

culture**w**orks  
GREATER PHILADELPHIA

# EMPLOYEE HANDBOOK

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## **INTRODUCTION TO HANDBOOK**

This Handbook is designed to help employees get acquainted with CultureWorks. It explains some of our philosophies and beliefs, and describes in general terms, some of our employment guidelines. We hope that this handbook will serve as a useful reference document for employees throughout their employment at CultureWorks.

Employees shall understand, however, that this Handbook is not intended to be a contract (express or implied), nor is it intended to otherwise create any legally enforceable obligations on the part of CultureWorks or its employees. In no way does the Handbook replace the official plan documents (i.e., health insurance, retirement plan, etc.) or insurance contracts, which will govern in all cases.

Because CultureWorks is a growing and changing organization, it reserves full discretion to add to, modify, or delete provisions of this Handbook, or the policies and procedures on which they may be based, at any time without notice. CultureWorks also reserves the right to interpret any of the provisions set forth in this Handbook in any manner it deems fair and appropriate.

Only the Chief Commons Director, in accordance with CultureWorks, has the authority to enter into any employment or other agreement that modifies CultureWorks' policy. Any such modification must be in writing.

This Handbook is the property of CultureWorks, and is intended for personal use and reference by the employees of CultureWorks and CultureTrust.

## **CONDITIONS OF EMPLOYMENT**

### **Equal Employment Opportunity Is Our Policy**

CultureWorks is an equal opportunity employer. It is the policy of CultureWorks to afford equal employment and advancement opportunity to all qualified individuals without regard to race, creed, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, age, physical or mental disability, marital status, citizenship status, medical condition, or any other legally protected status. This policy extends to all employees and to all aspects of the employment relationship, including the hiring of new employees and the training, transfer, promotion, compensation and benefits of existing employees.

### **Employment “At Will”**

It is the policy of CultureWorks that all employees are employed at the will of CultureWorks for an indefinite period. Accordingly, either CultureWorks or the employee can terminate this relationship at any time, for any reason, without cause, and with or without notice. Any employment contract for a specified term supersedes the at-will relationship.

Nothing contained in this Handbook, employment applications, CultureWorks memoranda or other materials provided to employees regarding their employment shall require CultureWorks to have “cause” to terminate an employee or otherwise restrict CultureWorks’ right to terminate an employee at any time for any reason. Further, none of those documents whether singly or combined, or any employment practices shall create neither an express nor implied contract of employment for a definite period, nor an express nor implied contract concerning any terms or conditions of employment.

Statements of specific grounds for termination set forth in this Handbook or elsewhere are not all-inclusive and are not intended to restrict CultureWorks’ right to terminate at will.

### **Criminal Activity**

CultureWorks does not regularly do background checks or discriminate based on past criminal activity. We encourage formerly incarcerated individuals to apply for open positions. If our staff is working with youth, background checks are a requirement.

Additionally, if you are arrested while working at CultureWorks, you may utilize your benefits per the PTO Policy.

## Policy Against Sexual Harassment

CultureWorks is committed to maintaining a working environment that is free of unlawful sexual harassment of any kind. CultureWorks has adopted a comprehensive sexual harassment policy, which is the controlling document. All employees are required to read and sign that policy. All employees shall be able to work in an atmosphere free of sexual harassment. CultureWorks will not condone nor tolerate sexual harassment of any type by any employee. This policy applies to all employee actions and relationships, regardless of position or gender. CultureWorks will promptly and thoroughly investigate any complaint of sexual harassment and take appropriate corrective action, if warranted.

Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexually suggestive nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for personnel decisions, including but not limited to appraisals, promotion, salary increases, and termination.
- Such behavior has the purpose or effect of interfering with an individual's performance on the job or creating an intimidating, hostile, or offensive working environment.

Each Manager has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should Managers become aware of any conduct, which may constitute sexual harassment or other prohibited behavior, immediate action shall be taken to address such conduct.

Employees are expected to act in a positive and professional manner and to contribute to a productive work environment that is free from harassing or disruptive activity.

Prohibited conduct by anyone includes but is not limited to:

- Sexual flirtations, touching, advances or propositions.
- Verbal abuse of a sexual nature.
- Graphic or suggestive comments about dress or body.
- Sexually degrading words.
- Display in the workplace of sexually suggestive or offensive objects or pictures.

While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities.

Any employee who has experienced or is aware of a situation, which is believed to be sexually harassing, has a responsibility to report the situation immediately to their

immediate Manager, the Chief Commons Director, and/or any member of management, whom, in turn, will conduct an immediate investigation into the allegation(s). A written report, including findings related to the allegations, will be completed. In all cases, when the allegation(s) is determined to be valid, appropriate remedial action will be taken immediately and may include disciplinary action up to and including termination.

If the alleged sexual harassment involves the Manager, Chief Commons Director, or any member of management, or if the employee is not satisfied with the outcome of the investigation, the employee should contact the CultureWorks Board President and/or seek outside counsel.

All complaints of sexual harassment will be investigated promptly, objectively and as confidentially as possible. Employees are required to cooperate in any investigation. Retaliation against any employee for filing a complaint or participating in an investigation is strictly prohibited and shall be cause for termination. All matters regarding this policy will be treated with confidentiality and on a need-to-know basis.

### **Domestic or Sexual Violence Leave Policy**

Team members are entitled to time off under the Philadelphia ordinance called "Entitlement to Leave Due to Domestic or Sexual Violence" (DSV). Although such leave is unpaid, employees requiring DSV leave for their own serious health condition may elect to use PTO and/or STD under the existing CultureWorks policies (see PTO & Short-Term Disability policies). The team member shall provide CultureWorks with at least 48 hours' notice of DSV leave, unless providing such notice is impracticable.

Domestic or Sexual Violence includes partner or child abuse, sexual assault, rape, incest, sexual abuse, stalking, and related crimes. For purposes of clarity, the ordinance's definition of sexual assault is merely summarized here; however, we intend to comply fully with the ordinance.

### **Drug-Free Workplace**

CultureWorks is committed to providing a drug-free workplace and to promoting safety in the workplace, employee health and wellbeing, community confidence, and a work environment that is conducive to attaining high work standards. The use of drugs by employees on the job jeopardizes these goals, since it adversely affects health, safety, security, productivity, trust, and public confidence.

Accordingly, consistent with this commitment, CultureWorks has developed a drug policy, which applies to all employees. Accordingly, staff members shall not be on drugs while working. For more information regarding this policy, please contact the Chief Commons Director. With regards to the drug policy, CultureWorks does not define drugs to include alcohol, which can be used reasonably and responsibly at the workplace.

