



PERSONNEL POLICY MANUAL

FOR

ADMINISTRATIVE STAFF

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PERSONNEL POLICY MANUAL

General Provisions

This policy manual has been prepared as a guide for our employees. It is a valuable resource for our current employees, and is a way to introduce new employees to the benefits, policies and practices of SCTA. It is not meant to be all-inclusive of personnel or administrative policies that SCTA has adopted or may adopt from time to time.

Since it is impossible to anticipate every situation which might arise, the policies in this manual represent general guidelines, and are subject to changes and exceptions, at the discretion of SCTA's management. The Executive Director has the responsibility to manage the daily affairs of SCTA. In so doing, he or she may institute or modify policies relating to the conduct of employees and the daily internal functions of the Authority as deemed appropriate to address federal, state and/or local laws and regulations, or as required to administer the daily affairs of the Authority in an efficient manner. Like most handbooks of this type, this manual will not be revised to reflect every policy change between printings. For this reason, you should ask your supervisor about any benefit, policy or practice which appears to be different from this manual.

These policies do not represent guarantees or a contract of employment, nor are they intended to create any contractual relationship or enforceable promise.

I. History, Organization and Mission of the South Central Transit Authority

A. History and Organization

The South Central Transit Authority ("SCTA" or "the Authority") was formed by the County of Berks and the County of Lancaster to provide and/or manage public transportation services in Berks County and Lancaster County. SCTA is a municipal authority, which began operation in 2014. The Berks Area Regional Transportation Authority ("BARTA"), an existing municipal authority of the County of Berks, will continue to provide certain public transportation services in Berks County. The Red Rose Transit Authority ("RRTA"), an existing municipal authority of the County of Lancaster, will continue to provide certain public transportation services in Lancaster County. Together SCTA, BARTA and RRTA provide both fixed-route bus service and door-to-door paratransit service and transport roughly 5.1 million passengers annually with a fleet of 99 buses and 124 paratransit vehicles. Funding to provide service is derived from the Federal Transportation Administration, Pennsylvania Department of Transportation, Berks County, Lancaster County, and through passenger fares.

SCTA is governed by a volunteer ten-member Board of Directors that is responsible for establishing policies and procedures for the daily operation of the Authority. The Board hires a Solicitor for legal advice and an accounting firm to conduct annual audits of revenues and expenditures. The responsibility for the

daily operation of the Authority falls to the Executive Director of SCTA who ensures that the policies and procedures are distributed and followed by all employees.

B. Mission Statement

The South Central Transit Authority exists to provide and/or manager safe, efficient, convenient and dependable transportation for the citizens of Berks County and Lancaster County.

II. Code of Conduct

A. Introduction

Every member of the Board of the South Central Transit Authority and every employee of the Authority holds a position or job of public trust. As a transportation authority supported by public funds and the fares of the riding public, there is a need to ensure that the Authority's customers and the citizens of Berks County and Lancaster County have complete confidence in those individuals appointed and employed to serve the Authority. Thus, it is essential that the Authority's Board members and employees conduct themselves with integrity in all aspects of their positions and their position-related activities. Also, Authority Board members and employees shall adhere to and be bound by all other rules, regulations, guidelines, policies and practices of the Authority. Authority Board members and employees must also abide by any additional standards required by the United States Department of Transportation or the Commonwealth of Pennsylvania or other applicable statutes, laws or regulations.

B. Code of Conduct

SCTA, its employees and Board members must at all times comply with all applicable laws and regulations. SCTA will not condone the activities of employees or Board members who achieve results through violation of the law or unethical business dealings. This includes any payments for illegal acts, indirect contributions, rebates or bribery. SCTA does not permit any activity that fails to withstand the closest possible public scrutiny.

All business conduct should be well above the minimum standards required by law. Accordingly, employees and Board members must ensure that their actions cannot be interpreted as being, in any way, in contravention of the laws and regulations governing SCTA's operations.

Employees uncertain about the application or interpretation of any laws or regulatory requirements should refer the matter to their manager, who, if necessary, should seek the advice of the Executive Director, the Solicitor, or a regulatory representative.

C. General Employee Conduct

Employees shall conduct themselves in a businesslike and professional manner at all times. Drinking, gambling, fighting, swearing and other unprofessional activities and behaviors are strictly prohibited while on the job. Employees shall be accountable for unprofessional or illegal behavior off duty that may harm the reputation of the Authority, its employees or customers.

The Authority complies with the federal Drug Free Work Place Act, and more detailed information about that law and the Authority's Policy on Substance Abuse is set forth later in this manual. The presence of alcohol and illegal drugs in the work place are a potential danger to all employees, customers, suppliers, and affiliates of the Authority. They impair safety and health; promote crime, lower productivity and quality, and lower public confidence in the work we do. No employee may be under the influence of any illicit drug or alcohol while in the work place, while on duty, or while operating a vehicle or equipment owned or leased by the Authority. In addition, at no time may an employee transport alcohol in an Authority owned or leased vehicle.

Employees are expected to operate Authority-owned vehicles in a safe manner and in accordance with the applicable traffic laws and regulations and must report to the Authority any violations on or off duty in accordance with applicable law.

Employees may not solicit from employees, customers or others money or support for political, religious, social or other purposes while on duty or on Authority premises except as may be expressly permitted by the Authority and as set forth in the Authority's policy. Employees must comply with all applicable federal and state statutes concerning political activities. Employees may refer to the Authority's policy on solicitation for more detail.

Employees must not engage in sexual or other improper and prohibited harassment or conduct themselves in a way that could be construed as such, for example, by using inappropriate language, keeping or posting inappropriate materials in their work area or accessing inappropriate materials on their computer. Employees must conduct themselves in accordance with the Authority's Equal Employment Policy and the Authority's No Discrimination / No Harassment Policy, which provide greater detail.

D. Conflicts of Interest

SCTA expects that its employees and Board members will perform their duties conscientiously, honestly and in accordance with the best interests of SCTA. Employees and Board members must not use their positions or the knowledge gained as a result of their positions for private or personal advantage. Regardless of the circumstances, if employees or Board members sense that a course of action they have pursued, are presently pursuing or are contemplating pursuing may involve them in a conflict of interest with SCTA, they should immediately

communicate all the facts to their manager, the Executive Director or the Board Chairperson.

As provided in the Common Grant Rules and the Federal Transit Administration (FTA) Master Agreement, no employee, officer, agent, or Board member, or his or her immediate family member, partner, or organization that employs or is about to employ any of the foregoing may participate in the selection, award, or administration of a contract supported with FTA assistance if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of those previously listed has a financial or other interest in the firm selected for award.

E. Outside Activities, Employment and Directorships

All employees share a serious responsibility for the Authority's good public relations, especially at the community level. Their readiness to help with religious, charitable, education, civic activities and professional organizations brings credit to the Authority and is encouraged. Employees must, however, avoid acquiring any business interest or participating in any activity outside the Authority that would, or would appear to:

Create an excessive demand upon their time and attention, thus depriving the Authority of their best efforts on the job;

Create a conflict of interest - an obligation, interest or distraction that may interfere with the independent exercise of judgment in the Authority's best interest.

F. Relationships with Clients and Suppliers

Employees and Board members should avoid investing in or acquiring a financial interest for their own accounts in any business organization that has a contractual relationship with SCTA or that provides goods or services or both to SCTA, if such investment or interest could influence or create the impression of influencing their decisions in the performance of their duties on behalf of SCTA.

Board members, who are employed by organizations that have contractual relationships with SCTA, or provide goods and/or services to SCTA, must remove themselves from any contractual or procurement deliberations related to their employers.

G. Gifts, Entertainment and Favors

Employees and Board members must not accept entertainment, gifts or personal favors that could, in any way, influence or appear to influence business decisions in favor of any person or organization with whom or with which SCTA has or is likely to have business dealings. Similarly, employees and Board members must not accept any other preferential treatment under these circumstances because their position with SCTA might be inclined to or be perceived to place them under obligation. This section shall not apply to any de minimis situation, of nominal

value that does not compromise the objectivity of any Authority Board Member or member of the Authority Administration.

The recipients of FTA funding including its officers, employees and agents may neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subcontractor agreements. The recipient may set minimum rules when the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. The value of such gifts shall be of nominal value.

H. Kickbacks and Secret Commissions

Regarding SCTA's business activities, employees and Board members may not receive payment or compensation of any kind from contractors, potential contractors, or parties to subcontractor agreements. In particular, SCTA strictly prohibits the acceptance of kickbacks and secret commissions from suppliers or others. Any breach of this rule shall result in disciplinary action, up to and including immediate termination with prosecution to the fullest extent of the law.

I. Authority Funds and Other Assets

Employees and Board members who have access to SCTA funds in any form must follow the prescribed procedures for recording, handling and protecting money. SCTA imposes strict standards to prevent fraud and dishonesty. If employees or Board members become aware of any evidence of fraud and dishonesty, they shall immediately advise their manager, the Executive Director, or the Board Chairperson, so a prompt investigation can commence.

When an employee's position requires spending SCTA funds or incurring any reimbursable personal expenses, that individual must use good judgment on SCTA's behalf to ensure that good value is received for every expenditure.

SCTA funds and all other assets are for SCTA purposes only and not for personal benefit. This includes the personal use of SCTA assets, such as vehicles, computers, software or e-mail.

J. Authority Records and Communications

Accurate and reliable records of many kinds are necessary to meet SCTA's legal and financial obligations and to manage the affairs of SCTA. SCTA's books and records must reflect in an accurate and timely manner all business transactions. The employees responsible for accounting and recordkeeping must fully disclose and record all assets, liabilities, or both, and must exercise diligence in enforcing these requirements.

Employees must not make or engage in any false record or communication of any kind, whether internal or external, including but not limited to:

- False expense, attendance, ridership, financial or similar reports and statements

- False advertising, deceptive marketing practices or other misleading representations

K. Dealing with Outside People and Organizations

Employees and Board members must take care to separate their personal roles from their SCTA positions when communicating on matters not involving SCTA business. Employees and Board members must not use SCTA identification, stationery, supplies or equipment for personal or political matters.

