

**YMCA
OF
METROPOLITAN DENVER**

**PERSONNEL PROCEDURES AND GUIDELINES
FOR
FULL TIME EMPLOYEES**

**APPROVED BY THE BOARD OF TRUSTEES
Executive Committee
October 15, 2009
To Be Effective January 1, 2010**

YMCA OF METROPOLITAN DENVER

IMPORTANT NOTICE

The contents of this booklet are summary guidelines for employees and are not all inclusive. Except for the at-will nature of employment, the YMCA of Metropolitan Denver reserves the right to modify, revoke, suspend, terminate, interpret or change any or all of the guidelines mentioned, in whole or in part, at any time, with or without notice. The language used in this booklet and any verbal statements by management are not intended to constitute a contract of employment, either expressed or implied.

The YMCA of Metropolitan Denver reserves the right, with or without cause, to terminate the employment of any employee at any time. The employee has the same right to terminate employment at any time. No representative of the YMCA of Metropolitan Denver, other than the Chief Executive Officer, has authority to enter into an agreement of employment for any specified period. Such an agreement must be in writing and signed by myself and the Chief Executive Officer.

This edition supersedes all previous editions.

**YMCA OF METROPOLITAN DENVER
FULL TIME PERSONNEL PROCEDURES AND GUIDELINES**

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FULL TIME PERSONNEL PROCEDURES & GUIDELINES

ARTICLE I - INTRODUCTION

The mission of the YMCA of Metropolitan Denver (YMCA) is to put Christian principles into practice through programs that build healthy spirit, mind and body for all.

The YMCA must depend on its employees and their contributions and leadership to provide our members and participants with programs and services that improve our communities and fulfill our mission.

The YMCA will strive to attract, develop and motivate the most competent staff available in order to achieve our objectives of Building Strong Kids, Strong Families and Strong Communities. We expect our employees to be hard working, yet find enjoyment and fun in their work.

ARTICLE II - PURPOSE

The Full Time Personnel Procedures and Guidelines exist to support the mission of the YMCA through its personnel practices and relationships. These guidelines outline what you can expect from us and what we expect from you. They guide how we think about staff and who we are as an organization. As a staff member, we ask that you understand and use our values when making decisions for the YMCA or representing the YMCA.

Our core values are:

Honesty: To tell the truth, have integrity and build trust.

Caring: To be sensitive to the needs of others.

Respect: To value the worth of every person and treat others as you would like to be treated.

Responsibility: To do what is right and be accountable for your behavior and your obligations.

These values are our foundation for all that we do and must be maintained at all times. Our four core values support all the decisions we make at the YMCA. If your decisions are filtered through the values of the YMCA, then they will stand the test of time. No handbook or set of guidelines contains everything that you will need to perform your job or meet your obligations; these guidelines should help employees understand some of their working conditions, benefits and responsibilities.

ARTICLE III - ADMINISTRATION

The Board of Trustees of the YMCA employs a President, (Chief Executive Officer), to whom it delegates responsibilities for the administration of personnel matters according to these adopted guidelines. The direct administration of the Personnel Procedures & Guidelines and supervision of staff are the responsibility of the Chief Executive Officer. Responsibility and authority, however, may be delegated to others by the Chief Executive Officer.

The Chief Executive Officer relates to the Executive Committee of the Board of Trustees in those instances where consultation and/or sanctioning authority is desirable and where the

supporting processes to the administration of the Personnel Procedures & Guidelines require Board approval.

All matters pertaining to the interpretation of these guidelines are referred to the Chief Executive Officer or the designated representative(s). Any exceptions to these guidelines must be approved by the Chief Executive Officer.

These guidelines may be amended by the Board of Trustees at any time. It does not pre-empt or replace applicable laws; however, these guidelines supersede and replace all previous YMCA guidelines, manuals and handbooks.

It is important to understand that these procedures and guidelines are summaries and the information is not all inclusive. Except for the at-will nature of employment, the contents are subject to change at any time without notice. Personnel procedures and guidelines are not intended to be a contract of employment.

ARTICLE IV - COVERAGE

Section 1. Personnel Procedures & Guidelines Coverage

All full time employees of the YMCA of Metropolitan Denver are covered by this Personnel Procedures & Guidelines.

Section 2. Definitions

The following definitions apply to these guidelines only, and do not necessarily coincide with other employee definitions.

- a. Exempt Employees who are paid on the basis of a salary, paid monthly, and are not eligible for overtime pay.
- b. Nonexempt Employees who are paid a wage or an hourly rate and are eligible for overtime pay for hours worked beyond 40 hours in a work week.
- c. Full Time An employee who is regularly scheduled for 35 hours or more per week.
- d. Part Time An employee who is regularly scheduled for less than 35 hours per week.
- e. Temporary/
Seasonal An employee who is hired in a job established for a temporary period or for a specific assignment .

- f. Government and/or Special Funded Projects The YMCA operates a variety of programs which are contracted for a specific period of time, staffing pattern and budget. In such projects/programs, the employee is normally considered a YMCA employee, is listed on the payroll and may receive benefits as prescribed in the Personnel Procedures & Guidelines except as expressly prohibited by the contract.

ARTICLE V - EMPLOYMENT

Section 1. Employment

The YMCA endeavors to select personnel who meet high standards of educational and occupational qualifications, who may advance YMCA objectives competently, who have capacity for professional growth, and who hope to become a viable part of the organization.

Section 2. Official Employer

Persons covered by the provisions of these guidelines are employees of the YMCA of Metropolitan Denver and are subject to the personnel procedures and guidelines established by the Board of Trustees. All verifications of employment, income or references of any type are only completed by the Human Resources department in the Corporate Office.

Section 3. Qualifications

Employees should be persons who will work towards the purposes and goals of the YMCA. They should possess special aptitudes, skills and capacities required in their fields of work as outlined in the position job description.

They should exhibit a passion for their work and the desire to learn, to grow and to improve their own capabilities.

Section 4. Employment Procedures

The Board of Trustees employs the President, (Chief Executive Officer), who in turn employs all other staff. This responsibility and authority may be delegated as the Chief Executive Officer deems appropriate.

Section 5. Open Application Process

The YMCA strives to provide the opportunity for promotion from within the organization, whenever possible. It also supports and may participate in the open application process of the YMCA of the USA for exempt staff.

Section 6. Equal Employment Opportunity/Harassment including Sexual Harassment Statement

EQUAL EMPLOYMENT OPPORTUNITY

The YMCA of Metropolitan Denver is dedicated to the principles of equal employment opportunity in any term, condition or benefit of employment. We do not discriminate against applicants or employees on the basis of age, race, sex, color, religion, national origin, disability, genetic information, veteran status, sexual orientation or any other status protected by applicable state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including managers, supervisors, co-workers, and non-employees such as members, participants, vendors, independent contractors, consultants, etc.

The YMCA will make reasonable accommodation for qualified individuals with known disabilities and employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to the Association or a direct threat. Employees needing such accommodation are instructed to contact their supervisor or Human Resources. This policy governs all aspects of employment, including selection, job assignment, discipline, termination, and access to benefits and training.

Sexual Harassment

The YMCA of Metropolitan Denver strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

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

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Inappropriate sexual conduct that could lead to a claim of sexual harassment is expressly prohibited by this policy. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mail.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Complaint Procedure

If you believe there has been a violation of the EEO policy or harassment based on the protected classes outlined above, including sexual harassment, please use the following complaint procedure. The YMCA expects employees to make a timely complaint to enable the Association to promptly investigate and correct any behavior that may be in violation of this policy.