## **Work Schedule**

CultureWorks believes in self-determination for when, where, and how to get our work done. This is possible because of the following guiding principles:

1. CultureWorks is a customer service-based organization. Our members are the reason we exist and decisions about getting work done are made with their best interest in mind.
2. Being physically present is important to our work. Much of our work time is spent physically present with our staff and members. When we are not physically present we communicate consistently and in advance regarding our availability.
3. We trust in each other's work ethic and commitment to CultureWorks and practice rapid candor in addressing concerns relative to those commitments in a timely and constructive manner.
4. We are accountable to our obligations - deliverables, meetings, and management - both in quality and timeliness.

The CultureWorks shared workspace is located at 1315 Walnut Street, Suite 320 and is open 24/7 all days of the year.

## **Meal and Rest Periods**

CultureWorks encourages team members to enjoy, at a minimum, a 30-minute meal period and a ten (10) minute rest period for every four hours of work.

## **Inclement Weather Policy**

In the case of weather that may keep you from safely getting into the office or require you to be at home, we agree to communicate before 8AM about our individual intentions and availability for the day.

## **Use of E-Mail, Voicemail, and Internet Access**

CultureWorks provides all staff with the technological equipment required to do their job. We do our best to accommodate a variety of needs specific to the individual and the role. CultureWorks prohibits illegal activity on organization-supplied technology.

CultureWorks will permit employees to use its electronic mail, voicemail systems and Internet access subject to the following:

1. The email system and Internet access is not to be used in any way that may be disruptive, offensive to others, or harmful to morale. For example, sexually explicit images, ethnic slurs, racial epithets, or anything else that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, gender identity, age, religious beliefs or political beliefs may not be displayed or transmitted.
2. Employees shall not attempt to gain access to another employee's personal file or E-mail or voicemail messages without the latter's express permission.
3. CultureWorks staff will not enter an employee's personal Email files or voicemail unless there is a business need to do so. CultureWorks retains a copy of all passwords through LastPass; passwords unknown to CultureWorks may not be used.

## **CUSTOMER SERVICE & MEETINGS**

### **Customer Service**

CultureWorks is committed to helping our members, partners, and staff flourish. We do this by making sure that all individuals we interact with, on behalf of CultureWorks, are seen and heard in a timely fashion.

We do this by responding to our members, partners, and staff within 24-48 business hours, whether that's in the space, over the phone, email, or social media. If we don't have an answer right away or don't have the work complete, this is to be communicated rather than no communication at all.

### **Meetings**

CultureWorks meetings are designed and facilitated with purpose, use the minimum necessary human and time resources, and include clear expectations and outcomes.

- CultureWorks invites individuals to meetings that will allow them to give and receive value from being a part of the conversation. This is not to be exclusive but rather respectful of our individual and collective capacity constraints.
- CultureWorks prepares in advance for meetings by providing an agenda and supplemental materials as well as identifying up-front the desired outcomes and follow-on expectations.
- CultureWorks facilitates meetings by utilizing best-practice tools and techniques to keep meetings inclusive, on-schedule, and productive.

We participate in meetings by showing up. We show up by arriving on time and prepared to actively engage in the conversation and by following-through on commitments.

## **Board Involvement and Donating**

CultureWorks encourages board service outside of the cultural field or on any board nationally, but not for organizations that would create a conflict of interest by creating influence over that which we would consider our core constituents. This excludes funders, peer service organizations, and government agencies.

Similarly, CultureWorks, as a company, does not corporately contribute to campaigns, galas, or take out ads for organizations in our membership.

## **THE WORKPLACE**

### **Health and Safety Policy**

CultureWorks is committed to providing and maintaining a healthy and safe work environment for all employees.

It shall be the responsibility of all employees acting individually or in the scope of their designated duties to be alerted to any hazard within or outside work buildings, which may jeopardize the safety of employees or others. It shall be the responsibility of all employees to report promptly to the Manager, Chief Commons Director, and/or other members of the management staff, any condition, incident, or suspicion, which in their judgment, warrants investigation. Nothing stated herein is intended to conflict with the jurisdiction or the authority of the Chief Commons Director in implementing office policies.

In compliance with 29 U.S. Code § 654, CultureWorks will comply with occupational safety and health standards promulgated under Chapter 15 of the Occupational Safety and Health Act.

### **Occupational Safety**

CultureWorks is committed to the safety of its employees, vendors, contractors and the public and to providing a clear safety goal for management.

The prevention of accidents is in the best interest of everyone, therefore CultureWorks expects that everyone assumes responsibility to work along with management to meet this

goal. It is the duty of all employees to accept and promote the established safety regulations and procedures.

Every effort will be made to provide adequate safety training. If an employee is ever in doubt how to perform a job or task safely, assistance should be requested. Unsafe conditions must be reported immediately.

### **Accident/Incident Reporting**

It is the duty of every employee to immediately or as soon as is practical report any accident or injury occurring during work or on CultureWorks' premises so that arrangements can be made for medical or first aid treatment, as well as for investigation and follow-up purposes.

### **Reporting Fires and Emergencies**

It is the duty of every employee to know how to report fires and other emergencies quickly and accurately. Employees shall report any such emergency by calling building management – Goldman Properties' security at 267-250-5808 or the main office at 215-735-2955. Additionally, employees shall know local emergency numbers, such as 911.

### **Security Protocols**

CultureWorks has developed guidelines to help maintain a secure workplace. Be aware of unknown persons loitering in walkways, entrances and exits and service areas. Report any suspicious persons or activities to your Manager, the Chief Commons Director, and/or to a member of the management staff. Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable or personal articles around your workstation that may be accessible.

CultureWorks maintains a video security system and key fob entry to the space. Footage is maintained and can be accessed if needed in the case of an incident.

The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You shall immediately notify your Manager, the Chief Commons Director, and/or to a member of the management staff, when key fobs are missing, or passwords have been breached.

## **EMPLOYEE WAGES, FEEDBACK, AND BENEFITS**

### **Salary**

Employee salaries are governed by the terms of the CultureWorks Employee Offer Letter.

## Payroll Withholdings

CultureWorks is required by law to withhold Federal Income Tax, State Income Tax, Social Security (FICA) and State Disability Insurance from each employee's pay as follows:

1. Federal Income Tax Withholding: The amount varies with the number of exemptions the employee claims and, of course, the gross pay amount.
2. State Income Tax Withholding: The same factors, which apply to federal withholdings, apply to state withholdings.
3. Social Security (FICA): The Federal Insurance Contribution Act requires that a certain percentage of employee earnings be deducted and forwarded to the federal government, together with an equal amount contributed by the employer.
4. State Disability Insurance (SDI): This state fund is used to provide benefits to those out of work because of illness or disability.

