



Santa Fe Animal Shelter  
**Personnel Manual**  
2017 edition

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## **Receipt and Acknowledgement of Santa Fe Animal Shelter Personnel Manual**

Please read the following statements and manual, sign below and return this page to the Executive Director or Designee.

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I have received and read a copy of the Santa Fe Animal Shelter Policies and Benefits Overview (the "Manual"). I understand that this manual is intended as a guide for personnel policies, benefits, and general information and that these guidelines are not to be construed as an employment contract.

I understand that the contents of this manual are presented as a matter of information only. The personnel policies and procedures and employee benefits described are not conditions of employment. Santa Fe Animal Shelter reserves the right to modify, revoke, suspend, change, or terminate any or all such personnel policies and benefit plans in whole or in part, at any time, with or without notice. The policy statements that appear in the manual are not intended to create or to be construed to constitute a contract between Santa Fe Animal Shelter and any employee of Santa Fe Animal Shelter.

***At-Will Employment***

I further understand that my employment is at will, and neither Santa Fe Animal Shelter nor I have entered into a contract regarding the duration of my employment. I am free to terminate my employment at any time, with or without reason. Likewise, Santa Fe Animal Shelter has the right to terminate my employment, or otherwise discipline, transfer, or demote me at any time, with or without reason, at the discretion of Santa Fe Animal Shelter. No employee of Santa Fe Animal Shelter can enter into any employment contract with Santa Fe Animal Shelter for a specified period of time, or make any agreement contrary to this policy without written approval by the Executive Director of SFAS.

***Confidential Information***

I am aware that during the course of my employment confidential information will be made available to me. I understand that this information is proprietary and critical to the success of Santa Fe Animal Shelter and must not be shared in any form with non-Shelter individuals or outlets. In the event of termination of employment, whether voluntary or involuntary, I hereby agree not to utilize or exploit this information with any other individual or Santa Fe Animal Shelter.

***Harassment, Discrimination, and Retaliation***

I further understand that SFAS will not tolerate harassment, discrimination, or retaliation of any kind, and that SFAS will take appropriate action swiftly to address any violations of this policy.

Please sign and return this page to the Executive Director or Designee.

**Printed Name of Employee** \_\_\_\_\_ **Date** \_\_\_\_\_

**Employee Signature** \_\_\_\_\_

## WELCOME

Welcome to the Santa Fe Animal Shelter! We're glad to have you with us. You were hired because we believe that you will make a unique and valued contribution to our Organization – the part you will play in your new position is critical to our continued success! We sincerely hope that you find your new job to be exciting, challenging and enjoyable, and we'll do our best to create a rewarding environment for you in return.

## ABOUT THIS MANUAL

This manual is intended to serve as a guide for all employees with respect to recruitment by and employment at the Santa Fe Animal Shelter, also referred to here as “SFAS” or “Organization.”

SFAS reserves the right to make changes to the policies, procedures, and other statements made in this manual at its sole discretion and with or without prior notice.

This manual is provided as a guide and is not to be considered a contract or a guarantee of employment for any length of time and does not change your right or the right of SFAS to modify or terminate the employment relationship at will, with or without cause and with or without notice.

Please use this manual as a ready reference for your job at SFAS. Additionally, the manual is intended to help facilitate good management and fair treatment of all employees. The manual is not intended to impede employees' interaction or communication between employees and the Executive Director or management. Any feedback and suggestions to improve its contents, organization, or even policies themselves to improve your work environment are greatly appreciated; please submit to Executive Director or Designee.

SFAS reserves the right to change, modify or abolish any or all of the policies, benefits and rules contained or described in this manual as it deems appropriate at any time without prior notice. Employees will receive notification of any changes and are responsible for staying abreast of changes. If a discrepancy exists between versions, the official copy ***posted online will be considered to be the current version and replaces any and all prior manuals, policies and procedure or versions.***

## OUR HISTORY

On July 18, 2005, the Santa Fe Animal Shelter left its home of 66 years—the only home the Organization had ever known—and moved to a new, two-building, 100-acre campus. We now have four facilities to serve homeless animals:

The Lapidus Adoption Center serves the animals ready for adoption. Every detail of the shelter is designed for the comfort and health of the animals. The Adoptions kennels have been modified to allow some with outside runs; other amenities include radiant-heating in the floors, cuddling rooms and outside meet-and-greet runs. An extensive trail system allows staff and volunteers to walk dogs and large outdoor play areas serve for dog playgroups.

The second building, the Robin Sommers Animal Receiving & Care Center, allows us much more room to house stray and abandoned animals as we care for them during their stay with us. High-tech ventilation systems allow us to control the spread of contagious diseases and to safely treat the animals in our care.

A third building, the Clare Eddy Thaw Animal Hospital, opened in the fall of 2013. The hospital houses both our Shelter clinic and, in a separate, self-contained section of the building, offers space for our public animal hospital. The full-service animal hospital offers veterinary services to the general public. We offer income-qualified residents a sliding fee scale and care credit.

Our newest facility, The Roddey Burdine Rehabilitation Center, dedicated in 2015, offers shy and frightened animals a place of respite away from the hustle and bustle of the Shelter. Located behind the Shelter campus, the building was designed from top to bottom with frightened animals in mind. Rubber floors, along with sound-absorbing ceiling tiles and noiseless kennel doors, serve to dampen loud noises, creating a stress-free environment. Dogs – and cats – are housed in spacious kennels, many with outside runs. Several outside kennels offer shelter for dogs who are uncomfortable in indoor areas. The Center is the home of our Behavior Team, which allows team members one-on-one time with individual animals for behavior help or the alone time they need to adjust to their new environment.

The Shelter also maintains several facilities off campus: The Spay/Neuter & Wellness Clinic at 2570-B Camino Entrada offers low-cost, high quality spay/neuter and vaccination programs to help ensure fewer unwanted puppies and kittens, and to help the overall health of the animals. Our resale stores, Look What the Cat Dragged In, 2570 Camino Entrada and 541 W. Cordova Road, feature fine, gently used housewares, clothes, furniture, décor, artwork, jewelry and more. All proceeds support Shelter programs.

The Santa Fe Animal Shelter was designed to be a haven for homeless animals and to provide resources for the animals and their guardians of our community. A 7-acre community fenced dog park, along with single-use dog parks and a park specifically designated for small dogs, are open to the public so that the Shelter is not just a place to adopt an animal or find a missing one, but a place and resource to visit over and over again. Our Shelter is one of the nation's most progressive, quickly ready to adapt to the changing needs of our community. We owe our success to committed staff members like you, along with dedicated supporters and volunteers. Together, we make a difference for all animals.

## **OUR MISSION**

The mission of the Santa Fe Animal Shelter is to support animals, save lives and spread compassion.

## **EQUAL EMPLOYMENT OPPORTUNITY**

It is the policy of SFAS not to discriminate against any employee or any applicant for employment because of gender, age, race, color, creed, religion, national origin, ancestry, citizenship, sexual orientation, gender identity, genetic information, spousal affiliation, marital status, military/veteran status, disability or membership in any other protected group.

This policy relates to all SFAS employment decisions, including those in connection with recruitment, hiring, training, promotion, compensation, benefits, termination, and all other terms and conditions of

employment. SFAS policies are in accordance with federal, state and local equal employment opportunity principals and other related laws, and are intended to ensure a positive and inclusive Working atmosphere.

The Organization condemns and will not tolerate any conduct calculated to intimidate, harass, or otherwise discriminate against any employees on the grounds listed above. Any employee who feels that his or her rights have been violated under this policy should inform the Executive Director or any member of management with whom the employee feels comfortable speaking.

## **REASONABLE ACCOMMODATIONS (ADA)**

The Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of SFAS to comply with all federal and state laws concerning the employment of persons with disabilities.

It is our policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

SFAS will make every effort to provide reasonable accommodation for qualified individuals with a disability in order to enable them to perform the essential functions of the job in question, unless such accommodation would create undue hardship for the Organization. An individual who can be reasonably accommodated for a job without undue hardship will be given the same consideration for that position as any other applicant.

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

Current employees who wish to request an accommodation should submit an ADA Accommodation Request form to the Executive Director or Designee.

The Executive Director or designee is responsible for implementing this policy, including resolution of reasonable accommodation, safety and undue hardship issues.

### ***Definitions***

In implementing this policy, SFAS will be guided by current definitions stated in the ADA or in case law construing the ADA, as well as applicable state and local law. In the event of any conflict between the definitions in the ADA and the definitions in this policy, the legal definitions will prevail. The following discussion is provided for general guidance of employees and applicants in understanding the policy of SFAS.



- “Disability” refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such impairment or has a record of such impairment is also deemed a “disabled individual.” An individual may also be deemed “disabled” if that person is regarded as having such impairment. However, in the “regarded as” instance, the situation is more complicated. Previously interpreted by the courts to be excluded, impairments that are in remission or are episodic in nature are now included. Amendments to the ADA effective January 1, 2009 specifically state that “an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.”
- The “Mitigating Measures” approach now requires the determination of “whether an impairment substantially limits a major life activity” to be made without regard for the benefits obtained from “mitigating measures” such as prosthetics, medical supplies, medication, and other modifications. The amendments implemented in January 2009 provide an exception for eyeglasses or contact lenses but specifically states that this standard cannot be applied to other measures.
- “Major life activity” may include things such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating or working. A “major life activity” may also include major bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive systems.
- “Direct threat to safety” refers to a significant risk of substantial harm to the health or safety of others that cannot be eliminated by reasonable accommodation.
- A “qualified individual with a disability” refers to an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
- “Reasonable accommodation” refers to making existing facilities readily accessible to and usable by individuals with disabilities, including but not limited to job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.
- “Undue hardship” refers to an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include the following:
  - the nature and cost of the accommodation;
  - the overall financial resources of the facility at which the reasonable accommodation is to be made;
  - the number of persons employed at that facility;
  - the effect on expenses and resources or other impact upon that facility;
  - the overall financial resources of the Organization;
  - the overall number of employees and facilities;
  - the operations of the particular facility as well as the entire Organization; and

- the relationship of the particular facility to the Organization.
- “Essential job functions” means the fundamental job duties of the employment position.

## **OUR RELATIONSHIP WITH OUR EMPLOYEES**

SFAS endorses the following employee relations principles:

- Respect the individuality of each employee.
- Make demonstrated ability and competence the primary basis for promotion and, where possible, support the practice of promotion from within.
- Provide training opportunities for all employees and encourage them to develop to their maximum potential.
- Provide fair and equitable compensation for all employees by maintaining competitive wage rates for comparable work in the community.
- Provide free and open channels of communication and continuously seek ways of maintaining high morale.
- Provide non-discriminatory, equal employment opportunity in accordance with applicable laws.

## **YOUR RESPONSIBILITIES AS OUR EMPLOYEE**

Along with the advantages and opportunities offered to you by SFAS are certain responsibilities we expect of you as an employee. Examples of your responsibilities as an employee include, but are not limited to the following:

- Following all established SFAS policies/procedures and instructions of management and providing complete and honest information in connection with all pay, time, business, and expense and employment records.
- Performing your job responsibilities in a professional, competent, honest and ethical manner to meet management’s expectations;
- Reporting to work physically and mentally fit and ready to work;
- Performing your responsibilities carefully and efficiently observing all health, safety and security rules at all times;
- Reporting accidents, injuries (whether your own or a co-worker’s or otherwise), fire, theft or other unusual incidents immediately;
- Promoting positive, courteous working relationships with the Executive Director and Management, all employees, volunteers, customers, and vendors;
- Working with the Executive Director, all co-workers, volunteers, customers, and vendors without regard to their gender, age, race, color, creed, religion, national origin, ancestry, citizenship, sexual orientation, gender identity, genetic information, spousal affiliation, marital status, military/veteran status, disability or membership in any other protected group;
- Avoiding any conduct which could create an actual or potential conflict of interest;
- Reporting to work regularly and on time, keeping absences to a minimum and providing appropriate notice of unavoidable absences consistent with SFAS policies;
- Protecting SFAS property and preventing damage, misuse or theft and refraining from using SFAS property, services, or supplies for personal reasons;

- Reporting knowledge of either unethical or illegal behavior on the part of another employee (including individuals in senior or management positions) to a manager, the Executive Director or Designee;
- Protecting the confidentiality of information that you acquire in the course of your employment.

### *Personal Conduct*

Every employee is expected to act in a professional, responsible, and courteous manner while representing the SFAS. Clearly, such behavior fosters a positive and productive working environment. Conversely, inappropriate or unprofessional behavior is disruptive and unproductive. Moreover, inappropriate conduct may be cause for corrective action, up to and including immediate termination.

### *Code of Conduct*

In the context of this manual, it is impossible for the Organization to identify all standards of conduct that are unacceptable. The Organization expects that employees act in a professional and courteous manner. The following are meant only to be examples of conduct prohibited by SFAS policy. This is not intended to be a complete list and it is subject to change at any time with or without notice. An employee's conduct is not made acceptable solely because the employee believes it to be, nor may an employee excuse his or her conduct because this manual does not specifically prohibit the objectionable conduct. All decisions regarding corrective action will be at the sole discretion of the SFAS. While corrective action for standard violations may follow a progressive corrective action procedure, the Organization reserves the right to skip or repeat steps in the progressive corrective action procedure. The decision as to what is inappropriate is left in the Organization's hands and sole discretion. Violations of the following or any other SFAS policies could be considered misconduct and may subject you to corrective action, up to and including immediate termination:

- Obtaining employment or promotion on the basis of false or misleading information.
- Repeatedly failing to meet job responsibilities or quality requirements.
- Insubordination, meaning refusing to follow legitimate instructions of the Executive Director or a manager directly related to performance of one's job.
- Failing to give a high degree of service, courtesy and respect to customers, management, fellow employees, and volunteers.
- Disrupting the work environment.
- Theft, fraud, embezzlement or other proven acts of dishonesty.
- Unauthorized use of SFAS supplies, information, equipment, funds, donations, other property or computer codes/passwords.
- Offering discounted or free services or merchandise to individuals without the consent of management.
- Reselling merchandise purchased at an employee discount from shelter-related businesses.
- Negligence in protecting SFAS assets.
- Leaving your department or work area without appropriate coverage, or being in another work area without business reason.
- Knowingly mishandling a customer's account information.
- Any harassment of another employee, management, a customer, or a vendor (verbal, physical, or visual), including sexual harassment such as offensive gestures, unwelcome advances, jokes,

touching, or comments of a sexual nature made to or about another employee, volunteer, client, or vendor.