Report the incident to your immediate supervisor or Unit Executive Director who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. If you feel you cannot go to either of these individuals with your complaint, you should report the incident to the Associate Vice President – Human Resources.

If the YMCA determines that an employee's behavior is in violation of this policy, disciplinary action will be taken against the offending employee, up to and including termination of employment.

The YMCA prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or your participation in the investigation, please follow the complaint procedure outlined above. The situation will be investigated.

Section 7. Performance Evaluations

Employees may receive performance evaluations as frequently as their immediate supervisors deem appropriate, but the YMCA strives to review performance at least once each year. Individual wages and salaries may be reviewed periodically and increments granted on the basis of merit and relevant business considerations.

Section 8. Voluntary Contributions

Employees are encouraged, but not required to support the YMCA's philanthropic interest, such as the United Way, and the YMCA Strong Kids Campaign.

ARTICLE VI – GENERAL GUIDELINES

Section 1. Hours of Work

The immediate supervisor is responsible for the preparation and supervision of the working schedule for employees. Employees' working schedules are approved by the Center or unit supervisor. Overtime work for nonexempt employees requires prior approval by the unit supervisor. Failure to obtain approval will not be tolerated. Employees must accurately record actual time worked, verified by the employees' supervisor.

The work week for calculating overtime for nonexempt employees begins on Monday at 12:01 a.m. and ends at 12:00 midnight the following Sunday.

When an employee has more than one regular rate of pay, based on the job performed and has overtime, the overtime will be paid at one and one-half times the regular rate of pay for the job which the overtime hours were performed in.

The YMCA has the right to ask for verification of illness and causes of any absences.

Section 2. Payroll Records

Payroll and time records of exempt and nonexempt employees are maintained. Both the employee and supervisor are held accountable for the accuracy of time records, reflecting the exact hours and/or days actually worked.

Exempt Employees

For exempt employees, deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days for workplace conduct rule infractions. Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act (FMLA). In absences under the FMLA, either partial day or full day deductions may be made.

It is our policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). Therefore, we prohibit all company managers from making any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the company does not allow deductions that violate the FLSA. If you believe that an improper deduction has been made to your salary, you should immediately report this information to your direct supervisor, or to Human Resources.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

Section 3. Personal Expression on Public Issues

If employees choose to participate in the discussion or promotion of controversial or partisan issues, they must not present themselves as speaking for the YMCA nor shall they use or permit or approve the use of the YMCA's name, facilities or publicity media in this connection. All such participation must be on the employee's own time. Only the President/CEO, or those directly authorized by the President/CEO, may communicate with the media or other external entities on behalf of the YMCA of Metropolitan Denver.

Section 4. Occupational Safety and Health

A safe, healthy and environmentally sound work place for all employees is accomplished through a variety of YMCA activities, including safety education, training and equipment, job instruction and wellness programs. Employees must attend required trainings. Failure to do so will not be tolerated.

YMCA personnel injured on the job may be covered by Workers' Compensation insurance. The conditions of this coverage require that for any injury on the job, the employee must:

1. Notify his/her supervisor immediately no matter how minor the injury, and;
2. Within 24 hours, file a formal written report to their supervisor.
3. If medical treatment for an on-the-job injury is needed, it must be obtained from one of the YMCA's designated physicians. If not, the employee may be responsible for the cost of medical treatment.

Section 5. Drug & Alcohol Policy

a. Purpose

The YMCA of Metropolitan Denver is committed to a safe, healthy, and productive work environment for all employees free from the effects of substance abuse. Abuse of alcohol, drugs, and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision-making.

b. Scope

This policy applies to all employees. All employees have been issued upon initiation of this policy or upon hire (whichever is later) a copy of the Association policy, describing in detail what substances will be tested for and under what conditions employees will be tested.

c. Statement of Policy

To ensure a safe and productive work environment the Association prohibits the use, sale, dispensation, manufacture, distribution or possession of alcohol, drugs, controlled substances, or drug paraphernalia on any association premises or worksites. This prohibition includes association owned vehicles, or personal vehicles being used for association business or parked on association property.

No employee shall report to work or be at work with alcohol or with any detectable amount of prohibited drugs in the employee's system. (A detectable amount refers to the standards generally used in workplace drug & alcohol testing).

An employee shall, when drugs are prescribed by a medical professional, inquire of the prescribing professional whether the drug prescribed has any side effects which may impair the employee's ability to safely perform the employee's job duties. If the answer from the medical professional is yes, the employee shall obtain a statement from the medical professional indicating any work restrictions and their duration. The employee shall present that statement to his or her supervisor prior to going on duty.

Illegal use of drugs off duty and off association premises or work sites is not acceptable. It can affect on-the-job performance and the confidence of the public, and our members and participants in the association's ability to meet its responsibilities.

Any violation of this policy will result in disciplinary action up to and including termination.

d. Employee and Applicant Drug and Alcohol Testing

To promote a safe and productive workplace, The YMCA of Metropolitan Denver will conduct the reasonable suspicion Drug/Alcohol testing for all employees:

Reasonable Suspicion Testing:

An employee will be asked to submit to tests for alcohol and/or illegal drugs when the employee is reasonably suspected of being impaired in the performance of his or her job.

1. Reasonable suspicion testing may result from one of the following examples, but is not limited to the following:
 - a. Specific, personal and articulable observations concerning the appearance, behavior, speech or performance of the employee; or
 - b. Violation of a safety rule, or other unsafe work incident which, after further investigation of the employee's behavior, leads the supervisor(s)/manager(s) to believe that the employee's functioning is impaired; or
 - c. Other physical, circumstantial, or contemporaneous indicators of impairment.
2. When a supervisor/manager has reasonable suspicion to request testing, the supervisor/manager will arrange for the employee to be tested, and will arrange for the employee's transport home.
3. The employee will continue in a paid status pending the receipt of drug testing results by the YMCA.

e. The kinds of substances tested for will include the following substances or their metabolites:

- | | |
|--------------|------------------------|
| 1. Marijuana | 4. Phencyclidine (PCP) |
| 2. Cocaine | 5. Amphetamines |
| 3. Opiates | 6. Alcohol |

f. Voluntary Treatment

The Association supports sound treatment efforts. Employees may seek treatment for drug or alcohol use through their medical insurance or by accessing the Employee Assistance Program contracted by the YMCA for its eligible employees. All treatment programs are at his or her own expense.

If the employee elects to enter an appropriate treatment program, the employee may be placed on Family Medical Leave as outlined in this personnel procedures and guidelines. The YMCA of Metropolitan Denver will have the right to require verification from the health care provider for a release to work and/or verification of treatment as covered in the company's leave policies. More information regarding availability of treatment resources and possible insurance coverage for treatment services is available from the Human Resources Department.

g. Safeguards/Confidentiality

The drug screen analysis is accomplished through urinalysis testing. Alcohol testing may be through breath testing. Samples will be collected in a sanitary environment designed to maximize employee's privacy while minimizing the possibility of sample tampering. If there is a positive drug and/or alcohol result on the initial screening test, the laboratory or blood alcohol technician will automatically do a second test to confirm the results. The second drug test will be performed using gas chromatography/mass spectrometry or other scientifically accepted method. A positive breath alcohol test will be confirmed by a second breath test.

All drug tests are performed by a government-certified outside laboratory. All government-certified outside laboratories strictly follow chain of custody guidelines to ensure the integrity of the testing process. The company shall use a Medical Review Officer (MRO) who will receive the laboratory results of the testing procedure. The MRO shall be a licensed physician and have knowledge of substance abuse disorders and the appropriate medical training to evaluate positive results, medical histories, and any other relevant biomedical information. The MRO shall review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication.

