factors - experience, merit, performance, and educational or skill advancement.

D. DISMISSAL/DEMOTION

The Center specifically reserves its right, under the employment-at-will relationship, to terminate the employment of any employee at any time, with or without cause. Generally, however, the Center follows a progressive discipline procedure; meaning that under normal circumstances a written or verbal warning will be given to an employee, thus permitting the employee to improve or correct his or her performance, prior to termination. The Center reserves the right, however, to terminate any employee after the first incident of misconduct if, in the Center's judgment, the seriousness of the action warrants termination.

E. RESIGNATION

The Center requests two-week's notice from all employees who resign.

F. TEMPORARY OR PART-TIME EMPLOYEES

Persons working on a temporary or part-time basis, less than 20 hours per week, do not accrue any vacation, sick, or personal time. They are not entitled to other fringe benefits granted to permanent employees. Salary is based on actual hours worked and does not include holidays.

Permanent part-time employees, working regularly 20 or more hours per week, may be eligible for certain fringe benefits as deemed appropriate by the Chief Executive Officer.

G. INTRODUCTORY PERIOD FOR NEW EMPLOYEES

When a person is appointed to a full-time position on the Center staff, the employee serves an introductory period of six months. This is a trial period which gives the employee an opportunity to become accustomed to his or her new job, and also gives the Chief Executive Officer an opportunity to determine how well the employee performs. The employee may not take vacation days during the introductory period.

An introductory employee whose performance or conduct is unsatisfactory will be dismissed during the introductory period. The Chief Executive Officer may grant an extension of the introductory period for an additional three months in special circumstances.

H. ANNUAL REVIEW

All Center employees will have an annual performance review in December of each year. The Chief Executive Officer and direct supervisors shall perform employee reviews and place a written copy of said review in the employee's file. The employee may submit written comments in response to the review within 30 days after having received a copy of it.

I. DISCIPLINARY ACTION

Any employee may be subject to disciplinary action due to employee's failure to perform duties in an acceptable manner.

The following are examples of misconduct that may lead to disciplinary action:

- (a) Insubordination - refusal to comply with any directive from a supervisor.
- (b) Theft or destruction - stealing of or carelessly or willfully causing destruction to Center property.
- (c) Unlawful conduct - violation of or refusal to comply with pertinent laws and regulations or conviction of a crime.
- (d) Possession or use of illegal drugs and alcohol or abuse of prescription drugs on the job or reporting for work in an impaired condition.
- (e) Harassment - individuals who engage in sexual or other harassment in violation of the Center's policy will be disciplined. Supervisory and managerial personnel who knowingly allow such harassment to continue will also be disciplined.
- (f) Habitual tardiness, unauthorized or excessive absence or abuse of sick leave.
- (g) Acceptance of money or other valuable consideration which creates the appearance of influencing the employee in the performance of his or her office duties.
- (h) Improper use of official position or authority for personal profit or advantage.
- (i) Falsification of records, including falsification of employee's application papers or claim vouchers.

None of the foregoing shall be deemed to prevent the dismissal, probation, demotion or suspension of an employee for any other misconduct even though such misconduct is not contained among these enumerated examples.

All disciplinary actions shall be approved by the Employee and Compensation Committee.

J. EQUAL OPPORTUNITY EMPLOYMENT POLICY

It is the policy of the Genesee County Economic Development Center to support the principle of equal employment opportunity; meaning that the Center will not discriminate against any employee on the staff or applicant for employment because of race, color, religion, sex, age, national origin, non-qualifying disability or arrest record.

The Chief Executive Officer is in charge of the Center's efforts toward equal opportunity employment.

K. GRIEVANCE PROCEDURE

To ensure that grievances are heard properly, the aggrieved person should:

1. Discuss his or her grievance with the Chief Executive Officer within 14 calendar days after the events forming the basis for the grievance occur. If the grievance involves the Chief Executive Officer, the employee should bring the grievance directly to the Employee and Compensation Committee.
2. The Chief Executive Officer will, under normal circumstances, respond in writing to the grievance within 30 calendar days.
3. If the Chief Executive Officer's response is not satisfactory to the person with the grievance, he or she may forward the grievance to the Employee and Compensation Committee, with a copy to the Chief Executive Officer, requesting a hearing before the Employee and Compensation Committee.
4. The Employee and Compensation Committee shall, at its discretion, hold a hearing. Under normal circumstances, the hearing shall be held within two weeks of receipt of notice of the request for hearing. The decision of the Employee and Compensation Committee, on behalf of the Center, shall be final.