- Conduct that is likely to cause the Executive Director, another employee, client or vendor embarrassment, loss of dignity, feelings of intimidation, or loss of opportunity, including all forms of discrimination and harassment.
- Possessing firearms or weapons while on SFAS premises or carrying them while on SFAS business; or threatening the personal safety of fellow employees, volunteers, customers, or vendors.
- Committing any act, on or off the Organization's premises which threatens or is potentially threatening to the reputation of SFAS or any of its employees, volunteers, customers, or vendors.
- Assisting anyone whom you know or suspect to be involved in a crime, or committing any crime, or engaging in any conduct that rises to the level of a crime.
- Reporting for work under the influence of alcohol or any illegal substances; or possession, sale or distribution of alcohol or illegal substances while on SFAS premises or abusing such items while representing the Organization or conducting SFAS business.
- Solicitation of employees for contributions or distribution of non-work related literature should not interfere with work time. Furthermore, acceptance of such literature or donating to various causes should not be seen as a condition of employment. Note, this policy is not intended to limit or interfere with your rights under Section 7 of the National Labor Relations Act.
- Soliciting gifts (money, services or merchandise).
- Accepting gifts without the approval of management.
- Falsifying SFAS documents or records, including altering or falsifying work or time records, clocking in and out for others or allowing others to clock in and out for you, or failing to clock in or out, misuse of timekeeping records, abuse of "Time Off" benefits, or falsely inputting payment data.
- Excessive absenteeism or unacceptable patterns of absenteeism.
- Repeatedly working overtime without the approval of a manager.
- Refusing to repay documented overpayment of any compensation.
- Providing information or speaking to print, online or broadcast media representatives, on behalf of SFAS, unless specifically authorized to do so by the Executive Director.
- Job abandonment, meaning the failure to report to work without properly notifying your manager, or leaving work prior to completion of your responsibilities.
- Running another business from SFAS.
- Engaging in unauthorized employment elsewhere while on paid benefits related to illness or while on an extended absence.

### *Relationships with Other Employees*

It is necessary for employees to treat each other with mutual respect. Such conduct helps us to maintain a healthy and productive working environment that can only be obtained with the cooperation of all employees. If at any time you feel that another employee has treated you inappropriately, it should be reported to any member of management with whom you feel comfortable speaking.

### *Relationships with our Customers*

SFAS requires every employee to adhere to the highest standard of ethical business conduct. Our most valuable asset is our good name. It is important to realize that we compete with many other organizations for customers. Impressions are changed and formed by every contact our customers and their families have with us. Every time they hear or see anything having to do with SFAS, it strengthens or changes their perception of our organization.

When our customers elect to do business with us, they have high expectations and a positive impression of our services. It is up to each employee to fulfill these expectations and build a lasting impression. Our reputation is your future.

Know that management is always available to you to discuss any concerns you may have.

### *Humane Animal Care*

We at the Santa Fe Animal Shelter are proud of our long and rich tradition of providing competent, compassionate care to all animals that enter our doors. One of your most important responsibilities as an employee of our organization is to demonstrate this level of compassion to the animals you encounter every day. As you go about your duties, be sure that you treat each animal you encounter with dignity, respect, tenderness and care. We will not tolerate any use of undue force or roughness in the restraint or handling of animals. All employees must support our efforts to provide a caring, safe haven and must never intentionally inflict pain or mistreat an animal, and must not neglect or otherwise unreasonably withhold care from an animal.

For many of the animals you encounter, YOU will be the first person who has provided this animal with a caring and positive experience. Take this responsibility seriously, and do your best to leave work at the end of each day knowing that you have made an animal's life better because of your actions.

### *Use of SFAS Telephones or Cell Phones While at Our Office*

Personal calls on SFAS telephones should be restricted to emergencies only. SFAS understands that there are times when an employee will need to use the SFAS telephone or your cell phone to address a personal issue while at work. To the extent possible, employees are asked to conduct these calls during break periods or before or after you clock in for your shift. Extensive telephone conversations during working hours are prohibited. In the event you must take a personal call on your cell phone during work hours, you should do so in a manner so you do not disturb other employees or visitors. These calls are expected to be brief and should occur infrequently. SFAS is aware that employees may utilize their personal cell phones for business purposes. At the same time, cell phones can be a distraction in the workplace.

### *Image and Dress Code*

A professional appearance is essential to a favorable impression with our customers, vendors and other members of the public. Good grooming and appropriate dress inspire confidence on the part of such persons and reflect employee pride.

SFAS dress code is typically business casual attire. It is important that you keep your job responsibilities in mind when choosing appropriate attire.

## *Employee Uniforms*

Some employees may be issued uniforms through their department or from another uniform supplier or, in some cases, may be required to wear a specific type or color of clothing as a uniform. Employee uniforms may be taken home and cleaned regularly. Employees must make every effort to keep uniforms free of stains and maintained in good repair at all times.

Uniformed employees must be in full uniform and adhere to the uniform guidelines for their department at all times. This includes wearing uniforms as they are intended to be worn by their design (shirts tucked in, caps facing forward, etc.).

Any uniforms supplied to you at no expense must be turned back in at the request of management if at any time you leave our employment. Uniforms not received may be charged to you at cost, and the cost of these uniforms may be deducted from your final paycheck with employee consent.

## *Animal-Handling Employees*

For safety reasons, all animal handling employees must wear long pants and closed-toe, non-skid shoes at all times. Long hair must be tied back and away from the face and shoulders.

## *Attire Guidelines*

- All clothing should fit properly and be professional.
- Footwear must be safe for your type of work. In animal care and customer service departments, sandals, thongs, platform shoes, or moccasins are not acceptable. In all cases footwear should be kept reasonably clean and in good repair. Please see your manager for the specific shoe requirements applicable to your department.
- Take care to ensure jewelry will not get in the way of any of your duties. Earrings, and all other jewelry, should be chosen with safety and professionalism in mind.
- Personal technology (iPods, cell phones, etc) may not be worn in any area where customers may be present or if such use might create an unsafe working environment for you, other employees, volunteers or the animals.

SFAS reserves the right to determine corrective action.

## *Employee Lockers*

For your convenience, a limited number of lockers are available for employee use. Employees will be provided with lockers on a space-available basis. Please see your manager if you would like to be issued a locker. Employees must provide their own lock to secure their locker.

Lockers are designed to hold only clothing and toiletries. We urge you not to leave valuables or cash in your locker. The Shelter will not assume responsibility for missing or damaged items under any circumstances. Do not store items in your locker that belong to SFAS, its customers or your fellow employees.

Lockers are the exclusive property of the Organization and may be inspected at any time. If management wishes to inspect your locker for legitimate business reasons and you are unavailable to open your locker, your lock may be cut off in your absence.

Please help to keep your locker room neat and tidy at all times.

### *Parking*

Please park only in the areas designated for employee parking. We do not assume responsibility for any losses, including theft of or damage to personal vehicles or their contents, while parked on our property.

### *Lost and Found*

Whenever you find an item that was lost or left behind, whether by a visitor, volunteer, or a fellow employee, take the item immediately to a manager. The person who is missing the item may already be looking for it.

### *Volunteering at SFAS*

Under certain circumstances, employees of SFAS may be allowed to volunteer their time without pay to benefit the Organization, subject to the following guidelines:

- Non-Exempt employees may never volunteer to perform services which are the same or similar to your regular job duties.
- No manager may show any favoritism toward employees who volunteer, or exhibit disfavor toward employees who choose not to volunteer.
- Managers may never coerce employees or make them feel they are expected to volunteer as a condition of employment.
- When and if there is an opportunity for employees to volunteer, general notices will be distributed by email or otherwise distributed on a general basis – employees will not be approached individually about such volunteer opportunities.

### *Staff Meetings and Training*

Our managers schedule periodic employee meetings in order to communicate policies and procedures, solicit employee ideas and feedback, provide training and conduct other Shelter business. SFAS staff members are required to attend any scheduled meetings or training sessions. Please check with your manager if you were unable to attend any scheduled meeting or training so that you are informed of any important news.

### *Requests For Information*

Information requested of employees (for insurance forms, surveys, orientation forms, etc.) must be provided by the employee on or before the deadline given. Failure to respond to such requests in a timely manner may result in disruptions to your benefits and our business.

### *Personnel Records*

The Organization maintains a personnel file for each employee. It is essential that these files remain accurate. It is your responsibility to report changes in home address, telephone number, marital status, number of dependents, emergency contact and educational accomplishments pertinent to your role to the Executive Director or Designee. Employees who are required to drive for shelter business on a regular basis are expected to notify us of any changes or updates to your license or insurance. Falsifying any documents may result in corrective action up to and including termination of employment.

The Organization is committed to protecting the privacy of its current and former employees. SFAS will release confidential information to a third party outside of the Organization if the employee has signed a release authorizing the release of such information. In addition, SFAS may release confidential information to a third party outside of the Organization under certain circumstances, such as in response to a legal subpoena or court order. In these instances, the Executive Director will make the decision on whether to release such information and in doing so SFAS will take appropriate measures to uphold its commitment to protecting the privacy of its current and former employees.

## **EMPLOYMENT**

### *Employment “At Will”*

SFAS maintains an employment “at will” status. Therefore, **ANY STATEMENT OR CONDITION OUTLINED IN THIS MANUAL OR ELSEWHERE IS NOT INTENDED TO BE REGARDED AS OR CREATE A CONTRACT FOR EMPLOYMENT.** Employees or the employer may terminate the employment relationship at any time for any reason.

### *Duration of Employment*

As an “At will” employee, you are not guaranteed, in any manner, that you will be employed for any set period of time. This means that SFAS may terminate your employment at any time for any lawful reason and likewise you are free to resign your employment at any time. No one in the Organization, except the Executive Director, in a written, signed contract, may make any representation or promise to you that you are other than an at-will employee. In the case of a discrepancy, a signed employment agreement supersedes the information in this manual.

### *Performance Reviews*

The performance appraisal process is an opportunity to discuss accomplishments, progress and areas where improvement is needed. Performance reviews will be based on your overall performance in relation to your job responsibilities and will also take into account your conduct, demeanor, and dependability, including your record of attendance and tardiness.



Your performance will be reviewed generally once a year, but may be conducted more frequently or less frequently depending upon the business needs of SFAS. If you would like to know how you are performing at any point between the formal review periods, please schedule an appointment with your manager and he/she will be glad to discuss your performance with you at any time.

The appraisal process does not result in automatic raises. Salary adjustments may or may not occur in conjunction with performance appraisals.

### *Transfers and Promotions*

A large variety of jobs exist at the Santa Fe Animal Shelter. While it's often hard to predict what types of employment opportunities will arise within the Organization at any given time, when new positions do arise it's our goal to fill each position with the most qualified individual.

Always remember that we view both promotions and lateral transfers as a benefit, not a right. If you are eager to move to another area, your best strategy is to be the best employee you can be NOW, in the position you hold TODAY.

### *Employment of Relatives*

As a matter of policy, SFAS supports the hiring of qualified family members of our employees. For purposes of this policy, a family member is defined as the employee's spouse, child, parent, brother, sister, grandparent, stepparent, stepchild, stepbrother, stepsister, half-brother, half-sister, current mother-in-law, current father-in-law or current brother or sister-in-law. Other types of relationships include a significant other, business partner, roommate, etc.

Family members, as defined by this policy, may work for SFAS provided a direct reporting relationship does not exist between them. No family member of any employee may work in a department that handles confidential matters, such as payroll and personnel records. Furthermore, no family member of an employee should be in a position that might have influence over the employee's schedule or other employment-related actions.

If a current employee becomes aware that a family member, as defined by this policy, has applied for a position at SFAS, he/she should provide the Executive Director or Designee with this information.

If two employees become family members, as defined by this policy, or engage in any relationship that may be perceived as a conflict of interest during the course of their employment, and in the event there is a direct reporting relationship or other situation as defined above, SFAS will consider reassignment of one of the two employees based upon business needs. If reassignment is not feasible, SFAS reserves the right to require one of the employees to resign. In the event neither employee voluntarily resigns, SFAS reserves the right to terminate one or both of the employees.

SFAS will exercise their sole discretion in the placement of employees who are family members. The Organization reserves the right to modify and implement this policy accordingly in response to business needs.

## *Confidentiality Agreement*

During the course of employment, employees will likely be exposed to confidential information, including but not limited to sensitive or confidential information regarding animals, individuals, families and other entities who do business with SFAS, other employees and SFAS business. This information is proprietary and critical to the success of Santa Fe Animal Shelter and must not be given out or used outside of non-Santa Fe Animal Shelter employees. Employees are not to utilize or exploit this information with any other individual or entity. All employees are required to keep business information and information obtained during the course of business in strict confidence.

Should a situation occur in which you are unsure of your obligations under this policy, it is your responsibility to consult with the Executive Director or Designee. Failure to comply with this policy may result in corrective action, up to and including termination.

## **PROGRESSIVE CORRECTIVE ACTION**

Our corrective action policy and procedure is designed to provide a corrective action process in order to prevent a recurrence of undesirable behavior and/or performance issues. This corrective action policy applies to all employees and pertains both to the employee's job performance as well as to his/her conduct. SFAS may follow the procedures outlined below but also reserves the right to skip steps in this process or repeat steps depending on the circumstances of the corrective action issue and/or conduct violation. SFAS is not required to utilize the procedures outlined below and may terminate an employee's employment at any time, with or without reason. In determining what corrective action is appropriate, SFAS may consider many factors, including but not limited to whether the offense is a repeated one, severity, as well as the impact such conduct and/or performance issues have on our Organization.