Every deduction from your paycheck is explained on your check voucher. If you do not understand the deductions, ask the Chief Commons Director or Finance Director to explain them to you.

You may change the number of withholding allowances you wish to claim for Federal Income Tax purposes at any time by requesting a new W4 from the Finance Department.

All Federal, State, and Social Security taxes will be automatically deducted from paychecks. Federal Withholding Tax deduction is determined by the employee's W-4 form. The W-4 form shall be completed upon hire and it is the employee's responsibility to report any changes in filing status to the Chief Commons Director and to fill out a new W-4 form.

At the end of the calendar year, a "withholding statement" (W-2) will be prepared and forwarded to each employee for use in preparing income tax returns. The W-2 shows Social Security information, taxes withheld and total wages. If a team member leaves the team, they are to provide a forwarding address so that CultureWorks will be able to mail their tax documents.

## Overtime Pay

Employees may be required to work beyond the regularly scheduled workday or workweek as necessary. Only actual hours worked in each workday or workweek can apply in calculating overtime. CultureWorks will attempt to distribute overtime evenly and accommodate individual schedules. Your Manager must previously authorize all overtime work. CultureWorks provides compensation for all overtime hours worked by non-exempt

employees in accordance with state and federal law. Exempt employees may have to work hours beyond their normal schedules, as work demands require. No overtime compensation will be paid to these exempt employees.

## **Paydays**

Payroll is dispersed monthly on the first business day of the month via check or direct deposit, depending on the employee's preference. If you observe any error in your check, please report it immediately to your Manager.

## **Wage Attachments and Garnishments**

Under normal circumstances, CultureWorks will not assist creditors in the collection of personal debts from its employees. However, creditors may resort to certain legal procedures such as garnishments, levies or judgments that require CultureWorks, by law, to withhold part of your earnings in their favor.

## **Employee Reviews and Evaluations**

CultureWorks believes that giving and receiving thoughtful, timely, and practical feedback is fundamental to our ability to grow individually and as an organization.

Feedback is not a separate activity, but rather an integrated aspect of our work with each other and with our members. While structures for providing feedback are useful (and are a part of our ongoing feedback processes – see below), we as an organization are committed to using rapid candor - the combination of caring personally and challenging directly - to deliver in-person feedback on a real-time basis to serve the good of the individuals on our staff, our members, and our mission. Feedback is always delivered in a timely fashion with respect and care, and is accompanied, whenever possible, by solutions/examples for improvement.

## **Feedback**

CultureWorks will provide feedback in the following ways:

### ***Regular task-related check-ins with your Manager(s)***

Staff shall be checking in regularly (at a minimum, monthly) with Manager(s) to review progress on tasks, as well as provide positive and constructive feedback relative to day-to-day work. This feedback can and will also happen “on-the-spot” (rapid candor) when appropriate to address issues and opportunities in real time.

### ***Annual Wellbeing Check-in***

In recognition of the blurring lines between our personal and professional lives, we'd like to understand the factors that contribute to an individual staff members' wellbeing. The intention is not to judge or compare but rather to understand the wellbeing-related dynamics that affect an individual's ability to do their job well and in a way that contributes to our collective wellbeing.

We define wellbeing by looking at both the whole person and the whole position. We ask staff to self-define wellbeing across the following areas: Physical/Mental Health, Job Performance, Creative Practice, Professional Development, and Relationships.

Following individual wellbeing check-ins, our staff meets as a group to share back highlights from these conversations that will help us understand each other and our needs/goals for the coming year. Sharing personal wellbeing information is not a requirement and performance is not evaluated based on your wellbeing. This meeting typically happens in January.

### ***Strategic & Financial Goal Tracking Check-in***

On a bi-annual basis, employees are asked to touch base with your Manager(s) about how you are tracking against the organizational goals – both strategic and financial. These meetings may also include the Chief Commons Director. Meetings are arranged by your Manager.

### ***360° Community Feedback and Goal Setting***

Each member of the staff will receive feedback from staff, members, and board. We collect feedback across five core value areas: Be Empathetic. Be Equitable. Be Creative. Be Bold. Share. We use an online tool to collect feedback, which is optionally anonymous. Following feedback data collection, employees will be able to view their results and meet with their direct Manager(s) to discuss the feedback and professional goals for the coming fiscal year. This process happens May-July.

## ***Performance Evaluations and Raises***

Based on the results of the annual 360° Community Feedback process, progress relative to the goals set forth in the previous year, and ongoing observation and documentation of performance throughout the year, Manager(s) will determine which of the three following categories a staff member falls into:

1. You have an opportunity for improvement.
2. You perform as expected.
3. You go far above and beyond on a regular basis.

Annually, in June, the Chief Commons Director will determine the pool of money available for raises based on past year performance and expectations for the coming year. These findings will be shared in detail with the full staff, as well as individually, as it relates to specific salary adjustments. If you are employed mid-year, CultureWorks will prorate the value of the raise based on when you started in the fiscal year.

## **Expense Reimbursement**

The process and guidelines for spending CultureWorks' money, whether directly or indirectly through reimbursement, is as follows:

1. Obtain email approval from your Manager at least 2-3 business days in advance.
2. If the expense is outside of your department's budget your Manager will send the request to the Chief Commons Director for final approval.
3. Once approved, the employee can make the purchase with the employees' money or with CultureWorks' money.
4. If the employee is to make the purchase with their own money, they shall request reimbursement by using the [Employee Expense Reimbursement Form](#) and attaching the receipts, all of which should be printed and delivered to the person that approved the request for review, coding, final approval, and sending to the Finance Director for processing.
5. If the employee wants to make the purchase with CultureWorks' money, we will advise on a case-by-case basis the best method, such as petty cash, credit card, PEX.

## Medical Plans

### *Eligibility*

CultureWorks offers the following benefits for W2 employees who work at least thirty (30) hours a week:

- Medical, Vision, and Dental Insurance
- Short-Term & Long-Term Disability
- Life Insurance

### *When Coverage Starts*

Your Medical coverage begins on the 1st day of the month following your first day of employment. Your Vision, Dental, Short/Long-Term Disability, and Life coverage begins on your first day of employment.

### *Cost of Coverage*

The current costs for coverage are available from CultureWorks's benefits broker. These costs are subject to change from time to time.

## Additional Benefits

### *403(b) Program*

CultureWorks provides access to a Vanguard 403(b) program. CultureWorks does not currently match funds for employees, but the employees are welcome to open an account to be administered by CultureWorks. Employees can contribute pre-tax earnings.

### *Transit*

CultureWorks will provide a Transit Pass to those employees who request one. The employee also pays for the Transit Pass with pre-tax earnings.

