

BRIGHTON VOLUNTEER AMBULANCE, INC.



EMPLOYEE HANDBOOK

Prepared by:



BRIGHTON VOLUNTEER AMBULANCE, INC.

Employee Handbook

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SECTION ONE

INTRODUCTION

WELCOME

Brighton Volunteer Ambulance, Inc. (BVA) has a long and proud history dating back to 1986. You, as a BVA employee, are an important part of our continued heritage.

Brighton Volunteer Ambulance, Inc. endeavors to be a leader in emergency medical services and provide premier prehospital care by:

- Respecting the values of our staff, our patients and the community
- Collaborating with other healthcare and emergency service providers
- Promoting and maintaining professional standards in emergency medicine
- Delivering training and prevention initiatives to the community

This handbook summarizes many of your privileges, benefits and responsibilities as an employee of our agency. If you are a new employee, it will be helpful in acquainting you with our agency's philosophies and human resources practices. If you are already a member of the BVA team, this handbook should prove to be a useful reference. Above all, we hope it will promote consistency, fairness and understanding throughout our agency.

In order to maintain the necessary flexibility in the administration of policies and procedures, BVA reserves the right to change, revise or terminate any of the policies and/or benefits discussed in this manual with or without advance notice. After you have read your handbook, please keep it handy for future reference and updating.

Welcome to BVA! We are glad that you have joined our agency and we hope that you will find your work with us to be both challenging and rewarding.

Daniel McCue
President

Barbara Sforza
Business/HR Manager

A WORD ABOUT OUR EMPLOYEE RELATIONS PHILOSOPHY

We are committed to providing the best possible climate for maximum development and goal achievement for all employees. Our practice is to treat each employee as an individual. We seek to develop a spirit of teamwork; individuals working together to attain a common goal.

In order to maintain an atmosphere where these goals can be accomplished, we provide a comfortable workplace where communication is open and problems can be discussed and resolved in a mutually respectful atmosphere. We take into account individual circumstances and the individual employee.

We firmly believe that with direct communication, we can continue to resolve any difficulties that may arise and develop a mutually beneficial relationship.

PREFACE

This handbook* outlines the Human Resources policies and benefit plans currently in effect at Brighton Volunteer Ambulance, Inc. In this employee handbook, Brighton Volunteer Ambulance is also referred to as “BVA” or “agency.” Policies are revised or added periodically and are effective as of the date issued.

The statements regarding our agency’s policies, procedures and benefits are for information purposes only. They do not constitute a contract for employment, either expressed or implied. Our agency adheres to the principle of employment-at-will which preserves the right of either the employee or the employer to terminate the employment relationship at any time, with or without cause. No manager, supervisor or employee of Brighton Volunteer Ambulance has any authority to enter into an agreement for any employment other than at will. Only the President has the authority to make any such agreement and it must be in writing.

Important Information about Benefits

As our agency evolves, we will continue to review and revise these human resources policies and benefit programs. The Agency reserves the right to alter, reduce or terminate any pay practices, policies, premium contributions, benefits and benefit plans, in whole or in part, at any time for any reason to the extent permissible by law. Any such change may affect retirees and beneficiaries, as well as active employees.

The benefit information found in this handbook is intended to provide an overview of the benefit plans. The actual benefits are controlled by the terms of the applicable plan documents and insurance policies. Questions regarding the interpretation of these plans will be answered in accordance with the actual plan documents and insurance policies, rather than the summaries contained in this handbook. Employees may obtain copies of these documents from the Business Manager.

- This handbook and its policies are effective October 2017 and supersede all other personnel manuals and personnel policies previously distributed by the Agency. To avoid confusion, please discard any copies of previously published employee handbooks.

SECTION TWO

EMPLOYMENT PRACTICES

2.01 EQUAL EMPLOYMENT OPPORTUNITY

BVA is committed to a policy of Equal Employment Opportunity with respect to all employees and applicants for employment. Consistent with this commitment, our policy is to comply with all applicable federal, state and local laws concerning employment discrimination. Accordingly, the Agency prohibits discrimination against qualified employees and applicants in all aspects of employment including, but not limited to: recruitment, interviewing, hiring (or failure or refusal to hire), evaluation, compensation, promotion, job assignment, transfer, demotion, training, leaves of absence, layoff, benefits, use of facilities, working conditions, termination and employer-sponsored activities and programs, including wellness, social and recreational programs. Employment decisions will be made without regard to an applicant's, employee's actual or perceived: race; color; sex; age; disability; religion; creed; citizenship; national origin; ancestry; military status or veteran status; marital status; familial status; gender identity and expression; sexual orientation; status as a victim of domestic violence, stalking or sex offenses; predisposing genetic characteristics; genetic information; relationship or association and any other status protected by law.