### *Progressive Corrective Action*

Unacceptable behavior and/or performance that does not result in immediate termination of employment or some other corrective action may be dealt with in the following manner:

1. Coaching
2. Verbal Discussion noted in personnel file
3. Final Written Warning
4. Termination

If any case in which one or more of the above steps is implemented, immediate and significant improvement is expected or the employee may be subject to further corrective action up to and including termination of employment. Employees who commit an offense that becomes documented in writing will be asked to sign the documentation as verification that the issue was discussed with them.

In cases of unacceptable behavior that do not warrant immediate termination of employment, additional occurrences of unacceptable behavior are not acceptable and may subject the employee to immediate corrective action. SFAS reserves the right to repeat or skip any of the steps above at their discretion.

To ensure that SFAS business is conducted ethically and efficiently, all employees are expected to follow the policies described in this manual. Examples of serious violations include, but are not limited to theft, falsification of records, breach of confidentiality agreement, threats of bodily harm, etc.

Behavior that is illegal may not be subject to this progressive corrective action procedure and may be reported to local law enforcement.

All policies and statements articulated in this manual concerning employee's conduct and SFAS' expectations of its employees are applicable to *all employees* regardless of their classification or categorization, unless specifically provided otherwise in this manual.

## **HARASSMENT, DISCRIMINATION, AND RETALIATION**

SFAS strives to create and maintain a work environment in which people are treated with dignity and respect. The environment of the workplace should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. SFAS will not tolerate discrimination or harassment of any kind. **It is, therefore, our policy to prohibit any employee from harassing another employee, volunteer, customer or vendor and to do our best to protect our employees, volunteers, customers and vendors from harassment.**

Harassment, including sexual harassment, is prohibited by federal and state laws. This Policy prohibits harassment of any kind, and the Organization will take appropriate action swiftly to address any violations of this policy. The definition of harassment is: verbal or physical conduct designed to threaten, intimidate or coerce. Also, verbal taunting (including racial and ethnic slurs) which, in the employee's opinion, impairs his or her ability to perform his or her job or creates a hostile work environment.

Examples of harassment may include, but are not limited to:

- Verbal: Derogatory comments regarding a person's gender, age, race, color, creed, religion, national origin, ancestry, citizenship, sexual orientation, gender identity, genetic information, spousal affiliation, marital status, military/veteran status, disability or membership in any other protected group.
- Non-verbal: Distribution, display or discussion of any written or graphic material that ridicules, insults, belittles, or shows hostility or aversion toward an individual, or group because of gender, age, race, color, creed, religion, national origin, ancestry, citizenship, sexual orientation, gender identity, genetic information, spousal affiliation, marital status, military/veteran status, disability or membership in any other protected group.

### *Sexual Harassment*

Harassment on the basis of sex is a violation of Section 703 of Title VII of the U.S. Civil Rights Act of 1964. Sexual harassment, as defined by the EEOC includes unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Harassment, however, does not have to be of a sexual nature and can include offensive remarks about a person's sex.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is unwelcome, that is personally offensive, that lowers morale and therefore interferes with work effectiveness. Sexual harassment may take different forms.

Examples of conduct that may constitute sexual harassment are:

- Physical: Unwelcome, unwanted physical contact, including but not limited to touching, pinching, patting, grabbing, poking or brushing against another employee's body.
- Verbal: Unwanted sexual advances, propositions or other sex-based comments, such as: sexually oriented gestures, noises, remarks, jokes, or comments.
- Non-verbal: The distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive, or shows hostility toward an individual or group because of sex; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, or other electronic means of communication that is sexual in nature.

An employee who has a complaint of sexual harassment at work by anyone, including co-workers, the Executive Director or Designee, customers, or vendors, should immediately bring the problem to the attention of the Executive Director or Designee, or any member of management with whom you feel comfortable speaking.

Harassment is a serious violation of SFAS policies. This policy covers all SFAS employees. The Organization will not tolerate, condone, or allow harassment, whether engaged in by fellow employees, customers, or other non-employees who conduct business with SFAS. The Organization encourages reporting all incidents of harassment, regardless of who the offender may be.

If you have any questions regarding this policy, you are urged to discuss it with the Executive Director or Designee.

### *Workplace Bullying*

In addition to all forms of prohibited harassment, discrimination and retaliation listed above, SFAS prohibits all forms of bullying behavior. It is a violation of the Code of Conduct, which states, "The Organization expects that employees act in a professional and courteous manner. It is necessary for employees to treat each other with mutual respect."

SFAS defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. In certain instances, a one-time behavior could rise to the level of bullying. SFAS will not tolerate any instance of bullying. Employees found in violation of this policy will be disciplined, up to and including termination of employment.

The following are examples of bullying:

- Verbal bullying: Ridiculing; criticizing; persistent name calling that is hurtful, insulting or humiliating; abusive and offensive remarks.

- Physical bullying: Pushing, shoving, kicking, assault or the threat of physical assault.
- Gesture bullying: Nonverbal threatening gestures, glances that convey threatening messages.
- Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

Guidelines on filing a report of bullying are provided under the *Procedures for Reporting a Complaint* as outlined in this Personnel Manual.

-Adapted from *Society for Human Resource Management*, [www.shrm.org/resources](http://www.shrm.org/resources).

### *Procedures for Reporting a Complaint*

#### **Notification of Appropriate Staff**

Employees who feel they have been harassed, intimidated, or discriminated against should immediately report the matter to the Executive Director or Designee, or any member of management with whom you feel comfortable speaking. The very nature of harassment or discrimination often makes it virtually impossible to detect unless the person being harmed registers his or her discontent with the appropriate management representative. Reports of harassment and discrimination will be treated as confidentially as possible. If any employee receives a complaint in a formal or informal manner, or observes conduct that he or she believes may constitute harassment or discrimination, the employee is encouraged to immediately advise a member of management of the situation. If any member of the management team becomes aware of harassment or discrimination they must advise the Executive Director or Designee.

#### **Timeframe for Reporting the Complaint(s)**

SFAS encourages prompt reporting of complaints so that a prompt response and appropriate action may be taken. The late reporting of a complaint may adversely impact the ability to respond and to take appropriate action where this is warranted.

#### **Protection Against Retaliation**

Any employee who, in good faith, reports an alleged incident of harassment or discrimination, or participates in an investigation will under no circumstances be subject to reprisal or retaliation of any kind. Retaliation is a serious violation of this harassment policy and should be reported immediately. Any person found to have retaliated against another individual involved in an investigation may be subject to corrective action.

### *Investigating the Complaint*

An allegation of harassment or discrimination will be promptly investigated in as confidential a manner as possible so as to protect the privacy of persons involved. Confidentiality will be maintained

throughout the investigation process to the extent practical and appropriate under the circumstances. In pursuing the investigation, the investigator will try to take the wishes of the complainant under consideration, but the need to completely investigate all allegations will be the paramount concern.

### *Resolving the Complaint*

Upon completing the investigation of the complaint, SFAS will communicate a summary of its findings and intended actions to the complainant and alleged harasser or person alleged to have discriminated.

If the investigator finds that harassment or discrimination occurred, the employee will be subject to appropriate corrective action, as listed below.

#### **Sanctions**

Employees found to have engaged in misconduct constituting harassment or discrimination may be subject to corrective action, up to and including termination of employment. In addressing incidents of harassment or discrimination, SFAS' response at a minimum will include reprimanding the offender and preparing a written record. Additional action may include referral to counseling, harassment or discrimination training, withholding of a promotion, reassignment, and temporary suspension without pay, demotion, or termination.

Although SFAS' ability to discipline a non-employee harasser (e.g., customer, vendor) is limited by the degree of control, if any, that SFAS has over the alleged harasser, employees should be assured that appropriate action will be taken.

#### **Appeals Process**

If either party directly involved in a harassment or discrimination investigation is dissatisfied with the outcome or resolution, that individual has the right to appeal the decision. The dissatisfied party should submit his/her written comments in a timely manner to the Executive Director.

SFAS shall maintain a written record of each complaint, including how it was investigated and resolved, in a manner consistent with our legal obligations.

SFAS has developed this policy to ensure that all employees work in an environment free from harassment and discrimination.

### *Whistleblower Policy*

A whistleblower as defined by this policy is an employee of SFAS who reports an activity that he/she considers to be illegal or dishonest to the Executive Director or Designee. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities include violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact the Executive Director or Designee.

Whistleblower protections are provided in two important areas — confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation to comply with the law. The Organization will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Executive Director or Designee immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the Executive Director or Designee who will be responsible for investigating and coordinating corrective action.

Employees with any questions regarding this policy should contact the Executive Director or Designee.

## **RESOLVING PROBLEMS**

### *Resolving Conflicts*

SFAS understands that problems and misunderstandings may arise in the workplace. The Organization is committed to creating a positive working environment where each employee is dealt with fairly and receives appropriate recognition for his/her individual contributions to our success. In order to create a productive work environment that is built upon trust, respect, and open communication, we will implement the following Problem Resolution Procedure as a method of working out any disputes between employees or employees and management.

### *Problem Resolution Procedure*

In all cases, should your concern be with another staff member, you should first attempt to resolve it on your own. If this is not possible, you should follow the steps of this procedure. Because problems are best resolved on an individual basis, individual employees, not groups of employees, should only initiate this procedure.

**Step 1:** If you have a complaint concerning any aspect of your employment not already addressed in this employee manual (including the appraisal of your job performance, corrective counseling, or any other unresolved conflict), you should discuss your point of view with your manager. If this person is the cause of the problem or if the employee feels uncomfortable discussing the matter with the manager, the employee may discuss the concern with another manager.

**Step 2:** If you are not satisfied with the resolution, or if there is no response to the complaint, you should bring the matter to the attention of the Executive Director or Designee to attempt to find another option to resolve this issue. We encourage you to put these actions in writing to clarify your own thoughts and to help ensure that the Executive Director or Designee has a complete understanding of the problem. It is suggested that you include the nature of the problem and the date when the

incident occurred, your manager's response to the situation, and any suggestions you may have regarding ways to resolve the problem.

**Step 3:** If you are still not satisfied with the resolution, you may contact the Executive Director. We encourage you to put these actions in writing. The Executive Director will work with you to resolve the issue. Decisions at this level will be considered final.

Although you may not always get the answer you wish to hear, you should remember that the process has been developed to provide you with an open forum for your concerns to be addressed in a factual and objective manner. All individuals involved with this process should refrain from discussing the issue with employees who are not involved. No one will be retaliated against for filing a good faith complaint under this procedure. We welcome your thoughts and suggestions at any step in the process.

## **SAFETY AND SECURITY**

It is the intention of SFAS to provide a safe and healthy work environment.

### *General Safety Guidelines*

Safety is everyone's responsibility. The management of the SFAS takes employee safety very seriously – you will not be required to work in unsafe conditions, nor will you be asked to risk your health in the performance of your job. In the daily performance of your duties, THINK about what you are doing and how you are doing it. Stay alert! Your own health and safety is important - please use every safeguard provided. Be sure you understand the safe way to perform your job. When in doubt, always ask your manager.

Employees are expected to observe proper procedures and practices designed to prevent illnesses and injuries. In this regard, safety precautions should be taken by employees at all times. These measures include, but are not limited to:

- Operate equipment only if you have been properly trained and the equipment is in good working order;
- Keep the floors clean and free of clutter;
- Never operate electrical appliances in wet surroundings;
- Observe Universal Precautions, handle infectious/harmful substances with caution, and use safety equipment properly.

If you discover what you think is a potentially hazardous condition, report it to your manager. If you believe that your safety concern(s) is/are not responded to in a timely fashion, please inform the Executive Director or Designee. Your suggestions for changing any practice or procedure to increase safety are most welcome.

### *Hazardous Materials*

In accordance with Federal Law, all employees who work with hazardous materials during the course of their job will be trained. Included in this training is the following:



- The employee's "Right to Know"
- Hazardous material identification & information
- Exposure, protective equipment and first aid procedures
- Mixing and storing of hazardous materials
- Cleanup of spills and disposal
- What to do in the event of fire and explosion

Employees are responsible for actively participating in this training and for applying the procedures taught at all times, including reading all container labels thoroughly and disposing of hazardous materials properly.

### *Workplace Injuries*

We support all federal and state OSHA laws and regulations. If you should ever be injured, however slightly, while on SFAS business or on SFAS property, report it immediately to management. If your manager is unavailable, you should report it immediately to the Executive Director or Designee, and then notify your manager as soon as possible. Employees are required to report any on the job injury in as timely a manner as possible.

All accidents must be reported as soon as you are able following their occurrence. This ensures that SFAS can assist you in obtaining appropriate medical treatment and is required in order that complete information can be obtained and necessary reports completed for workers' compensation purposes. Failure to follow this procedure may result in the failure to file the appropriate workers' compensation report in accordance with the law, which may in turn jeopardize employee benefits in connection with the injury or illness.

### *Medical Attention*

SFAS requires employees to notify the Executive Director or Designee when medical attention is required for any reason, accident or illness, during the workday. Employees requiring transportation to a medical facility must be taken by trained medical personnel. Transportation and medical costs are the responsibility of the employee unless otherwise falling under workers' compensation benefits.

If your injury is serious, you will be sent to a doctor or a hospital for treatment immediately. As soon as you are able to, you should complete a Report of Injury Form. Before you will be permitted to return to work, you will be required to present a physician's note indicating that you are capable of returning to work and performing the essential functions of your position either with or without a reasonable accommodation.