When communicating publicly on matters that involve SCTA business, employees and Board members must not presume to speak for SCTA on any topic, unless they are certain that the views they express are those of SCTA and it is SCTA's desire that such views be publicly disseminated. Further, the Executive Director has been designated the Public Relations person by the Board of Directors. All responses to public or private inquiry, other than non-customer service issues, shall be addressed by him unless the Board of Directors states otherwise.

When dealing with anyone outside SCTA, including public officials, employees and Board members must take care not to compromise the integrity or damage the reputation of SCTA.

L. Prompt Communications

In all matters relevant to customers, suppliers, government authorities, the public and other organizations, all employees and Board members must make every effort to achieve complete, accurate and timely communications -- responding promptly and courteously to all proper requests for information and to all complaints.

M. Privacy and Confidentiality

When handling financial and personal information about customers or others with whom SCTA has dealings, employees and Board members must observe the following principles:

- Collect, use and retain only the personal information necessary for SCTA's business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.
- Retain information only for as long as necessary or as required by law. Protect the physical security of this information.
- Limit internal access to personal information to those with a legitimate business reason for seeking that information. Use personal information only for the purposes for which it was originally obtained. Before disclosing any personal information, the consent of the person whose information may be disclosed should be obtained before disclosing any

personal information to any previously unauthorized viewer, unless legal process or contractual obligation provides otherwise.

N. Organizational Conflict of Interest

An organizational conflict of interest occurs when a contractor, because of other activities, relationships, or contracts, is unable or potentially unable, to render impartial assistance or advice to the Authority; a contractor's objectivity in performing contract work is or might otherwise be impaired; or a contractor has an unfair competitive advantage. It is the policy of the Authority to award contracts for goods and services only to contractors whose objectivity is not impaired by an organizational conflict of interest as previously defined. The implementation of this policy is more fully described in the "SCTA Procurement Regulations and Procedures."

O. Fraudulent and Unethical Acts Reporting Process and Protections

Each member of management and the Board of Directors are responsible for creating a supportive atmosphere for all employees, free of discrimination and fear which encourages ethical behavior. Further, employees are responsible for respecting the rights of their coworkers and for conducting themselves in an honest manner.

Any employee, manager, or Board member who believes they have knowledge of or a concern about an activity or act that they consider to be illegal, dishonest, fraudulent or in violation of this, or other, policies shall immediately inform their manager, the Executive Director, or the Board Chairperson.

Sound judgment must be exercised to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing could be subject to discipline.

- The confidentiality of anyone reporting an activity believed to be illegal or dishonest will, insofar as possible, be maintained. However, their identity may have to be disclosed in order to conduct a thorough investigation, to comply with the law or to provide accused individuals their legal rights of defense. SCTA will not retaliate against the person reporting the activity, unless it is a false report. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments or threats of physical harm. Anyone who believes they are being retaliated against must contact their manager, the Executive Director or the Board Chairperson immediately. The right of anyone reporting an activity for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

P. Statement of Financial Interest

A Statement of Financial Interests shall be completed and filed annually by the Authority's Board, Executive Director and Department Heads in accordance with the provisions of the Public Official and Employee Ethics Act, Act 93 of 1998.

III. Personnel Policies

A. Equal Employment and No Harassment / No Discrimination Policy

It is the policy of SCTA that equal employment opportunity will be afforded to all individuals regardless of race, color, religion, creed, national origin, sex, age, disability, marital status, genetic information, or any other status protected by law. All employment policies and practices including promotion, compensation, training, work assignments and termination shall be in accordance with this policy.

In accordance with Title VII of the Civil Rights Act of 1964 and the Pennsylvania Human Relations Act, and following the guidelines of the Equal Employment Opportunity Commission (EEOC), it is the policy of SCTA that harassment based on race, color, religion, creed, national origin, sex, age, disability, marital status, genetic information, or any other protected status will not be tolerated. This includes, but is not limited to, actions by supervisors to employees, employees to employees, employees to supervisors, employees to vendors, and/or employees to customers.

SCTA's No Harassment / No Discrimination Policy (Attachment A) sets forth in detail prohibited conduct and what an employee should do if he or she believes they are a victim of sexual harassment, other harassment, or discrimination.

Violations of SCTA's No Harassment / No Discrimination Policy shall be subject to disciplinary action up to and including discharge from employment. Violations should be reported immediately to the SCTA's Director of Administration & Human Resources and/or the Executive Director, in accordance with the No Harassment / No Discrimination Policy. SCTA's Director of Administration & Human Resources is the Authority's designated EEO Officer. SCTA will respect and maintain to the maximum extent possible the confidentiality of the offended party. However, SCTA cannot guarantee confidentiality.

B. Americans With Disabilities Act Policy

It is the policy of SCTA to comply with applicable provisions of the Americans With Disabilities Act (ADA). SCTA is committed to providing equal employment opportunities to otherwise qualified individuals with disabilities, which includes providing reasonable accommodations whenever necessary, unless an undue burden would result.

In general, it is the employee's or applicant's responsibility to notify the Administration of the need for an accommodation. Upon doing so, the Administration may ask for input on the type of reasonable accommodation that the individual believes may be necessary or the functional limitations caused by the disability. Also, when appropriate, SCTA may need permission from the employee to obtain additional information from physicians or other medical or rehabilitation professionals.

We will not discriminate against any qualified individual with a disability in any phase of the employment relationship including application for employment, hiring, promotion and/or advancement in employment, termination, compensation, training opportunities, or other terms, conditions or privileges of employment.

For purposes of this policy, disabled individuals shall include those defined by applicable statutes, including persons who:

Have a physical or mental impairment that substantially limits one or more major life activities;

Have a record of such impairment; or

Are regarded as having such impairment.

All supervisory and management personnel are responsible for assuring compliance with this non-discrimination policy.

SCTA holds all employees, including those with disabilities, to the same performance and conduct standards.

C. Hiring and Continuance of Employment

Administrative employees are not hired for any specific term of employment and nothing in this policy manual or individual terms of employment is to be construed as providing continuation of employment for any specific period of time. Rather, continued employment is dependent on the needs of the Authority and the continued satisfactory performance of the employee.

D. Leadership

The Executive Director is engaged by the Board for the management and conduct of the daily affairs of the Authority. The Executive Director is responsible to the Board for his or her actions and those of the entire administrative staff.

E. Performance Review

Each employee's performance is reviewed periodically. The initial review is generally conducted after four months of employment, which is generally the end of the introductory period of employment. Thereafter, performance reviews will be conducted at least annually and phased in to coincide with the start of the calendar year. The Executive Director may establish alternate timing of the initial review depending on the circumstances of the hiring.

The Executive Director, or designated managers and supervisors, will conduct the performance reviews for administrative staff. The Personnel Committee of the Board shall establish the review methodology and will be informed of the reviews

prior to implementation. The performance review of the Executive Director will be conducted by the Personnel Committee.

F. Discipline

The Executive Director, or his or her designated Department Heads, may take necessary disciplinary actions for the effective management of the Authority. The decision of the Executive Director shall be considered final in all disciplinary cases brought before or by him or her, subject only to a grievance appeal to the Personnel Committee, or except as may be required by the laws governing the Authority.

G. Termination of Employment

The Authority reserves the right to terminate the employment of any employee for insubordination, inefficiency, absence without leave, dishonesty, violations of policy or procedure, or other reasonable causes as determined by the Authority. Termination may also be due to changing business needs of the Authority, decreased funding, reorganization, or other circumstances affecting the affairs of the Authority.

H. Grievances

Should any staff member have a grievance or disagreement over matters of employment, the employee shall take the matter to the employee's Department Head. If the matter cannot be resolved, the employee may request to take the matter before the Executive Director or his or her designated representative. If the matter cannot be resolved to the employee's satisfaction, he or she may request the matter be referred to the Personnel Committee for review. The decision of the Committee will be considered final.

I. Compensation

Employees will be classified based on their position and responsibilities as hourly or exempt in accordance with the provisions of the Fair Labor Standards Act (FLSA), for the purposes of the payment of overtime. Pay periods consist of Monday through Sunday with every other Friday being pay day for the preceding two week period.

Compensation for part-time or temporary personnel is based on an hourly rate. Part-time or temporary employees are not eligible for other employee benefits except as specified by the Executive Director and with the concurrence of the Board Personnel Committee.

Payroll deductions shall be made in accordance with applicable law, and other than those required by law, shall be authorized in writing. Wage garnishments shall be made in accordance with applicable law.

J. Overtime for Hourly Employees

Hourly Employees. Employees classified as hourly employees shall receive overtime for all hours worked above the employee's normal work week,. All hours worked up to 40 hours per week will be paid at straight time. All hours worked in excess of 40 hours per week will be paid at one and one-half times the employee's regular hourly rate.

All overtime worked in excess of the employee's normal work week must be approved in advance by the employee's supervisor or Department Head and records of time shall be maintained.

Exempt Employees. Employees classified as exempt employees under the FLSA are not eligible to receive overtime pay.

IV. Employee Benefits

All full-time administrative employees will receive certain fringe benefits, to become effective after ninety days of continuous full-time employment unless otherwise stated. These benefits may be modified from time to time, subject to the approval of the Personnel Committee of the Board of Directors. The fringe benefits currently provided are listed below.

A. Holidays

The following paid holidays are provided:

New Year's Day	Thanksgiving
Memorial Day	Christmas (2 days)
Independence Day	Personal Days (5 days)
Labor Day	

The Executive Director shall establish procedures to govern the observance and use of holidays in such a manner that all operational requirements of the Authority are met. On certain occasions the observance of the holiday will be split among all staff to maintain regular hours of operation (for example, for paratransit and fixed route services, and at the Information Center & BTC).

Personal Days must be approved by your Department Head and should be scheduled as far in advance as possible. Except for emergencies where no notice is possible, Personal Days will generally not be granted without at least five (5) working days' advance notice. Personal Days may be taken in minimum increments of one-half (1/2) day.

