

# **BROOME COUNTY LAND BANK CORPORATION**

## **PERSONNEL POLICY**

For the purpose of this personnel policy, individuals that serve as staff of the Broome County Land Bank Corporation (“BCLBC”), shall be considered “Personnel,” including full time administrative staff, interns and part-time employees. Personnel shall not include directors, vendors, service providers or other independent contractors.

This policy set forth is in accordance with an Administrative Services Agreement as agreed to and adopted by the BCLBC in contract with the Broome County Industrial Development Agency (“IDA”) and that certain areas of personnel policy will defer to the regulations established and in place by the IDA.

### **Implementation of Personnel Policy:**

The board of directors shall be responsible for the implementation and administration of this policy. The Executive Director shall be responsible for the distribution of the policy and day-to-day oversight of the policy guidelines.

### **Equal Employment Opportunity:**

It is the policy of the BCLBC to grant equal opportunity to all persons without regard to race, color, sex, creed, age, gender, national origin, ancestry, sexual orientation, or physical handicap. The BCLBC will comply, to the best of its ability, with all applicable employment opportunity requirements. Complete records of the hiring process will be kept on all job openings not filled from within the organization.

It is the intent and desire of the BCLBC to provide equal opportunity in wages, promotions, benefits and all other privileges, terms and conditions of employment.

### **General Grievance Procedures:**

Personnel are assured a fair hearing process for grievances. Employees should first attempt to resolve any problem with their immediate supervisor on an informal basis. If the employee is not satisfied that the grievance is properly resolved, the matter may be referred, in writing, to the board of directors. Grievances with the Executive Director should be first directed to the Chairman of the Board. All grievances will be resolved as expeditiously and confidentially as possible. The BCLBC has also adopted a Whistleblower Policy and Procedures and all Personnel should review and make use of such policy and procedures as needed.

### **Sexual Harassment:**

The BCLBC prohibits all forms of sexual harassment and sexual discrimination by personnel and the board of directors. Any person who believes that he or she has been harassed or subject to discrimination should use the following procedure:

- Carefully consider whether the questionable behavior is truly harassment or discrimination. Disputes of this nature should not be taken lightly and are considered serious charges.
- Confront the offending party and demand that the behavior cease.
- If the complainant is unwilling or unable to confront the accused directly, he or she should report the behavior to the Executive Director.
- If unresolved after discussions with the Executive Director, it should be reported to the Chairman of the Board, to be referred to the board of directors as necessary.
- If the complaint is against the Executive Director, it should be referred to the Chairman of the Board, to be referred to the board of directors as necessary.
- If the complainant is the Executive Director, it should be referred to the Chairman of the Board or to a disinterested director as appropriate, to be referred to the board of directors as necessary.

*Disciplinary Action:* Sexual harassment or sexual discrimination in the workplace by personnel will not be tolerated and:

- Will result in disciplinary action up to, and including, termination. Termination for this reason shall be considered taken “with cause”; and
- May result in personal liability to the offending employee.

*Reporting:* The Executive Director shall report any complaint under this section received in writing to the Chairman of the Board immediately upon receipt of the complaint. Within ten days of the initial report to the Chairman, another report should be made to the Chairman with a description of the actions taken to resolve the complaint.

*Appeal Process:* Any party that disagrees with the determination made pursuant to his policy shall have the right to appeal within five business days to the Board of Directors as a whole, whose decision will be binding on all parties.

*Supervisory Responsibility:* All BCLBC personnel who hold supervisory authority over other personnel shall take such action as may be needed to assure that sexual harassment and sexual discrimination does not occur during their employment at the BCLBC.

### **Illegal Substances and Alcohol:**

Personnel should not consume, trade, purchase or sell illegal substances while employed by the BCLBC. Personnel shall not be under the influence of illegal substances or alcohol at any time during working hours of their employment with the BCLBC. Personnel violating this rule are subject to immediate termination.

### **Conflicts of Interest:**

Personnel shall comply with the BCLBC Code of Ethics, as such may be amended from time to time.

**Expenses:**

Employees will be reimbursed for usual and customary expenses incurred while engaged in the duties of employment. The types of expenses that might be reimbursable would include travel expenses in accordance with the BCLBC's travel policy. All reimbursements shall be subject to the BCLBC's discretionary funds policy.

**Confidentiality:**

The BCLBC may, at times, be entrusted with confidential and proprietary information. Personnel and members of the board of directors, are responsible for maintaining these confidences and treating all information received in a confidential manner. Decisions as to the release of information rest with the Executive Director and, ultimately, the board of directors. Personnel should never disclose confidential information to the public and are not authorized to speak on behalf of the BCLBC without first obtaining authorization from the Executive Director.

Personnel files are confidential, to be accessed by the Executive Director and the Chairman of the Board.

**Business Office Hours:**

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

**Salaried Employee Work Week:**

The employee workweek will average not less than 40 hours. Given the nature of the enterprise, it is expected that some workweeks during the year will require more than 40 hours per week. On these occasions, full assistance and cooperation is expected. While the BCLBC shall comply with the law in relation to compensation for overtime, the BCLBC does not currently have employees entitled to overtime compensation. The Executive Director may authorize compensatory time made available for staff. The chairman of the board may authorize compensatory time for the Executive Director. All compensatory time must be authorized in advance.

**Wages and Benefits:**

Because of the existence of an Administrative Services Agreement with the IDA for to staff the BCLBC, the BCLBC will adhere to the customary practices of the IDA. This would include, but is not limited to:

- Payroll period
- Retirement program
- Health Care Coverage
- Paid / Unpaid Leave
- Holidays

- Worker's Compensation and Disability
- Other, as agreed to by the BCLBC and the IDA

**Attendance:**

It is expected that all personnel will report to work during normal working hours. The Executive Director, and ultimately, the board of directors, is charged with the responsibility and authority to see that the office hours and good business practices are observed.

**Separation and Termination:**

All terminations, both voluntary and involuntary, are coordinated through the BCLBC board of directors.

Any employee contemplating resigning should discuss matters first with the Executive Director. Personnel who voluntarily leave the employment of the BCLBC shall submit a written letter of resignation at least two (2) weeks prior to their last day of work. The Executive Director should give at least four (4) weeks' notice to the board of directors unless other requirements are set forth in an employment agreement.

The decision to terminate an employee shall be reviewed by the board of directors.

**Performance Evaluations:**

An employee shall be reviewed by the Executive Director. An employee's job description serves as a basis for evaluating employee performance. The Executive Director is responsible for implementing staff performance evaluations and making recommendations to the board of directors on appropriate changes to job title and content, classification, performance, and wage increases. Every employee's performance shall be reviewed and discussed with the employee by the Executive Director. Performance evaluations will be performed prior to the end of each fiscal year as part of the BCLBC's budget process.

The Executive Director shall be reviewed on an annual basis by the board of directors. The job description serves as the basis for evaluating performance. The Chairman of the Board will make recommendations to the full board of directors as to wage increases and/or performance compensation for the Executive Director.

*Approved and adopted by the Board of Directors on this day 26 of August, 2014.*