Employees who sustain minor injuries not requiring medical attention will be provided with a First Aid kit. If you are unable to self-administer, you will be sent to Concentra. If medical attention is needed at a later date, you should notify your manager or the Executive Director or Designee of this change in your condition. Except in emergency situations, you will then be directed to a shelter-designated clinic for further treatment.

If you go to your personal physician for treatment of an occupational injury, payment to your physician may be denied by our insurance carrier.

Questions regarding workers' compensation insurance and any and all workers' compensation documents should be directed to the Executive Director or Designee. The Organization reserves the right to have you examined by a physician of our choice. SFAS assumes no responsibility, liability, etc, for an employee's family members, friends, or others while on SFAS premises for any reason.

### *Work Restrictions and Returning to Work*

If you sustain an on-the-job injury requiring ongoing medical attention, you must:

- Keep your immediate manager and the Executive Director or Designee informed about all visits to the clinic, and the results of those visits. You are required to provide your manager with documentation of your visits to the clinic within 24 hours of the visit.
- If you are required by the physician to be off duty for more than one day, you must keep your manager updated on your expected return-to-work date. Your manager will tell you how often you need to report in by telephone regarding your ability to return to work.
- Provide originals or clear copies of all relevant documentation regarding your work status and required continuing medical treatment to the Executive Director or Designee in a timely fashion.
- You will be required to report for duty if there is a modified or "light duty" assignment available which you are capable of performing. When your doctor releases you for modified or light duty, you must present the release to the Executive Director or Designee, prior to beginning your work assignment.
- When you are fully released by your doctor to unrestricted duty, you should notify your manager immediately. Upon your return to work, present the release to the Executive Director or Designee. You may not place yourself or coworkers at risk by performing tasks you have not yet been released to perform.

### *Weapons Policy*

SFAS prohibits all persons who enter SFAS property from carrying a handgun, firearm, knife (excluding pocket knives), or prohibited weapon of any kind onto the property regardless of whether the person is licensed to carry the weapon or not. The only exceptions to this policy will be police officers, animal control officers, and/or security guards.

SFAS employees are also prohibited from carrying a weapon while in the course and scope of performing their job for the SFAS, whether they are on SFAS property at the time or not and whether they are licensed to carry a handgun or not. Employees may not carry a weapon prohibited by this policy while performing any task on the Organization's behalf. In addition, weapons are prohibited at any SFAS-sponsored function such as off-site training, shelter sponsored parties or picnics, or other meetings.

Prohibited weapons include any form of weapon or explosive restricted under local, state or federal regulation. This includes all firearms, knives, or other weapons covered by the law as well as those that can cause bodily harm and serve no purpose in the workplace. If you have a question about whether an item is covered by this policy, please contact the Executive Director or Designee. It is the employee's

responsibility to make sure beforehand that any potentially covered item they possess is not prohibited by this policy.

SFAS property covered by this policy includes all SFAS owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the Organization's Executive Directorship or control.

SFAS reserves the right to conduct searches on its property or authorize searches by law enforcement on its property with or without the employee being present. Failure to abide by all terms and conditions of the policies described above may result in corrective action up to and including termination. Further, carrying a weapon onto SFAS property in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from the SFAS property and may result in prosecution.

### *Workplace Violence Prevention*

SFAS is committed to preventing workplace violence and to maintaining a safe work environment. In order to do so, SFAS has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on SFAS' or a client's premises.

All customers and employees, including temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from any conduct or actions that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, volunteer, customer, or any member of the public at any time will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's gender, age, race, color, creed, religion, national origin, ancestry, citizenship, sexual orientation, gender identity, genetic information, spousal affiliation, marital status, military/veteran status, disability or membership in any other protected group.

All threats of (or actual) violence, instances of intimidation or coercion both direct and indirect, should be reported to the Executive Director. If the Executive Director is unavailable, please contact the Executive Director or Designee. This includes threats by employees, as well as threats by volunteers, customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to the Executive Director or Designee. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of the investigation, SFAS may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines may be subject to prompt corrective action up to and including termination of employment.

Employee and Management procedures for handling a crisis involving violence in the workplace include the following:

- If you are faced with a violent employee, client, vendor, or other member of the public, don't resist. **Remember, your personal safety is of utmost importance.**
- Call the police (911) if possible.
- Do not engage.

*After the crisis is over*, call the police if you have not yet already done so and inform any member of the management team. Complete an Incident Report and submit it to your immediate supervisor.

### *Fire and Emergency Preparedness*

The best preparation for a possible emergency must take place before such an event may occur. Your personal safety is of utmost importance. Familiarize yourself with exits from all points within the SFAS building or a client location. Note the placement of fire extinguishers. Familiarize yourself with the instructions on each fire extinguisher and determine if you are capable of handling this equipment in a safe, effective manner should the need arise. *If you are uncertain how to properly operate a fire extinguisher, ask your manager to show you.*

You are not expected to fight a fire. Your first priority is to exit safely. Only use a fire extinguisher if you are capable and the fire is of small origin or if you feel the use of a fire extinguisher will assist in your exit from the building.

Once you have exited the building, if it has not already been done, call 911 immediately from a safe location. If possible, stay on the phone and provide all relevant information as requested by the 911 dispatcher. Once you have exited the building, do not re-enter until a fire suppression officer has given the "all clear."

In case of a fire at any SFAS location, safely exit the building and assemble at the far side of the parking lot. We ask that you remain there so that we may account for all employees. It is always best to have a trained fire suppression officer examine the area to determine if it is safe to return to the building. Fires can continue to smolder long after visible flames have been smothered, and fires of an electrical nature may re-ignite once systems are placed back online. Once you have exited the building, do not re-enter until a fire suppression officer has given the "all clear."

### *Emergency Evacuations*

If you are advised to evacuate any of our buildings or locations due to a fire or any other emergency evacuation, you should:

- Stop all work immediately. Assist others in exiting the building if necessary.
- Contact outside emergency response agencies, if needed.
- Shut off all electrical equipment and machines, if possible.
- Walk to the nearest exit, including emergency exit doors.
- Exit quickly, but do not run. Do not stop for personal belongings.

- Proceed, in an orderly fashion, to a safe location.
- Do not re-enter the building until instructed to do so by Emergency Personnel.

### *Smoking*

SFAS is a smoke-free workplace. This policy includes cigarettes, pipes, and cigars, as well as other substitutes such as electric cigarettes.

While at the SFAS office, employees who choose to smoke must do so outdoors only in authorized locations away from entrance doors, windows that open, or ventilation system intakes.

Smoking is not permitted by any individual, including volunteers, customers, vendors or other visitors, at any time within any other area. There are no approved smoking areas within the building.

Employees who smoke may only do so during breaks or before or after clocking in for a shift. Employees may not take extra breaks for the purposes of smoking. Managers may, at their discretion, deny future smoke breaks for an employee who violates any part of this policy.

In addition, smokers and users of tobacco products must dispose of the remains in the proper containers.

### *Alcohol/Controlled Substances*

SFAS realizes that the misuse of drugs and alcohol impairs employee health and productivity. Drug and alcohol problems result in unsafe working conditions for all employees. The Organization is committed to maintaining a productive, safe, and healthy work environment, free of unauthorized drug and alcohol use.

Any employee involved in the unlawful use, sale, manufacturing, dispensing or possession of controlled substances, illicit drugs and alcohol on Organization premises or work sites, or working under the influence of such substances, may be subject to corrective action up to and including termination of employment and referral for prosecution.

There may be occasions when, in the course of an individual's employment and removed from the usual work setting, an employee may attend special functions, related to Shelter business where alcoholic beverages will be served. In these instances, where management authorizes reasonable consumption of alcohol, employees are to exercise appropriate business judgment and discretion regarding the consumption of alcohol, at all times representing the Organization in a professional manner.

### *Drug Free Workplace*

SFAS is a drug-free workplace. As part of the employment process, applicants are required to sign a Drug and Alcohol Testing Policy Statement and Consent Form and may be asked to consent to a drug test prior to being hired. It is our policy not to hire any individual who tests positive for any illegal drug.

SFAS prohibits the use of "non-prescribed" drugs or alcohol during work hours. Due to the nature of the job, we also prohibit the use of a legally obtained drug (prescriptions or over-the-counter medications)

when such use adversely affects the employee's job performance or safety, or any combination thereof on Organization premises or at work sites.

We reserve the right to conduct searches of a person's work space and property for suspicion of drugs in the workplace.

### **Additional Drug Testing**

If there is reason to suspect that a current employee is working while under the influence of an illegal drug or alcohol, he/she may be required to submit to a drug test and the employee will be suspended until the results of a drug and alcohol test are made available to SFAS by the testing laboratory.

Should the employee have a positive result, they may be subject to corrective action in accordance with SFAS' policies up to and including termination.

All testing results will remain confidential. The employee must sign a consent form prior to the release of results. SFAS will only provide a copy of test results to employees who test positive. Test results may be used in arbitration, administrative hearings, and court cases arising as a result of the employee's drug testing. Results will be sent to federal agencies as required by federal law. If the employee is to be referred to a treatment facility for evaluation, the employee's test results will also be made available to the employee's counselor.

SFAS understands that individuals who are rehabilitated drug users or engaged in a supervised drug rehabilitation program and are no longer using drugs are protected under the ADA Amendments Act. Therefore, SFAS will consider the applications of candidates who formerly tested positive for drugs if candidates can subsequently show evidence of rehabilitation.

Each applicant and employee has the right to refuse to submit to drug and/or alcohol testing under this policy. However, refusing to take a drug and/or alcohol test may result in disqualification for employment and/or result in corrective action up to and including termination.

### ***Access Keys and Fobs***

Certain employees may, on a regular or a temporary basis, be issued certain access keys or fobs as necessary to perform their job duties. These access keys or fobs may permit access to a specific, restricted area (such as a supply closet), or they may grant access to more broad or secured areas of the facility (hospital areas, administrative offices, etc.).

Employees who are issued these access keys or fobs by their manager will be held completely and totally responsible for their use and/or misuse. All access keys or fobs should be kept on your person at all times and should not be left unattended, even for a moment. Likewise, combinations to locking devices must never be disclosed to individuals other than current employees who are authorized to utilize the combination. Keys or fobs should never be transferred to another employee under any circumstances; transfers of keys may only be made by first properly returning the key to your manager who may then reissue it to the newly authorized individual.

Aside from your employee access fob and certain designated management key sets, no other keys or fobs may ever be removed from the building, nor may they be duplicated in any form. Keys may not be

duplicated by anyone other than a locksmith designated by management after obtaining the required management authorizations. The removal, duplication, loss, transfer or unauthorized possession of shelter access keys or fobs may lead to corrective action, including possible termination of employment.

### *Use of Personal Cell Phones While Driving on SFAS Business*

From time to time you may have a need to make or receive business calls while driving in a car. For your safety and that of others on the road, you should pull off to the side of the road to make or answer a business related call. In the event that this is not possible, please allow the call to go to voice-mail and return the call. SFAS is very concerned about your safety and your liability. Employees are prohibited from making or receiving calls, checking voice-mail, sending or receiving text messages or e-mails while driving.

### *Vehicle Policies and Motor Pool*

In order to drive a Shelter vehicle, employees must hold a valid New Mexico driver's license and successfully complete a driving record check.

The Shelter maintains a motor pool of vehicles available to certain employees to conduct SFAS business. Vehicles must be reserved in advance and signed out on a vehicle log sheet. If it is necessary for you to drive a vehicle from the motor pool, your manager, department or division head will tell you how to proceed. Mileage in personal vehicles for employee travel on SFAS-related business will be reimbursed per SFAS policy.

All accidents involving SFAS vehicles and all tickets issued while driving an SFAS vehicle, must be reported to your manager immediately and, in some situations, to the police department as well. A report must be turned in to SFAS for submission to our insurance carrier. You will be personally responsible for any fines incurred as the result of accidents, illegal parking or moving violations. Any employee who has an accident while driving a SFAS vehicle or personal vehicle while on SFAS business may be asked to submit to a drug and/or alcohol test immediately following the accident, even if the employee has not sustained any injury.

If your driving record becomes unacceptable to SFAS, you may lose your driving privileges with SFAS for up to three years. If your position requires you to drive and your driving record is no longer acceptable to SFAS or our insurance carrier, your employment may be terminated.

Any maintenance issues should be reported to the Facilities Manager.

Smoking in shelter vehicles at any time is strictly prohibited. All occupants must wear seatbelts at all times.

### *SFAS Assets and Security*

During the course of conducting business, different types of information will be presented and utilized. Some of this information may be general public knowledge, while other information is sensitive and for use by SFAS personnel only.

As SFAS grows in size, its assets will also grow. These assets include items as simple as office supplies and as expensive as computer equipment. While we intend to develop a comfortable and relaxed working environment, it will be incumbent upon you to ensure that these assets are utilized and conserved in a wise manner. In short, Organization assets should be used only for business purposes. By minimizing the yearly costs of doing business, you will greatly assist in the on-going success of the Organization.

All records, case files, data resource materials, supplies or equipment made or used by an employee within the scope of his/her employment with the Organization shall be and remain the sole and exclusive property of the Organization, and may not be removed without permission of a manager.

### *SFAS Property*

During the course of employment with us, you may be issued or may acquire certain items intended to be either of personal benefit to you, or an aid to you in performing your job. Such property, purchased or donated, may include, but is not limited to employee keys, nametags, security fobs, uniforms, tools, supplies, books, manuals, documents, files, pagers, cellular telephones, radios, computer equipment and office equipment.

Unless a written agreement signed by the Executive Director exists to the contrary, all such items originally purchased with SFAS funds must be returned to SFAS immediately upon termination of employment or in the case of transfers or promotions where those items are no longer required.

In addition, employees are responsible for the safekeeping of all SFAS property issued to them during the course of their employment and may be responsible for reimbursing SFAS for the replacement value of the item(s) in the event of their damage or loss.

Your acceptance or acquisition of these items during the time you are employed with us implies that you agree with and consent to the policy as outlined above.