Personal Days shall be earned on January 1 of each year. New employees shall be granted Personal Days based on their first date of employment: employed prior to March 16 – 4 days; employed prior to June 1 – 3 days; employed prior to August 16 – 2 days; employed prior to November 1 – 1 day.

B. Vacation

Employees will be granted paid time off for vacation on the following basis:

After one (1) year of employment:	One week (5 days) vacation
After two (2) years of employment:	Two weeks (10 days) vacation
After five (5) years of employment:	Three weeks (15 days) vacation
After ten (10) years of employment:	Four weeks (20 days) vacation
After nineteen (19) years of employment:	Five weeks (25 days) vacation

Vacation is earned on January 1 for time worked during the prior calendar year, and is based on completed years of service as of January 1. If during the calendar year the employee's years of service on the anniversary date entitle the employee to an additional week of vacation, it may be taken during that calendar year but only after the anniversary date.

New employees with less than one year of service as of January 1, may take up to one week (5 days) of vacation after their first anniversary date of employment.

Vacation earned shall be taken within the calendar year unless deferral is approved. Deferral may be granted for no more than 20 days of accumulated vacation. Amounts of accumulated vacation in excess of 20 days will be lost if not taken by the end of the calendar year.

Employees will be reimbursed for accumulated vacation time upon termination provided reasonable advance notice is provided by the employee.

C. Bereavement Leave

Employees may be granted paid leave for up to five (5) days in the event of a death in the employee's immediate family, which shall include the employee's spouse, child, parent, brother and sister. Employees may be granted up to three (3) days of paid leave at the time of and including the day of the funeral in the event of a death of the employee's mother-in-law, father-in-law, grandparents, or grandchildren. The Executive Director, at his or her discretion, may grant additional unpaid leave on a case-by-case basis.

D. Workers' Compensation

If an employee is injured in the line of duty and cannot perform his or her usual duties, or light duty that may be available, the employee will be compensated under the terms of Workers' Compensation Insurance provided in accordance with the Workers' Compensation Act of Pennsylvania. Employees may use sick leave pending approval of any workers' compensation claim, but must reimburse the Authority for any sick leave used if the claim is granted. Employees must report injuries immediately to their Department Head.

E. Health Insurance

Each full-time employee becomes eligible after ninety (90) days of continuous full-time employment to be enrolled as a member of the Authority's group health insurance for basic health and hospitalization benefits. Employees contribute to the cost of health care as determined by the Authority and as modified from time to time.

The Authority may modify the carrier, administrator, benefits, co-payments, and employee contributions for the health insurance benefits. In addition to the base plan, the Authority may also provide additional plan options for selection by the employee.

A Section 125 (before tax) payroll deduction shall be provided to each employee who enrolls in the FSA or voluntary dental program provided through the Authority, voluntary AFLAC coverage, and for payment of any employee contributions to health coverage.

Currently, the Authority provides a Health Reimbursement Account (HRA) and will contribute Six Hundred Dollars (\$600) for each employee each year. Any unused funds will rollover into the next calendar year as long as the employee remains active.

F. Personal Appointment/Business

Generally, personal appointments should be scheduled other than during regular working hours whenever possible. Appointments for doctor, dentist or other medical visits are governed by the Sick Leave and related provisions below. Time off for appointments for important personal business that must be scheduled during regular working hours may be granted with prior permission from the immediate supervisor, and must also be approved by the Director of Administration & Human Resources or the Executive Director. Employees must submit a written request for Early Leave/Late Arrival, as needed, to their immediate supervisor. If possible, the employee may be allowed to work alternate hours. Paid leave time (personal days, sick leave) must be taken in minimum increments of one-half day. The Executive Director has the discretion to deny any request from an employee who submits too many requests.

G. Life Insurance

Term life insurance will be maintained for each employee equal to the employee's annual salary rounded up to the nearest thousand dollars. Employees are eligible for this coverage after ninety (90) days of continuous full-time employment. The following minimum insurance levels apply and any benefits paid shall be in accordance with the rules of the carrier:

Group I:	Executive Director	1.5 times salary
Group II:	Department Heads	\$40,000

Group III: All Others \$25,000

H. Sick Leave and Disability Benefit

1. Sick Leave. After one year of continuous full-time employment, an employee will receive up to five (5) days of paid sick leave per year at his or her regular rate. Unused sick leave may be accumulated up to sixty (60) days. Unused sick leave over sixty (60) days may be accumulated with the approval of the Executive Director. All available sick leave days must be used when an absence due to illness occurs and cannot be saved for a subsequent absence. Sick leave may only be used for absence due to illness of the employee, unless approved otherwise by the Executive Director. After completion of his or her four (4) month probationary period, a new employee shall be eligible for the following number of sick days based on his or her date of hire: employed prior to March 16 – 4 days; employed prior to June 1 – 3 days; employed prior to August 16 – 2 days; employed prior to November 1 – 1 day. Sick leave may be taken in minimum increments of one-half (1/2) days. An employee may use paid sick leave for medical appointments that cannot be scheduled other than during regular working hours. The Executive Director has the discretion to request medical verification for each incidence or period of sick leave.
2. A disability benefit up to twelve (12) weeks will be available to each employee after two years of continuous full-time employment with the Authority. The employee must first use all paid leaves, including using any available sick leave, vacation leave and personal days. For any remaining balance of the twelve (12) weeks, the employee will receive a benefit equal to sixty percent (60%) of his or her regular rate. A six (6) day waiting period will apply for the first absence due to disability. Subsequent absences due to disability shall be subject to a thirty (30) day waiting period for each absence within a rolling twenty-four (24) month period from the date of the last absence. The employee will receive sixty percent (60%) of his or her regular pay for this waiting period if he or she has no other paid leave available.
3. After ninety (90) days of continuous absence due to a disability, the employee will be covered by a long-term disability insurance policy to provide two-thirds of regular salary in accordance with the rules of the policy.
4. Employees shall be limited to a maximum of twelve (12) weeks of paid disability benefits within any rolling 24-month period.
5. Medical verification must be provided for disability benefits. Disability benefits will not be provided for any periods for which payment is received from Workers' Compensation Insurance.

6. All sick leave and disability shall be coordinated with any FMLA leaves, that is, any sick leave or disability that also qualifies as FMLA leave shall also count toward the twelve weeks of FMLA leave. See the attached FMLA policy.

I. Pension

The Authority provides pension benefits to its employees. Details are provided in separate documents and Summary Plan Descriptions provided to all employees.

J. Retirement Benefits

Employees who have completed 15 years of continuous service with the Authority (including continuous service from date of hire at BARTA or RRTA) and retire at normal retirement age or take early retirement, and are at least 62 years of age may be eligible to receive the following benefits:

Retiree Health Insurance - Employees hired by BARTA or RRTA before January 1, 2013, may continue to be covered by SCTA's group health and hospitalization plan between the ages of 62 and the date of Medicare eligibility, for those insurances in which the employee was enrolled prior to and at the time of retirement. SCTA will pay 50% of the health care coverage for the retired employee between the ages of 62 and the date of Medicare eligibility. The retiree may continue to cover the spouse at his or her expense; provided, however, that if the retiree's spouse is eligible to be covered by another health plan, the spouse must enroll in that plan, and the Authority's coverage shall be secondary coverage only.

Life Insurance - SCTA will provide term life insurance coverage in the amount of \$6,000 for retirees age 62 or over.

Unused Accumulated Sick Pay Benefits – paid at value of 100% of accrued unused days up to the maximum allowable accumulation, calculated based upon the employee's final pay rate.

K. Transportation

All employees and members of their immediate family including spouse and children under age 18 may ride fixed route services operated or managed by SCTA at no cost when proper identification is presented to the vehicle operator.

L. Expense Reimbursement

Employees will be reimbursed for all reasonable and necessary expenses for transportation, lodging and meals incurred when conducting the business of the Authority. Use of the employee's private automobile for business travel will be reimbursed at the rate of \$.40 per mile when an Authority automobile is not available.

All out of town travel, and all training and registration fees for meetings must be approved in advance by the Executive Director.

M. Jury Duty/Witness Subpoenas

The Authority shall pay an employee the difference between his/her regular salary and the amount collected: (a) when serving on jury duty or; (b) as a subpoenaed witness for matters of a non-personal nature provided that the Authority is not a party to the matter regarding which the employee is subpoenaed to testify.

N. Termination Pay

Employees terminated for reasons other than cause shall receive one week's pay for each year of service up to a maximum of four weeks' pay at the employee's regular rate. Termination pay will not be paid in instances in which an employee is temporarily laid off with a reasonable expectation of a return to duty.

O. Credit Union

The Authority shall provide a voluntary payroll deduction for those employees who join the Discovery Federal Credit Union or the Pennsylvania State Employees Credit Union (PSECU).

P. Deferred Compensation

The Authority shall provide a voluntary payroll deduction for those employees who wish to participate in the U.S. Conference of Mayors deferred compensation program. SCTA will provide a matching contribution to employees participating in this program based on \$.50 in matching contribution for each \$1.00 contributed by the employee up to a total matching contribution of Three Hundred Dollars (\$300) per employee per calendar year.

Q. Leave of Absence and FMLA

An unpaid leave of absence up to twelve (12) weeks may be granted to an employee at the discretion of the Executive Director. Employees will be granted leave under the Family and Medical Leave Act in accordance with the Authority's policy governing such leaves (Attachment B).

R. Military Leave

Employees shall be granted military leave in accordance with all applicable state and federal statutes.

S. Training

It is the policy of SCTA to foster and encourage the upgrading of employee job-related skills through more comprehensive on-the-job training, by sponsoring in-

service vocational training, and by encouraging employees to utilize existing educational facilities to generally prepare themselves for greater responsibilities and proficiency.

T. Education Benefit

Employees will be reimbursed for up to Fifty Percent (50%) of the tuition cost or registration fee incurred for training, college courses or other educational course work that is directly related to the employee's position, but is beyond that provided by SCTA, up to a maximum of Four Hundred Dollars (\$400) per calendar year. All courses must be approved in advance by the Executive Director. Costs incurred in prior years may not be carried forward for reimbursement in subsequent years. Satisfactory completion of the training or course and a C grade or equivalent where appropriate is required to qualify for the educational benefit.