If the results of the initial test are negative, the testing laboratory will report the results to the MRO retained by the association. The MRO or the testing laboratory reports the negative results to the association. In this instance, no additional tests on the specimen will be done.

If the results of the initial test are positive, that is, if the results exceed the permitted levels for any of the five drugs tested or if the blood alcohol test comes back positive, a second confirmatory test shall be performed. The employee is prohibited from performing any duties if the initial test is positive, and while the confirmatory testing is being performed. Only specimens that are confirmed positive on the second (confirmatory) test are reported positive to the MRO for review and analysis. The MRO will contact the employee personally, in the case of a positive test result. The MRO has the responsibility of reporting to the YMCA of Metropolitan Denver whether the test results are positive or negative.

An applicant or employee who does not pass a drug test may request that the original sample be analyzed again at the individual's expense by a government certified laboratory. All requests for an independent analysis must be made in writing within 72 hours of notification of a confirmed positive test result. In the event the drug and/or alcohol test results are not achieved due to a diluted sample, the applicant will be required to re-test.

Each applicant or employee will have an opportunity to discuss the drug and/or alcohol test with a Medical Review Officer in a confidential setting. Each applicant or employee upon his or her request may be provided with a written copy of the positive test result, upon written request. Upon written request within seven days of taking the test an employee may access records relating to his drug and/or alcohol test.

h. Disciplinary Action

1. Testing Positive:
Employees who test positive for drugs or alcohol are in violation of this policy.
2. Refusal to comply:
Employees who refuse required testing are in violation of this policy.
3. Interference with testing:
Employees who adulterate, tamper with or otherwise interfere with accurate testing are in violation of this policy.
4. Any employee, who has been observed using or possessing illegal drugs or alcohol during work time, including meal breaks or on YMCA premises or worksites is in violation of this policy.

Section 6. Problem Resolution

If you have a work-related problem or concern, you are encouraged to use the following procedure:

An employee should discuss any problem within three days with his/her immediate supervisor. If not satisfied with the immediate supervisor's action or the supervisor is not the appropriate person to speak to, the employee should then request a meeting to discuss his/her problem with the head of the employee's department. If still unsatisfied the employee should next, request a meeting with the unit executive director. If still unsatisfied the employee should next request a meeting with the Senior Vice President-Operations/COO.

Any concerns pertaining to the President/CEO should be directed to either the Associate Vice President of Human Resources or to the Chair of the Board of Trustees.

Section 7. Threats and Violence

The YMCA strives to maintain a work environment free from intimidation, threats, or violent acts. This includes, but is not limited to: intimidating, threatening or hostile behavior, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons onto YMCA property and program sites, or any other act, which in the YMCA's opinion, is inappropriate to the workplace. In addition, bizarre or offensive comments regarding violent events and/or behavior are not tolerated. Employees should immediately report any such occurrences to their supervisor or the Human Resources Department. The YMCA will investigate complaints and will determine if action will be taken.

Employees should directly contact law enforcement, security and/or emergency services if they believe there is an imminent threat to the safety and health of themselves or co-workers.

Section 8. Employment of Relatives

- a. Relatives of employees are not to be employed in any position within the same Center/Unit if one relative would directly or indirectly have the power to supervise, appoint, dismiss, discipline, or audit, verify, receive or be entrusted with money received or handled by the other relative or where one relative has access to confidential information including payroll and personnel records.
- b. Employees are not to be employed in an operating unit where a relative is a member of any board or committee.

Section 9. Expenses and Allowances

Full or partial expenses incurred while on authorized YMCA business may be reimbursed. The following represent normally recognized charges against expense accounts (as authorized in the budget):

- a. Telephone calls on YMCA business.
- b. The reasonable cost of meals where attendance is required by YMCA business.
- c. Travel expenses, including transportation fares and hotel bills, on approved business trips.
- d. Mileage expenses incurred for the use of personally owned vehicles used for official YMCA business at the established rate. The YMCA is not responsible for traffic fines or parking tickets incurred whether driving a private or a YMCA owned vehicle.
- e. Attendance at conferences, seminars and conventions, including travel expenses, board, room and registration fees, when authorized.
- f. Membership dues and meals in a service club, professional society or community organization where the membership in such a group is deemed by the Chief Executive Officer to be advantageous to YMCA interests.

Employees request reimbursement by filing an Expense Report. Receipts supporting expenses for lodging, commercial transportation, auto rental, business entertainment and other expenditures must accompany expense reports. Employees are asked to document the purpose of the expense and the nature of the business conducted. Expense reports should be turned in within one month from the time the expense is incurred.

Section 10. Keys and YMCA Property

Keys and YMCA property are normally issued to personnel responsible for a specific program unit for the duration of that person's job assignment. Keys and YMCA property must be relinquished to the supervisor in charge, or previously identified center/unit personnel, upon

request. Unauthorized possession or use of keys, purchase cards or other YMCA property will not be tolerated.

Section 11. Appearance & Image

Employees must wear clothing appropriate to their work assignment. Every employee of the YMCA must be aware that his/her appearance directly affects the organization's public image. Appropriate dress is determined by the Unit Executive Director in consultation with the Human Resource Department. Consideration will be given to such issues as direct customer contact, nature of the job, and safety. Appropriate dress may differ among departments. Personal hygiene habits conducive to a person's neat appearance are very important. All employees are responsible for creating an acceptable and appropriate public image.

In addition, employees should take pride in the YMCA grounds and facilities and do their share to maintain them in a neat and orderly condition. Employees should report any condition that may affect health and safety of program participants to their immediate supervisor.

Section 12. Telephones

YMCA telephones are for official YMCA business only. Personal cell phones may only be used during breaks and must not be used in program areas or locker rooms.

Cell phones issued by the Association to employees are to be used for business purposes. YMCA cell phones issued to employees are not intended to be a substitute for personal phones of employees. Personal use of YMCA cell phones should be limited to minor usage. The Association may require employees to reimburse the YMCA for charges pertaining to personal use and all related charges such as roaming charges, etc.

For safety reasons, employees should avoid the use of cell phones and PDAs to either make calls or send text messages while driving on company business. Employees must park whenever they need to use a cell phone unless they have and use a hands-free capability. Generally, stopping on the shoulder of the road is not acceptable. Employees are prohibited from using a cell phone or other device to text while operating a motor vehicle.

Upon termination of employment with the Association, employees are required to cease all use of YMCA cell phones and return phones to the YMCA.

Section 13. Operational Guidelines and Standards, (Vehicle, Emergency, Aquatic, etc.)

Employees must adhere to all operational guidelines and standards.

Section 14. Compensation for Outside Consulting

Employees are permitted to provide consulting services to other YMCAs and kindred organizations with goals and objectives similar to our own, subject to the approval of their supervisor and subject to the following "Conflict of Interest" guidelines. If the employee is

released from his/her job responsibilities in order to provide the consulting service and remuneration is received, the YMCA must be reimbursed a minimum of the employee's salary and related costs for time spent on such consulting. If the employee provides consulting services during his/her "time off" (vacation, etc.), then any remuneration may be retained by the employee.

Section 15. Patents and Copyright

All patents and copyrights resulting from YMCA work by employees must be in the name of the YMCA and remain the property of the YMCA. All work product developed as part of your duties or using YMCA resources or on YMCA time, remain the property of the YMCA of Metropolitan Denver.

Section 16. Conflict of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This guideline establishes only the framework within which the Association wishes the organization to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Associate Vice President of Human Resources for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative. A conflict of interest can arise when an employee is involved in activity for personal gain, which for any reason is in conflict with the Association's business interests.