## ***Wellbeing Allowance***

CultureWorks is interested in supporting all employees' wellbeing. We recognize that wellbeing means different things to different people. To that end, we allocate \$2,500/year to each staff member to use on the things that contribute to their personal wellbeing.

The wellbeing allowance is usable within our fiscal year (July 1 – June 30) and does not rollover to the next year. If you are employed mid-year, we will prorate the value of the annual allowance based on when you started in the fiscal year.

- If CultureWorks determines the requested money will be spent on Professional Development, CultureWorks can pay for the expense directly or through direct reimbursement to the team member. Items that will qualify as Professional Development are things such as conferences and related travel, classes, books, office supplies, etc.
- If CultureWorks determines that the spending is not for Professional Development, it will first flow through the team member's paycheck as taxable income. If a team member would like to spend their allowance on something personal, such as unrelated classes/experiences or personal travel, they may do so in advance and be "reimbursed" at their next pay period or they can request for CultureWorks to include some or all of their allowance in their next check.

In either case, the employee using their wellbeing allowance shall follow the below process for approval and disbursement of funds:

1. Ask your Manager, via email, for approval. Your email should include:
  - a. What you plan to use the allowance for.
  - b. The requested gross amount.
  - c. Classification of the expense as professional development or personal.
  - d. Whether you'd like to be "reimbursed" or have the expense paid directly.
2. Your Manager will send the approved request to the Chief Commons Director for final approval and processing with the Finance Director.
3. The employee shall plan for 1-2 weeks of processing time for disbursement.

## **Pennsylvania Mini-COBRA Benefits**

### ***Continuation of Medical Benefits***

When your coverage under CultureWorks' medical plan ends, you or your dependents can continue coverage depending upon the reason benefits ended. To continue coverage, you

must pay the full cost of coverage - your contribution and CultureWorks' previous contribution plus a possible administrative charge.

Medical coverage for you, your spouse, and your eligible dependent children can continue for a maximum of nine (9) months if coverage ends because of one of the following "qualifying events":

- Death of covered employee.
- Termination of employment that is either voluntary or involuntary (but not for the employee's gross misconduct).
- Reduction in hours.
- Divorce or legal separation.
- Eligibility for Medicare.
- Dependent child ceasing to be dependent.
- Bankruptcy of the employer.

Your spouse and eligible dependents can continue their health coverage for longer if coverage ends because:

- You die while covered by the plan.
- You and your spouse become divorced or legally separated.
- You become eligible for Medicare coverage, but your spouse is not yet age 65.
- Your dependent child reaches an age which makes him or her ineligible for coverage under the plan (age 19 or if a full-time student age 25).

Rights like those described above may apply to retirees, spouses and dependents if the employer commences a bankruptcy proceeding and those individuals lose coverage.

CultureWorks will notify you or your dependents if coverage ends due to termination or a reduction in your work hours. If you become eligible for Medicare, divorced or legally separated, die, or when your child no longer meets the eligibility requirements, you or a family member are responsible for notifying CultureWorks within 30 days of the event. CultureWorks will then notify you or your dependents of your rights.

Health coverage continuation must be elected within 30 days of receiving notice of the termination of coverage. There are certain circumstances under which coverage will end automatically. This happens if:

- Premiums for continued coverage are not paid within 30 days of the due date.
- You (or your spouse or child) become covered under another group health plan, which does not contain any exclusion or limitations with respect to any pre-existing condition, you (or your spouse or child, as applicable) may have.
- CultureWorks stops providing group health benefits.
- You (or your spouse or child) become entitled to Medicare.

## **PERSONNEL FILES AND RECORD KEEPING**

### **Personnel Files and Record Keeping Protocols**

You have the right to inspect certain documents in your personnel file, as provided by law, in the presence of a CultureWorks representative (your Manager or the Chief Commons Director), at a mutually convenient time. No copies of documents in your file may be made, except for documents you have previously signed. You may add your comments to any disputed item in the file. CultureWorks will restrict disclosure of your Personnel File to authorized individuals within CultureWorks. A request for information contained in the personnel file must be directed to your Manager. Only the Chief Commons Director, or designee, is authorized to release information about current or former employees or destroy any document from any Personnel File. Disclosure of information to outside sources will be limited. However, CultureWorks will cooperate with requests from authorized law enforcement or local, state or federal agencies conducting official investigations or as otherwise legally required.

## **HOLIDAYS, VACATIONS, DISABILITIES AND LEAVES**

### **Holidays**

Full-time hourly and salaried employees receive the following annual paid holidays:

- New Year's Day
- Martin Luther King Jr. Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Indigenous People's Day
- November Election Day
- Thanksgiving Day & the following day

Recognized religious holidays may be taken off by an employee whose religion requires observance of the particular day or if the employee would like to use PTO during that time.

### **Paid Time Off (PTO)**

We encourage time off. It is CultureWorks' belief that we are all able to perform at our best when we feel rested, inspired, and healthy, both mentally and physically.

## **PTO is Unlimited**

CultureWorks has a "two weeks to infinity" unlimited PTO policy, which means that team members are expected to take at a minimum 2 weeks (10 business days) of PTO per year. This time includes planned and unplanned time away from the office.

While PTO is unlimited, consecutive planned time away is limited to three consecutive weeks (15 business days). If you take over 10 consecutive planned days of PTO, you need to be present full-time for at least a month following the leave before taking another planned leave, not including unplanned PTO during that time.

How to prepare for and request PTO

For any planned absence, team members are to take responsibility by:

1. Checking-in with your closest staff member and/or Manager first to understand the deadlines and capacity constraints on the dates you wish to take off.
2. Requesting PTO from your Manager(s) so that they can approve your time away from the office.
3. Reviewing responsibilities and planning for coverage while you're away. This includes communicating with any staff that would be affected by your PTO.
4. Communicating in advance with the entire staff as a reminder that you will be away.
5. Turning on email away messages (always) and phone (if away for a longer period).
6. Of course, unplanned PTO for reasons of illness or other extreme events may inhibit this plan, in which case senior staff will need to step in or other arrangements made.

The purpose of tracking is not for regulation or judgment by management, but to bring some individual awareness to each team members' respective use of PTO throughout the year as well as for staff capacity planning.

## **Unpaid Leave of Absence or Sabbaticals**

CultureWorks recognizes that there are times when an employee may need more time than planned PTO can allow. This is time to break away from your usual routines to pursue other interests, reset, replenish, explore new passions, grow, rest, explore, or whatever it may be. CultureWorks recognizes that time away benefits the team and organization.

CultureWorks is not in the financial position to provide paid sabbaticals. Employees can take unpaid time away with job security at the conclusion of the sabbatical for members that have been with the organization for at least two (2) years prior.