V. Office Procedures

A. Work Hours

The Executive Director shall establish the appropriate work hours for all administrative employees. Work hours generally start between 7:00 a.m. and 9:00 a.m., and generally end between 3:30 p.m. and 5:30 p.m., with unpaid lunch periods. Specific shift hours for each employee shall be determined by the Department Head.

Information Center personnel and the Saturday evening and Sunday dispatchers will be scheduled to reflect the operating hours of the Center, and Saturday and Sunday service respectively.

Employees are expected to arrive promptly and be ready for work at their designated start time. In the event of illness or other emergency in which an employee is unable to report for work, the employee shall provide as much notice as possible and contact his or her Department Head, or other designated person, no later than his or her normal start time.

B. Absence Policy

An employee must notify management of all absences or tardiness as far in advance as practical. If unplanned, the notification must be received at least one (1) hour prior to the start of the employee's scheduled work shift.

This notification must be made directly to the employee's immediate supervisor. Leaving a voicemail or text message is not acceptable. If the employee's immediate supervisor is not available to take the call or is not in the office prior to the start of the work shift, contact must be made to another member of management. Supervisors are required to immediately notify the Director of Administration & Human Resources of all absences or late arrivals.

An additional call-in is required if the time off exceeds the time stated in the original call-off.

For all such leave, a Time Off Request Form must be completed immediately upon return to work and submitted in accordance with the policy on request for leave. This does not guarantee the approval of leave time.

C. Time Records

Employees shall maintain accurate time records, including over time records, which shall be approved by their Department Head prior to time worked. All time records must show hours actually worked, plus leave time, whether paid or unpaid.

D. Personnel and Attendance Records

The Authority will maintain personnel records, including attendance records, under the supervision of the Director of Administration & Human Resources for each employee. Certain information, such as medical information and information required by the Equal Employment Opportunity Commission, shall be maintained in files separate from the employee's general personnel file.

Employees may submit a request to review their own personnel records. Such requests will be granted at reasonable times which do not interfere with the operations of the Authority, and will be done in the presence of management. Employees may submit written statements to be placed in their personnel file.

All employees will comply with established procedures for requesting and recording the use of vacation, holiday, and other paid or unpaid time off.

E. Customer Relations

Each employee is a representative of the Authority and is responsible for providing the highest level of service to customers, clients and agencies served. Courtesy, tact and patience with all those with whom SCTA employees come in contact are of utmost importance. Many of SCTA's customers have mental and physical disabilities and must be afforded consideration, respect and sensitivity to their needs at all times. The Authority's work routinely relates to the private affairs of its customers. It is important that sensitive information be kept confidential and not be divulged to others except as necessary to carry out SCTA duties. Violation of such confidentiality may result in discipline, up to and including termination of employment.

F. Telephone Practices

Incoming calls should be answered promptly and courteously. Every effort should be made to avoid placing customers and other callers on "hold" for extended periods of time. All employees shall follow the prescribed telephone

policy that was developed to insure phone duties among staff are clearly outlined. The phone is often the principle line between our customers and the SCTA administration and management. For that reason personal calls should be kept to a minimum. Personal toll calls, except those due to work related matters and as otherwise agreed upon by the Executive Director, should be charged to the employee's home phone, a credit card, or logged with the Finance Department for reimbursement by the employee.

G. Smoking Policy

In accordance with the Clean Indoor Air Act of the Commonwealth of Pennsylvania smoking is prohibited at all times within SCTA buildings and vehicles. The Executive Director may designate appropriate smoking areas outside the Authority's facilities.

H. Policy on Substance Abuse

The health and safety of our employees, customers and the general public are necessary objectives in the conduct of SCTA's business. These objectives cannot be jeopardized by the possession, use or being under the influence of alcohol or a controlled substance. As such, the unlawful manufacture, control, sale, distribution, possession or use of a controlled substance is prohibited in the SCTA workplace. Further, reporting to work, or working under the influence of alcohol or a controlled substance is prohibited. The misuse of over-the-counter drugs or prescription drugs is also prohibited.

In accordance with the Drug Free Workplace Act, SCTA shall establish an on-going drug-free awareness program to inform employees about the dangers of drug abuse, and any available drug counseling, rehabilitation or assistance programs. Employees must also notify the Executive Director in writing of any convictions for a violation of the criminal drug statutes no later than five calendar days after such conviction.

Administrative employees, who are not designated as safety sensitive, will also be subject to pre-employment, post-accident and reasonable suspicion testing. Those employees in designated safety sensitive positions will be subject to random, post-accident and reasonable suspicion testing for drugs and alcohol in accordance with the Authority's drug testing policy. Employees who violate SCTA's substance abuse and testing policies will be subject to disciplinary action up to and including discharge from employment. Please see the Authority's Drug Free Workplace and Drug Testing Policy for more details.

I. No Solicitation and No Distribution Policy

SCTA encourages all employees to become actively involved in charitable and community activities. The benefits of these activities enrich the lives of all of us and strengthen our society.

Occasionally, unwelcome solicitation of employees places unfair pressures on some of us and may interfere with our mission. To avoid undesirable solicitation of employees or interference with employees, SCTA has adopted the following rules regarding solicitation and distribution on our property, including in our vehicles.

1. To maintain neat and clean premises and vehicles, and to avoid damage to vehicles or property, no materials of any nature may be distributed anywhere on our premises or in our vehicles, whether in the buildings, on our grounds, or in our parking lots, at any time. This includes not placing materials on employees' vehicles. Employees are permitted to neatly place materials on counters or tables in non-work areas (e.g., lunch and break rooms), but may not post any materials on any walls or boards.
2. Non-SCTA employees are not permitted to solicit in the buildings, on our grounds, in our parking lots, or in our vehicles, at any time for any reason.
3. SCTA employees are not permitted to solicit in the buildings, on our grounds, in our parking lots, or in our vehicles, for any reason except as follows: SCTA employees may solicit other employees during non-working time, which includes lunches and breaks, provided this solicitation takes place in non-work and non-SCTA vehicle areas. For example, SCTA employees may solicit other employees when both employees are on break, in an employee lunch room or employee break room. SCTA employees may not solicit other employees, even if both employees are on break, in areas where other employees are working. SCTA employees may not solicit customers, riders or visitors at any time for any reason.
4. SCTA employees who are off duty are generally not permitted in the buildings, on our grounds, or in our parking lots, other than during the short time periods immediately before and after their work shift when they are coming to and leaving work.
5. SCTA maintains employee bulletin boards at various locations. These bulletin boards are for official use only, and employees may not post any notices or other materials on such bulletin boards.

J. Use of Authority Vehicle

The Authority provides vehicles for administrative employees to use for SCTA business. All employees are required to wear seat belts while using or traveling in Authority vehicles. Employees are expected to operate Authority vehicles in a safe and responsible manner at all times. Any employee receiving a citation for a violation of the motor vehicle code must provide a copy to the Executive Director within two (2) business days of receipt of such citation and may be subject to disciplinary action up to and including termination, at the discretion of the

Executive Director. The employee is financially responsible for the payment of any fines and costs related to the citation.

K. Communication with the Media

All official statements to the press and other media shall be issued by the Chairman of the Board of Directors or the Executive Director, unless otherwise designated by the Executive Director. No other employees are authorized to communicate with the press or other media.

L. Personal Protection

SCTA does not tolerate acts of workplace violence committed by or against employees.

NOTE: This is a zero-tolerance policy, meaning that SCTA disciplines or terminates every employee found to have violated this policy.

Prohibited conduct includes, but is not limited to:

- Intentionally injuring another person physically;
- Engaging in behavior that creates a reasonable fear of injury in another person (i.e. threatening, intimidating, provoking or harassing, and/or abusive behavior including inappropriate language, symbols or hand gestures);
- Possessing, brandishing, or using a weapon while on SCTA premises;
- Intentionally damaging, defacing, sabotaging or destroying property belonging to SCTA, its employees, residents, vendors, or suppliers, or threatening to damage or attempting to damage any of the above.

Employees are urged to immediately report any acts of workplace violence or threats of violence to their supervisor, the Director of Administration & Human Resources, or the Executive Director. SCTA's designated personnel will immediately investigate any reported violence, harassment, or threats committed on SCTA premises.

All employees who commit violent acts or who otherwise violate this policy are subject to corrective action or discipline, up to and including termination of employment.

M. Facility and Equipment Security Regulations

SCTA facilities and equipment are to be used for conducting SCTA business only. Personal use of SCTA facilities or equipment is prohibited. General procedures for the main facility are as follows. References to Authority facilities

and equipment shall also include facilities and equipment operated or managed by SCTA.

1. All doors in the Authority Building are to be secured/locked when personnel leave sight of the building and no other authorized employee is in charge of their work area.
2. Only Authority employees or officials may enter the garage area of the Authority building.
3. Only Authority vehicles are permitted in the garage or driveway.
4. Printed materials and other paraphernalia not essential to SCTA work may be prohibited at the discretion of the Executive Director.
5. Employees are to use employee identification and access cards for themselves only and may not share cards with other employees or non-employees.

The Authority welcomes and encourages guests to visit our facilities and observe SCTA in action. Guests may include employee relatives, customers, and community groups. To ensure the safety of our visitors, and to minimize work disruptions, all visitors must receive prior approval from the employee's Department Head, and be accompanied by an employee while on Authority property.

N. Searches/Surveillance

Employees have no right to privacy while using SCTA facilities, equipment or vehicles, including work areas and/or lockers. If SCTA suspects the presence of any illegal or prohibited items, it has the right to search the work area and/or locker of an employee at any time. If any suspected illegal or prohibited items or substances are found, SCTA reserves the right to turn them over to the appropriate law enforcement agency.

Employees should be aware that all Authority facilities, vehicles and equipment are or may be under camera surveillance at any time.