### *Personal Property*

SFAS accepts no responsibility for personal items brought to or stored on SFAS property, and such property may be inspected or monitored in the ordinary course of conducting business. Accordingly, you should not keep or maintain any personal property or information in Organization facilities that you expect to be kept private, safe and confidential. In this connection, it should be noted that all offices, desks, paper files, electronic/computer files, closets and so forth, are the property of SFAS and we reserve the right to inspect any packages, parcels, handbags, briefcases, or any other possessions or articles carried to and from SFAS facilities and SFAS job sites (where permitted to do so).

### *Right to Search*



SFAS management, as authorized by the Executive Director or Designee reserves the right to conduct searches of any person, vehicle or object on shelter property. This includes the right to search private offices, lockers, desks, purses, briefcases, baggage, toolboxes, lunch sacks, clothing, vehicles parked on Shelter property, and any other item in which weapons, contraband or other prohibited items may be hidden. Searches may be conducted by SFAS management or local authorities. To the extent the search is requested by SFAS management and the employee is present, the employee may refuse the search. However, such refusal may result in termination of employment for refusal to cooperate. SFAS further reserves the right to conduct searches on its property or authorize searches by law enforcement on its property without the employee being present.

### *Conflicts of Interest*

Employees should not allow their responsibilities outside of work to create a conflict of interest.

It is SFAS' policy that employees and others acting on SFAS' behalf must be free from conflicts of interest that could adversely influence their judgment, objectivity or loyalty to the Organization in conducting SFAS business activities and assignments.

If an employee has an opportunity to serve on a board or committee in our community, they should first weigh the possibility of conflict. If conflict of interest is unavoidable, the employee should decline such offers to serve. The Organization recognizes that employees may take part in legitimate financial, business, charitable and other activities outside their SFAS jobs, but any potential conflict of interest raised by those activities must be disclosed promptly to management.

Employees are required to conduct activities in good faith. Employees may not compete with the Organization or use business opportunities, confidential information, or trade secrets for personal gain or another's advantage. Any such activity constitutes a conflict of interest and is subject to immediate reprimand or termination.

Employees of SFAS are expected to place their responsibilities to the Organization above any other outside employment or commitment to another organization. We ask that you do not engage in any additional business or interest that makes more demands of your time than you have to offer based on your SFAS schedule. SFAS encourages outside involvement in community, professional and charitable activities, including directorships in non-profit organizations, as long as they do not cause conflicts of interest or create demands that interfere with your job at SFAS. We consider your employment with SFAS to be of primary importance, and we expect you to treat your employment with us in the same manner.

A number of different animal-related organizations, both for-profit and not-for-profit, operate within our community. Each of these organizations have a slightly different way of going about their business and sometimes, these philosophies relating to animal welfare run contrary to the philosophy of The Santa Fe Animal Shelter. Regardless of your position within our organization, we consider each employee to be an advocate and strong supporter of The Santa Fe Animal Shelter and our mission within the local community.

Employees may not have any financial or other relationship with suppliers, nor may they be involved in any business whose services are in direct competition with those services provided by SFAS. Individuals

involved in negotiating with vendors, suppliers or similar types of organizations may not solicit gifts, loans, personal discounts or services, perquisites or other forms of compensation in conjunction with such a business arrangement. If you are offered a gift of more than nominal value it should be approved by management. If a gift is given with implied or perceived expectation of some sort of return, the gift should not be accepted. If you have any questions, please see the Executive Director or Designee.

Remember, employment by the Organization carries with it a responsibility to be constantly aware of the importance of ethical conduct. Employees must refrain from taking part in, or exerting influence in, any transaction in which their own interests may conflict with the best interests of the Organization.

## WAGE AND SALARY ADMINISTRATION

Our wage and salary administration program is designed to maintain a just and fair relationship in the wages paid for the many types of work performed and to provide for a fair and equitable relationship to the rates for similar jobs in the surrounding community. Wage increases are based upon a number of factors including, merit and job responsibilities, performance, the recommendation of your manager, and the financial conditions of the Organization.

### *Employment Classifications*

Upon hire, your position is assigned one of the following employment classifications:

- **Exempt:** Positions that meet the definition of exempt under the Fair Labor Standards Act. These employees are not eligible for overtime payment.  
**Non-Exempt:** Positions that qualify for overtime payment. As of Dec. 1, 2016, salaried non-Exempt people who earn under \$47,476, are required to work no more than 40 hours a week unless approved by their supervisor.

Additionally, SFAS uses the following categories to describe positions based on the nature of the work to be done and the regularly scheduled work hours:

- **Full-time Exempt or Non-Exempt:** Employees who are regularly scheduled to work 40 hours in a workweek. Full-time employees are eligible for all the benefits described in this manual.
- **Part-time Exempt or Non-Exempt:** Employees who are regularly scheduled to work fewer than 40 hours in a workweek. Part-time employees may be eligible for certain benefits described in this manual on a prorated basis.
- **Temporary Employees:** Employees hired for a specific, limited period of time or to complete a specific project. This includes seasonal employees. Temporary Employees are typically not eligible to receive benefits described in this manual.

Individuals not falling into these categories (including employees of temporary agencies, volunteers, consultants and independent contractors) are not eligible for SFAS benefits. However, they are expected to abide by SFAS policies.

## *Work Schedule*

Except for some major holidays, Santa Fe Animal Shelter is open to the public seven days a week. Even on holidays and on days we are “closed,” employees in certain departments will be scheduled to work in order to care for the hundreds of animals that are housed in our shelter and depend on us for their well being. Employee schedules are posted regularly in each department or are communicated to employees by other means. Please ask your manager to tell you when and where your schedule will be posted, or how you will be notified of your scheduled shift.

Due to the nature of our business, we cannot promise you a set working schedule or a guaranteed number of work hours. We hope your flexibility will match our flexible schedule needs.

Employees are responsible for checking their own schedule and for reporting to work as assigned. Do not rely on others to check your schedule for you!

Requests for specific days off should be submitted in writing to your manager with as much advanced notice as possible. Your manager will then notify you of the decision as soon as possible. Because we need to remain flexible in order to accommodate business needs, we cannot guarantee that all schedule requests will be granted.

## *Work Week*

SFAS' workweek begins on Wednesday and ends the following Tuesday. Your particular work schedule will depend upon your job and the anticipated level of business in a given week. Overtime rates are paid for all hours worked by nonexempt employees in excess of 40 hours in a workweek, in accordance with Federal wage and hour guidelines.

## *SFAS Rest and Meal Breaks Policy*

Federal and New Mexico state laws do not require short rest breaks or longer meal breaks. However, SFAS recognizes the value of allowing short rest breaks and longer meal breaks for nonexempt employees. SFAS allows up to 15 minutes paid time for every four hours worked; meal breaks, typically lasting between 30 minutes and one hour, are not considered work time and are unpaid. SFAS allows unpaid meal breaks of up to one hour during an eight-hour shift. If an employee is required to work during a meal break it will be considered paid time. Because of the nature of some work environments, it might not always be possible to take a specific break at a specific time. The decision on break times is at the discretion of the manager in the work area. Unauthorized extensions of work breaks may count as unpaid time and could be subject to disciplinary action.

## *Clock In/Clock Out Procedures*

In order to receive accurate compensation for time worked, it is important that we maintain accurate records of your time at work.

For Non-exempt employees: Non-exempt employees are paid a specific hourly rate for all time actually worked in a workday. In order to comply with all applicable laws and to assure the accuracy of our

payroll, all non-exempt employees are required to record their actual time worked. Any time in excess of 40 hours per week must be approved in advance by your manager and should be accurately recorded as overtime.

Non-exempt employees will either use a time clock or time sheets to report your working time. Your manager will explain the exact procedures to you when you begin work. You must clock in at your scheduled start time. Do not clock in earlier unless instructed to do so by your manager. When your work ends and you have been excused by your manager, clock out immediately. Employees also may not begin work prior to clocking in, or continue work after clocking out. Never clock in or out for another employee, or allow another employee to clock in or out for you.

You may not punch in or out more than 5 minutes before or after your actual scheduled shift time, unless instructed by a manager to report to or begin work earlier, or to stay at work later. Employees who clock in early or clock out late without a manager's authorization may be subject to corrective action.

If you miss a punch, you must complete a Missed Punch form and give it to your manager before your next shift.

Depending on the length of your shift and the work to be accomplished, your manager may choose at his or her discretion to give you a short "rest break" (usually 10 to 15 minutes in length). You are not required to clock out for these short rest breaks. If, however, you are given a longer break (at least 30 minutes), employees must punch out and will be expected to remain on break for a period of 30 minutes, unless required to return due to business needs. If you are required to clock back in before the thirty minutes is up, you should complete a Missed Punch form and give it to your manager. While we strive to give breaks and lunch breaks, we can't guarantee that we will be able to do so due to the nature of many of the positions at SFAS.

If you utilize manual time sheets, make certain to report your time of arrival and departure accurately – do not simply list your scheduled times. Time records are legal documents, and falsification of time records may be grounds for corrective action, up to and including immediate termination of employment.

**For Exempt employees:** Exempt employees receive a fixed salary each week without being eligible for overtime payment and subject to those deductions specifically authorized by law as consistent with your salaried status.

## *Overtime*

From time to time, as the need arises, Non-Exempt employees may be asked to work overtime. Except in an emergency, all overtime must be approved by your manager in advance of being worked.

Overtime will be paid in accordance with the following guidelines:

- Non-exempt overtime is permitted only if authorized and approved in advance by your manager.

- Non-exempt employees will be paid at a rate of time and one half (1½ times your hourly rate) for all hours worked in excess of forty (40) hours per week. For the basis of calculation, a standard workweek will be considered from Wednesday to the following Tuesday.
- Only actual hours worked are included in the overtime calculation. Paid Time Off (PTO) will not be considered time worked when calculating overtime.

In all cases, nonexempt employees are required to accurately report all overtime hours worked (in writing for employees who do not utilize the time clock system) by the end of the pay week in which the overtime hours were earned, so that overtime premiums may be paid as required by law. Failure to report overtime hours worked on a timely basis may result in corrective action.

Your manager will attempt to provide you with reasonable notice when the need to work overtime arises, however, advance notice may not always be possible. When you are requested to work overtime, you are expected to do so unless you have a valid reason for not doing so. There may be occasions when overtime is required.

**Exempt** employees are not eligible for overtime compensation. As defined by the Fair Labor Standards Act, exempt employees are expected to work as many hours as required to perform the duties of their position.

### *Pay Periods*

Our pay periods are bi-weekly, with pay dates occurring on the Friday immediately following the end of a pay period. Our pay period ends on alternate Tuesdays. Time records must be approved and signed by your manager and submitted to payroll no later than 9:00 am on each Wednesday immediately following the end of a pay period. These employees are paid through the date of the timesheet on the next pay date. Exempt employees are paid through the same pay period. For accounting purposes, all checks must be cashed within 90 days upon issuance.

If the pay date falls on a holiday, you will be paid on the preceding workday. If you do not use Direct Deposit, you may pick up your paycheck at the shelter. Paychecks will not be cashed for employees on the premises.

If you have any questions about your paycheck, you should talk to the bookkeeper. If you still have questions or feel that proper, timely action was not taken, please bring your paycheck stub to the Executive Director or Designee for assistance. Employees are responsible for reporting any possible payment errors, whether under- or over-payments, immediately.

### *Purchasing and Expense Reimbursements*

We discourage the use of personal finances to make purchases for SFAS. Prior to incurring any costs of this nature, you must obtain approval from your manager. Purchases made for the Organization should be made via check request or SFAS credit card. As the cost of many of these expenses will have a direct impact on the Organization's budget, you are encouraged to find the best value for any of your purchases.

To receive reimbursement in the exceptional case that you must use personal funds or credit to cover an expense, we ask that you provide your manager with an original receipt. In the event receipts are not provided, SFAS reserves the right to deny the expense reimbursement.

Preapproved mileage for travel outside of your regular work commitment will be reimbursed at a rate set by SFAS. This rate may be adjusted at any time due to business needs. Meals, lodging and incidental expenses will be reimbursed at rate preapproved by your manager.

If you have questions regarding the expense reimbursement policy and procedure, please see the Executive Director or Designee.

### *Direct Deposit*

For your convenience, you may choose to have your wages deposited directly into your checking and/or savings account(s). Direct Deposit may be initiated by providing a completed Direct Deposit Sign-up Form to the Finance Department. Once this form has been processed, employees using Direct Deposit will receive a pay statement instead of a paycheck. In most cases, your deposit will be credited to your account on the actual pay date. Please check with the Finance Department for exceptions and for details regarding your specific financial institution.

### *Payroll Deductions*

SFAS is required by law to make certain deductions from your pay. Among these are federal and state withholding tax, FICA (Social Security and Medicare) and New Mexico Unemployment fee. Both federal and state withholding taxes are determined by the number of exemptions that you claim on your Federal W-4 form. Should you wish to change the number of exemptions you claim, a new withholding exemption certificate (W-4) should be filed with the Executive Director or Designee.

## **BENEFITS**

Benefits provided to employees are provided at the will of SFAS, and SFAS reserves the right to modify or eliminate benefits without notice under conditions of law. For each insurance-related benefit program, the guidelines of the Plan Document as developed by the insurance provider based upon plan contracts will prevail. These documents may be obtained from the Executive Director or Designee. Employees are provided with detailed plan information including eligibility requirements, plan premiums, and benefit commencement dates at the time of hire. Employees should contact the Executive Director or Designee with any questions.

As SFAS evolves and grows, the Organization may change or provide additional benefits to its employees. Eligible employees will receive information on these benefits as they are changed or added. The guidelines of the Plan Document, as developed by the provider based upon plan contracts, will prevail should questions arise. Employees will be provided with detailed plan information including eligibility requirements, plan premiums, and benefit commencement dates as these benefits change or become available.