It has been, and continues to be, the practice of the Association to purchase equipment, commodities, and services solely on the basis of merit, without favoritism.

Employees cannot solicit or compete with the Association's product or service offerings. Outside work cannot be performed on the Association's time with the exception of approved outside consulting outlined in the previous section. Employees cannot use the Association's equipment, materials, resources, or "inside" information for outside work. Employees should not solicit business or clients or perform outside work on the Association's premises. Employees and their immediate family must be free of any significant investment or association with competitors or suppliers that might interfere or appear to interfere with Association interests. Employees must not accept gifts, favors, or benefits that might tend in any way to influence them in the performance of their duties.

Other employment outside the Association must not interfere with your present job and must not create any actual conflict or the appearance of a conflict of interest with the YMCA and must not affect your ability to meet job requirements or perform competently. You may be required to disclose any employment outside the YMCA.

If an employee has any situation, which may be an actual, potential or perceived conflict of interest, the employee must disclose this to the President/CEO of the Association as soon as possible. Hopefully, safeguards can be established to protect all parties.

Section 17. Use of Computer Systems & Technical Resources

The Association's technical resources--including but not limited to desktop and portable computer systems, fax machines, Internet and World Wide Web (Web) access, voicemail, e-mail, electronic bulletin boards, operating software and its Local Area Networks and Wide Area Networks--enable employees quickly and efficiently to access and exchange information throughout the company and around the world.

These guidelines apply to all technical resources that are owned or leased by the YMCA, that are used on or accessed from YMCA premises, or that are used from any location for YMCA business. These guidelines also apply to all activities using any YMCA-paid accounts, subscriptions, or other technical services, such as Internet and Web access, voicemail, and e-mail, FAX or cell phones whether or not the activities are conducted from YMCA premises.

The YMCA's technical resources are provided for the benefit of the YMCA. These resources are provided for use in the pursuit of YMCA business and are to be reviewed, monitored, and used only in that pursuit, except as otherwise provided in these guidelines.

Employees have no right of privacy as to any information or file maintained in or on the YMCA's property or transmitted or stored through the YMCA's computer, voicemail, e-mail, or telephone systems. The YMCA maintains the right to review the content of any electronic mail message sent or received.

Unacceptable Uses

YMCA technical resources may not be used in any manner for purposes of transmitting messages whereby an electronic copy of such activity is not recorded by the YMCA computer system. Typically, this is known as instant messaging or IM. Such messaging systems put the YMCA at risk and are strictly prohibited. Therefore, all instant messaging is prohibited on YMCA technical resource assets.

The YMCA's technical resources should not be used for personal gain or the advancement of individual views. Employees who wish to express personal opinions on the Internet are required to obtain a personal account with a commercial Internet service provider. They may not access the Internet using YMCA resources. Postings not related to YMCA business are not permitted on the YMCA's Intranet or electronic bulletin board.

Solicitation for any non-YMCA business or activities using YMCA resources is strictly prohibited. Your use of the YMCA's technical resources must not interfere with your productivity, the productivity of any other employee, or the operation of the association's technical resources.

You should not send e-mail or other communications that either mask your identity or indicate that they were sent by someone else. You should never access any technical resources using another employee's password. Similarly, you should only access the libraries, files, data, programs, and directories that are related to your work duties. Unauthorized review, duplication, dissemination, removal, installation, damage, or alteration of files, passwords, computer systems or programs, or other property of the Association, or improper use of information obtained by unauthorized means, is prohibited.

Damaging or altering YMCA technical resources, including but not limited to hardware, software, and data is strictly prohibited and will not be tolerated.

Sending, saving, or viewing offensive material is prohibited. Messages stored and/or transmitted by computer, voicemail, e-mail, or telephone systems must not contain content that may reasonably be considered offensive to any employee. Offensive material includes, but is not limited to, pornography, sexual comments, jokes or images, racial slurs, gender-specific comments, or any comments, jokes or images that would offend someone on the basis of his or her race, color, creed, sex, age, national origin or ancestry, physical or mental disability, veteran status, as well as any other category protected by federal, state, or local laws. Any use of the Internet/Web, Intranet, email, voice mail or electronic bulletin board to harass or discriminate is unlawful and strictly prohibited by the Association. Violations will not be tolerated.

Access to Information

The YMCA asks you to keep in mind that when you are using the Association's computers you are creating YMCA documents using an Association asset. The Association's computer, voicemail, e-mail, or telephone systems, and the data stored on them are, and remain at all times, the property of the YMCA. As a result, computer data, voicemail messages, e-mail messages, and other data are readily available to numerous persons. If, during the course of your employment, you perform or transmit work on the YMCA's computer system and other technical resources, your work may be subject to the investigation, search, and review of others in accordance with these guidelines.

All information, including e-mail messages and files, that is created, sent, or retrieved over the YMCA's technical resources is the property of the YMCA, and are not private or confidential to the employee. Employees have no right to privacy as to any information or file transmitted or stored through the YMCA's computer, voicemail, e-mail, or telephone systems. Any electronically stored information that you create, send to, or receive from others may be retrieved and reviewed when doing so serves the legitimate business interests and obligations of the YMCA. Employees should also be aware that, even when a file or message is erased or a visit to an Internet or Web site is closed, it is still possible to recreate the message or locate the Web site. The YMCA reserves the right to monitor your use of its technical resources at any time. All information including text and images may be disclosed to law enforcement or to other third parties without prior consent of the sender or the receiver. Any internet messaging system that does not provide an electronic record of transmission is strictly prohibited.

Confidential Information

E-mail and Internet/Web access are not entirely secure. Others outside the YMCA may also be able to monitor your e-mail and Internet/Web access. All employees should safeguard the YMCA's confidential information, as well as that of members, patrons, volunteers, donors and others, from disclosure. E-mail messages containing confidential information should include the following statement, in all capital letters, at the top of the message or at the beginning of any file attachment: CONFIDENTIAL: UNAUTHORIZED USE OR DISCLOSURE IS STRICTLY PROHIBITED.

Security of Information

Although you may have passwords to access computer, voicemail, and e-mail systems, these technical resources belong to the Association, and are to be accessible at all times by the YMCA, and are subject to inspections by the YMCA with or without notice. The YMCA may override any applicable passwords or codes to inspect, investigate, or search an employee's files and messages. All passwords must be made available to the system administrator or designee upon request. You should not provide a password to other employees or to anyone outside the YMCA and should never access any technical resources using another employee's password.

Copyrighted Materials

You should not copy or distribute copyrighted material (e.g., software, database files, documentation, articles, graphics files, and downloaded information) through the e-mail system or by any other means unless you have confirmed in advance from appropriate sources that the YMCA has the right to copy or distribute the material. Failure to observe a copyright may result in disciplinary action by the YMCA as well as legal action by the copyright owner.

Software Installation

Employees are prohibited from installing any software on any YMCA technical resource without prior permission from the system administrator. This includes copyrighted and non-copyrighted/public domain software (i.e. screen savers or others). Employees may not copy software from the Association for personal use.

Your Responsibilities

Each employee is responsible for the content of all text, audio, or images that they place or send over the YMCA's technical resources. Employees may access only files or programs, whether computerized or not, that they have permission to enter. Technical equipment, including but not limited to computers, peripheral equipment, and cell phones should not be removed from Association premises without permission. Upon termination of employment, all hardware and equipment must be returned to your immediate supervisor or unit executive.

Violations of any portion of these guidelines will not be tolerated. In addition, the Association may advise appropriate legal officials of any illegal violations and cooperate in investigations conducted by legal officials.