O. Computer System Use

1. General. SCTA recognizes and encourages the use of computers by its employees in their daily business and communications. Employees will be assigned a personal computer at their work station and a password to gain access to the Authority's computer network. Passwords should be changed a minimum of every three months. For security purposes, employees should not disclose their password to any other employee. In some cases, the software purchased and utilized by the Authority may have its own security password and only employees requiring access to

this software will be provided with a password, such as payroll and personnel records.

2. Software License. Employees are not permitted to load any software on the network or individual workstation that was not purchased or authorized by the Authority. Many software license agreements prohibit making copies or other duplication. Employees are not permitted to load any software purchased by the Authority on any computer system not owned by the Authority. This includes the loading of software on an employee's home computer.
3. Hardware. Employees are responsible for the physical security of the hardware assigned to them. Any damage or loss resulting from user negligence, may, upon the recommendation of the IT Director, result in reimbursing the Authority. Any hardware malfunctions should be reported immediately to the IT Manager.
4. Personal Use. The Authority's electronic information resources are provided and intended for Authority business only. Limited personal use of a reasonable and non-disruptive nature may be tolerated provided there is no other violation of use restrictions and no impairment of workplace productivity. No use is reasonable if it is prohibited by this Policy or disrupts normal business operations.
5. Internet Access/Electronic Mail.

Electronic mail, Internet access, and other electronic media and equipment are business tools that are provided by the Authority to employees to facilitate timely and efficient conduct of business.

This policy is intended to be consistent with other Authority policies, including the Authority's Sexual Harassment and Equal Opportunity policies. Employees must use the Authority's electronic mail and Internet systems in a manner that is consistent with these policies.

The use of the electronic mail and Internet systems is reserved solely for the conduct of business for the Authority.

The electronic mail and Internet systems and hardware are Authority property. Additionally, all messages and attachments composed, sent or received on the electronic mail or Internet systems are and remain the property of the Authority. They are not the private property of any employee, and employees should not consider any e-mail or Internet messages or material as private or as their personal possessions.

Employees must not use a code, access a file, or retrieve any stored communication, other than where authorized. All passcodes or passwords are the property of the Authority. Employees must provide their

passcodes or passwords upon request of the IT Director or the Executive Director. Employees are responsible for keeping their passcodes and passwords secure and they should not be kept in an easily accessible area.

Employees may not remove from the premises any hardware, software, files or data without prior authorization from the Executive Director.

To protect the integrity and security of the Authority's computer systems and guard against unauthorized access and viruses, no files may be downloaded from the Internet, or any on-line service, without the prior authorization of the Executive Director. Additionally, no downloaded file(s) may be run on the Authority's computers system until the file is scanned and declared virus-free and safe by an authorized IT employee.

The electronic mail and Internet systems are not to be used to create any offensive or disruptive messages. Among those that are considered offensive are messages or materials that contain sexual implications, racial or ethnic slurs, or other comments that offensively address someone's age, sex, sexual orientation, religion, national origin, ancestry, disability, marital status, or genetic information. In addition, the system must not be used to communicate other improper messages, for example, messages or material that is defamatory, derogatory, obscene or otherwise inappropriate. The electronic mail and Internet systems must not be used to commit any crime, including but not limited to sending obscene e-mails over the Internet with the intent to annoy, abuse, threaten or harass another person.

The Authority's Internet system must not be used to visit sexually explicit or otherwise offensive or inappropriate web sites, or to send, display, download or print offensive material, pornographic or sexually explicit pictures or any other materials that would be found offensive.

The electronic mail and Internet systems may not be used to solicit for outside or personal commercial ventures, religious or political causes, outside organizations, or other solicitations that are not related to the Authority.

SCTA employees must not send or forward chain letter e-mail messages.

Employees may not use SCTA's e-mail or Internet systems to develop or send any virus or otherwise destructive program. Employees should not open e-mails or attachments unless they are confident of the identity of the sender and know that the message is business-related, originated by the sender with the sender's knowledge and intent. All suspicious e-mail should be referred to the IT Director for evaluation prior to opening or forwarding it.

The electronic mail and Internet systems of the Authority must not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information or similar materials without prior authorization of the Executive Director.

The Authority reserves and intends to exercise the right to review, audit, intercept, access and/or disclose messages of material, including attachments created, received or sent, web sites visited and/or files downloaded over the Authority's electronic mail or Internet systems. Authorized representatives of the Authority may monitor the use of its systems in its sole discretion, at any time, with or without notice to any employee and may by-pass any passcode. Such monitoring is capable of tracking and recording e-mail messages sent and received as well as Internet web sites visited by employees.

The confidentiality of any message or material should not be assumed. Even when a message or material is erased, it may still be possible to retrieve and read that message or material. Furthermore, the use of passwords for security does not guarantee confidentiality. Messages read in HTML may identify the reader or the sender. Notwithstanding the Authority's right to retrieve and read any electronic mail or Internet message or material, such messages or material should be treated as confidential by other employees and accessed only by the intended recipient. Employees are responsible for maintaining the confidentiality of material on the systems. Without prior authorization by the Executive Director, employees are not permitted to retrieve or read e-mail messages that are not sent to them. The contents of electronic mail or Internet messages or materials may, however, be disclosed to others within the Authority, with prior authorization of the Executive Director.

The following items are examples of previously stated or additional prohibited activities that may result in disciplinary action:

- Sending or posting messages that slander or defame other individuals;
- Sending or posting messages or material that could damage the Authority's reputation;
- Stealing, using or disclosing another employee's passcode or password without authorization;
- Failure to observe licensing agreements;
- Violation of copyright laws;
- Copying or downloading software and other electronic files without permission;
- Refusing to cooperate with a security investigation.

Employees who need help in understanding this policy or who discover a violation of this policy should notify their supervisor, manager or the Executive Director.

A violation of this policy may result in disciplinary action ranging from a verbal warning up to and including discharge of employment.

6. Social Media and Social Networking.

The Authority recognizes that many employees may have personal blogs, and may also participate in other online conversations and social media sites (such as Facebook©, MySpace©, LinkedIn© and YouTube©). This policy is intended to provide employees with guidelines for appropriate conduct when engaging in “social media activity” that identifies your affiliation with the Authority or that relates in any way to the Authority’s business, employees, customers, suppliers, or affiliates. For purposes of this policy, “social media activity” 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, micro blogging (such as Twitter©) and the posting of videos on YouTube and other similar media. “Social media activity” also includes permitting, or failing to remove, posts by others where the employee can control the content of postings, such as on a personal page or blog.

This policy applies to all employees of the Authority. This policy also applies to social media activity when off duty, while using personal electronic resources, and whether or not the employee posts anonymously or using a pseudonym.

Employees who engage in social media activity should be aware that their postings, even if done off premises and while off duty, could have an adverse affect on the Authority’s business interests. To reduce that risk, employees must comply with the following guidelines whenever social media activity identifies them as the Authority’s employees or relates in any way to the Authority’s business, employees, customers, suppliers, or affiliates.

The Authority values its established reputation and good will relationships. These are important assets. When employees engage in social media activity that identifies them as an employee of the Authority, or in any way relates to the Authority, employees must consider whether comments are damaging the Authority’s reputation. Employees who are uncertain about the potential impact of comments should consult with their supervisor or the Executive Director.

Employee social media activity is subject to all of the Authority's policies including, but not limited to, anti-discrimination and sexual harassment policies, privacy policy and other personal conduct policies.

Employees must make clear to readers or viewers that the views expressed are theirs alone and do not reflect the views of the Authority. If that is not obvious from the employee's comments, they should specifically state that: "The views expressed in this post are my own. They have not been reviewed or approved by the South Central Transit Authority."

Employees must disclose their employment with the Authority if their posting expresses opinions, beliefs, findings or experiences concerning the Authority's services.

Employees must not disparage or otherwise discredit the Authority's services, or the products or services of its suppliers or affiliates. Employees also must not mention suppliers or affiliates or competitors without the Executive Director's prior written approval.

Employees must not use the Authority's or any of the Authority's affiliates' photographs or videos of the Authority's premises, processes, or operations without the Executive Director's prior written approval.

Employees must not disclose personal or contact information, or post photographs or videos, of employees of the Authority or its affiliates without their prior permission. Employees also must not disparage employees of the Authority or its affiliates.

Employees must not disclose personal or contact information, or post photographs or video, of customers, suppliers or affiliates of the Authority without their prior permission and the Executive Director's prior written approval.

While the Authority's policy does not prohibit employees from posting comments about or engaging in on-line discussions about the terms and conditions of their employment, employees are more likely to resolve complaints about work by speaking directly with their co-workers, supervisor, manager, The Director of Administration & Human Resources, or the Executive Director than by posting complaints on the Internet. Employees are encouraged to use available internal resources, rather than social media activity, to resolve these types of concerns.

The following policies also apply to social media activity:

- Employees must not use any e-mail account that identifies them as an employee of the Authority to set up any social media account or site, or as an identifier needed to participate in any social media activity.

- Supervisors and managers should not send “friend” requests to subordinates unless there is a valid business purpose for doing so. Any employee may reject a friend request from any other employee without fear of retaliation.
 - All requests for references or recommendations received through social media activity (such as LinkedIn©) must be handled in accordance with the Authority’s policy on responding to requests for references or recommendations.
 - The Authority will, in its discretion, review social media activity to the fullest extent permitted by applicable law. If an employee engages in social media activity anonymously or using a pseudonym, the Authority may, in appropriate circumstances, take steps to determine their identity.
 - Employees will be held accountable for engaging in social media activity that violates this policy. Failure to comply with this policy (whether during or after employment) may result in disciplinary action, up to and including termination of employment, legal action and/or criminal prosecution. The Authority reserves the right to report possible unlawful conduct to appropriate law enforcement authorities.
7. Ownership of Files. Any documentation produced by, scanned into, or stored in such hardware constitutes confidential and proprietary business information of the Authority and may not be disclosed or converted for personal use. This includes any training materials or procedural notes developed for use of any Authority software.
8. Facsimile. Facsimile transmission is to be used solely for business. Information may be “faxed”, whether using personal computer or paper facsimile machine only with the authorization of a manager or supervisor.