### *Eligibility*

To qualify for certain benefits an employee must be considered full-time and have completed a minimum of ninety (90) days continuous employment with SFAS. Your benefits will begin on the first of the month following the completion of 90 days. Full-time employees are employees who are typically scheduled to work a 40-hour per week work shift. An employee who works 30 or more hours per week is eligible for SFAS-provided health insurance. The number of hours per week is subject to change based on the medical insurance provider. Part-time employees who are typically scheduled for at least 20 hours weekly are eligible for certain benefits including Paid Time Off (PTO). Temporary or seasonal employees are not eligible for benefits. If a temporary employee becomes a regular employee with no break in service, benefits eligibility will be calculated from the original date of hire. If there is a break in service of less than one year, the employee will be reinstated in regard to tenure depending on our current policy at the time. SFAS reserves the right to, without notice, revise these eligibility requirements. If you have questions regarding benefits and eligibility, contact the Executive Director or Designee.

### *HIPAA & Protected Health Information (PHI)*

All employees, customers, and customers of SFAS are entitled to privacy under several federal and state laws, including but not limited to the Health Insurance Portability and Accountability Act of 1996 (HIPAA). SFAS has written privacy procedures that pertain to our business transactions and our customers. All employees must comply with those procedures. SFAS has appointed a Executive Director or Designee, which is the Executive Director or Designee. All questions regarding HIPAA and privacy should be directed to the Executive Director or Designee. Information concerning the protection of your individual health care information will be provided to you from our SFAS health plan benefit providers.

HIPAA limits the circumstances under which health insurance coverage may be excluded for medical conditions present before you enroll in a health plan. Pre-existing conditions generally may not be imposed for more than 12 months. The 12-month exclusion period is reduced by your prior health insurance coverage. This is referred to as health plan portability. SFAS health plan will credit prior coverage under individual and group plans and public plans such as Medicare and Medicaid.

Each day of prior coverage will shorten the exclusion period for one day if you do not have a break in coverage between the old plan and the new plan of 63 or more days. You have the right to receive a certificate of your prior health coverage since July 1, 1996. In order to receive credit, you should contact your former employer and provide them with the following information:

- Name of participant
- Date
- Address and telephone number
- Name and relationship of any dependents for whom certificates are requested and their address if different than above

The certificate must be supplied to you promptly. In order to receive credit you should supply a copy of the certificate of prior health coverage to the Executive Director or Designee.

The HIPAA privacy rules limit the use or disclosure of your protected health information (PHI). PHI is information that can be used to identify you and that relates to your health status, health care, or payment for health care. Protected health information does not include employment records.

The privacy rules apply to SFAS health plan. The health plan will comply with the privacy rules. The SFAS health plan must take reasonable steps to limit the disclosure or use of and requests to your protected health information to the minimum necessary to accomplish the intended purpose. SFAS will establish policies and procedures to protect health information and limit the people who will have access to your protected health information.

The privacy regulations create several affirmative rights for you. You are given the right to

- review and obtain a copy of your PHI that is in a “designated record set” such as medical and billing records with certain restrictions;
- request restrictions on the use and disclosure of your PHI;
- confidential communications; and,
- request amendments to your PHI if you believe it is incorrect or incomplete.
- 

As stated above all questions regarding HIPAA should be directed to the Executive Director or Designee.

### *Paid Time Off (PTO)*

Full time employees who have completed ninety (90) days of continuous employment with SFAS are eligible for PTO, which includes vacation, sick, and personal time. Part time employees who typically work at least 20 hours weekly are eligible for PTO on a prorated basis. Increases in PTO are distributed on your anniversary date. Eligible employees receive PTO according to the schedule below.

<i>Years of Service</i>	<i>PTO Hours for Full-Time Staff (and 8-hour day equivalent)</i>
<i>After 90 days</i>	<i>80 hours (10 days)</i>
<i>1 year</i>	<i>120 hours (15 days)</i>
<i>2 years</i>	<i>160 hours (20 days)</i>
<i>5+ years</i>	<i>200 hours (25 days)</i>

Non-exempt employees can take PTO in increments of an hour. Exempt employees can take PTO in increments of 4 hours.

### *PTO Carry Over*

Employees may carry over unused PTO from one year to the next year. Any unused PTO that would bring the accrued PTO to a balance in excess of two times the employee’s current allotment will be forfeited. If you have any questions regarding your PTO allotment, please see the Executive Director or Designee.

### *Paid Holidays*



Employees who are typically scheduled to work at least 20 hours a week are entitled to Holiday Pay. Those typically scheduled to work fewer than 20 hours a week are only eligible for holiday pay if the holiday falls on a day on which they would typically be scheduled. Employees are eligible for the following holidays (or their designated “equivalents”) at a minimum:

New Year's Day	Thanksgiving Day
Easter Sunday	Half day Christmas Eve
Memorial Day	Christmas Day
Independence Day	Half day New Year's Eve
Labor Day	

Additional paid holidays may occasionally be designated by management as appropriate. Notification of any additional paid holidays will be made by memo to all eligible staff in advance of the holiday.

Due to business needs, it may be impossible to give you the actual holiday as a day off. Employees are free to submit schedule requests to their manager, who will honor requests whenever operationally feasible. If an Exempt employee is scheduled to work on the designated holiday you may be granted another day off with pay within the next 2 weeks if business permits. Non-Exempt employees scheduled to work on the designated holiday, will be paid an additional full day's pay (based on your regular hours worked during a shift) for that pay period.

In order to qualify for holiday pay, you must work your regularly scheduled shifts immediately prior to and immediately following the designated holiday, unless the absence has been pre-approved by your manager (as in the case of requested PTO days taken adjacent to a holiday). If an unexpected absence arises on either of these days, holiday pay will be forfeited (unless, in the case of the employee's personal illness, a doctor's note bearing the date of the absence is provided within 48 hours). In addition, a doctor's note or other appropriate documentation may be requested by management for all unanticipated absences occurring on, or immediately before or after, a designated holiday.

Only employees for whom there is work may work on the above-scheduled holidays.

If SFAS is closed to the public on a day that is not a paid holiday, and there is no work for your position, you must apply PTO toward any scheduled hours.

Paid holidays will not be counted in the computation of overtime for a specific pay period.

### *Education Assistance*

On occasion, employees may be asked to attend meetings, seminars, conferences, online classes or workshops that further their training or enhance their knowledge. Job-related courses and associated travel and expenses that are pre-approved by your manager may be covered. Employees may also request assistance with costs associated with taking certain courses they feel will be beneficial to their knowledge and training. Employees are not expected to use PTO time in order to attend these programs as long as they are pre-approved by your manager.

Tuition assistance may be available for courses at the college level, as funding permits, but time spent in or preparing for class will not be considered paid time. To be eligible for tuition assistance, the course

must be pre-approved by the Executive Director or Designee and the employee must earn a grade of C or better in the course.

Employees who resign within one (1) year of receiving educational assistance may be required to reimburse SFAS for these expenses.

SFAS reserves the right to, without notice, revise these eligibility requirements.

### *Employee Discount*

After 90 days of continuous employment, employees are eligible for a 50% employee discount on merchandise in our stores that is available for employee purchase. Most items located at Adoptions are also available to employees at discounted prices. Show proof of your employment (nametag or business card) to be eligible for the discount. Merchandise purchased by employees at a discount may not be resold under any circumstances.

### *Veterinarian Care*

After 90 days of continuous employment, employees are eligible for veterinarian care for their own pets at discounted rates, as determined by the Hospital Administrator. The cost of any tests and materials including but not limited to medications, shots, and other items are available at discounts.

### *Pets At Work*

You may be able to bring your pet to work if necessary and at your own risk, with prior approval of your supervisor. Office space must be available and approved for use to house pets, and the pets should not pose a distraction to the normal course of business, co-workers, customers, etc. Animals should not be left unattended in vehicles.

## **TIME OUT OF THE OFFICE**

### *PTO Requests*

To request the use of PTO, employees must obtain prior approval from their manager. Requests will be reviewed based on a number of factors including business needs and staffing requirements. As business needs occasionally may preclude the approval of requested time off, it is strongly recommended that you not make travel plans until your PTO has been approved.

You must complete a PTO Request and submit it to your manager. These requests should be made at least 2 weeks in advance. Your manager will approve leave requests and will notify Payroll of approved requests for tracking purposes. If more than one employee requests time off during the same period, and this creates a problem relating to the smooth flow of work, requests will be granted on a "first come, first served" basis.

Available PTO balance calculation is shown on your paycheck. If you have questions about the amount of available leave, please review your leave accrual with Payroll.

Paid PTO days will not be counted in the computation of overtime for a specific pay period.

### *PTO Donations*

Upon occasion, an employee may have circumstances requiring them to take more PTO than they have available. An Employee in need of additional PTO hours may receive up to 80 hours of donated PTO from other Employees. A donating Employee may donate a maximum of 40 hours of PTO to any Employee/Employees in any calendar year.

### *PTO Upon Termination*

At the time of separation of employment from SFAS, you may be eligible to receive payment for accrued but unused PTO based on the portion of time worked during that calendar year. If the PTO used by an employee during the year exceeds the amount of PTO earned, the difference may be deducted from the employee's final pay to the extent permitted by law.

SFAS expects proper notice of termination of employment. Proper notice of termination is expected to be at least two (2) weeks. It is greatly appreciated when employees are able to give more than two (2) weeks' notice.

If you leave our employ after at least 6 months of service, your unused PTO will only be paid out if you voluntarily resign, provide at least two weeks' written notice, and work every scheduled day during the two-week notice period. Exceptions can be made with the approval of the Executive Director.

If your employment is involuntarily terminated, or if you voluntarily resign and do not provide us with a minimum two weeks' notice and work through the entire notice period, you will not receive pay for any unused paid time off.

### *Domestic Abuse Leave*

SFAS fully supports New Mexico's Promoting Financial Independence for Victims of Domestic Abuse Act. An employee who is a victim of domestic abuse will be granted up to 14 days of leave "to obtain or attempt to obtain an order of protection or other judicial relief from domestic abuse or to meet with law enforcement officials, to consult with attorneys or district attorneys' victim advocates or to attend court proceedings related to the domestic abuse of an employee or an employee's family member." For the purpose of this law, family members are limited to "a minor child of the employee or a person for whom the employee is a legal guardian."

The employee should make every effort to give notice of such leave within 24 hours of commencing such leave.

The employee may be required to provide verification of the need for the domestic abuse leave. Acceptable forms of verification, to be given to the Executive Director or Designee, include:

- a police report on domestic abuse
- an order of protection or other court evidence

- a written statement from the employee's attorney, a district attorney's victim advocate, a law enforcement official or a prosecuting attorney indicating that the employee or employee's family member appeared or is schedule to appear in court in connection with an incident of domestic abuse

The employee may use accrued PTO, or unpaid leave consistent with our policies. All information related to such leave will be kept strictly confidential.

### *Bereavement Leave*

SFAS recognizes your need for time off in the event of a death of an immediate family member or the immediate family member of your spouse/domestic partner.

For the purposes of this policy, immediate family member includes a parent, stepparent, spouse/partner, child, stepchild, sibling or step-sibling, grandparent or grandchild, aunt, uncle, niece, nephew, etc., or, if raised by persons other than your parents (such as a guardian, etc.), such persons will be considered as immediate family.

SFAS will allow up to three (3) days of paid Bereavement Leave in the event of such circumstances. Time off for more than three (3) days of paid Bereavement Leave will be considered on an individual basis by the Executive Director or Designee. Employees may also choose to use approved PTO to extend this leave. Under special circumstances, additional time off without pay may be granted with manager approval for travel, etc. Your manager may require appropriate verification in the form of a death certificate, etc. for you to receive Bereavement Pay. Part-time employees are eligible for a pro-rated Bereavement Pay benefit based on their typical number of hours worked per week.

An employee should make every effort to contact his/her manager or to have someone contact the manager on his/her behalf as soon as possible to provide information regarding any absences that will occur as a result of the death.

Bereavement pay will not be counted in the computation of overtime for a specific pay period. Exceptions to this bereavement pay policy require the prior authorization of the Executive Director or Designee.

### *Jury Duty/Subpoena*

It is your civic duty as a citizen to report for jury duty whenever called. The jury duty benefit is designed to compensate you for unforeseen potential reductions in income relating to jury duty service. If you are called for jury duty or summoned or subpoenaed to appear in a court of law, you must present your manager with the summons/subpoena showing the applicable times and dates (if such dates might conflict with scheduled work days) within forty-eight (48) hours of receipt of the jury summons or subpoena. Your manager will then make the necessary arrangements to schedule you off for those dates, if necessary.

If you have given proper notice as specified above, SFAS will not take any adverse personnel action against you. After completing your jury duty service you will be issued a form by the court verifying the dates you served. Turn this form in to your manager. Employees will be paid their average day's pay for

any dates during this period when they would normally have been scheduled, up to a maximum of 15 paid days. You may also keep your full jury duty pay as provided by the courts.

Should your jury duty exceed 15 days, you will not be required to use your PTO, but you may choose to use some or all of your accrued time in order to offset the loss of wages that occurs as a result of your absence from employment due to such jury duty or court appearance.

Once you are released from jury duty or your court appearance or if you are temporarily released from jury duty or court appearance, call your manager to see if you should report to work. If at least four hours are left in the workday, you are expected to return to work if your shift has not been covered in order to qualify for pay for that day.