Section 18. Workplace Investigations & Searches

The YMCA reserves the right to inspect all company property, including, but not limited to: desks, file cabinets, computer files and discs, storage areas, and vehicles, and all personal property brought onto company premises, including, but not limited to, brief cases, purses, laptop computers and computer files and discs. YMCA property includes all buildings, office space, grounds, parking lots and leased spaces. Personal vehicles on company premises are also subject to search. Consequently, employees should not have any expectation of privacy with respect to company property and premises or personal belongings brought onto company premises. A YMCA initiated search does not necessarily imply an accusation of theft or that an employee has broken a rule. Failure to consent and/or cooperate in a search will not be tolerated.

Section 19. Personnel Records

Employees should report to their supervisor any change in their address or telephone number within two (2) working days. Changes in marital status, work authorization, births and/or deaths in the immediate family should also be reported promptly as they may affect the amount of income tax withheld from the employee's paycheck and benefits eligibility.

Section 20. Ethics

High standards of ethical behavior and workplace conduct make good business sense. They serve as the cornerstone of our reputation as an Association. Our ability to attract members and participants and quality employees depends on this reputation. Your actions may enhance, maintain, or damage this standard that we have developed. Therefore, we expect you to exercise the highest standards of ethics in all of your decisions that may impact the Association.

The responsibility for ethical behavior rests with the individuals who work for the Association. Our Company's reputation is built upon the acts of each employee. As a result, we expect our employees to be:

- ◆ Accurate in their communications, never misrepresenting the facts, or shading the truth.
- ◆ Honest in promising what you can deliver and dependable in following through on work commitments.
- ◆ Willing to share business information with those who have a need to know it and ensuring that the communication takes place.

No workplace conduct statement can possibly cover every circumstance that may arise. Use good common sense. Ask yourself if you would like to read about your behavior in the newspaper or see a story about it on the nightly news. If there is any question, it is your responsibility to get clarification from senior management.

Section 21. Confidentiality

As an employee of the YMCA, you will have access to confidential information of the Association and our members and participants. This means any information that is not generally known to or accessible by the public. It would include, but is not limited to names, addresses, phone numbers, email addresses, bank account information, social security numbers and business information. YMCA business affairs should not be discussed with anyone outside the Association, except when required in the normal course of business.

Disclosure of confidential information might seriously damage the YMCA's competitive position and therefore such action will not be tolerated. This non-disclosure guideline applies during and after your employment. Any copying, reproducing or distributing of confidential information in any manner must be authorized by the President/CEO or his designee. Confidential information remains the property of the YMCA and must be returned to the Association on demand.

Section 22. Use of Social Media Guidelines

The YMCA of Metropolitan Denver has developed Use of Social Media Guidelines for employees who use social media like blogs, wikis, and social networking sites that may contain postings related to the YMCA of Metropolitan Denver, employees of the YMCA of Metropolitan Denver, and any other affiliates of the YMCA of Metropolitan Denver.

Specific Guidelines:

1. Public communications concerning the YMCA of Metropolitan Denver, employees of the YMCA of Metropolitan Denver, and any other affiliates of the YMCA of Metropolitan Denver must not violate any guidelines set forth in this handbook, especially as it relates to discrimination, unlawful harassment, and illegal activities.
2. Your personal or anyone else's blog, wiki, or social networking site is not the appropriate place to make a complaint regarding alleged discrimination, unlawful harassment, or safety issues. Such complaints shall be made consistent with the complaint procedures in this handbook.
3. Blogs and other forms of social media communications are individual interactions, not corporate communications. Employees can be held personally liable for their posts. For this reason, employees should exercise caution with regards to exaggeration, obscenity, guesswork, copyrighted materials, legal conclusions, and derogatory remarks or characterizations.
4. You must include the following disclaimer on published public communication if you identify yourself as a YMCA employee or if you discuss the YMCA of Metropolitan Denver, employees of the YMCA of Metropolitan Denver or any of the affiliates of the YMCA of Metropolitan Denver publicly:
"The opinions expressed here are the personal opinions of [your name]. Content published here is not monitored or approved by the YMCA of Metropolitan Denver

before it is posted and does not necessarily represent the views and opinions of the YMCA of Metropolitan Denver.”

5. You may not disclose any sensitive, proprietary, confidential, or financial information about the Association. The use of the Association’s logo, trademarks, or branding is prohibited. You may not post anything related to company inventions, strategy, financials, products, etc. that has not been made public. You may not post photos of YMCA members and participants or divulge information about members or participants. Further detail is provided in the “Confidentiality” section of your employee handbook.
6. While you may respectfully disagree with company actions, policies, or management decisions, you may not attack personally or post material that is obscene, defamatory, discriminatory, harassing, libelous, or threatening about the YMCA of Metropolitan Denver, employees of the YMCA of Metropolitan Denver, or any affiliates of the YMCA of Metropolitan Denver.

Please consult with your unit executive director if you have any questions about the appropriateness of publishing information relating to the YMCA, its employee’s or any of its affiliates.

ARTICLE VII - STAFF AND CAREER DEVELOPMENT

Section 1. Staff Development

Employees are encouraged and may be assisted by the YMCA to further his/her growth through approved experiences (academic study or other training) which are designed to improve competency and performance of job responsibilities. To this end, a consultation between each staff member and his/her supervisor may be held at least annually to plan the employee's development program.

The YMCA recognizes the quality of its work is related to continued career growth and training opportunities for employees. Based on the employee's individual career plan, job responsibilities, and the meeting of YMCA goals, the YMCA endeavors to provide educational and training opportunities for all employees.

Payment of fees for individual growth experiences may be made available to full-time employees when approved in advance by the related supervisor and Chief Executive Officer or designated representative and when such plans:

- a. Are deemed to be of special or needed benefit to the individual's career development with the organization;
- b. Will not interfere with the satisfactory discharge of responsibilities;
- c. Are included in the sponsoring unit's budget. Payment of cost is dependent on the employee's satisfactory completion of the program.

Assistance may be given for:

- a. Career Development Programs sponsored by the YMCA of the USA-100% of tuition; room/board and travel should be paid by the YMCA.
- b. Graduate/Undergraduate Education sponsored by approved academic institutions - 100% tuition for one course per term may be reimbursed by the YMCA for educational courses applicable to an employee's career development providing: (1) submission of evidence of having a passing grade; and (2) that prior written approval has been given by the employee's unit executive and the Chief Executive Officer; and (3) annual cost of the educational assistance program does not exceed \$1,000 per employee in any calendar year.

Additionally, the YMCA may institute other tuition reimbursement plans with the approval of the Chief Executive Officer.

- c. Workshops, Seminars, Conferences - Payment of all authorized expenses are assumed by the YMCA, including travel, hotel, meals and registration, when such events are of benefit to the employee's job related and career development assignments. Prior approval must be given, in writing, by the employee's unit executive.

Section 2. Recognition

An employee recognition program recognizes employees for accomplishments, special contribution to the YMCA or YMCA movement and/or service.

The YMCA currently conducts an annual staff recognition program to honor full time employees' tenure at five year intervals. Other recognitions can be made upon a recommendation by the Unit Executive Director and approval by the Chief Executive Officer.

ARTICLE VIII - SUPPLEMENTAL BENEFITS

Section 1. Benefits Goals

It is the YMCA's objective, within the area of supplemental benefits (indirect compensation), to assist the employee in providing basic protection for the employee and dependents during their earning years, and during retirement.

Descriptive material related to employee benefits may be provided to an employee during the orientation process.