MANAGEMENT RESPONSIBILITIES

All members of management are responsible for understanding the Agency's commitment to this policy and ensuring this policy is carried out. Supervisors are responsible for immediately reporting and responding to a discrimination complaint. It is critical that any formal or informal reference to discrimination is taken seriously.

REASONABLE ACCOMMODATIONS

The Agency will endeavor to make reasonable accommodations for a qualified applicant or employee with a known disability, unless doing so would result in an undue hardship to the Agency. If an employee believes he/she needs assistance to perform his or her job duties because of a physical or mental limitation, please let the Business Manager know. Likewise, we will endeavor to make reasonable accommodations, upon request, arising out of an individual's sincerely held religious beliefs or practices, unless doing so would result in an undue hardship to the Agency. If an employee requires a reasonable accommodation arising out of a sincerely held religious belief or practice, please let the Business Manager know.

QUESTIONS AND COMPLAINTS

Questions regarding the administration of this policy or a complaint regarding Equal Employment Opportunity should be directed to the employee's supervisor or to the Business Manager. The Agency will promptly and thoroughly investigate all complaints. Confidentiality will be maintained to the greatest degree possible, consistent with the Agency's obligation to thoroughly investigate the complaint.

Any individual at any time, even after separation of employment who feels this policy has been violated should immediately contact his or her supervisor or the Business Manager.

If not satisfied with the resolution, an employee may pursue an appeal. Appeals will generally follow the steps outlined in the [Open Communication](#) policy.

NO RETALIATION

It is the policy of BVA that any employee or applicant who makes or participates in the investigation of a discrimination complaint will not be retaliated against in any way. Employees or applicants who feel they have been retaliated against for such activity should immediately contact the Business Manager.

Anyone found to be engaging in any type of inappropriate conduct under this policy may be subject to disciplinary action, up to and including termination of employment.

2.02 SEXUAL HARASSMENT

It is the policy of BVA that all employees are provided a work environment free from all forms of discrimination and harassment, including sexual harassment. Sexual harassment refers to sexually oriented behavior that is not welcome, that is personally offensive and interferes with our work effectiveness. All employees and non-employees conducting business in our workplace or at any other location where BVA-sponsored activities occur must refrain from engaging in sexual harassment.

DEFINITION

While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited conduct include, but are not limited to: unwelcome sexual advances, requests for sexual favors, obscene gestures, uninvited touching of a sexual nature, sexually-related comments, displaying sexually graphic magazines, cartoons, pictures, calendars or posters, sending sexually explicit e-mail or voice-mail and/or other verbal, visual, written or physical conduct of a sexual nature that: 1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities. Also prohibited is any disrespectful behavior through insulting or degrading remarks or conduct of a sexual nature where the submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or hostile environment.

REPORTING HARASSMENT

All employees have a duty to report any instances of sexual harassment, whether the harassment is directed toward you or another employee and whether committed by a supervisor, fellow employee, or non-employee. Employees who believe they have been subject to sexual harassment, or have witnessed conduct they believe could be considered sexual harassment, should report the conduct immediately to their supervisor or the Business Manager. The Agency will promptly and thoroughly investigate all reports. An employee who has not received a satisfactory response within five (5) business days after reporting any incident of perceived discrimination or harassment should contact the Business Manager.

MANAGEMENT RESPONSIBILITIES

Supervisors who observe an employee violating this policy should take immediate action to stop the misconduct. Supervisors who receive a report of sexual harassment or obtain knowledge of potential sexual harassment by other means, must immediately notify the Business Manager, even if no report has been made by an employee or even if the employee reporting the conduct has requested that no action be taken. A prompt and appropriate investigation will take place.

Supervisors are also responsible for ensuring that the Agency is free from sexual harassment even if it is committed by individuals not employed by the Agency. This may include, but is not limited to: patients, vendors, independent contractors, visitors or any other individual conducting business in the workplace. Supervisors aware of this harassment are to immediately notify the Business Manager so the Agency can appropriately respond to the situation.