P. SCTA Property and Expectations of Privacy

All Authority property, such as but not limited to computers, e-mail, internet, work areas, desks and vehicles, shall be used solely for Authority business, and shall be subject to use, access, and search by the Executive Director and other managers and authorized employees. Employees shall have no expectation of privacy in any such property, nor on the Authority’s premises or in the Authority’s vehicles. Further, employee property on SCTA premises may be subject to search in accordance with the Authority’s policies, including the Drug-Free Workplace and Drug Testing policy.

ATTACHMENT A - NO HARASSMENT / NO DISCRIMINATION POLICY

1. SCTA'S No Harassment / No Discrimination Policy

SCTA strives to create and maintain an environment in which employees are treated with dignity, decency and respect. Mutual trust and the absence of intimidation, oppression and exploitation should characterize our work environment. Employees should be able to work and learn in a safe, yet stimulating atmosphere, free of discrimination and free of any form of harassment based on race, color, religion, creed, age, sex, pregnancy, national origin, disability, marital status, genetic information, or any other legally protected status.

The accomplishment of this goal is essential to our mission. For that reason, SCTA will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, we will seek to prevent, correct and discipline behavior that violates this policy.

We wish to ensure that no SCTA employee is subjected to harassment. Therefore, any offensive physical, written or spoken conduct, including conduct of a sexual nature, is prohibited at the office, on our property, and in any of our vehicles. It is a violation of this policy for any employee, supervisor, manager, vendor, or passenger, male or female, to engage in the acts or behavior categorized below.

2. Prohibited Conduct Under This Policy

2.1. Discrimination

2.1.1. It is a violation of this policy to discriminate in the provision of employment opportunities, benefits or privileges, to create discriminatory work conditions, or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, creed, disability, sex, marital status, genetic information, or any other legally protected status.

2.1.2. Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and the Pennsylvania Human Relations Act. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

2.1.3. Discrimination in violation of this policy will be subject to discipline. Based upon the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment.

2.2. Harassment

2.2.1. Harassment, including sexual harassment, is prohibited by federal and state laws. This policy prohibits harassment of any kind, and SCTA will take appropriate action to address any violations. Harassment is defined as verbal or physical conduct designed to threaten, intimidate or coerce. Examples of harassment include:

- **Verbal:** Comments which are not flattering regarding a person's nationality, origin, race, color, religion, gender, age, disability, appearance, marital status, genetic information or any other legally protected status. Epithets, slurs, negative stereotyping.
- **Non-verbal:** Distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility or aversion toward an individual or group because of national origin, race, color, religion, age, gender, pregnancy, appearance, disability, marital status, genetic information or any other legally protected status.

2.3. Sexual Harassment

Sexual harassment in any form is prohibited under this policy. Sexual harassment is a form of discrimination and is unlawful under federal and state statutes. The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example,

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment does not refer to occasional compliments or behavior of a socially acceptable nature. Normal, courteous, mutually respectful, pleasant, non-coercive interactions between employees, including men and women, that are acceptable to and welcomed by both parties, are not considered to be sexual harassment. Sexual harassment refers to behavior that is unwelcome, that is personally offensive or that lowers morale and therefore interferes with work effectiveness. Sexual harassment may take different forms.

Examples of conduct that may constitute sexual harassment include:

- **Verbal:** Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats. Requests for any type of sexual favor (this includes repeated, unwelcome requests for dates). Verbal abuse or "kidding" which is oriented towards a prohibitive form of harassment, including that which is sex oriented and considered unwelcome.
- **Non-verbal:** The distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive, or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, texts, e-mail, that is sexual in nature.

- **Physical:** Unwelcome, unwanted physical contact, including but not limited to, touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, forced sexual intercourse or assault.

There are basically two types of sexual harassment:

- "Quid pro quo" harassment where submission to harassment is used as the basis for employment decisions. This would include instances where employee benefits such as raises, promotions, better working hours, etc., are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment. Example: A supervisor promising an employee a raise if she goes on a date with him; a manager telling an employee she will fire him if he does not have sex with her.
- "Hostile work environment" where the harassment creates an offensive and unpleasant working environment. A hostile work environment can be created by anyone in the work environment, including supervisors, other employees, or customers. Hostile environment harassment consists of verbal comments of a sexual nature, unwelcome sexual materials, or even unwelcome physical contact, as a regular part of the work environment. Cartoons or posters of a sexual nature, vulgar or lewd comments or jokes, or unwanted touching or fondling all fall into this category.

2.4. Consensual Sexual Relationships

SCTA strongly discourages romantic or sexual relationships between a manager or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person), because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others or, at a later date, by the staff member himself or herself, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect which is essential to a healthy work environment.

If any employee enters into a consensual relationship which is romantic or sexual in nature with a member of his or her staff (an employee who reports directly or indirectly to him or her), or if one of the employees is in a supervisory capacity in the same department in which the other employee works, both employees must notify the next-level supervisor and the Executive Director. We recognize that some of you may feel that what you do during non-working hours is your business and not the business of the Authority. However, because of serious potential issues regarding "quid pro quo" harassment, SCTA has made the reporting of the relationship a mandatory requirement. This requirement does not apply to employees who do not work in the same department, or to instances where neither employee in any manner supervises or otherwise manages the other employee.

The Executive Director will review the situation and consider all relevant facts (reporting relationship between the employees, effect on co-workers, job titles of the employees, etc.), and will determine whether one or both employees need to be moved to another position. If it is determined that one employee must be moved and there are other jobs available for both employees, the Executive Director will decide which employee will be moved, based on the suggestions and wishes of the employees involved, as well as which move will be least disruptive to the organization as a whole. If it is determined that one or both employees must be moved, but no other jobs are available, the employees will be given the option of terminating their relationship or resigning.

3. Confidentiality

3.1. SCTA wishes to create a safe environment in which individuals are not afraid to discuss concerns and complaints, or to seek general information about discrimination, harassment, and retaliation. We recognize that employees may be concerned about the confidentiality of information they share, and will strive to preserve confidentiality to the fullest extent possible.

3.2. The Authority may be legally obligated to take action once we are informed that discrimination, harassment or retaliation has occurred or may be occurring. Confidentiality cannot be guaranteed in such a case.

3.2.1. Once an individual discloses identifying information, and such information is sufficiently complete and specific to state a claim of discrimination, harassment or retaliation, he or she will be considered to have filed a complaint.

3.2.2. We will take prompt responsive action upon receipt of a complaint, unless the complainant expressly requests that no action be taken and we determine that federal, state or local laws do not require action.

3.2.3. While the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complaining person regarding action by the Authority cannot be guaranteed in every instance, such confidentiality will be protected to as great a degree as is legally possible. The expressed wishes of the complaining person for confidentiality will be considered in the context of the Authority's legal obligation to act upon the complaint and the right of the charged party to obtain information. Where possible, the Authority will strictly maintain confidentiality and the identity of those involved in the investigation.

3.2.4. During the investigative process, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential to the extent possible and provided such would not violate any existing state or federal law.

4. What You Should Do If You Are A Victim Of Sexual Harassment, Other Harassment, Or Discrimination

4.1. In order for this policy to be effective, we ask each of you to report any violations of the policy as soon as they occur. The very nature of harassment or discrimination often makes

it difficult to detect unless the person being harmed reports the conduct to management. Consequently, we ask that you report such offensive or discriminatory conduct or situations immediately. You may report offensive or discriminatory conduct or situations to your Department Head, or to the Director of Administration & Human Resources, or directly to the Executive Director. If any of these management positions listed above are the person who is responsible for the harassment, or if you have reported harassment and no action was taken, then please report such conduct or situations to the Board Personnel Committee.

4.2. Any person electing to utilize this complaint resolution procedure will be treated courteously. The problem will be handled promptly and as confidentially as possible in light of the need to take appropriate corrective action. The reporting of a complaint will in no way be used against the employee, nor will it have an adverse impact on the individual's employment status. While reporting such incidents would be a difficult personal experience, allowing harassment or discriminatory activities to continue will most certainly lead to less desirable outcomes. For that reason, employees are strongly urged to utilize this procedure.

4.3. Sexual harassment. If you are the recipient of any unwelcome gesture or remark of a sexual nature, do not remain silent.

- Make it clear to the harasser that you find such conduct offensive and unwelcome.
- State clearly that you want the offensive conduct to stop at once.
- Consider going to the Department Head of the person harassing you. The Authority cannot solve the problem if we are not aware of it. You may also do so if you find it uncomfortable to confront the individual engaging in the offensive conduct.
- If the conduct does not stop after you speak with the harasser or after you have gone to the harasser's Department Head, you should then notify your Department Head.
- If you do not feel comfortable reporting the conduct to either the harasser's Department Head or to your Department Head, you may report the conduct directly to the Director of Administration & Human Resources, or to the Executive Director.
- You may wish to keep a written log of all incidents of harassment, noting the date and time, place and persons involved, and any witnesses to the event. However, you should not wait before contacting SCTA about such conduct. You should report such conduct immediately, either to your Department Head, or to the Director of Administration & Human Resources, or to the Executive Director.

4.4. Sexual harassment, other harassment, or discriminatory conduct.

4.4.1. A person who feels harassed, discriminated or retaliated against may initiate the complaint process either by verbally reporting the conduct or by filing a written complaint. They may report the conduct or file the written complaint to their Department Head, or to the Director of Administration & Human Resources, or directly to the Executive Director.

4.4.2. SCTA will promptly investigate the complaint. This may involve interviewing the employee filing the complaint, as well as the alleged harasser or person involved with the discriminatory conduct, and any witnesses, in order to determine exactly what occurred.

4.4.3. If it is determined that harassment or discrimination in violation of this policy occurred, the Executive Director will recommend the appropriate disciplinary action to be taken. The appropriate action will depend on several factors, including the severity, frequency and pervasiveness of the conduct.

4.4.4. If the investigation is inconclusive or it is determined that there has been no harassment or discrimination in violation of this policy, but some potentially problematic conduct is revealed, preventative action may be taken.

4.4.5. Once the investigation is concluded, the Director of Administration & Human Resources or the Executive Director will meet with the employee who filed the complaint and with the person alleged to have engaged in the improper conduct, in order to notify them in person of the findings of the investigation and to inform them of the action being taken.