Section 2. Eligibility for Benefits

Full-time employees (exempt and nonexempt) are eligible to enroll for benefits at the time of employment. However, full participation may be subject to meeting the requirements of specific benefits coverage or by restrictions detailed in other parts of these guidelines.

For the purpose of determining benefits, when years of service are the basis for awarding the benefits, continuous, full-time employment in any YMCA (local, regional, national or international) may be counted. Years of service are counted from the original date of full-time employment and continue to accrue as long as employment is full time and continuous. Required military service or approved leaves of absence (as defined in these Guidelines) do not constitute an interruption of continuous YMCA employment.

Section 3. Categories of Benefits Protection

For the purpose of designing a supplemental benefits program, provision is made for the following categories of benefits.

- * PAY CONTINUATION
- * LEAVE OF ABSENCE
- * HEALTH AND DENTAL INSURANCE
- * INCOME SUPPLEMENT AND REPLACEMENT
- * OTHER

a. Pay Continuation Benefits

1. Holidays

All full-time employees currently receive paid holidays as follows:

New Year's Day	Labor Day
Martin Luther King Day	Thanksgiving Day
Good Friday	Friday after Thanksgiving
Memorial Day	Christmas Eve
Independence Day	Christmas Day

Holiday time will not be counted in the computation of overtime.

2. Vacations

The following policy applies to all full time employees hired on or after January 1, 2004. For those hired full time before January 1, 2004, the policy dated January 1, 2003 will continue to apply. For any employee that moves from part time status to full time status who had previously earned vacation as a part time employee, the policy dated January 1, 2003 will apply. The YMCA believes that a vacation is beneficial to the health and welfare of employees and should be taken each year. Vacations with pay, as with any time off, are granted at such time as best suit staffing requirements and individual responsibilities.

Vacation allowance is based upon full-time, continuous YMCA employment. Continuous full-time employment in any YMCA in the USA will be counted towards years of service for vacation purposes only.

Compensation is not granted in lieu of unused vacation, except that at the time of separation from the YMCA of Metropolitan Denver employment all unused and accrued vacation will be paid. Vacation may not be used to extend a resignation date.

Employees coming to the staff of the YMCA of Metropolitan Denver from another YMCA are expected to have taken all their accumulated vacation from the former YMCA, or receive compensation for it, before joining the Denver staff.

Vacation time is accrued beginning with the first day of employment and available to use following the first six months of employment. Employees may request to take up to forty hours (five days) in excess of their available balance with appropriate approval which will include requiring the employee to sign a payroll deduction authorization enabling the YMCA to deduct from final wages for any used but unearned vacation taken.

You are encouraged to use all of your earned vacation each year. You may carry over unused vacation from one anniversary year to the next. However, the maximum vacation that you may accumulate at any one time is indicated in the following charts that specify your annual vacation allotment. At no point can the carryover, plus the new vacation, exceed this cap. As a result, the amount of vacation that you may earn will be limited by the amount carried over.

If a medically documented illness occurs within an employee's vacation period, extra vacation may be allowed equivalent to the number of days of illness. Such days used will be charged to sick leave, if available.

Full Time Exempt Staff

Years of Service as Full Time Exempt	Rate of Accrual
Less than 1 year	0.83 days for each month to a maximum of 10 days
After 1 year	0.83 days per month maximum of 10 days
After 2 years	1.25 days per month maximum of 15 days
After 3 years	1.67 days per month maximum of 20 days
After 15 years	2.08 days per month maximum of 25 days

Non Exempt Full Time Staff

Years of Service as Full Time	Rate of Accrual
Less than 1 year	6.67 hours for each month to a maximum of 80 hours
After 1 year	6.67 hours per month maximum of 80 hours
After 5 years	10.00 hours per month maximum of 120 hours
After 15 years	13.33 hours per month maximum of 160 hours
After 25 years	16.67 hours per month maximum of 200 hours

For vacation purposes, a day is equal to eight working hours. Vacation schedules must be approved in advance by the supervisor and Unit Executive to whom an employee is accountable. If an official holiday(s) falls within the period of an employee's vacation, additional day(s) may be added to the vacation period. A partial month of fifteen days or more will be counted as one month toward vacation. Vacation is to be taken only in full day (8 hour) increments, or 1/2 day (4 hour) increments with the supervisor's prior approval.

If an employee is on paid vacation during a closure due to weather or other reasons, vacation will still be charged.

All time off, whether paid or unpaid, requires a supervisor's prior approval.

Vacation time will not be counted in the computation of overtime.

3. Sick Leave, Short-Term Disability, Accident Leave

Regular and prompt attendance is expected of every employee. The purpose of paid sick leave is to tide the employee through a period of misfortune over which he or she has no control by allowing a limited time off without loss of pay. Sick leave is not an earned right to be used at discretion of the employee. It is in no way considered in the same light as vacation.

- a. For employees who qualify, time off for the following reason can be charged against sick leave:
 - A serious health condition.
 - Time off, with supervisory approval, may be taken for serious illness of the employee's immediate family, i.e. spouse, children, parents.
 - The day a newborn or an adopted child joins the family.
 - Trips for outside medical attention.

- b. Employees who are absent due to personal illness or accident are currently eligible for pay allowance based on the length of service at the time the incapacity begins.

- c. No payment for leave is granted during the first 90 days of employment; however, leave is computed from the date of employment with the YMCA of Metropolitan Denver.

- d. At the time of termination from employment, unused sick leave will not be paid out.

- e.
 1. Effective 90 days after start of work with the YMCA, the new full-time employee is granted one week of sick leave at full pay. For example, a new full time employee hired on May 24, 2009 would be granted one week of sick leave on August 24, 2009.

 2. After completing one year of continuous full-time employment with the YMCA of Metropolitan Denver, the employee is granted an additional week of sick leave at full pay. The employee is not eligible for additional sick leave until December 31 of the following year. For each calendar year thereafter, the employee is eligible for two weeks paid sick leave at full pay, effective December 31. Continuing with the example above, the employee would be granted an additional week of sick leave on May 24, 2010. The employee would not be granted any more sick leave until December 31, 2011 at which time they would be granted two weeks of sick leave.

 3. At the end of each calendar year, the record of each qualified employee who has one year or more of continuous employment is reviewed. Sick leave taken is subtracted and the unused portion is credited to the employee as "accumulated sick leave."

 4. Qualified employees may accumulate sick leave year after year until a total of thirteen (13) weeks maximum is reached.

 5. For sick leave purposes, a week is equal to five working days, or to regularly scheduled hours in one week's work.

- f. Full pay for a sick leave day is determined by the employee's regularly scheduled hours for that day. Sick leave may be taken only in half-day or full-day increments.
- g. Physician's verification of illness, disability or fitness for duty may be requested. In case of disability, a physician's verification will be required indicating beginning date of disability and the date on which the employee is certified to be physically able to return to work.
- h. When the employee is physically able, as determined by a physician, to return to work, but does not desire to return, the employee's employment could be terminated.
- i. Any request for leave that exceeds four days and is based on a serious health condition, whether it involves the employee or a family member, must be supported by appropriate medical certification.

4. Personal Leave

After 90 days of full-time employment, full time employees are currently eligible for 24 personal hours, with pay, within each calendar year. Personal leave is not cumulative. Personal leave is granted for urgent personal business only, including, but not exclusive to, religious activities, deaths of members of employee's immediate family, appointments with doctors, dentists and lawyers. Personal leave is subject to the prior approval of the appropriate supervisor. At the time of termination from employment unused personal leave is not paid out.

Personal leave is not included in the computation of overtime.