CONFIDENTIALITY AND RETALIATION

It is the policy of BVA that any employee reporting or participating in the investigation of a sexual harassment claim will not be retaliated against in any way. Reports will be promptly investigated and confidentiality will be maintained to the greatest degree possible, consistent with our obligation to thoroughly investigate the allegation. Employees who feel that they have been retaliated against for reporting sexual harassment or participating in an investigation should contact the Business Manager.

CORRECTIVE ACTION

If a report of sexual harassment is found to be valid, immediate and appropriate corrective action will be taken. Employees who violate this policy, including the provision against retaliation, will be subject to disciplinary action, up to and including termination. This determination will be based on all the facts of the case.

2.03 NON-HARASSMENT

BVA is committed to maintaining an environment free from all forms of unlawful harassment and where all employees are treated with dignity and respect. This includes conduct both at the workplace and at any other location where Agency-sponsored activities occur. The Agency prohibits unlawful harassment against anyone, for any reason, including, but not limited to an individual's actual or perceived: race; color; sex; age; creed; disability; religion; citizenship; national origin; ancestry; military status or veteran status; marital status; familial status; gender identity and expression; sexual orientation; status as a victim of domestic violence, stalking or sex offenses; predisposing genetic characteristics; genetic information; relationship or association and any other status protected by law. All employees and non-employees conducting business in our workplace must refrain from engaging in unlawful harassment.

DEFINITION

The creation of an intimidating or hostile working environment, based on one or more of the above categories, constitutes unlawful harassment. Specific types of unlawful harassment include, but are not limited to:

- Physical harassment: refers to pushing, hitting or unwanted physical touching;
- Verbal abuse: refers to verbal comments made regarding an individual's actual or perceived membership in one of the protected categories listed above;
- Written harassment: refers to derogatory or degrading written comments made regarding an individual's actual or perceived membership in one of the protected categories listed above. Specific examples include, but are not limited to: e-mail, text messages, memos, notes, graffiti, other visual depictions or pictures;
- Inappropriate, unwelcome behaviors such as whistling and/or not giving someone enough physical space; and
- Any other conduct that has the purpose or effect of creating an intimidating, hostile or offensive working environment as defined by law or has the purpose or effect of unreasonably interfering with an individual's work performance or otherwise adversely affecting an individual's employment opportunities.

Unlawful harassment, whether it is sexual, physical, verbal or written, is a form of employee misconduct which undermines the integrity of the employment relationship within the Agency.

REPORTING HARASSMENT

All employees have a duty to report any instances of harassment, whether the harassment is directed toward you or another employee and whether committed by a supervisor, fellow employee, or non-employee. Employees, who believe they have been subject to harassment, or if they witness conduct they believe could be considered harassment, should immediately report the conduct to their supervisor or the Business Manager. The Agency will promptly and thoroughly investigate all reports. An employee who has not received a satisfactory response within five (5) business days after reporting any incident of perceived discrimination or harassment should contact the Business Manager.

MANAGEMENT RESPONSIBILITIES

Supervisors who observe an employee violating this policy should take immediate action to stop the harassment. Supervisors who receive a report of harassment or obtain knowledge of potential harassment by other means must immediately notify the Business Manager, even if no report has been made by an employee or even if the employee reporting the conduct has requested that no action be taken. A prompt and appropriate investigation will take place.

Supervisors are also responsible for ensuring that the Agency is free from unlawful harassment by individuals not employed by the Agency. This may include, but is not limited to: patients, vendors, independent contractors, visitors or any other individual conducting business in the workplace. Supervisors aware of this harassment are to notify the Business Manager immediately so the Agency can appropriately respond to the situation.

CONFIDENTIALITY AND RETALIATION

It is the policy of BVA that any employee making a report or participating in the investigation of harassment will not be retaliated against in any way. Reports will be investigated promptly and confidentiality will be maintained to the greatest degree possible, consistent with our obligation to thoroughly investigate the allegation. Employees who feel that they have been retaliated against for reporting harassment or participating in the investigation should contact the Business Manager.

CORRECTIVE ACTION

If a report of harassment is found to be valid, immediate and appropriate corrective action will be taken. Employees who violate this policy, including the provision against retaliation, will be subject to disciplinary action up to and including termination. This determination will be based on all the facts of the case.