Employees shall consider the following before taking any sabbatical leave:

- Sabbaticals are limited to eight (8) weeks or less.
- An employee can only take one sabbatical every three years.
- CultureWorks will continue to provide benefits to the employee during the leave.
- The employee is expected to return to work after the sabbatical leave.
- If the employee determines during the sabbatical time that they are not going to return, they are to communicate those intentions with CultureWorks as soon as possible and pay back any cost of their benefits to CultureWorks.
- Employees planning on taking a sabbatical leave are to inform CultureWorks at least six (6) months in advance.
- There is no obligation for the employee to report about their experience while on sabbatical leave, but are more than welcome to share.

## **Sick Leave**

CultureWorks recognizes that there are times – both planned and unplanned – that require time away due to illness, injury, impairment, or a specific physical or mental condition that will keep you from performing your job. In addition to PTO, CultureWorks offers Short-Term and Long-Term Disability and Life Insurances to mutually support the wellness and productivity of our employees and our organization in times that warrant this support. Employees are eligible to enroll in coverage on their first day of employment (please see Getting Paid & Benefits for more information).

### ***Short-Term Disability (STD)***

Our Short-Term Disability (STD) policy covers staff members working thirty (30) hours or more per week. STD allows continuation of a portion of base salary plus benefits when your doctor determines that you need to be out of work for an extended period of 6-12 weeks due to illness, injury, pregnancy (see Family Leave), or other health-related issues.

STD coverage begins after the 8<sup>th</sup> consecutive day of total disability (5 business days). Those first seven (7) days are called the “STD Elimination Period.” Employees may use unlimited PTO benefits to bridge the gap during the STD elimination period. Our STD policy covers 60% of pre-disability earnings, up to \$750/week, for a period of 6-12 weeks. CultureWorks will continue to provide benefits while you are on STD. The length of time is determined based on your doctor's recommendation and the insurance company's approval. While a staff member is on STD, they are prohibited from working at CultureWorks or at any other location, including their home (either for CultureWorks or otherwise). A physician's

statement certifying the staff member's fitness to return to work may be required before returning to work.

### ***Long-Term Disability (LTD)***

LTD coverage kicks in after ninety (90) consecutive days of total disability, which is a 12-week STD period. The first ninety (90) days are called the "LTD Elimination Period." Our LTD policy covers 60% of your pre-disability earnings. The length of time is determined based on your doctor's recommendation and the insurance company's approval. CultureWorks may continue to provide benefits while you are on LTD, but benefits are not guaranteed. While a staff member is on LTD, they are prohibited from working at CultureWorks or at any other location, including their home (either for CultureWorks or otherwise). A physician's statement certifying the staff member's capacity to return to work will be required before returning to work.

### **Disability Accommodation**

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, CultureWorks will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires accommodation to perform the essential functions of the job shall contact the Chief Commons Director and request such an accommodation. The individual with the disability shall specify what accommodation he or she needs to perform the job. CultureWorks will then investigate to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. CultureWorks will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, CultureWorks will make the accommodation.

### **Family and Medical Leave Act (FMLA)**

This policy explains how CultureWorks complies with the federal Family and Medical Leave Act ("FMLA") which requires CultureWorks to permit each eligible employee to take up to 12 workweeks of FMLA leave in any 12-month period for the birth/adoption of a child, the employee's own serious illness or to care for certain family who have a serious illness.

#### **Employee Eligibility Criteria**

To be eligible for FMLA leave, the employee must have been employed by CultureWorks for the last 12 months and must have worked at least 1,250 hours during the 12-month period immediately preceding commencement of the FMLA leave.

### ***Events That May Entitle an Employee to FMLA Leave***

The 12-week FMLA allowance includes any time taken (with or without pay) for any of the following reasons:

1. To care for the employee's newborn child or a child placed with the employee for adoption or foster care. Leaves for this purpose must conclude 12 months after the birth, adoption, or placement.
2. If both parents are employed by CultureWorks, they will be entitled to a combined total of 12 weeks of leave for this purpose.
3. Because of the employee's own serious health condition (including a serious health condition resulting from an on-the-job illness or injury) that makes the employee unable to perform any one or more of the essential functions of his or her job (other than a disability caused by pregnancy, childbirth, or related medical conditions, which is covered by CultureWorks' separate Family Leave Policy below).
4. To care for a spouse, child, or parent with a "Serious Health Condition." A "Serious Health Condition" is an illness, injury, impairment, or physical or mental condition that involves: (1) inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment relating to such inpatient care; or (2) continuing treatment by a health care provider.

### ***Amount of FMLA Leave Which May Be Taken***

1. FMLA leave can be taken in one or more periods, but may not exceed 12 workweeks total for any purpose in any 12-month period, as described below, for any one, or combination of the above-described situations. "Twelve Workweeks" means the equivalent of twelve of the employee's normally scheduled workweeks. For a full-time employee who works five eight-hour days per week, "twelve workweeks" means 60 working and/or paid eight-hour days.
2. The "12-month period" in which 12 workweeks of FMLA leave may be taken is the 12-month period immediately preceding the commencement of any FMLA Leave.

### ***Pay during FMLA Leave***

1. An employee on FMLA leave because of his or her own Serious Health Condition will be paid using their paid time off for the first week's "elimination period" and then under the short-term disabilities policy at the beginning of any otherwise unpaid FMLA leave period.
2. An employee on FMLA leave for child care or to care for a spouse, parent, or child with a serious health condition may use any or all PTO or STD at the beginning of any otherwise unpaid FMLA leave.
3. All other FMLA leaves are unpaid leaves.

### ***Health Benefits***

The provisions of CultureWorks' various employee benefit plans govern continuing eligibility during FMLA leave, and these provisions may change from time to time. The health benefits of employees on FMLA leave will be paid by CultureWorks during the leave at the same level and under the same conditions, as coverage will have been provided if the employee had been continuously employed during the leave period. When a request for FMLA leave is granted, CultureWorks will give the employee written confirmation of the arrangements made for the payment of insurance premiums during the leave period.

### ***Seniority***

An employee on FMLA leave remains an employee and the leave will not constitute a break in service. An employee who returns from FMLA leave will return with the same seniority he or she had when the leave commenced.

### ***Medical Certifications***

1. An employee requesting FMLA leave because of his or her own or a relative's serious health condition must provide medical certification from the appropriate health care provider on a form supplied by CultureWorks. Failure to provide the required certification in a timely manner (within 15 days of the leave request) may result in denial of the leave request until such certification is provided.
2. If CultureWorks has reason to doubt the medical certification supporting a leave because of the employee's own serious health condition, CultureWorks may request a second opinion by a health care provider of its choice (paid for by CultureWorks). If the second opinion differs from the first one, CultureWorks will pay for a third, mutually agreeable, health care provider to provide a final and binding opinion.