5. Compassionate Leave

After 90 days of full-time employment, full time employees are currently eligible for up to 24 hours, with pay, within each calendar year to attend the funeral of an immediate family member. Immediate family is defined as the employee's spouse, parents, children, sisters, brothers, grandparents, grandchildren, mother-in-law and father-in-law. Also, this leave may be granted in the event of a miscarriage by an employee or an employee's spouse.

In the event of a death of a near relative, full time employees are currently granted up to 8 hours, with pay to attend a funeral. Near relatives include the employee's aunts, uncles, nieces, nephews and their spouse's grandparents, brothers, sisters and other close relatives.

Compassionate leave is not cumulative. Compassionate leave is subject to the prior approval of the appropriate supervisor. Total compassionate leave taken in a calendar year may not exceed 24 hours. If additional time is needed,

employees may use available vacation time with their supervisor's approval. At the time of termination from employment unused compassionate leave is not paid out.

Compassionate leave is not included in the computation of overtime

6. Jury Duty

Employees who are summoned for juror service receive full pay and assigned benefits for up to twelve (12) days for exempt employees or ninety-six (96) hours for non exempt employees per calendar year. Employees may keep the fees paid for juror service. Employees called for juror service are to inform their supervisor immediately and present a copy of the "Juror Summons." If a non-exempt employee serves on juror service beyond ninety-six (96) hours , all salaries or wages and the YMCA' portion of payment for benefits, with the exception of medical and dental benefits, will cease until such time that the employee returns to normal job responsibilities. If an exempt employee serves beyond 12 days, their salary may be docked for full work week absences only. Upon completion of juror service, employees are to submit a "Juror Service Certificate" to their supervisor within five (5) days.

7. Long Term Disability

The YMCA provides for the protection of full-time employees totally disabled from accident or sickness through a long term disability insurance policy.

A separate long term disability manual providing information on eligibility and extent of coverage is available from the Human Resource Office.

b. Leave of Absence Benefits

1. Family and Medical Leaves

The Organization provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
- Serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the Armed Forces, National Guard or Reserves may use their 12-

week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Eligible employees may also take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, National Guard or Reserves, who has a serious injury or illness incurred or aggravated in the line of duty on active duty. Covered service member also includes veterans who were members of the Armed Forces, National Guard or Reserves at any time during the period of five years preceding the start of treatment, recuperation or therapy.

The injury or illness must make the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. In the case of a veteran, the qualifying illness or injury must be incurred or aggravated in the line of duty and manifest itself before or after the service member became a veteran.

Benefits and Protections

During FMLA leave, the Organization maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. Payment must be received by the Human Resources Department on the first working day of the month for that month of coverage. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the Organization for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. As with other types of unpaid leaves, paid leave (vacation time and sick time) will not accrue during any period of unpaid leave. Holidays, bereavement leave, or employer's jury duty pay are not granted on unpaid leave.

Eligibility Requirements

Employees are eligible if they have worked for this Organization for at least 12 months, for 1,250 hours over the previous 12 months, and if they work at a work site with at least 50 employees within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

The maximum time allowed for FMLA Leave is either 12 weeks in the 12-month period as defined by the Organization, or 26 weeks as explained above. Except where leave is for the care of a covered service member, the YMCA of Metropolitan Denver will use a 12-month period measured forward from the date an employee's FMLA leave begins.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Organization's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the Organization's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

Married employees, who both work for the YMCA, will be allowed 12 work weeks of leave between them because of the birth of a child, care for a child after birth or adoption. Married employees are eligible for 12 weeks each for their own serious health condition, or serious health condition of their child or spouse or parent. In the case of caring for a covered service member with a serious illness or injury, married employees will be allowed 26 work weeks of leave between them.

Failure to return to work on the day after the expiration of leave may result in termination of employment.

Substitution of Paid Leave for Unpaid Leave

The Organization requires employees to use accrued paid leave (sick time, vacation time and personal time) while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the Organization's normal paid leave policies. If an employee fails to follow the Organization's policies, the employee cannot use accrued paid leave, but can take unpaid leave. FMLA leave is without pay when paid leave benefits are exhausted. Employees are required to use sick leave first, then vacation and finally personal time, unless they are collecting workers' compensation or disability payments when the leave is taken because of the employee's own serious health condition. For employees caring for a newborn, sick time is used while the child is in the hospital or if the mother is in the hospital or remains under medical restrictions. Once the mother and child are released from specific care, vacation time is used until it is exhausted and then the employee may return to using sick time that may be available until it is exhausted and finally the employee will use any available personal time.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the Organization's normal call-in procedures.

Employees must provide sufficient information for the Organization to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Organization if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The Organization may require second and third medical opinions at the Organization's expense. Documentation confirming family relationship, adoption or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the Organization's attendance guideline. Employees on leave must contact the Human Resource Manager at least two days before their first day of return.

The Organization's Responsibilities

The Organization will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the Organization will provide a reason for the ineligibility.

The Organization will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the Organization determines that the leave is not FMLA-protected, the Organization will notify the employee.

Unlawful Acts

FMLA makes it unlawful for the Organization to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the Organization.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

2. Military Leaves

An employee who is a member of the U.S. Armed Forces Reserve or National Guard, will be granted unpaid leave of absence when called for active duty or training.

This time is granted in addition to all earned vacation time. However, upon written request, the employee can voluntarily use their vacation time for this purpose. If an employee is inducted into a branch of the U.S. Armed forces for an extended period, upon returning to the YMCA after separation from the military service, the employee may be re-employed in accordance with the provision of the law. Such leave of absence will not constitute an interruption of the employee's service record.

3. Parental Involvement Leave

Eligible employees may take unpaid leave to attend academic activities for school aged children. To be eligible, an employee must work in a nonexecutive or nonsupervisory capacity and be the parent or legal guardian of a child enrolled in either public or private school grades K-12 or certain nonpublic home-based educational programs.

Employees can take leave for the following academic activities: parent-teacher conferences and meetings about special education services, response to intervention, dropout prevention, attendance, truancy; or disciplinary issues.

Use of Leave

Full-time employees may take up to a maximum of 18 hours in an academic year to attend such activities. Part-time employees may take leave on a prorated basis. Employees may not take more than six hours of leave in any one-month period and leave may not be taken in increments longer than three hours.

Unpaid Leave

Leave to attend academic activities is unpaid. Upon management's discretion, the organization may allow employees to make-up the time lost while on Parental Involvement Leave; employees must complete make-up time in the same week the PIL was taken.

Notice Requirements

Except in emergencies, employees are required to provide at least one calendar week's advance notice of the need for leave. Employees must provide written verification of the academic activity from the school or school district. In emergencies, employees are required to provide notice and written verification from the school as soon as possible after learning of the need for leave. Employees are required to make a reasonable attempt to schedule academic activities outside regular work hours.

Limitations on Leave

The YMCA may limit the ability of an employee to take Parental Involvement Leave in cases of emergency or in other situations where the employee taking leave may endanger a person's health or safety or in a situation where the absence of the employee would result in a halt of service or production.

4. Other Non-Medical Related Leaves

Non-medical leaves of absence, without pay, may be granted for circumstances such as personal reasons, education and other approved situations. Employees must have had a minimum of one year of full time service. Approval must be given by the Chief Executive Officer. A leave may not exceed maximum of six months from the last day of regular work. A non-medical leave of absence cannot be used to extend an FMLA leave.

All vacation time must be exhausted first. No vacation or sick time will accrue during a leave of absence and holiday pay will not be granted during an unpaid leave. The YMCA will continue all insurance benefits for employees on leave as it does with other employees. Employees must continue to pay their portion of the insurance premium(s) while on leave. Payment must be received by the Human Resource Department on the first working day of the month for that month of coverage.