2.04 DIVERSITY

Brighton Volunteer Ambulance is committed to fostering, cultivating and preserving a culture of diversity and inclusion. Our human capital is the most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities and talent that our employees invest in their work represents a significant part of not only our culture, but our reputation and company's achievement as well.

PURPOSE

We embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees unique.

Brighton Volunteer Ambulance diversity initiatives are applicable but not limited to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of gender and diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Work/life balance through flexible work schedules to accommodate employees' varying needs.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for the diversity.

EMPLOYEE RESPONSIBILITIES

All employees of Brighton Volunteer Ambulance have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other company-sponsored and participative events. All employees are also required to attend and complete annual diversity awareness training to enhance their knowledge to fulfill this responsibility.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.

Employees who believe they have been subjected to any kind of discrimination that conflicts with the company's diversity policy and initiatives should seek assistance from Chief of EMS Operations or the Business Manager.

2.05 COMPLIANCE POLICY

Brighton Volunteer Ambulance operates all its business activities utilizing an effective Compliance Plan and Code of Conduct.

STANDARD

The New York Office of Medicaid Inspector General's Office and the OIG have compliance requirements for all EMS providers. Effective Compliance Programs per NY OMIG contain 8 elements and a focus on Fraud, Waste and Abuse.

PROCEDURE

Brighton Volunteer Ambulance maintains a Compliance Plan and Code of Conduct. The Compliance Plan is reviewed and updated on a routine basis by the Compliance Officer and Compliance Committee and every time an issue is identified or a Bulletin/Alert is issued by NY OMIG or the OIG.

SCOPE

All staff members-employees and volunteers alike are expected to adhere to this policy and procedure.

PURPOSE

Brighton Volunteer Ambulance recognizes compliance requirements and makes an effort to operate incorporating the elements of compliance to identify compliance issues and further prevent patterns of error, fraud, waste and abuse.

BVA's Board of Directors manages the Compliance Program. The Compliance Plan and Code of Conduct is reviewed and approved by the Board of Directors annually.

2.06 CODE OF ETHICS

BVA's reputation is dependent upon the good judgment, ethical standards and personal integrity of every individual in our agency. As our agency continues to grow, it is of paramount importance that we always conduct our day-to-day activities in an ethical and responsible manner. It is our expectation that all employees of BVA will be treated with dignity and respect.

CONFLICT OF INTEREST

Employees must refrain from participating in any activity or business venture which could conflict with the interests of BVA. Specifically, employees may not accept personal payment or other benefits from any supplier or patient of the Agency, nor should they take any action as a representative of the Agency for personal gain. Employees also may not accept a second job with a patient, competitor or supplier of the Agency where there is an actual or perceived conflict.

PROPRIETARY INFORMATION

In working at BVA, employees will learn things about our business and our patients' businesses which are proprietary or confidential. Every employee of the Agency has a professional and ethical responsibility to treat this information as privileged and to ensure such information is not improperly or accidentally disclosed. Except as required in the performance of their duties for the Agency, employees may not use or disclose any proprietary information such as business plans, financial data, management information systems, trade secrets, patient or supplier information and patient or supplier contracts to anyone who does not work for us or have a need to know the information.

Upon termination of employment, employees must return all agency property and all copies of documents, notes, computer disks, flash drives and other repositories containing pricing lists, invoices, marketing methods, management information systems, financial information, employee lists and all other information that is not general public knowledge relating to BVA and not retain any duplicates.

RECEIVING AND GIVING GIFTS

Employees should avoid situations that could create an actual or perceived conflict of interest, or that could otherwise hinder an employees's ability to perform his or her job in an honest and ethical manner. To this end, employees may not accept substantial gifts, favors or excessive business entertainment from customers or suppliers. A gift, favor or entertainment is considered substantial or excessive if it might influence an employee's business relationship with the

donor. Generally, substantial gifts or favors should be reported to your supervisor.