3. Re-certifications are required if leave is sought after expiration of the time estimated by the health care provider. Failure to submit required re-certifications can result in termination of the leave.

### ***Procedures for Requesting and Scheduling FMLA Leave***

1. An employee shall request FMLA leave by following the Planned PTO policy. An employee asking for FMLA will be given a copy of CultureWorks then-current FMLA leave policy.
2. Employees shall provide not less than 30 days' notice or such shorter notice as is practicable, for foreseeable childbirth, placement, or any planned medical treatment for the employee or his/her spouse, child, or parent. Failure to provide such notice is grounds for denial of a leave request, except if the need for FMLA leave was an emergency or was otherwise unforeseeable.
3. Where possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt CultureWorks' operations.
4. If FMLA leave is taken because of the employee's own serious health condition or the serious health condition of the employee's spouse, parent or child, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.
5. If FMLA leave is taken because of the birth of the employee's child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two weeks, except that CultureWorks will grant a request for FMLA leave for this purpose of at least one day but less than two weeks' duration on any two occasions.
6. If an employee needs intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment for the employee or a family member, the employee may be transferred temporarily to an available alternative position for which he or she is qualified that has equivalent pay and benefits and that better accommodates recurring periods of leave than the employee's regular position.
7. In most cases, CultureWorks will respond to an FMLA leave request within two days of acquiring knowledge that the leave is being taken for an FMLA-qualifying reason and, in any event, within 10 days of receiving the request. If an FMLA leave request is granted, CultureWorks will notify the employee in writing that the leave will be counted against the employee's FMLA leave entitlement. This notice will explain the employee's obligations and the consequences of failing to satisfy them.

### ***Return to Work***

1. Upon timely return at the expiration of the FMLA leave period, an employee is entitled to the same or a comparable position with the same or similar duties and virtually identical pay, benefits, and other terms and conditions of employment unless the same position and any comparable position(s) have ceased to exist because of legitimate business reasons unrelated to the employee's FMLA leave.
2. When a request for FMLA leave is granted to an employee, CultureWorks will give the employee a written guarantee of reinstatement at the termination of the leave.
3. Before an employee will be permitted to return from FMLA leave taken because of his or her own serious health condition, the employee must obtain a certification from his or her health care provider that he or she is able to resume work.
4. If an employee can return to work with limitations, CultureWorks will evaluate those limitations and, if possible, will accommodate. If accommodation cannot be made, the employee will be medically separated from CultureWorks.

### ***Limitations on Reinstatement***

1. CultureWorks may refuse to reinstate a "key" employee if the refusal is necessary to prevent substantial and grievous economic injury to CultureWorks' operations. A "key" employee is an exempt salaried employee who is among the highest paid 10% of CultureWorks' employees within 75 miles of the employee's worksite.
2. A "key" employee will be advised in writing at the time of a request for, or if earlier, at the time of commencement of, FMLA leave, that he/she qualifies as a "key" employee and the potential consequences with respect to reinstatement and maintenance of health benefits if CultureWorks determines that substantial and grievous economic injury to CultureWorks' operations will result if the employee is reinstated from FMLA leave. At the time it determines that refusal is necessary, CultureWorks will notify the "key" employee in writing (by certified mail) of its intent to refuse reinstatement and will explain the basis for finding that the employee's reinstatement will cause CultureWorks to suffer substantial and grievous economic injury. If CultureWorks realizes after the leave has commenced that refusal of reinstatement is necessary, it will give the employee at least ten (10) days to return to work following the notice of its intent to refuse reinstatement.

### ***Employment during Leave***

An employee on FMLA leave may not accept employment with any other employer without CultureWorks' written permission. An employee who accepts such employment will be deemed to have resigned from employment at CultureWorks.

## Parental Leave

CultureWorks supports the first six (6) months after a staff member welcomes a child into their life. While an employee is on Parental Leave, CultureWorks will maintain your health and wellbeing benefits to the same extent the employee was covered the day they give notice of their leave.

For those giving birth, CultureWorks' STD policy covers your first 6-12 weeks depending on the specific circumstances of the birth, as determined by your physician, midwife, or caregiver. An employee's leave starts when the employee and their doctor decide it's time – which can be when you give birth or before depending on your situation. If your STD benefit for giving birth is less than 12 weeks, CultureWorks provides PTO at 60% of your pre-disability earnings (outside of our standard PTO Policy) for the balance of the 12-week period.

As dictated by the insurance company, parents not giving birth are not covered by CultureWorks' STD policy. CultureWorks offers those new parents not giving birth 6 weeks of PTO at 60% of your pre-disability earnings (outside of our standard PTO policy) and up to an additional 6 weeks of unpaid time away.

### *Returning to Work*

Whether an employee is or is not giving birth, after the initial 12-week period, CultureWorks will like to support the transition back to work by providing a few options if the employee would like more time and flexibility:

- Employees may use PTO to add up to 3 additional weeks of PTO (as per our PTO Policy). This allows for a total of 15 weeks away for parents. You are not obligated to take additional PTO.
- Staff on Parental Leave can return to work part-time or take additional unpaid time away before returning fully. After the initial 15 weeks you can take up to 3 additional weeks unpaid where you are paid only for the days that you work. This can be taken over the course of two months.

Parental Leave benefits are intended for staff members that would like to return to work after their leave. They are also in place to help our team manage time and expectations. To receive CultureWorks' Parental Leave benefits, we require that you resume employment following your leave. Your employment is considered resumed after you have returned to work for a period of three consecutive months. If you are not planning to return to work following the welcoming of your child, while you may be eligible for STD, you will not be eligible for CultureWorks' Parental Leave benefits. If you initially elect to receive compensation from CultureWorks in the form of salary or benefits but are unable to return to work or resign within three months following your leave, you will be required to reimburse CultureWorks any compensation paid out while you were on Parental Leave.

## **Pregnancy Disability Leave**

This policy explains how CultureWorks complies with the Section 9-1128 of The Philadelphia Code, entitled “Fair Practices Ordinance: Protections Against Unlawful Discrimination,” by requiring reasonable workplace accommodations for employees who have needs related to pregnancy, childbirth, or a related medical condition and making technical changes, all under certain terms and conditions.

More at: <http://philly.councilmatic.org/legislation/1233847>

### ***Employee Eligibility Criteria***

1. To be eligible for pregnancy disability leave, the employee must be disabled by pregnancy, childbirth, or a related medical condition and must provide appropriate medical certification concerning the disability.
2. The employee must request the accommodation.