II. COMPENSATION, REIMBURSEMENT AND ATTENDANCE

A. COMPENSATION, REIMBURSEMENT AND ATTENDANCE POLICY

Pursuant to and in accordance with Sections 856 and [GML enabling act] of the General Municipal Law of the State of New York, the members of the board of the Genesee County Economic Development Center (the "Board") shall serve without salary at the pleasure of the Genesee County Legislature, New York (the "Municipality") but may be reimbursed for reasonable expenses incurred in the performance of Center duties at the approval of the Board.

The officers, employees and agents of the Center shall serve at the pleasure of the Center ~~at such compensation levels as may be approved by the Board from time to time~~ and may be reimbursed for reasonable expenses incurred in the performance of Center duties at the approval of the Board.

The members of the Board and officers of the Center shall be available as required to perform the operations of the Center as set forth within the By-Laws of the Center, as may be amended, restated or revised by the Board from time to time. Said members and officers of the Center shall put forth their best efforts to perform their respective duties as outlined in the By-Laws of the Center and any other directives of the Board relating to same.

B. STARTING SALARY

The starting salary of an employee is determined at the time of appointment. It is computed on an annual basis.

C. SALARY INCREASES

Salary increases are considered annually. Any increases will require a review of the employee's performance, a recommendation by the Chief Executive Officer and review by the Employee and Compensation Committee. All salary increases will be made on the basis of merit and the Center's financial situation.

D. PAY PERIOD

Employee salaries are paid by check or direct deposit on Wednesdays on a bi-weekly basis. Advances of salary are not permitted under any circumstances.

E. BASIC WORKWEEK

Exempt and Non-Exempt Operations Employees - The basic workweek for exempt and non-exempt employees in the Operations category, other than those employed on a part-time basis, shall be from 8:30 A.M. to 4:30 P.M., Monday through Friday. A period of up to one hour (unpaid) is allotted for lunch.

Employees are expected to be regular in attendance, however, when problems arise which make it impossible for an employee to be at work on time, the employee must notify the office prior to 8:30 A.M.

When leaving the office to carry out assigned duties during official office hours, the Operations Assistant is to be advised of an employee's destination and expected time of return. Such information will be used to aid visitors and route incoming telephone calls.

F. ATTENDANCE RECORDS

A Record of Absence is to be maintained by each employee, kept current and electronically stored in a common location as directed. The employee is responsible for making sure that the record shows the actual number of hours that were taken for sick, vacation or personal leave (if applicable) during the period.

III. LEAVE BENEFITS

A. HOLIDAYS

The Center will establish a holiday schedule each calendar year that shall not exceed 12 paid holidays. The schedule shall follow that of Genesee County. The Chief Executive Officer may authorize adjustments to that schedule at the beginning of the calendar year.

B. SICK LEAVE

Sick leave credit is earned at the rate of one day per month and may accrue to a maximum of 60 days. Proof of illness may be required for absences due to illness longer than a week.

If all accrued sick leave is used and additional leave is needed due to illness, annual-vacation leave will be taken. If additional time is needed when all sick and annual-vacation leave has been taken, a determination will be made by the Chief Executive Officer and reviewed by the Employee and Compensation Committee, as to what further leave, if any, can be granted.

No compensation for accrued sick leave will be paid in the event of termination of employment.

Sick leave may be taken for sickness by the employee or where the presence of the employee is actually required by the sickness of a member of the immediate family of the employee. A memo by the employee to the Chief Executive Officer will describe the circumstances. When more than three (3) days of sick leave are taken by an employee during one calendar month, a memo to the Chief Executive Officer will may be required to describe the circumstances.

Up to five (5) days of sick leave may be used as bereavement leave in the event of the death of a family member. Sick leave may be used as bereavement leave in the event of the death of a non-family member if approved by the employee's direct supervisor.

Sick leave is granted for sickness and bereavement only, and its use for any other purpose will be cause for disciplinary action including dismissal from employment.