EMPLOYEE RESPONSIBILITY

Employees are responsible for promptly advising management of any violation or suspected violation of these guidelines on conflicts of interest, proprietary information or gift giving and receiving or any violation or suspected violation of any other agency policy. Violations of this policy are subject to disciplinary action, up to and including termination of employment and, if applicable, legal action. The Agency protects those employees from retaliation who in good faith report possible inappropriate, unprofessional, illegal or unethical actions. Any employee who believes they have been retaliated against in violation of this policy should notify the Business Manager immediately. Individuals who engage in any retaliation in contravention of this policy are subject to disciplinary action in accordance with the Agency's [Standards of Conduct](#) policy.

ADDITIONAL INFORMATION

Employees should meet with their supervisor or the Business Manager if they have questions regarding the application of this policy.

2.07 PROMOTION OF ETHICAL CONDUCT

As a nonprofit organization Brighton Volunteer Ambulance, Inc. endeavors to be a leader in emergency medical services and provide premier pre-hospital care.

GENERAL REQUIREMENTS

Brighton Volunteer Ambulance Inc.'s policy is to uphold the highest legal, ethical, and moral standards. Our donors and community support Brighton Volunteer Ambulance because they trust us to be good stewards of their resources, and to uphold rigorous standards of conduct. Our reputation for integrity and excellence requires the careful observance of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

Brighton Volunteer Ambulance will comply with all applicable laws and regulations and expects its officers, members and employees to conduct business in accordance with the letter and spirit of all relevant laws; to refrain from any illegal, dishonest, or unethical conduct; to act in a professional, businesslike manner; and to treat others with respect. Board Members, Directors, Supervisors, and all other personnel shall not use their jobs to obtain unreasonable or excessive services or expertise from the employees and members of Brighton Volunteer Ambulance.

In general, the use of good judgment based on high ethical principles will guide officers, members and employees with respect to lines of acceptable conduct. However, if a situation arises where it is difficult to determine the proper course of conduct, or where questions arise concerning the propriety of certain conduct by an individual or others, the matter should be brought to attention of Brighton Volunteer Ambulance. Both employees and members should contact their Supervisors. Board members should raise any such concerns with the President of the Board of Directors.

ADDITIONAL INFORMATION

In all questions involving ethics and conduct, the Board of Directors will make relevant determinations, except that any individual board member whose conduct is at issue will not participate in such decisions.

2.08 CONFLICT OF INTEREST

This policy is based on the IRS model Conflict of Interest Policy, which is an attachment to Form 1023. It adds information needed to allow BVA to assess director independence in order to answer questions on Form 990. This policy has been updated to meet the requirements of the NYS Nonprofit Revitalization Act of 2013.

PURPOSE

The purpose of this Conflict of Interest Policy (referred to as the “policy”) is to:

- protect BVA’s interests when it contemplates entering into a transaction or arrangement that might benefit the private interests of a BVA officer, director, or key employee, or might result in a possible excess benefit transaction.
- identify an “independent” director.

The Board of Directors is responsible for overseeing the implementation of, and compliance with, this policy. Only independent directors can participate in deliberation or voting.

This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest applicable to nonprofit and charitable organizations.

DEFINITIONS

Financial Review Committee: The Financial Review Committee is a standing committee of the Board of Directors and is chaired by the Board Treasurer. The committee is responsible for internal quarterly reviews of the organization’s financial activities. Only independent directors can serve on the Financial Review Committee.

Board: The term "Board" means "Board of Directors", the governing board of the corporation.

Compensation: Direct and indirect remuneration, as well as gifts or favors that are considered substantial.

Director: Any member of the Board of Directors who is not an officer.

Financial interest: A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- An ownership or investment interest in any entity with which BVA has a transaction or arrangement.
- A compensation arrangement with BVA or with any entity or individual with which BVA has a transaction or arrangement.

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- A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which BVA is negotiating a transaction or arrangement.
- A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the Board decides that a conflict of interest exists, in accordance with this policy.