## **Industrial Injury Leave (Workers’ Compensation)**

CultureWorks, in accordance with State law, provides insurance coverage for employees in case of work-related injuries. The workers’ compensation benefits provided to injured employees may include:

- Medical care.
- Cash benefits, tax-free to replace lost wages.
- Vocational rehabilitation to help qualified injured employees return to suitable employment.

To ensure you receive any worker’s compensation benefits to which you may be entitled, you will need to:

- Immediately report any work-related injury to your Manager.
- Seek medical treatment and follow-up care if required.
- Complete a written Employee’s Claim Form (DWC Form 1) and return it to your Manager.
- Provide CultureWorks with a certification from your healthcare provider regarding the need for worker’s compensation disability leave as well as your eventual ability to return to work from the leave.

It is CultureWorks’ policy that when there is a job-related injury, the priority is to ensure that the injured employee receives appropriate medical attention. CultureWorks, with the help of its insurance carrier, has selected medical centers to meet this need. Each medical

center was selected for its ability to meet anticipated needs with high quality medical service and a location that is convenient to CultureWorks' operation.

- If an employee is injured on the job, he/she is to go or be taken to the approved medical center for treatment. If injuries are such that they require the use of emergency medical systems (EMS) such as an ambulance, the choice by the EMS personnel for the most appropriate medical center or hospital for treatment will be recognized as an approved center.
- All accidents and injuries must be reported to the employee's Manager and to the individual responsible for reporting to CultureWorks' insurance carrier. Failure by an employee to report a work-related injury by the end of his/her shift can result in loss of insurance coverage for the employee. An employee may choose to be treated by his/her personal physician at his/her own expense, but he/she is still required to go to CultureWorks' approved medical center for evaluation. All job-related injuries must be reported to the appropriate State Workers' Compensation Bureau and the insurance carrier.
- When there is a job-related injury that results in lost time, the employee must have a medical release from CultureWorks' approved medical facility before returning to work.
- Any time there is a job-related injury, CultureWorks' policy requires drug/alcohol testing along with any medical treatment provided to the employee.

## **Bereavement Leave**

Staff members are encouraged to take PTO based on our PTO policy for planning, settling family affairs, bereavement, and/or attending the funeral or memorial service of a member of their immediate or chosen family.

## **Jury Duty or Witness Leave**

Team members are encouraged to use our PTO Policy to serve on jury duty and fulfill their court-related, civic obligations. CultureWorks provides staff members PTO to do so without change in status or loss of pay. Team members shall follow the standard PTO process for notifying staff and preparing to be away from the office.

## **Returning From Leave of Absence**

A "Leave of Absence" is any planned time away from work that requires the approval of an employee's Manager or the Chief Commons Director if the employee was not provided with a direct Manager. Employees cannot return from a Leave of Absence taken for a medical purpose without first providing a sufficient doctor's return to work authorization.

When business considerations require, the job of an employee on leave may be filled by a temporary or regular replacement. An employee shall give 30 days' notice before returning from leave to the person who approved their Leave of Absence. Whenever CultureWorks is notified of an employee's intention to return from a leave, CultureWorks will attempt to place the employee in his former position or in a comparable position regarding salary and other terms and conditions for which the employee is qualified. However, re-employment cannot always be guaranteed. If you need further information regarding Leaves of Absence, be sure to consult the Chief Commons Director.

## **DISCIPLINE AND TERMINATION OF EMPLOYMENT**

### **Rules of Conduct**

The following conduct is prohibited and will not be tolerated by CultureWorks. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and CultureWorks operations also may be prohibited. Further, the specification of this list of conduct in no way alters the at-will employment relationship.

- Insubordination - refusing to perform a task or duty assigned or act in accordance with instructions provided by an employee's Manager or proper authority.
- Inefficiency - including deliberate restriction of output, carelessness or unnecessary wastes of time or material, neglect of job, duties or responsibilities.
- Unauthorized soliciting, collecting of contributions, distribution of literature, written or printed matter is strictly prohibited on CultureWorks property by non-employees and by employees. This rule does not cover periods of time when employees are off their jobs, such as lunch periods and break times. However, employees properly off their jobs are prohibited from such activity with other employees who are performing their work tasks.
- Damaging, defacing, unauthorized removal, destruction or theft of another employee's property or of CultureWorks property.
- Fighting or instigating a fight on CultureWorks' premises.
- Violations of the drug policy.
- Using or possessing firearms, weapons or explosives of any kind on CultureWorks' premises.

- Gambling on CultureWorks' premises.
- Tampering with or falsifying any report or record including, but not limited to, personnel, absentee, sickness or production reports or records, specifically including applications for employment and time cards.
- Use of profane, abusive or threatening language in conversations with other employees and/or intimidating or interfering with other employees.
- Posting any notices on CultureWorks' premises without prior written approval of management, unless posting is on CultureWorks' bulletin board designated for employee postings.
- Conviction of a criminal act on CultureWorks' premises.
- Engaging in sabotage or espionage (industrial or otherwise).
- Violations of the sexual harassment policy.
- Failure to report a job-related accident to the employee's Manager or failure to take or follow prescribed tests, procedures or treatment.
- Any other conduct detrimental to other employees or CultureWorks' interests or its efficient operations.

## **OFF-DUTY CONDUCT**

### **Employee Activism**

Personal activism and political action is permitted so long as it remains a personal expression and not an expression of the organization. Staff may not utilize their affiliation with CultureWorks in any political or lobbying capacity. Staff may remain personally involved in causes that they care about, and that shall have little bearing on CultureWorks. Staff views do not necessarily reflect those of the organization.

### **Dating Members, Staff, or Board**

Dating members, staff, or board is permitted so long as one person in the relationship does not have control over the compensation or benefits of the other person. If this is the case, one person will need to recuse themselves from those decisions.

## Side Jobs/ Non-Solicitation

While CultureWorks does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with CultureWorks' legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect CultureWorks or its own integrity, reputation, or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects CultureWorks' legitimate business interests or the employee's ability to perform his or her work will not be tolerated.

While employed by CultureWorks, employees are expected to devote their energies to their jobs with CultureWorks. The following types of additional employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee's work schedule, duties, and responsibilities at our work.
- Additional employment that creates a conflict of interest or is incompatible with the employee's position with our work.
- Additional employment that impairs, or has a detrimental effect on, the employee's work performance with our work.
- Additional employment that requires the employee to conduct work or related activities on CultureWorks' property during the employer's working hours or using our work facilities and/or equipment.
- Additional employment that directly or indirectly competes with the business or the interests of our work.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest must submit a written request to the Chief Commons Director explaining the details of the additional employment. If the additional employment is authorized, CultureWorks assumes no responsibility for it. CultureWorks shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

## PERFORMANCE IMPROVEMENT PLANS AND TERMINATION

### Performance Improvement Plan

CultureWorks utilizes a Performance Improvement Plan (PIP) for staff that require performance support beyond the regularly scheduled ongoing and annual feedback

process. The PIP is issued when a staff member does not consistently meet CultureWorks' performance expectations and is meant to help define serious areas of concern, gaps between the staff members' work performance and Job Description, and allow staff the opportunity to demonstrate improvement and commitment. If you are asked to participate in a PIP, it is a sign of our continued commitment to assisting you in achieving immediate and sustained improvement.