C. VACATIONS

An employee becomes eligible for vacation leave upon date of hire. New employees shall be granted vacation credit as a portion of the normal annual allowance depending upon the time of year hired, according to the following schedule:

Date of Hire	Portion of Annual Allowance
Jan. - March	100%
April - June	50%
July - Dec.	0%

Vacation shall be credited on January 1 of each year according to the following schedules.

Years of Service	Full Time Exempt Employees			Full Time Non-Exempt Employees
	Pres./CEO	Senior VP	All Others	
1 st full year of employment	Per Employment Contract	Per Employment Contract	10 Days	5 Days
2 nd – 4 th full year of employment	Per Employment Contract	Per Employment Contract	10 Days	10 Days
5 th - 9 th full year of employment	Per Employment Contract	Per Employment Contract	15 Days	15 Days
10 th full year of employment and each year thereafter	Per Employment Contract	Per Employment Contract	20 Days	20 Days

If a holiday occurs during an employee's vacation, the holiday shall not be charged against the vacation leave. A maximum of five vacation days may be carried over to the following year upon approval of the Chief Executive Officer.

Best efforts shall be made to have requests for vacation leave submitted to the employee's direct supervisor at least one calendar month prior to the beginning date of the vacation. Requests will be approved according to the work load of the Center. Conflicts in scheduling of annual leave will be resolved by the Chief Executive Officer. The Employee and Compensation Committee at its discretion may establish a separate vacation agreement for the Chief Executive Officer.

There will be no compensation in lieu of time off for vacation. Upon termination of employment, employees will be paid for accumulated vacation leave left on the books.

D. MILITARY LEAVE

An employee shall be granted a leave of absence with pay if he/she is ordered to military duty for a period not exceeding thirty (30) calendar days in any one year or 30 days in one continuous absence, in accordance with Section 242 of the New York State Military Law. Absences longer than 30 days are permitted in accordance with applicable federal laws.

E. JURY DUTY

The Center will grant leave for all employees summoned for jury duty. The Center will pay full-time employees their regular salary for a maximum of fifteen (15) days. Other employees shall receive the stipend mandated by law for the first three (3) days of jury duty service.

F. LEAVE OF ABSENCE

A leave of absence without pay may be granted an employee by the Employee and Compensation Committee when, in the Chief Executive Officer's opinion, it will not damage the Center's work program. Requests for such leave must be made in writing to the Chief Executive Officer and will state the time and circumstances involved. No employee will be granted a leave of absence to accept other employment.

G. FAMILY AND MEDICAL LEAVE

Eligible spouses employed by the Center are entitled to a combined total of twelve weeks of unpaid leave for the birth, adoption or foster placement of a child, or when caring for a parent (not a parent-in-law), with a serious health condition. Each spouse is entitled to twelve weeks of family and medical leave to care for his/her spouse or child, and for his/her personal serious health condition. Thus, in cases where eligible spouses each use six weeks of unpaid leave for the birth, adoption or foster placement of a child each spouse would have six weeks of leave in that year to use for the care of him/herself or a covered family member with a serious health condition.

An employee may take family and medical leave in connection with his/her own serious health condition or in connection with the serious health condition of his/her spouse, parent, or child, in either a block of time or on an intermittent basis when medically necessary. In the event leave is taken on an intermittent or reduced leave schedule, he/she may be required to transfer temporarily to an available, alternative position, with equivalent pay and benefits, which better accommodates his/her need for recurring periods of leave. When leave is taken on an intermittent basis or on a reduced leave schedule so that he/she can receive medical treatments or attend doctors' appointments, that leave will be credited on a prorated basis against the employee's twelve-week allotment of family and medical leave.

Eligible employees may be required or will be allowed to use their allotment of paid vacation or other paid time off except paid sick time, for any part of the twelve-week leave granted for the birth or foster placement of a child or to care for a spouse, child or parent. After using all of the available paid vacation, an employee may remain on an unpaid family and medical leave for the difference between the period of the paid leave and the twelve-week allotment of family and medical leave. Eligible employees may substitute paid sick leave for leave taken because of the employees' serious health conditions or to care for spouse, child or parent with a serious health condition, but in the latter case, only to the extent permitted by the relevant collective bargaining agreement or, where applicable, Center policy.