### *Family and Medical Leave Policy*

It is the policy of SFAS to grant up to 12 weeks of Family and Medical Leave during any 12-month period to eligible employees, in accordance with the Family and Medical Leave Act of 1993 (FMLA) and up to 26 weeks of leave in any 12-month period in compliance with the expansion of FMLA under the National Defense Authorization Act of 2008. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

#### **Eligibility**

To qualify for Family or Medical Leave under this policy, the employee must meet the following conditions:

- The employee must have worked for SFAS for at least 12 months prior to the leave. The 12 months need not have been consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of the week or if the employee is on leave during the week.
- The employee must have worked at least 1,250 hours during the 12-month period immediately prior to the date the leave will commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours will not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

#### **Types of Leave Covered**

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- Birth of a child of the employee,
- Placement of a child into the employee's family by adoption or by a foster care arrangement,
- Care of the employee's spouse, domestic partner, child or parent who has a serious health condition,
- Inability of the employee to perform the functions of the employee's position due to a serious health condition,
- A qualifying emergency arising from the fact that the employee's spouse, domestic partner, son, daughter or parent is on (or has been called to) active duty in the Armed Forces.

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

Employees with questions about what illnesses are covered under this FMLA policy or under the Organization's sick leave policy are encouraged to consult with the Executive Director or Designee.

SFAS will require an employee to provide a doctor's certification of the serious health condition.

#### Call to Active Duty Leave

An eligible employee who is the spouse, domestic partner, son, daughter, parent or next of kin of a member of the Armed Forces (including a member of the National Guard or National Reserves) who has either has been notified of an impending order to active military duty or who is already on active duty, may take up to 12 weeks of leave for reasons related to or affected by the family member's call to service. Reasons include helping the family member to prepare for the departure or caring for children of the service member. The leave may commence as soon as the individual receives the notice. (For this type of leave son or daughter is defined the same as for child for other types of FMLA leave, except that the person does not have to be a minor.) This leave will be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

Any leave request due to a qualifying exigency must be supported by certification showing that the service member is on (or has been called to) active duty.

#### Military Caregiver Leave

An eligible employee who is the spouse, domestic partner, son, daughter, parent or next of kin of a member of the Armed Forces (including a member of the National Guard or National Reserves) may take up to twenty-six (26) weeks of unpaid FMLA leave during a single twelve (12) month period to care for a covered service member who is undergoing medical treatment for a serious injury or illness, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list. The injury or illness must be incurred in the line of active duty and have the potential to render the service member unfit to perform the duties of his or her office, grade, rank or rating.

An eligible employee requesting leave to care for an injured or ill service member must provide certification of the family member or next-of-kin's injury, recovery or need for care. This certification is not tied to a serious health condition as for other types of FMLA leave. This is the only type of FMLA leave that may extend an employee's leave entitlement beyond 12 weeks to 26 weeks. In all cases, the maximum leave is 26 weeks within a rolling calendar year.

#### Length of Leave

An eligible employee can take up to 12 weeks (or up to 26 weeks of leave to care for an injured or ill service member) under this policy during any 12-month period. The Organization will measure the 12-month period as a rolling 12-month period measured backward from the first date an employee uses any leave under this policy. Each time an employee takes leave, the Organization will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the

12 weeks (or 26 weeks for the care of an injured or ill service member) of available leave, with the balance remaining being the amount the employee is entitled to take at that time.

If both spouses are employed by SFAS, the combined leave shall not exceed twelve (12) weeks for leave associated with the birth or placement of a child with the employee for foster care or adoption, or twenty-six (26) weeks for leave to care for an injured or ill service member.

### **Employee Status and Benefits during Leave**

During unpaid leave, SFAS shall continue to pay the employer's share of benefits. The employee is responsible for paying the employee's normal share of benefits while on leave. Employees shall continue to accrue employment benefits such as PTO while on leave.

### **Employee Status after Leave**

An employee who takes leave under this policy will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or virtually identical in terms of pay, benefits and working conditions. Under certain circumstances, SFAS may choose to exempt certain key employees from this requirement and not return them to the same or similar position. SFAS will notify the key employee in writing of this decision and provide the key employee with a reasonable opportunity to return to work after providing the employee with notice.

### **Use of Paid and Unpaid Leave**

Available PTO, if any, will be applied to your leave, unless you inform the Executive Director or Designee that you wish to take the leave as unpaid before the close of the first pay period of your leave.

### **Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member) over a 12-month period.

The Organization may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

For the birth, adoption or foster care placement of a child, SFAS and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with SFAS before taking intermittent leave or working a reduced-hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary. Employer approval is not required when intermittent or reduced schedule leave is necessary due to a qualifying emergency.

### **Certification of a Serious Health Condition**

SFAS will ask for certification of the serious health condition. The employee must respond to such a request within a timely manner (e.g. within fifteen days from the request) or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. The Executive Director or Designee will provide all paperwork for Medical certification to the employee. The request for certification will be made in writing as part of the employer response to employee request for leave in the Notice of Eligibility and Rights & Responsibilities.

Certification of the serious health condition shall include the date when the condition began, its expected duration and the appropriate medical facts regarding the condition. For medical leave for the employee's own medical condition, the certification must also include a statement that the employee is unable to perform the essential functions of the employee's position. For an employee's son, daughter, spouse, domestic partner or parent who has a serious health condition, the certification must include a statement that the employee is needed to care for the son, daughter, spouse, domestic partner or parent and an estimated amount of time such employee is needed.

If the employee plans to take intermittent leave or work a reduced schedule, the certification must also include dates and the duration of treatment as well as a statement of medical necessity for taking intermittent leave or working a reduced schedule.

SFAS has the right to ask for a second opinion if it has reason to doubt the certification. SFAS will pay for the employee to get a certification from a second doctor, which the Organization will select. If necessary to resolve a conflict between the original certification and the second opinion, the Organization will require the opinion of a third doctor. SFAS and the employee will mutually select the third doctor, and the Organization will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

#### **Documentation of Active Duty or Call to Active Duty**

Eligible employees must provide proof of the qualifying family member's Call to Active Duty or active military service. This documentation may be a copy of the military orders or other official Armed Forces communication. The Executive Director or Designee will provide a Certification of Qualifying Exigency for Military Family Leave form to the employee.

#### **Documentation of the Need to Care for a Servicemember**

Eligible employees must provide documentation of the family member's or next-of-kin's injury, recovery or need for care. This documentation may be a copy of the military medical information, orders for treatment, or other official Armed Forces communication pertaining to the service member's injury or illness incurred on active military duty that renders the member medically unfit to perform his or her military duties. The Executive Director or Designee will provide a Certification for Serious Injury or Illness of a Covered Service Member for Military Family Leave form to the employee.

#### **Procedure for Requesting Leave**

Eligible employees must provide verbal notice with an explanation of the reason(s) for the needed leave to the Executive Director or Designee. If the leave is foreseeable, the employee may be required to provide a written request for leave and reasons(s). Failure of the employee to provide a written request for leave cannot be grounds to deny or delay the taking of FMLA leave.



SFAS will provide Notice of Eligibility and Rights & Responsibilities (Form WH-381) to each employee requesting leave within five business days or as soon as practicable. For employees on intermittent or recurring leave for the same condition, this notice will be provided every six months.

Applications for FMLA must be submitted in writing to the Executive Director or Designee. Applications should be submitted at least thirty (30) days before the leave is to commence or as soon as possible if thirty (30) days' notice is not possible.

An employee who is to undergo planned medical treatment is required to make a reasonable effort to schedule the treatment in order to minimize disruptions to the Organization's operations. Appropriate forms must be submitted to the Executive Director or Designee to initiate FMLA and to return the employee to active status.

SFAS may require an employee on FMLA leave to report periodically on his/her status and the intention of the employee to return to work, and also may require periodic recertification of the medical condition. An employee taking leave due to the employee's serious health condition is required to obtain certification that the employee is able to resume work prior to the return from any FMLA leave. Employees who return to work from a family leave of absence within or on the business day following the expiration of the twelve (12) weeks are entitled to return to their job or an equivalent position without loss of benefits or pay.

### **Procedure for Requesting Leave for a Family Member's Active Duty or to Care for a Service Member**

All employees requesting this type of FMLA leave must provide verbal notice with an explanation of the reason(s) for the needed leave to the Executive Director or Designee. Leave may commence as soon as the individual receives the call-up notice. If the leave is foreseeable, the employee may be required to provide a written request for leave and reasons(s). If the leave is unforeseeable, the employee is required to comply with SFAS' normal call-in procedure absent unusual circumstances. SFAS will provide individual notice of rights and obligations to each employee requesting leave within two business days or as soon as practicable.

### **Designation of Leave as FMLA Leave**

Once the Executive Director or Designee has received the proper documentation and certification from the employee, the employee will receive a Designation Notice form. This will detail whether or not the leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the leave is determined to not be FLMA-protected, then the Designation Notice will serve as notification to the employee.

### ***Military Leave***

Employees who are inducted into the U.S. Armed Forces or who are reserve members of the U.S. Armed Forces or state militia groups will be granted leaves of absence for military service, training, or other obligations in compliance with state and federal laws. These employees may, but are not required to, use accrued paid time off. At the conclusion of the leave, employees generally have the right to return to the same position held prior to the leave or to positions with equivalent seniority, pay, and benefits.

Employees are required to notify the Executive Director as soon as they are aware of a military obligation including training and/or drill schedules. When an employee requests military leave, they will receive more detailed information regarding their rights under USERRA.

### *Religious Observances*

SFAS will make reasonable efforts to accommodate employees who wish to take time off for religious observances, unless an undue hardship is created by their absence.

## **ATTENDANCE AND DEPENDABILITY**

### *Absence and Tardiness*

Every employee is a valuable member of our team. As an employee, you will be expected to arrive for your scheduled shift on time and ready to work. If you fail to show up or are late for your shift, you put an extra burden on your fellow employees. It is therefore important that you arrive at work as scheduled and that all absences be kept to a minimum.

If unusual circumstances cause you to be late, call your manager as soon as possible, and explain why you will be late and what time you expect to arrive.

If for any reason you are unable to report for work, you must notify your manager a minimum of two hours before your scheduled shift or as soon possible. In many cases, your manager will need time to contact another employee who can replace you during your absence.

You should make every reasonable effort to notify your manager personally as soon as you become aware that you will be late or absent, using the contact information provided to you by your manager. If you are unable to reach your manager, you should make every reasonable effort to ensure your manager receives notification that you will be late or absent as soon as possible.

Do not allow friends, relatives or fellow employees to report your absences for you. You must call in all call-offs or late notices personally, except in the event of an emergency. Your manager may require a doctor's release after a call-off due to illness. We keep a record of each employee's attendance. A pattern of, or excessive, absenteeism or tardiness may lead to corrective action, up to and including termination of employment.

Failure to comply with this policy may be cause for corrective action up to and including termination of employment.

Your health and safety is of primary importance in these situations. You are expected to make a judgment, as a working professional, as to the appropriate course of action in a given situation. Management reserves the right to send an employee home who appears unable to perform their job or appear to be a health risk to others, as in the case of illness, etc.

### *Job Abandonment*

An employee who is unable to report to work at the designated time is required to notify his/her manager in accordance with the procedures detailed in the Absence and Tardiness Policy above. Employees who fail to report to work for (2) two consecutive business days on which they were scheduled to work without notifying SFAS of the absence, will be considered as having voluntarily resigned as a result of job abandonment.

If the employee is unable to contact SFAS during that time due to extreme circumstances such as serious illness, the employee should contact the Organization, or have someone on their behalf contact the Organization if necessary, as soon as possible to explain the situation.

An appeal may be made in writing to the Executive Director. If it is determined that there were extenuating circumstances for the absence and failure to notify, the employee may be reinstated.

### *Inclement Weather*

In the event of inclement weather or Shelter events resulting in the closing of any SFAS facilities, employees will be notified by their managers. Because of the nature of our work, we can never completely close our main facility and excuse all employees from work. Some employees, such as but not limited to employees whose positions involve animal care, will be required to report to work. The Executive Director or a designated representative has sole discretion whether the facility will be closed and/or work schedules altered because of inclement weather. Due to the nature of storms, SFAS will handle each occasion and SFAS location separately.

In the event SFAS does not close, we expect you to use your best judgment to decide whether you will be able to come to work. If you do not work and the SFAS office is open or you are still scheduled to work, you will be required to use available PTO. Failure to comply with this policy may be cause for corrective action.

#### *Non-exempt employees*

If any SFAS location is closed for business due to inclement weather, the time will be unpaid for non-exempt employees, and employees will not be required to use any PTO benefits. However, if non-exempt employees wish for PTO to be applied in this instance, they must notify their manager prior to the close of the pay period in which the closure occurred, unless the closure occurs on the last day of the pay period. In that case, the manager needs to be notified prior to the end of the following pay period.

#### *Exempt employees*

For exempt employees, the Executive Director or a designated representative will determine whether or not accrued PTO hours must be applied toward days missed due to closure.

## **COMPLIANCE**

SFAS is dedicated to the prompt and accurate investigation of any and all suspected fraudulent activity or misconduct by any of its employees, clients, volunteers, vendors, or anyone acting on behalf of the Organization. Fraudulent activity and misconduct may include, but is not limited to, purposeful or negligent mishandling of animals, finances, property, chemicals, pharmaceuticals, medical devices, Shelter vehicles, etc.

There are substantial civil and criminal penalties for violation of these laws, including imprisonment and significant fines.

The Executive Director will oversee the fraud investigation for SFAS. Any suspected fraud, abuse or misconduct must be reported immediately.

## **SEPARATION FROM EMPLOYMENT**

In the event you choose to resign from your employment with SFAS, we request two weeks' advance notice. Providing us with this amount of notice will be noted favorably in your personnel file and will be considered in any future decisions to re-employ you, should you wish to return to us at a later date. Please submit a letter of resignation to both your manager and the Executive Director or Designee that includes your desired last day of employment and the reason you are leaving.

The last day actually worked will be considered your official termination date. If you are eligible for a PTO payout, you will be paid all accrued but unused Paid Time Off ("PTO") at your base salary or routine/normal hourly rate of pay at the time of your final pay.

While termination of employment is certainly not a pleasant or common occurrence, it is important to recognize it as an aspect of business. Keep in mind that SFAS is an "Employment at Will" employer, and maintains the right of either employee or employer to terminate employment for any reason.