4.5. Filing groundless and malicious complaints is an abuse of this policy and is prohibited.

5. Responsibilities

5.1. All SCTA employees must share the responsibility of understanding and preventing discrimination and harassment. However, no satisfactory investigation or resolution of complaints can occur without the initiative and continued cooperation of the injured person. Employees who believe they have been discriminated against or harassed have the primary obligation of informing their Department Head, or the Director of Administration & Human Resources, or the Executive Director, of the act of discrimination, harassment or retaliation, recounting specific actions or occurrences whenever possible.

5.2. Department Heads and other managers and supervisors have the special responsibility as possible agents of the Authority to act promptly to stop any discrimination or harassment which affects any of the employees they supervise. If a manager knows that discrimination, harassment or retaliation is occurring, or receives information that discrimination, harassment or retaliation might be occurring, he or she must take immediate action to address the problem. Such action should include, but is not limited to, speaking directly with the injured person, developing a specific account of the actions, omissions or occurrences that are alleged to be discriminatory, consulting with the Executive Director, and taking or recommending corrective or disciplinary action where appropriate.

5.3. If the alleged discrimination, harassment or retaliation is not within their area of responsibility or oversight, the manager must notify the Executive Director or other appropriate management employee, who must then take prompt steps to address the allegation.

5.4. Any Department Head, manager or supervisor who is found to have engaged in conduct prohibited under this policy or who fails to follow and implement the requirements of this policy is subject to disciplinary action.

5.5. The Executive Director has the primary responsibility for implementing this policy. In particular, the Executive Director will respond to inquiries and complaints from management and employees regarding discrimination, sexual harassment, other harassment, or retaliation. The Executive Director will also maintain records of these inquiries and complaints as well as their resolution. Together with other staff, the Executive Director will also provide information and education to the employees and management on recognizing, understanding, preventing, and combating unlawful discrimination and harassment.

6. No Retaliation

6.1. No hardship, no loss of benefit, and no penalty may be imposed on an employee as punishment for:

- Filing or responding to a bona fide complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator.

6.2. Retaliation or attempted retaliation is a violation of this policy and anyone who does so will be subject to discipline up to and including termination.

7. Common courtesy and decency dictate that we treat each other with respect. We ask each of you to commit to this policy by policing your own behavior, which could hurt a co-worker. Should you have any questions, please direct them to the Director of Administration & Human Resources or to the Executive Director.

8. All employees, regardless of their position, are covered by and are expected to comply with this policy, and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based upon the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment.

ATTACHMENT B - FAMILY AND MEDICAL LEAVE POLICY

General Policy

All employees who have been employed by the South Central Transit Authority for at least 12 months and have worked at least 1,250 hours within the previous 12-month period are eligible for family and/or medical leave of absence. Employees are eligible to take up to 12 weeks of leave in any 12-month period under four circumstances. Leave may be taken:

1. upon the birth of the employee's child;
2. upon the placement of a child with the employee for adoption or foster care;
3. when the employee must care for a child, spouse, or parent who has a serious health condition; or
4. when the employee cannot perform the functions of his or her position because of a serious health condition.
5. Any qualifying exigency arising out of the fact that the employee's spouse, child or parent is on active duty (or has been notified of an impending call to order to active duty) in support of a contingency operation; or
6. To care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member.

Leave Eligibility Period

An employee may take up to twelve weeks of leave under this policy in any 12-month period. The 12-month period is a "rolling" period measured backward from the date an employee uses any leave under this policy.

Definitions

1. Serious Health Condition: an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.
2. Inpatient care: an overnight stay in a hospital, hospice, or residential medical care facility, including any period of incapacity which results in inability to work, attend school or perform other regular daily activities due to the serious health condition, or treatment for or recovery from the serious health condition, or any subsequent treatment in connection with this inpatient care.
3. Continuing treatment by a health care provider: a serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

- a. *Incapacity and treatment.* A period of incapacity of more than 3 consecutive full calendar days, and any later treatment or period of incapacity related to the same condition, that also involves:
 - (i) two or more treatments within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under a health care provider's direct supervision, or by a provider of health care services under orders of or on referral by, a health care provider; or
 - (ii) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

The requirements under a(i) and (ii) above regarding treatment by a health care provider means an in-person visit to a health care provider. The first (or only) in-person treatment visit must take place within 7 days of the first day of incapacity.

A regimen of continuing treatment that includes taking of over-the-counter medications, or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider, is not sufficient for purpose of FMLA leave.

- b. *Pregnancy or prenatal care.* Any period of incapacity because of pregnancy, childbirth, or for prenatal care.
- c. *Chronic conditions.* Any period of incapacity or treatment for an incapacity due to a chronic serious condition which:
 - (i) requires periodic visits (at least twice a year) for treatment by a health care provider;
 - (ii) continues over an extended time period, including recurring episodes of a single underlying condition; and
 - (iii) may cause episodic periods rather than one continuing period of incapacity (examples include asthma, diabetes, epilepsy, migraine headaches, etc.).
- d. *Permanent or long-term conditions.* A period of incapacity which is permanent or long-term because of a condition for which treatment may not be effective (examples include Alzheimer's, a severe stroke, or the terminal stages of cancer). The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider.
- e. *Conditions requiring multiple treatments.* Any period of absence to receive multiple treatments (and any period of recovery from those treatments), by a

health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely cause a period of incapacity of more than 3 consecutive days if there were no medical intervention or treatment (examples include chemotherapy, radiation, etc. for cancer; physical therapy for severe arthritis; and dialysis for kidney disease).

Dental appointments, eye exams and similar routine procedures are not considered serious health conditions. Ordinarily, minor health problems such as the common cold, flu, earaches, upset stomachs, headaches (other than migraine), and routine cosmetic surgery are not considered as "serious health conditions" for FMLA purposes unless complications arise. FMLA Leave is available for treatment for substance abuse (provided the employee otherwise meets the conditions for a "serious health condition"), but not for absences due to drug/alcohol use or time off to recover from drug/alcohol use.

4. Equivalent: When an employee returns to active employment he/she shall return to the same or an equivalent position with equivalent employee benefits and compensation and other conditions of employment. "Equivalent" means substantially the same but not exactly equal.

Coordination With Paid Leaves

If an employee's leave is also covered under other employment benefit plans or policies, either paid or unpaid, the employee must take such leave and such leave will count toward the twelve weeks of leave under this policy, except that paid vacation will not be provided as part of FMLA leave unless vacations are scheduled pursuant to SCTA's regular pick procedures. For example, an employee must use all paid sick leave and disability leave, and such leave will count as part of the twelve weeks of FMLA leave.

Medical Certification Requirement

The Authority will require medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. For the employee's own medical leave, the certification must include a statement that the employee cannot perform the functions of his or her job. For leave to care for a seriously ill child, spouse or parent, the certification must include an estimate of the amount of time the employee will be needed to provide care. In its discretion, the Authority may require a second medical opinion and periodic recertification's at its expense. If the first and second opinions differ, the Authority, at its expense, may require the binding opinion of a third health care provider, approved jointly by the Authority and the employee.

Intermittent or Reduced Leave Schedules

Employees may take leave on an intermittent or reduced leave schedule, if medically necessary for a serious health condition of the employee or the employee's spouse, child or parent. If an employee requests leave on this basis, the Authority may require the employee to transfer temporarily to an alternative position which better accommodates recurring periods of absence or a part-time schedule, provided that the position has equivalent pay and benefits.

Spouses Both Employed by the Authority

Spouses who are both employed by the Authority may take a total of twelve weeks of leave in any 12-month period (rather than twelve weeks each) for the birth or adoption of a child or for the care of a sick child or parent.

Group Insurance Continuation During Leave

Any employee granted an approved leave of absence under this policy must provide for the retention of his or her group insurance coverage by arranging to pay his or her portion of the premium during the period of unpaid absence.

If an employee decides not to return to work after completing a leave of absence under this policy, the Authority may recover from the employee the cost of any payments made to maintain the employee's insurance coverage, unless the failure to return to work is for reasons beyond the employee's control. The Authority will calculate benefit entitlements based upon length of service as of the last paid work day before the leave started.

Military FMLA Leave

1. Qualifying Exigency Leave. Eligible employees may take FMLA leave while the employee's spouse, child, or parent (the "covered military member") is on active duty or call to active duty status for one or more of the following qualifying exigencies:

(1) *Short-notice deployment.* To address any issue that arises from a covered military member being notified of an impending call or order to active duty in support of a contingency operation 7 or less calendar days prior to the date of deployment. Leave taken for this purpose can be used for a period of 7 calendar days beginning on the date a covered military member is notified of an impending call or order to active duty in support of a contingency operation.

(2) *Military events and related activities.* To attend official military ceremony or event or to attend military family support or assistance programs that are related to the active duty or call to active duty of covered military member.

(3) *Childcare and school activities.* To arrange for alternative childcare, to provide childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), to enroll in or transfer to a new school or day care facility, to attend meetings at school or daycare for a child of a covered military member when the need arises due to the active duty or call to active duty of a covered military member.

(4) *Financial and legal arrangements.* To make or update financial or legal arrangements to address the covered military member's absence while on active duty or call to active duty status or to act as the covered military member's representative before a federal, state or local agency for purposes of obtaining military service benefits while the covered military member is on active duty or call to active duty status, and for a period of 90 days following the termination of the covered military member's active duty status.

(5) *Counseling.* To attend counseling provided by someone other than a health care provider for oneself, the covered military member or the child of the covered military member provided the need for counseling arises from the active duty or call to active duty status of the covered military member.

(6) *Rest and recuperation.* To spend time with a covered military member who is on short-term, temporary, rest and recuperation leave during deployment. Leave is limited to 5 days for each instance of rest and recuperation.

(7) *Post-deployment activities.* To attend arrival ceremonies, reintegration briefings and events and any other official military ceremony or program for a period of 90 days following the termination of the covered military member's active duty status; or to address issues that arise from the death of a covered military member while on active duty status.