Independent Director: A director shall be considered “independent” for the purposes of this policy if he or she is “independent” as defined in the instructions for the IRS 990 form or, until such definition is available, the director meets all of the following:

- Is not, and has not been within the last three years, an employee of BVA or an affiliate of BVA or any entity in which BVA has a financial interest;
- Does not have a relative who is, or has been within the last three years, a key employee of BVA or an affiliate of BVA;
- Has not received, and does not have a relative who has received, more than \$10,000 in direct compensation from BVA, or an affiliate of BVA, within the last three years. Does not include reimbursement for expenses reasonably incurred.
- Does not directly or indirectly have a significant business relationship with BVA which might affect independence in decision-making;
- Is not employed as an executive of another corporation where any BVA’s officer or employee serves on that corporation’s compensation committee;
- Does not have an immediate family member who is an officer or employee of BVA or who holds a position that has a significant financial relationship with BVA;
- Is not a current employee of or does not have a substantial financial interest in, and does not have a relative who is a current officer of or has a substantial financial interest in, any entity that has made payments to or received payments from BVA or an affiliate of BVA, for property or services in an amount that, in any of the last three fiscal years, exceeds the lesser of \$25,000 or two percent of such entity’s consolidated gross revenues. For this definition, “payment” does not include charitable contributions.

Interested person: Any BVA officer, director, or key employee who has a direct or indirect financial interest, as defined below.

Key Employee: Any person who is in a position to exercise substantial influence over the affairs of BVA. Key employees are the Chief of EMS Operations and the Business Manager.

Officer: Officers are the President, Vice President, Treasurer, and Secretary of the Board of Directors.

Relative of an individual: Spouse or domestic partner, ancestors, brothers and sisters (whole or half-blood), children (natural or adopted), stepchildren,

grandchildren, great-grandchildren; and spouses of brothers, sisters, children, grandchildren and great-grandchildren.

Related Party:

- Any officer, director, or key employee of BVA or any affiliate of BVA;
- Any relative of an officer, director, or key employee of BVA or any affiliate of BVA;
- Any entity in which any individual described above has a 35% or greater ownership or beneficial interest in, or in the case of a partnership or professional corporation in a direct or indirect ownership in excess of 5%.

Related Party Transaction: Any transaction, agreement or arrangement in which a related party has financial interest and in which BVA or any affiliate of BVA is a participant.

PROCEDURES

1. **Duty to Disclose** -- In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Board.
2. **Recusal of Self** -- Any officer or director may recuse himself/herself at any time from involvement in any decision or discussion in which he/she believes they have, or may have, a conflict of interest, without going through the process for determining whether a conflict of interest exists.
3. **Determining Whether a Conflict of Interest Exists** -- After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the Board meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board members shall decide if a conflict of interest exists.
4. **Procedures for Addressing the Conflict of Interest**
 - a. An interested person may make a presentation at the Board meeting but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
 - b. The President of the Board shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
 - c. After exercising due diligence, the Board shall determine whether BVA can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
 - d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board shall determine by a majority vote of the disinterested officers and directors whether the transaction or arrangement is in BVA's best interest,

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for BVA's benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

5. Violations of the Conflicts of Interest Policy

- a. If the Board has reasonable cause to believe a member has failed to disclose an actual or possible conflict of interest, it shall inform the member of the basis for such belief and provides the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

RECORDS OF PROCEEDINGS FOR ADDRESSING A CONFLICT OF INTEREST

The Board meeting minutes shall contain:

- a. the name(s) of the person who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board's decision as to whether a conflict of interest in fact existed.
- b. the names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

COMPENSATION

A voting member of the Board who receives compensation, directly or indirectly, from BVA for services is precluded from voting on matters pertaining to that member's compensation.

A voting member of the Board whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from BVA for services is precluded from voting on matters pertaining to that member's compensation.

Voting members of the Board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from BVA, either individually or collectively, are prohibited from providing information to any committee regarding compensation.

ANNUAL CONFLICT OF INTEREST STATEMENT

1. Each BVA officer, director, and key employee must complete an Annual Conflict of Interest Statement.
 - a. The statement affirms he/she:
 - has received a copy of the Conflict of Interest Policy,
 - has read and understands the policy,
 - has agreed to comply with the policy, and

- understands that BVA is charitable organization and in order to maintain its federal tax exemption, it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.
 - b. Officers and directors must complete the section that declares whether he/she is an independent director.
2. Prior to election to the Board, each candidate must sign an Annual Conflict of Interest Statement.
 3. If at any time during the year the information in the Annual Conflict of Interest Statement changes materially, the officer, director or key employee shall disclose such changes and revise the annual statement.
 4. The Board shall regularly and consistently monitor and enforce compliance with this policy by reviewing annual statements and taking such other actions as are necessary for effective oversight.
 5. The Secretary of the Board of Directors will distribute the Annual Conflict of Interest Statements to applicable BVA personnel for completion, collect the completed statements by the date requested, and give the completed statements to the Financial Review Committee Chairperson.
 6. The Financial Review Committee has the following responsibilities:
 - a. Review the completed statements to identify:
 - potential conflict of interest concerns that have not already been addressed
 - members of the Board who are not an independent director
 - b. Report to the Board that the Annual Statements have been completed and reviewed, and identifying possible areas of concern
 - c. Give the completed originals to the Business Manager for filing.