## **Resignation**

If it is to ever become necessary for you to terminate your employment with CultureWorks, please notify your Manager or the Chief Commons Director, regarding your intention as far in advance as possible. At least two weeks' notice is expected whenever possible, and more is appreciated. If you are participating in the medical and/or dental and vision plans, you will be sent information on your rights under Pennsylvania Mini-COBRA.

## **Termination**

Although Involuntary Terminations generally include prior notice to the affected team member, CultureWorks reserves the right to bypass any notice, including the steps outlined in a Performance Improvement Plan, as it deems necessary considering the specific circumstances.

In the event of gross misconduct by a team member, termination may occur without prior notice or application of the Performance Improvement process. Gross misconduct may include, but is not limited to, the following:

- Violence or the threat of violence in the workplace.
- Theft or fraud.
- Serious negligence, recklessness or intentional wrongdoing.
- Acts of discrimination or retaliation.

A Manager contemplating involuntary termination of a team member must review the matter with the Chief Commons Director prior to making a final determination. The Manager is responsible for compiling complete and accurate documentation regarding any Involuntary Termination, regardless of the basis, as outlined in the Performance Improvement Plan Policy. The Chief Commons Director is responsible for conducting the termination meeting with the affected team member, and for fully documenting the discussion.

## **Separation Processing**

The immediate Manager is responsible for completing the Termination of Employment Checklist, prior to the departure of the terminating team member and is expected to see

that all CultureWorks property is returned to the organization by the employee upon termination. These items shall be returned on or before the last day of the member's employment. This includes:

- Keys and Key Fob.
- Access to CultureWorks' administrative systems.
- Laptop or other CultureWorks equipment used off-site.
- Any other CultureWorks property in the possession of the employee.

Employees are obliged to maintain confidentiality for any information they may have been privileged to during employment post separation. Managers or the Chief Commons Director shall determine a date to revoke access rights to various CultureWorks property and information, including but not limited to building access, computer systems and accounts, and information access privileges on or before the date of termination.

## **INTERNAL COMPLAINT REVIEW**

The purpose of the "Internal Complaint Review Policy" is to afford all employees of *CultureWorks* the opportunity to seek internal resolution of their work-related concerns. All employees have free access to their immediate Managers or to other members of the management team of their choice to informally express their work-related concerns.

### **Complaint Procedure**

CultureWorks has established the following procedure for lodging a complaint of harassment, discrimination or retaliation and will treat all aspects of the procedure confidentially to the extent reasonably possible.

1. An individual who feels harassed, discriminated against or retaliated against may initiate the complaint process by filing a complaint in writing with CultureWorks' Chief Commons Director (CCD). No formal action will be taken against any person under this policy unless the CCD has received a written and signed complaint containing sufficient details to determine if the policy may have been violated. The complainant (the employee making the complaint) may obtain the complaint form from the CCD. If a supervisor or Manager becomes aware that harassment or discrimination is occurring, either from personal observation or because of an employee's coming forward, the supervisor or Manager should immediately report it to the CCD.
2. Upon receiving a complaint or being advised by a supervisor or Manager that violation of this policy may be occurring, the CCD will notify the company and review the complaint with the company's legal counsel.

3. Within five (5) working days of receiving the complaint, the CCD will notify the person(s) charged [hereafter referred to as “respondent(s)”] of a complaint and initiate the investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
4. During the investigation, the CCD, together with legal counsel or other management employees, will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
5. Within fifteen (15) business days of the complaint being filed (or the matter being referred to the CCD), the CCD or other person conducting the investigation will conclude the investigation and submit a written report of his or her findings to the company.
6. If it is determined that harassment or discrimination in violation of this policy has occurred, the CCD will recommend appropriate disciplinary action. The appropriate action will depend on the following factors: a) the severity, frequency and pervasiveness of the conduct; b) prior complaints made by the complainant; c) prior complaints made against the respondent; and d) the quality of the evidence (e.g., first-hand knowledge, credible corroboration).
7. If the investigation is inconclusive or if it is determined that there has been no violation of policy, but potentially problematic conduct may have occurred, the CCD may recommend appropriate preventive action.
8. Within five (5) business days after the investigation is concluded, the CCD will meet with the complainant and the respondent separately, notify them of the findings of the investigation, and inform them of the action being recommended.
9. The complainant and the respondent may submit statements to the CCD challenging the factual basis of the findings. Any such statement must be submitted no later than five (5) working days after the meeting with the CCD in which the findings of the investigation are discussed.
10. Within ten (10) days from the date the CCD meets with the complainant and respondent, the company will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the CCD and other management staff as may be appropriate, and decide what action, if any, will be taken. The CCD will report the company’s decision to the complainant, the respondent and the appropriate management assigned to the department(s) in which the complainant and the respondent work. The company’s decision will be in writing and will include findings of fact and a statement for or against disciplinary action. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

## **Investigation**

An objective and timely investigation of all complaints, which cannot be resolved informally, will be undertaken. This includes meeting separately with the employee and with others who either are named in the complaint or who may have knowledge of the facts set forth in the complaint.

CultureWorks will attempt to treat all internal complaints and their investigation as confidential, recognizing, however, while investigating and resolving internal complaints, some dissemination of information to others may be necessary or appropriate. Upon completion of the investigation, the Chief Commons Director shall report the finding(s) to the employee in writing.

## **Non-Retaliation**

If an employee has filed a complaint in good faith, the employee will not be disciplined or otherwise penalized for lodging the complaint. If an employee believes that he or she is being retaliated against for lodging a complaint, the employee should immediately notify the Chief Commons Director.

## **Alternative Legal Remedies**

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.

## **AMENDMENT TO EMPLOYEE HANDBOOK**

This CultureWorks Employee Handbook contains the employment policies and practices of CultureWorks in effect at the time of publication. All previously issued handbooks or any inconsistent policy statements or memoranda are superseded. CultureWorks reserves the right to amend, delete or otherwise modify this Handbook at any time provided that such modifications are in writing and duly approved by the employer. Any written changes to the Handbook will be distributed to all employees. No oral statements can in any way change or alter the provisions of this Handbook.