Any period during which an employee receives New York State Disability will be offset against the total twelve-week allotment of family and medical leave. When the disability leave is taken in connection with the birth of a child, an employee entitled to twelve weeks of Family Leave may remain on unpaid family leave to care for a child for the difference between the period of disability and the twelve-week allotment of family and medical leave.

When taking a "foreseeable leave" (i.e., leave in connection with the birth of a child or surgery which has been scheduled in advance), the employee must notify the Center of his/her intention to take this leave as early as possible, and, in any event, not less than thirty days before the date the leave is to begin. When the leave is taken due to a serious health condition, or if the date of the employee child's birth, foster placement, or adoption, requires leave to begin in less than thirty days, the employee must provide the Center with as much notice as is practicable. Leave may be delayed if the employee does not comply with this notice provision. Also, the employee must make a reasonable effort to schedule foreseeable treatments in a manner which does not unduly disrupt the operations of the Center.

During any period of family and medical leave, the Center will continue to pay its premium portion of the employee's health, dental and vision insurance under the same terms as if he/she were actively working. If any portion of the employee's leave under the Family and Medical Leave Act is taken as paid leave, the employee's contribution to his/her health, dental and vision insurance premium will be deducted from his/her pay. The Personnel Office must receive the employee's health, dental and vision insurance contribution by the first of each month.

During periods of unpaid family and medical leave, the Center will continue the employee's life insurance coverage, if applicable. The Center will credit periods of FMLA-related leave toward seniority for retirement purposes.

When leaves are taken in connection with the employee's own serious health condition or to care for a child, spouse, or parent with a serious health condition, the employee must provide certification from an appropriate health care provider, at his/her expense. The certification, on the approved form, is available from the Center's personnel office, and must be presented to the human resources department. This certification must include the following information:

1. The date on which the serious health condition commenced.
2. The probable duration of the condition.
3. Appropriate medical facts regarding the condition.
4. A statement that the leave is necessary for the employee's own personal serious health condition or to care for a child, spouse, or parent with a serious health condition.
5. When leave is taken on an intermittent basis or on a reduce leave schedule, a statement of the medical necessity and expected duration/schedule of the leave.

This certification must be presented to the human resources department on the approved form within fifteen days of when it was requested. Failure to provide timely certification as required could result in the delay of the employee's requested leave.

As it deems necessary, the Center may require recertification as to the employee's own serious health condition or that of his/her child, spouse, or parent. When leave is taken for an employee's own serious health condition, he/she will be required to submit to a medical examination to determine his/her fitness to return to work.

Upon returning to work after periods of family and medical leave, the employee will be placed in his/her previous position or in an equivalent position, with the same pay, benefits, and working conditions including privileges, prerequisites and status with appropriate seniority, and involving similar skills, effort, responsibility and authority.

The Center's rights and obligations with respect to all items not specifically referred to herein will be governed by the Family and Medical Leave Act's provisions (29 U.S.C. 2601 et seq.) and governing regulations (29 C.F.R. part 825). To the extent the Act or regulations are amended, such amendments will govern the Center's rights and obligations until such time as this administrative regulation is amended to reflect those changes.

IV. FRINGE BENEFITS

A. HEALTH/DENTAL/~~VISION~~

The Center provides ~~a health and~~ dental ~~and vision~~ plans for its permanent full-time ~~and permanent part-time~~ employees. The Center currently pays ~~85%~~100% of the ~~subscriber-only~~ premium for permanent full-time employees. ~~Employees will be responsible for any premium costs for higher levels of coverage and family in cases of head of family. Permanent full-time employees are required to contribute 15% of health and/or dental plan premiums through payroll deduction. The Center pays 45% of the premium for permanent part-time employees and family in cases of head of family. Permanent part-time employees are required to contribute 45% of the health and/or dental plan premiums through payroll deduction. Employees who are eligible for medical insurance benefits and who have dual medical/hospitalization coverage through a spouse's or other non-GCEDC plan may participate in the GCEDC Medical and Dental Buy-Back Program and receive an annual cash settlement with proof of enrollment in an alternate healthcare plan.~~

B. HEALTH SAVINGS ACCOUNT

All Center employees who are eligible for health insurance benefits are eligible for a Health Savings Account. A specific employer funded amount, as defined in the Center's Plan Document, will be deposited into the employee's Health Savings Account each year and is not considered taxable income.