(8) *Additional activities.* To address other events which arise out of the covered military member's active duty or call to active duty provided the employer and employee agree that such leave qualifies as an exigency and both agree to the duration of the leave.

A **“covered military member”** means the employee's spouse, son, daughter or parent on active duty or call to active duty status.

“Active duty or call to active duty status” means duty under a call or order to active duty in support of a contingency operation which involves ordering to active duty (1) retired members of the Regular Armed Forces and members of the retired Reserve who retired after completing at least 20 years of active service; (2) reserve component members in the case of war or national emergency; (3) any unit or unassigned member of the Ready Reserve; (4) the National Guard into federal service in the case of insurrections and national emergencies or any other provision of law during a war or during a national emergency declared by the President or Congress as long as it is in support of a contingency operation. An employee whose family member is on active duty or call to active duty in support of a contingency operation as a member of the Regular Armed Forces is not eligible to take leave because of a qualifying exigency.

2. Leave to Care for Covered Service Member with Serious Injury or Illness

Eligible employees may take up to a total of 26 weeks of leave during a single 12-month period to care for a spouse, child, parent or next of kin who is a member of the Armed Forces, including the National Guard or Reserves, who is on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he/she is undergoing medical treatment, recuperation, or therapy or otherwise in outpatient status. Eligible employees may not take leave to care for former members of the Armed Forces, National Guard or Reserves, and members on the permanent disability retired list.

The **“serious injury or illness”** means an injury or illness incurred in the line of active duty that renders the service member medically unfit to perform the duties of his/her office, grade, rank or rating.

“Next of kin of a covered service member” means the nearest blood relative other than the covered service member’s spouse, parent, son, or daughter, in the following order of priority: Blood relatives who have been granted legal custody of the covered service member, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his/her nearest blood relative for purposes of military caregiver leave under the FMLA.

The 12-month period begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date. If an eligible employee does not take all of his/her 26 work weeks of leave entitled, it is forfeited. If an employee takes FMLA leave for reasons other than care for a covered service member during the 12-month period, that leave cannot exceed 12 weeks and the total of the leaves combined cannot exceed 26 weeks.

Procedure for Requesting Leave

When an employee plans to take leave under this policy, the employee must give the Authority 30 days’ notice. If it is not possible to give 30 days’ notice, the employee must give as much notice as is practicable. If the employee fails to provide at least 30 days’ notice of foreseeable leave, the employee must explain the reasons why such notice was not practicable.

An employee who is to undergo planned medical treatment must consult with the Authority and make a reasonable effort to schedule the treatment in order to minimize disruptions to the Authority’s operations.

If an employee fails to provide 30 days’ notice for foreseeable leave with no reasonable excuse for the delay, failure to provide timely certification could result in the Authority delaying the leave until the certification is provided.

1. Content of the Notice

An employee giving notice of the need for FMLA leave must explain the reasons for the needed leave so as to allow the Authority to determine whether the leave qualifies. If the employee fails to explain the reasons, leave may be denied. In giving appropriate notice, the employee must explain whether:

- a condition renders the employee unable to perform the functions of the job;
- the employee is pregnant or has been hospitalized overnight;
- the employee or the employee’s family member is under the continuing care of a health care provider;
- the leave is due to a qualifying exigency, that a covered military member is on active duty or call to active duty status, and that the requested leave is for one of the reasons listed above; or
- the leave is for a family member, that the condition renders the family member unable to perform daily activities, or the family member is a covered service member with a serious injury or illness.

The employee is also required to state the anticipated duration of the absence, if known. Employees are required to abide by the Authority's call off procedures. If an employee fails to call off of work under the Authority procedures, and no unusual circumstances justify the failure to comply, FMLA-protected leave may be delayed or denied.

When an employee seeks leave due to a FMLA-qualifying reason, for which the Authority has previously provided FMLA-protected leave, the employee must specifically reference the qualifying reason or need for the FMLA leave. Employees have an obligation to respond to the Authority's questions about whether an absence is potentially FMLA-qualifying.

Calling in "sick" without providing more information will not be considered sufficient notice to trigger the Authority's obligations under the FMLA. Failure to respond to reasonable inquiries regarding the leave request may result in denial of FMLA protection if the Authority is unable to determine whether the leave is FMLA-qualifying.

Return to Work After Leave

When an employee returns to active employment, he/she shall return to the same or an equivalent position with equivalent employee benefits and compensation and other conditions of employment. "Equivalent" means substantially the same but not exactly equal.

If the employee was on leave for 3 or more days for his/her own serious health condition, the employee must present written certification from the health care provider indicating that the employee is able to return to work and certify the employee can perform the essential functions of his/her job. The certification must be provided to the Authority prior to the employee's return to work.

"Key Employee" Exception

If the employee on leave is a salaried employee and is among the highest paid 10% of all Authority employees, and keeping the job open for the employee would result in substantial economic injury to the Authority, leave is provided, but reinstatement can be denied; or restoration may be delayed if the employee fails to provide a fitness-for-duty certificate to return to work. If restoration of the "key" employee to employment will cause substantial and grievous economic injury to the Authority, the employee will be given a reasonable time in which to return to work.

Administration

The Authority reserves the right to modify, revoke, suspend, terminate, or change this policy in whole or in part, at any time, with or without notice to employees except as required by applicable statutory law. Exceptions to this policy are subject to the approval of the Executive Director.

SCTA FMLA REQUEST AND RESPONSE FORMS FOLLOW THIS SECTION

FAMILY AND MEDICAL LEAVE OF ABSENCE REQUEST

Name of Employee: _____

Full-time Department: _____ Position: _____
Part-time

Eligible employees are entitled under the Family and Medical Leave Act (FMLA) to up to 12 weeks of unpaid, job-protected leave for certain family and medical reasons within each 12-month period. If you have paid leave available (e.g., vacation, comp time), that leave must be used concurrently with Family & Medical Leave. Paid leave will count as part of the 12 weeks of leave to which the employee may be entitled under the Company's policy. Once paid leave is exhausted, or if paid leave is not available, time on Family & Medical Leave is unpaid. A rolling 12-month period, measured backward from the date the leave will begin, will be used to calculate the amount of leave available to you. Submit this request form to your supervisor at least 30 days before the leave is to commence, when practicable. When submission of the request 30 in advance is not practicable, submit the request as early as is practicable. The Company reserves the right to deny or postpone leave for failure to give appropriate notice when such denial /postponement would be permitted under applicable law.

ELIGIBILITY

1. Counting any periods of time that you worked for the Company (whether they were consecutive or not), have you worked for the Company for a total of 12 months or more?
Yes No
(If "yes," continue to next question. If "no" stop here.)

2. During the past 12 months, have you actually worked at least 1,250 hours?
(approximately eight months of 40-hour weeks or one year of 25-hour weeks)?
Yes No
(If "yes," continue to next question. If "no," stop here.)

3. Have you previously received medical or family leave?
Yes No
If yes, provide information below:

Dates of leave: From _____ to _____

Purpose of leave: _____

4. Have you taken any intermittent leave?
Yes No

Have you taken time off from scheduled hours?
Yes No

If "yes," provide details:

REASONS FOR REQUESTING LEAVE:

Leave will be granted for any of the following reasons:

- For a serious health condition that makes it unable for you to perform your job;
- To care for your child, spouse, or parent who has a serious health condition; or
- To care for your child after birth, or for placement after adoption or foster care.

I am requesting leave for the following reason:

_____ Personal serious health condition

_____ Serious health condition of:

spouse Name: _____

child Name: _____

parent Name: _____

_____ Birth of a child Expected delivery date is: _____

_____ Adoption or placement of a child for foster care

Child's name: _____

Scheduled date of adoption or placement: _____

DATES OF LEAVE REQUESTED:

I request leave from _____ to _____.

I request intermittent leave according to the following schedule:

I request a reduced schedule leave according to the following schedule:

The total number of days of leave that I request is _____.

In accordance with the Company's Family & Medical Leave Policy, I am required to utilize paid leave concurrently with Family & Medical Leave. I request my paid leave be used concurrently with Family & Medical Leave accordingly to the following schedule: (e.g. I need 10 days of FMLA leave and wish to use 6 sick days and 4 vacation days.)

Type of Paid Leave	Amount
_____	_____
_____	_____
_____	_____

EMPLOYEE STATEMENT:

I have read and understand the Company's Family & Medical Leave Policy provided to me. I will submit a verifying Physician Certification on the Form provided by the Company from my health care provider within 15 days of submission of this request for leave. I understand and agree to the following:

- (1) if I fail to return the required Physician Certification Form, the Company may deny my request for FMLA leave;
- (2) the Company may require recertification(s), at my expense, during my FMLA leave;
- (3) the Company may require periodic status reports regarding my intent to return to work;
- (4) the Company may require a second medical opinion, at its expense; and
- (5) I will be required to submit a fitness to return to work certificate if the leave is for my own serious health condition before I will be restored to my position.

I hereby authorize a health care provider representing the Company to contact my health care provider to verify the reason for my request. If there is a change in my Leave plans, I will notify the head of my department or supervisor as soon as practicable.

Employee Signature Date

Original – Authority

Copy – Employee

EMPLOYEE ACKNOWLEDGEMENT FORM

South Central Transit Authority's Personnel Policy Manual for Administrative Staff describes important information about SCTA and I understand that I should consult my Department Head, the Director of Administration & Human Resources, or the Executive Director regarding any questions about the Manual or which are not answered in the Manual.

I understand that the policies and provisions of the Manual are subject to change, and that the revised policies may supersede or eliminate current policies. I also understand that SCTA reserves the right to interpret all provisions and policies in the Manual.

I UNDERSTAND THAT THIS MANUAL IS NOT A CONTRACT OF EMPLOYMENT.

I HAVE RECEIVED THE MANUAL, AND I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO READ AND COMPLY WITH THE POLICIES CONTAINED IN THE MANUAL, AND ANY REVISIONS TO THE MANUAL.

Employee's signature

Date: _____

Employee's Name (Typed or Printed)

Two copies: South Central Transit Authority
Employee