Upon return to work from an extended leave, an effort will be made to place the employee in a position of like status if it is not possible to hold open the original position. Should a position not be available upon an employee's return, the leave will expire and employment will be terminated.

Under Colorado State law, employees may be eligible, upon request, for up to three unpaid days' leave per calendar year, to address domestic violence issues. The YMCA will return an employee to their position upon return from a qualifying leave.

c. Health and Dental Insurance Benefits

1. Participation

The YMCA currently maintains a contract to provide medical and dental insurance coverage for full time employees and their dependents. Participation for eligible employees is available unless specifically waived by the employee.

The cost is shared by the employee and the YMCA. Participation is governed by the individual providers. Separate group insurance summary plan descriptions and manuals provide information on the extent of the coverage and are available from the Human Resource Department.

2. Health Coverage After Retirement

Group Health Coverage insurance may currently be continued by qualifying individuals after retirement at the retiree's personal expense at full premium cost.

3. Continuation of Health Insurance Coverage

Employees and/or their families will be offered the opportunity for a temporary extension of their existing health care coverage at group rates in certain cases where it would terminate. Eligible individuals are:

- a. Employees who lose coverage because of reduction in hours of employment.
- b. Terminated employees (except for gross misconduct).
- c. Covered dependents in certain circumstances.

Individuals eligible for this extension of coverage must request it in writing within 60 days from the date on which their existing coverage would end. They must agree to pay the full premium cost and administrative fees for such coverage.

If the terminated employee does not choose continuation coverage, health insurance will end the last day of the month of termination.

d. Income Supplement and Replacement

1. Retirement

One of the primary benefits of working for the YMCA is that you can build your savings with the YMCA Retirement Fund. In the course of your YMCA career, if you move from one YMCA to another, your savings stay at the YMCA Retirement Fund.

Participation in the YMCA Retirement Fund is a condition of employment for all employees that meet the eligibility requirements.

To be eligible to be enrolled in the Retirement Plan, you must have completed 1,000 hours of service during each of any two 12-month periods, beginning with your date of hire. These two years do not have to be consecutive. You must also be at least age 21. Once you are eligible, you will be enrolled in the Retirement Plan and you are immediately vested. Participation is elective if the employee is initially hired at age 60 or older.

Eligibility, benefits, definitions and requirements related to the retirement plan are determined by the YMCA Retirement Fund in agreement with the YMCA.

A Retirement Fund manual provides information on the extent of benefit coverage and is available in the Human Resource Department.

2. Tax Deferred Savings Plan

As an employee of the YMCA, you can participate in the Savings Plan. You can open a 403(b) Smart Account from your first day of employment, regardless of your age or hours worked. This account allows you to save money on a pre-tax basis through payroll deduction. You do not have to pay federal income tax on your contributions or Colorado State income tax on your contributions or on the accounts earnings, until you withdraw them from the Savings Plan. However, you do have to pay Social Security and Medicare taxes on the amounts you contribute.

3. Rollovers and After-tax Retirement Contributions

The YMCA Retirement Plan also allows for rollovers from other qualified accounts into the Tax Deferred Savings Plan by any employee.

After tax contributions are available to those employees that have met the eligibility requirements for enrollment.

4. Group Life, Accidental Death and Dismemberment

The YMCA currently makes provision for the protection of employee beneficiaries through a Group Life, Accidental Death and Dismemberment insurance policy. The amount of the coverage is currently \$10,000. The premium cost is paid by the YMCA.

By special agreement with the National Board YMCA Employee Benefit Plan Office, an eligible employee may choose to add an additional amount of coverage equal to two times the employee's annual salary rounded to the next highest thousand by paying the full cost of the additional premium.

5. Exempt Employee Accident Insurance

The YMCA currently provides a supplementary accident insurance policy providing coverage for exempt employees of the YMCA.

e. Flexible Spending Accounts

The YMCA currently maintains a flexible spending account plan. Full time employees may participate in either the medical flexible spending account, the dependent care flexible spending account or the transportation spending account or any combination of the three.

A separate flexible spending account plan description providing information on eligibility and participation is available from the Human Resource Office.

f. Other Benefits

1. YMCA Membership Opportunities

Full-time employees and the dependent members of their families and full-time employees that retired from the Denver Association (no dependents) may, upon request, be granted membership privileges in the YMCA of Metropolitan Denver. Membership categories as defined in the Membership Policy apply.

Staff and family must obtain the appropriate membership cards and use these cards to access YMCA facilities and programs.

Full-time employees and the dependent members of their families may participate on a space available basis in programs, exclusive of child care, where there is a fee by paying an established percentage of the member rate.

Staff may participate in non-fee program activities at the Center in which they are employed where their participation does not exclude other members or add directly to the cost of the activity. Equipment and supplies must be paid for by the participant unless other arrangements are made by the Unit Executive.

2. Employee Assistance Programs

The YMCA provides employee assistance programs for its full time employees. Benefit coverage and specific information is available from the Human Resource Department.

ARTICLE IX - SEPARATIONS

By definition, the term "separation" shall refer to any and all terminations of the relationships between an employee and the YMCA. For the sake of consistency, categories of separations are as follows.

Section 1. Resignation

A voluntary choice, freely made by the employee for whatever reason. An exempt employee is requested, but not required, to give a minimum of thirty (30) days notice of resignation. A nonexempt employee is requested, but not required, to give a minimum of two weeks notice of resignation. All wages and compensation, including unused and accrued vacation to the date of resignation is paid on or before the next regular payday. Vacation, sick, personal and holiday pay cannot be used to extend a resignation date.

Section 2. Retirement

Retirement is a voluntary choice of the employee.

Section 3. Reduction in Work Force

Separation of an employee because of the discontinuation of a position or retrenchment in budget is at the discretion of the YMCA. All unused and accrued vacation to the date of separation is paid immediately.

Section 4. Disciplinary Action Including Termination

An employee's conduct is a major factor affecting the health and growth of the YMCA. It is also an important aspect of the YMCA's image within the community. When management finds an employee's performance is unsatisfactory or an employee's conduct is unacceptable, disciplinary action may be taken. The discipline may range from informal discussion with the employee to immediate termination, depending on the YMCA's opinion of the seriousness of the situation. Any action taken by management in an individual case should not be assumed to establish a precedent in other circumstance. A supervisor may suspend an employee during a period of investigation until a decision is reached.

In the case of termination, employees are paid all salary due, plus the cash equivalent of their unused and accrued vacation.

YMCA OF METROPOLITAN DENVER

ACKNOWLEDGMENT OF RECEIPT

I have received a copy of the Full Time Personnel Procedures and Guidelines. I understand that I am to become familiar with its contents as it outlines my responsibilities, benefits and organizational guidelines.

I further understand that my employment is terminable at will, so both the YMCA and I remain free to end our work relationship at any time with or without reason. I also understand this Personnel Procedures and Guidelines represents brief summaries of organizational guidelines which, except for the at-will nature of employment, are subject to change without prior notice. These procedures and guidelines may not be all-inclusive.

Finally, I understand that nothing in these procedures and guidelines or any verbal statements by management creates an express or implied contract of employment between the YMCA of Metropolitan Denver and me.

This edition supersedes all previous editions. No representative of the YMCA of Metropolitan Denver, other than the President/CEO has the authority to enter into an agreement of employment for any specified period. Such an agreement must be in writing.

Signature of Employee

Date

Employee Name (printed)

01/01/2010