C. RETIREMENT

A retirement plan is provided by the Center for its employees under the NYS Employees Retirement System. A non-contributory plan (with the cost borne fully by the Center) is available from the Retirement System to employees who enrolled in the system before July 1, 1976. As of July 1976, all new members of the NYS Retirement System are required to contribute a percentage of their earnings toward their retirement depending on the tier assigned at date of membership. ~~3% of their annual salary~~. The Center office furnishes informational materials on the various plans provided.

D. SOCIAL SECURITY

The employer share of Social Security coverage for employees is provided by the Center.

E. UNEMPLOYMENT INSURANCE

The Center provides unemployment insurance coverage for its employees.

F. WORKERS' COMPENSATION

The Center provides for the cost of insurance for employees under the NYS Workers' Compensation Law. This insurance provides for payment of medical expenses and part of an employee's income in the event of absence due to accidents and diseases related to employment.

G. DISABILITY BENEFITS

The Center provides insurance for employees under the NYS Disability Benefits Law. Employees contribute .5% of pay, not to exceed a maximum of sixty (60) cents per week, toward the cost of this insurance. New York State Disability Insurance provides benefits for non-occupational disabilities for a maximum of six months.

All active full time employees are eligible to apply for long term disability insurance benefits provided by the Center. The employee's monthly wage or salary determines the basic monthly benefit available and the duration of benefits is dependent upon the insured's year of birth.

The Center pays 85% of the cost of the plan benefits with employees required to pay 15% through weekly payroll deductions.

As with other policies and benefits, the Center reserves the right to change or modify employee benefits at any time in its sole discretion.

V. EMPLOYEE RESPONSIBILITIES

A. PROFESSIONAL CONDUCT

As an employee, you have a definite job to do, and you are expected to fulfill that responsibility during your assigned work hours. Because you are employed by a public Center, you should be particularly aware that you are under public scrutiny. Your work, your conduct, appearance, and professional attitude are all subject to inspection by your employers - the taxpaying public. As public employees, staff members must not only give complete value in return for salaries but must also avoid conduct which might cause embarrassment to or criticism of the Center.

B. SEXUAL HARASSMENT

Sexual harassment is a form of misconduct which undermines an individual's integrity and human dignity and it is a violation of the law. It is the objective of the Center that all employees should be able to enjoy a work environment free from all forms of sexual harassment and the Center strongly opposes and prohibits such misconduct.

Sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from peers, as well as supervisors. In keeping with our commitment, the Center will not tolerate harassment of any of its employees by anyone, including any supervisor, co-worker, vendor, client or customer. Employees are expected to be familiar with the Center's more detailed policy, which is provided at the time of hire and is available through human resources.

C. PERSONAL AND CENTER VIEWS

Since staff members are hired to assist the Center in its work, they should support the Center's policies. They must not represent their personal views as the Center's. If a staff member ever feels that his or her views are incompatible with the Center's policies, that person should resign.

D. CONFIDENTIALITY OF INFORMATION

It is essential that the operations, activities, and affairs of the Center and its clients are kept confidential to the greatest possible extent. During their employment, employees acquire information that must be handled in strict confidence and may not be disclosed to anyone outside the Center. Employees are also prohibited from engaging in transactions on the basis of information not available to the general public, or dissemination of such information to others who might make use of that knowledge. Any employee violating any part of this policy is subject to discipline, up to and including immediate termination.

E. OUTSIDE EMPLOYMENT

No employee shall engage in any other employment, in private business, or in the conduct of a profession during hours for which he or she is employed to work for the Center, or outside such hours in a manner which adversely affects the employee's service to the Center. Additionally the following requirements must be observed in regard to other employment:

1. The job cannot be one which the Center may be directly or indirectly involved in under its statutory functions.
2. Acceptance of any outside employment will require the advance knowledge and consent of both the Chief Executive Officer and Employee and Compensation Committee unless other arrangements have been negotiated in a pre-employment agreement.

F. PERSONAL BUSINESS

To the greatest extent possible, personal business conducted during the working day is to be limited to an employee's lunch hour. Personal activities include the placing and receiving of personal telephone calls, all business not expressly related to the Center's work program, and personal visits.