If your employment with the Organization terminates, for any reason, you must promptly return to the Organization all confidential documents and other materials that you have. You are not permitted to retain copies of any such documents or materials. In addition, keys, promotional materials, forms, software and all other tools an employee would use should be returned. The Organization reserves the right to hold you responsible for any SFAS property not returned and take any necessary action to have it returned or to be reimbursed for its cost.

## **REFERENCES**

All inquiries regarding a current or former employee's employment status should be directed to the Executive Director or Designee. Employees, including managers, may not respond to inquiries on behalf of the Organization.

## **ELECTRONIC COMMUNICATION AND CORRESPONDENCE**

### *Restriction of Use*

Every employee has the responsibility to maintain and enhance SFAS' public image and to use e-mail, the Internet, and all electronic communication outlets provided by SFAS in a manner that will further the legitimate business of SFAS. Any use of these systems in violation of the policies set forth below is inappropriate and strictly prohibited, and will be subject to corrective action as appropriate at the discretion of management, including termination of employment, and may be reported to appropriate

law enforcement officials. Employee off-site Internet usage which management finds to be inappropriate, excessive or detrimental to the work environment may result in corrective action up to and including termination.

Any employees who discover a violation of this policy should notify the Executive Director or Designee immediately.

### *Property of SFAS*

All computers, technology, and communications systems provided by SFAS, including e-mail, the Internet, and cell phones are the property of SFAS. In this connection, no electronic communications are private but rather are public information, and employees should not expect that their messages would be kept private. Further, SFAS reserves the right to periodically review or inspect an employee's e-mail and files on the computer system as deemed necessary and appropriate and to disclose the contents thereof to law enforcement or other third parties with or without notice to the sender or receiver.

### *Information Privacy*

SFAS exercises certain methods to restrict access to computers, electronic mail, the Internet, and voice mail in order to protect these systems against external parties or entities obtaining unauthorized access.

All employees should understand that these systems are intended for business use, and all content obtained, created, or stored on SFAS equipment is considered to be the property of SFAS. This includes, but is not limited to, computer data and information, electronic mail, and voice mail.

Therefore, individuals using SFAS' business equipment should also have no expectation that any information stored on any SFAS computer (whether contained on a computer hard drive or computer disks), voice mails, network computers, or in any other manner will be private.

SFAS has the right to regularly monitor and to obtain access to all electronic mail messages, voice mail, Internet access, computer content, etc. Furthermore, SFAS has the right to inspect the contents of computers, electronic mail, or voice mail in the course of an investigation triggered by indications of unacceptable behavior, or as necessary or desired, to locate needed information that is not more readily available by some other less intrusive means.

If necessary, SFAS may disclose the contents of computers, voice mail, electronic mail, etc. properly obtained for some legitimate business purpose. Given SFAS' right to retrieve and read any electronic communication, such messages should be treated as confidential by other employees and accessed only by the intended recipient.

As such, employees should not assume that email, voice mail or other files accessed through SFAS equipment are private or confidential.

### *Content of Communication*

Employees accessing the Internet or using e-mail are representing SFAS. Employees are responsible for seeing that e-mail and the Internet are used in an effective, ethical and lawful manner. Each employee is responsible for the content of all text, audio, or images that they place or send over e-mail or the Internet. The obtainment of text, audio, or images must only be for the support of legitimate SFAS activities. Personal electronic usage that portrays SFAS negatively is prohibited.

The use of e-mail and the Internet must not disrupt the operation of the SFAS network or the networks of other users, nor interfere with the employee's productivity.

### *E-mail Policy*

SFAS believes that e-mail is an integral and effective tool for SFAS and its designated employees to communicate. Thus, e-mail may be provided to SFAS employees in order to facilitate their effectiveness in these manners and all other business functions. It is not intended for personal communication. E-mail messages should not be addressed to our customers or vendors from your personal e-mail account. The SFAS electronic mail system may not be used to solicit for commercial ventures, religious or political causes, outside organizations, or any other non-job related solicitations.

Furthermore, the e-mail system is not to be used to create any offensive or disruptive messages. Among those which are considered offensive are any messages that contain sexual implications, racial slurs, gender-specific comments, or any other comments that offensively address someone's gender, age, race, color, creed, religion, national origin, ancestry, citizenship, sexual orientation, gender identity, genetic information, spousal affiliation, marital status, military/veteran status, disability or membership in any other protected group.

In addition, the electronic mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.

SFAS reserves the right to randomly or systematically scan all employee electronic mail for the aforementioned offensive content, words, or phrases. Employees found using such language may be subject to corrective action, up to and including termination.

SFAS may, at any time, access the contents of an employee's electronic mail mailbox. Given our right to obtain all electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient.

### *E-Mail Etiquette*

When utilizing e-mail, etiquette is important. The strategies for effective e-mail communication are as follows:

- Keep all messages as brief as possible to minimize reading time for the recipient, therefore keeping communication efficient.
- Avoid communicating through e-mail any sensitive subject that should be addressed in person, if possible.

- Check for accuracy and apply all good business writing practices, using correct grammar, spelling and punctuation.
- Follow up if a response has not been received in a timely manner.
- Read all messages and respond regularly.
- Avoid the use of typing a message in all capital letters.
- Be careful not to use the 'Reply All' function (i.e., system-wide distribution) when not intended.

### *Voice Mail Policy*

SFAS reserves the right to obtain access to all voice mail messages left on or transmitted over the SFAS telephone and voice mail system. As such, employees should not assume that such messages are private and confidential or that SFAS or its designated representatives will not have a need to access and review this information.

### *Social Networking*

SFAS understands that social networking can be an important and informative form of communication and recognizes that employees may engage in social networking while off duty. "Social networking," for purposes of this policy, includes all types of postings on the Internet, including, but not limited to, social networking sites, (such as Facebook®, MySpace® or LinkedIn®); blogs and other on-line journals and diaries; bulletin boards and chat rooms; microblogging, such as Twitter®; and the posting of video on YouTube® and similar media. Social networking also includes permitting or not removing postings by others where an employee can control the content of postings, such as on a personal profile or blog.

Employees must have prior authorization from the Public Information Officer to the extent their social networking communications represent, or appear to represent SFAS' view on any topic. Furthermore, employees must refrain from comments that otherwise violate policies outlined in this employee manual. Inappropriate postings that may include discriminatory remarks, harassment or threats of violence or similar inappropriate or unlawful conduct will not be tolerated.

Violations of this policy may result in corrective action up to and including termination of employment. Note, however, that nothing in this policy is intended or will be interpreted to limit or interfere with your rights under Section 7 of the National Labor Relations Act.

If you have any questions regarding any aspect of this policy, please see the Executive Director for clarification.

### *Internet Policy*

As part of SFAS' commitment to the utilization of technologies, our office employees have access to the Internet. Technology is provided to employees in order to conduct SFAS business. Employees who use SFAS provided technology for personal use in a manner that is disruptive or distracting to the business, customers, co-workers, or generally not conducive to fulfilling their job duties, may be subject to corrective action and/or suspension of the privilege of personal use of SFAS technology.

Additionally, SFAS reserves the right to monitor all Internet access to any sites, and to block those sites that SFAS deems to be offensive or undesirable. In addition, employees found to be visiting sites that aren't blocked, but are subsequently found to be offensive, are subject to review and possible corrective action. Offensive sites include, but are not limited to, sites focusing on pornography, violence, hate groups, and similarly objectionable material of no business relevance.

In order to ensure the protection of SFAS from the threat of viruses, individuals hacking into servers, and compliance with copyright laws, the additional following rules and guidelines regarding Internet usage have been adopted:

1. SFAS reserves the right to implement software and systems that can monitor and record all Internet usage. Such security systems are capable of recording (for each and every user) each World Wide Web site visit, each chat, newsgroup or e-mail message, and each file transfer into and out of our internal networks, and we reserve the right to do so at any time. No employee should have any expectation of privacy as to his or her Internet usage. SFAS reserves the right to inspect any and all files stored in all areas of the network in order to assure compliance with policy.
2. Even when a message is erased, it is still possible to retrieve and read that message.
3. Any employee who attempts to disable, defeat, or circumvent any SFAS security measures may be subject to corrective action, up to and including termination.
4. No employee may use SFAS' Internet facilities knowingly to disable or overload any computer system or network or to circumvent any system intended to protect the privacy or security of another user.
5. No employee shall take steps to circumvent systems that are in place to detect a virus and, if necessary, to prevent its spread. Additionally, no software or applications may be installed without the pre-approval of the Lead IT representative.
6. Employees using SFAS accounts are acting as representatives of SFAS. As such, employees should act accordingly so as not to damage the reputation of the Organization.
7. Sexually explicit material may not be accessed via the Internet. The display of any kind of sexually explicit image or document on any SFAS system is a violation of our policy on sexual harassment. In addition, sexually explicit material may not be archived, stored, distributed, edited, or recorded using our network or computing resources. Any employee doing so may be subject to corrective action, up to and including termination.
8. SFAS' Internet facilities, or any computing resources, must not be used to violate the laws and regulations of the United States, or any other nation, or the laws and regulations of any state, city, province, or other local jurisdiction in any material way. Use of any SFAS resources for illegal activity is grounds for immediate termination of employment. Additionally, SFAS will cooperate with any legitimate law enforcement activity.
9. SFAS will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries, and available archives on any individual's Internet activities.
10. Employees shall not place SFAS material (copyrighted software, internal correspondence, etc.) on any publicly accessible Internet computer without prior permission from the Public Information Officer.
11. The Internet does not guarantee the privacy and confidentiality of information. Sensitive material transferred over the Internet may be at risk of detection by a third-party. Employees must exercise caution and care when transferring such material in any form.



12. Unless otherwise noted, all software on the Internet should be considered copyrighted work. Therefore, employees are prohibited from downloading software and/or modifying any such files without permission from the copyright holder and the Lead IT representative.
13. Any infringing activity by an employee may be the responsibility of SFAS. Therefore, SFAS may choose to hold the employee liable for their actions.
14. Any software or files downloaded via the Internet into SFAS network become the property of SFAS.
15. No employee may use SFAS' facilities knowingly to download or distribute pirated software, music or data.
16. No employee may use SFAS' Internet facilities to deliberately propagate any virus, worm, Trojan horse, trap-door program code, etc.
17. Employees may not use SFAS' Internet access to download entertainment software or games or to play games against opponents over the Internet.
18. Only those employees or officials who are duly authorized by the Executive Director to speak to the media, to analysts or in public gatherings on behalf of SFAS may speak/write in the name of SFAS to any newsgroup or chat room. Other employees may participate in newsgroups or chats in the course of business when relevant to their duties assuming they have the permission of the Executive Director. Where an individual participant is identified as an employee or agent of this Organization, the employee must refrain from any unauthorized political advocacy and must refrain from the unauthorized endorsement or appearance of endorsement by SFAS of any commercial product or service.
19. SFAS retains the copyright to any material posted to any forum, newsgroup, chat, or World Wide Web page by any employee in the course of his or her duties.

### *Storage and Retention of Communications*

SFAS reserves the right to retain or routinely delete e-mail on SFAS' network. However, the automatic deletion of electronic records will be suspended and appropriate steps taken to preserve these records once litigation, formal investigation, or other action make it necessary and/or appropriate to preserve them. Any employee having reason to believe or know that such preservation has become necessary and/or appropriate must notify the Executive Director.

### *Licensed Software*

It is SFAS' policy that only correctly licensed software may be loaded onto SFAS computers. No software may be loaded without first obtaining the express permission of the Executive Director. Software includes business applications, shareware, entertainment software, games, screensavers, and demonstration software. If you are unsure whether a piece of software requires a license, please contact the Lead IT representative. The use of unlicensed software is illegal and an employee could be personally liable to prosecution for civil breaches of copyright that are directly attributable to their actions. If you require further information on the law surrounding copyright, please contact the Executive Director. The copying of software media and manuals is also prohibited.

### *Viruses*

More damage to files may be caused by inappropriate corrective action than by the viruses themselves. If an Organization computer gets a virus, turn it off and leave it off until you find out what to do. All

instances of viruses on SFAS machines must be reported to the Lead IT representative, who will then be in a position to minimize the resulting impact at the earliest opportunity.

### *Computers and Computer Software Policy*

It is the policy of SFAS to respect all computer software copyrights. SFAS users may not duplicate any licensed software or related documentation for use either on SFAS premises or elsewhere unless SFAS is expressly authorized to do so by agreement with the licensor and without the permission of the Lead IT representative. Unauthorized duplication of software may subject users and/or SFAS to both civil and criminal penalties under the United States Copyright Act. According to the US Copyright Act, illegal reproduction of software is subject to civil damages of as much as \$100,000 per title infringed, and criminal penalties, including fines of as much as \$250,000 per title infringed and imprisonment of up to five years.

A SFAS user who makes, acquires, or uses unauthorized copies of software may be subject to corrective action as appropriate under the circumstances, up to and including termination of employment. SFAS does not condone the illegal duplication of software and will not tolerate it. SFAS users may use software on local area networks or on multiple machines only in accordance with the applicable software license agreements.

Computers are Organization-owned assets and must be kept both software-legal and virus-free. Only software purchased by SFAS may be used. No software is to be installed by individuals without the prior approval of the Lead IT representative.

Typically, SFAS-owned software cannot be taken home and loaded on a user's home computer if it also resides on an office computer. SFAS may perform occasional, unscheduled, audits of all PCs, including portables, to ensure that SFAS is in compliance with all software licenses.

### *Data Protection*

The Internet is public domain. At no time should any proprietary information about SFAS be posted to the Internet or an e-mail recipient without first obtaining permission from the Executive Director. Financial information about SFAS can be released only with the Executive Director approval. The content of all web pages must be approved by the Executive Director or Public Information Officer before they are uploaded.

### *Media Relations*

Only the Executive Director, Public Information Officer or an employee specifically designated by Executive Director or Public Information Officer may speak to the media or similar third party via the Internet.