VI. GENERAL OFFICE PROCEDURES

No employee of the Center is to utilize the Center's office space, supplies or equipment in connection with personal business unless such utilization is expressly approved by the Employee and Compensation Committee.

A. PURCHASING

Purchasing for the Center will be done by authorization of the Chief Financial Officer or Chief Executive Officer.

B. NEWS AND PUBLICATIONS RELEASES

All news releases will be through the office of the Chief Executive Officer only. The same policy is to be followed in releasing new publications of the Center.

C. CORRESPONDENCE AND MEMORANDUMS

Certain letters written by staff shall be sent out over the signature of the Chief Executive Officer. Such letters include those sent to elected officials of various governments, letters involving Center policies, position statements, commitments, etc.

D. SECRETARIAL SERVICES

All secretarial service requests must be made through the Chief Financial Officer or Operations Manager in order to establish priorities.

E. EXPENSES

The Center will reimburse necessary and reasonable expenses incurred by a staff member while on official business away from the office. All travel must be authorized by the Chief Executive Officer. All out-of-state travel will require the advance approval of the Center's Board of Directors.

Monthly reporting of all direct expenses is necessary to permit recording of expenses for federal/state reimbursement. Receipts for all expenses must accompany claims for reimbursement.

F. NEWS MEDIA RELATIONS

Center professional staff members are free to answer questions from the news media without prior clearance. All information given should be completely accurate and assumed to be "on the record".

Staff members should use sound professional judgment in discussing policy matters. In most cases, it is more appropriate for a Center member or the Chief Executive Officer to be quoted on policy questions. Staff members are to consult with the Chief Executive Officer before initiating contact with the news media and are to report inquiries.

G. OFFICE FILES

The office files, with the exception of personnel files and privileged data of projects in process, are open to the public and the press and may be examined in the office with enough supervision to ensure that they remain intact and in order. Materials are to be lent only in accordance with procedures established by the Operations Manager.

H. REQUESTS FOR CENTER PUBLICATIONS

All reports published by the Center are distributed to Center members, elected officials, and selected governmental entities free of charge. A nominal charge to cover printing, handling, and mailing expenses is charged to all private individuals and organizations.

I. PUBLICATION ACQUISITION

All publications acquired by individual staff members on behalf of the Center, whether paid for or not, belong to the Center. If a staff member is interested in keeping a copy of a report for his or her own, he or she should acquire an additional copy and pay for it if required.

J. FURNITURE AND EQUIPMENT INVENTORY

A current inventory will be maintained on each item of Center furniture and equipment which is not expendable. Each staff member will be accountable for furniture and equipment assigned to him or her. This responsibility implies their safeguarding and financial liability in the event of loss or damage due to negligence. In assessing such a liability, a test of reasonableness and prudent behavior will apply.

K. USE OF CENTER TELEPHONE

Telephone calls in the Center offices are to be used for Center business. While some personal calls may be necessary, such use is to be minimal. No personal long distance calls are to be charged to the Center.

L. CLARIFICATION OF PROCEDURES

All questions relating to Center policies and procedures are to be addressed to the Chief Executive Officer.

GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER

SEXUAL HARASSMENT POLICY

GENERAL STATEMENT

Sexual harassment is a form of misconduct which undermines an individual's integrity and human dignity and it is a violation of the law. It is the objective of Genesee County Economic Development Center (the "Agency"), that all employees should be able to enjoy a work environment free from all forms of sexual harassment and the Agency strongly opposes and prohibits such misconduct.

Sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from peers, as well as supervisors. In keeping with our commitment, the Agency will not tolerate harassment of any of its' employees, including any supervisor, co-worker, vendor, client or customer.

DEFINITION

Sexual harassment is conduct that is not welcome, that is personally offensive, that lowers morale and that, therefore, interferes with our work effectiveness.

The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as the following:

1. Unwelcome sexual advances;
2. Requests for sexual acts or favors, with or without accompanying promises, threats or reciprocal favors or actions; and
3. Other verbal or physical conduct of a sexual nature made to an employee when submission to such conduct is made either explicitly or implicitly a condition of an individuals' employment; submission to or rejection of such conduct by an individual as a basis for employment decisions; such conduct which has the purpose or effect of substantially interfering with an individual's work performance, or has the purpose or effect of creating an intimidating, hostile or offensive working environment.

Sexually harassing behavior may include but is not limited to explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures and displays of foul or obscene printed or visual material.

Specifically, no person shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment or career development. Physical contact such as touching, pinching, holding, grabbing, hugging, kissing or brushing against another person's body may also constitute sexual harassment. In some cases, sexual harassment may also arise from social interaction when an employee is pressured by a supervisor or another employee to date or socialize.

POLICY ENFORCEMENT

All the Agency's employees are responsible for helping to prevent sexual harassment. Any employee who believes he or she has been sexually harassed should immediately report the incident to his or her immediate supervisor, to the President / CEO, or to the Employment and Compensation Committee. A complaint may also be made by someone who witnessed the harassment, even if he or she was not the target of harassment or retaliation. The complaint may be made orally or in writing and should describe the improper activity, the individuals responsible, any witnesses and any action taken to respond to the situation. The Agency forbids retaliation against anyone who has reported harassment or participates in an investigation of alleged harassment.

The Agency will investigate all complaints thoroughly and promptly. The investigation will be conducted in an impartial manner, and, to the extent possible, the Agency will keep complaints and the terms of their resolution confidential. Both the complaining party and the accused will be advised of the determination and resolution of the complaint. If an investigation confirms that harassment has occurred, the Agency will take appropriate corrective action, which could include counseling, training, discipline, or termination. Non-employees may face the limitation or termination of their affiliation with the Agency, or the limitation or denial of their access to the Agency's premises.

You are reminded that allegations of sexual harassment can be very damaging to the accused and the person reporting the harassment. Therefore, the mention of names and discussions of events MUST not occur except as absolutely necessary to the investigation. Because of the damage that can be done to someone who is falsely accused, any person who in bad faith makes a false report will be subject to discipline or termination.

PRACTICAL SUGGESTIONS

Employees should use common sense in understanding and following the Agency's policy on discrimination and sexual harassment. For example, while not every stray remark or joke that may have sexual content will create a "hostile or intimidating work environment", the fact that someone laughs or does not immediately object to the comment does not justify it. The standard is one of reasonableness. While no one expects to work in a place where everyone walks on "pins and needles", at the same time, no one should be expected to come to work anticipating that sexual comments, jokes, gestures, or innuendos will be a regular part of the working environment.

Impermissible conduct must be corrected as soon as possible. With respect to harassment, many times simply informing someone that their conduct creates an uncomfortable environment is sufficient to correct the situation. Sometimes, however, individuals do not complain because they are afraid of being labeled as overly sensitive. This should not prevent an individual from making a report, particularly if the conduct is on-going. Just because some conduct has been tolerated in the past does not mean that it is appropriate or that it should not now be changed. Remember that certain conduct is impermissible (and unlawful) only when it is "unwelcome", so it is important to let others know when their activities are offensive.

What about office relationships? Consensual conduct between two individuals does not constitute sexual harassment. We know from experience that these relationships can, and do occur when men and women work closely together many hours each week. These relationships, however, create a distinct potential for later problems, particularly where the relationship is between a supervisor or manager and a non-supervisory staff member. If, and when, there is a break in the relationship, one party often feels hurt, and this can lead to problems. In addition, the supervisor, or manager can be perceived by other employees to be giving more favorable treatment to someone that he or she is involved with in a relationship. Accordingly, the Agency urges all individuals to approach such relationships with extreme caution, and strongly discourages such relationships between supervisors or managers and employees under their supervision. The Agency reserves the right to take appropriate action if such a relationship has the potential or actually does interfere with working relationships.

OTHER TYPES OF HARASSMENT OR DISCRIMINATION

This policy has focused primarily on sexual harassment because of the increase in reports and publicity of sexual harassment in the workplace in recent years. The Agency's policy also prohibits unlawful harassment or discrimination based on an individual's race, color, age, religion, national origin, marital status, or disability.

Anyone who experiences or witnesses job-related harassment based on race, color, age, religion, national origin, marital status, or disability should make an oral or written complaint as outlined in this policy. All complaints will be investigated thoroughly and promptly. Together, we can make our workplace one in which everyone is treated with respect and dignity.