PERIODIC REVIEWS

Periodic reviews shall be conducted to ensure that BVA operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information.
- b. Whether partnerships, joint ventures, and arrangements with management organizations, if any, conform to BVA's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement or impermissible private benefit or in an excess benefit transaction.

USE OF OUTSIDE EXPERTS

When conducting the periodic reviews as provided for in Article VII, BVA may use outside advisors. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring periodic reviews are conducted.

2.09 INDIVIDUALS WITH DISABILITIES

BVA complies with the Americans with Disabilities Act (ADA) and New York State Human Rights Laws which make it unlawful to discriminate in employment against a qualified individual with a disability. The Agency prohibits discrimination against employees and applicants with disabilities in all aspects of employment. Our agency's commitment to this policy includes making reasonable accommodations to otherwise qualified persons with disabilities to enable them to perform the essential functions of their jobs, unless doing so would pose an undue hardship on our business, would pose a direct threat of substantial harm to the employee or others or is otherwise not required by applicable law.

OUR COMMITMENT

An employee or applicant in need of a reasonable accommodation should make the Agency aware of his or her request by notifying the Business Manager. The Agency will work with each individual to define his or her job-related or application-related needs and to try to accommodate those needs.

QUALIFIED INDIVIDUALS WITH DISABILITIES

Qualified individuals with disabilities are defined as individuals with disabilities who can perform the essential functions of the job in question with or without reasonable accommodation. The term disability is defined by applicable law.

REASONABLE ACCOMMODATION

A reasonable accommodation is any change or adjustment to a job, the work environment or the way things usually are done that enables a qualified individual with a disability to perform the essential functions of the job and that does not pose an undue hardship for the Agency or create a direct threat to health or safety.

When requesting an accommodation, employees are required to notify the Business Manager of the need for the accommodation. The Agency may ask for medical documentation supporting the need for an accommodation and all supporting documentation should be returned as quickly as possible to prevent a delay in the accommodation process.

Requests for a reasonable accommodation for a medical condition and any supporting documentation, will be treated as confidential, maintained in a file separate from an employee's other personnel documents and disclosed only as permitted by applicable law.

DETERMINING APPROPRIATE ACCOMMODATIONS

Frequently, when a qualified individual with a disability requests a reasonable accommodation, the appropriate accommodation is easily agreed upon. The individual may recommend an accommodation based on his or her life or work experience. The ultimate decision as to whether a particular accommodation will be made rests with the Agency. When the appropriate accommodation is not obvious, the Agency may assist the individual in identifying one. If more than one accommodation will enable the individual to perform the job, the Agency reserves the right to choose which accommodation it will make.

If you feel that you have been unreasonably denied an accommodation request, please speak with the Business Manager. If you should have any questions concerning this policy you should speak with the Business Manager.

2.10 WHISTLEBLOWER PROTECTION

This policy has been updated to meet the requirements of the NYS Nonprofit Revitalization Act of 2013. A copy of this policy must be distributed to all officers, directors, employees, and members (referred to as “BVA personnel”) who provide substantial services to the organization.

PURPOSE

The Whistleblower Protection Policy (referred to as the “policy”) protects any person from retaliation when they, in good faith, report any of the following:

- improper or suspected improper conduct by BVA personnel;
- a concern or complaint about BVA accounting practices, internal controls, or auditing;
- a violation or suspected violation of the Policy for the Promotion of Ethical Conduct.

DEFINITIONS

- The **Compliance Committee** is responsible for overseeing the implementation of, and compliance with, this policy. The Board of Directors is the Compliance Committee.
- The **Compliance Officer** may be an officer, director, member or employee of the corporation; reports directly to the Financial Review Committee or other independent committee of the Board of Directors.
- **In Good Faith:** Anyone filing a complaint concerning the above issues must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a policy violation. Any allegations that prove to have been made recklessly or knowingly to be false will be viewed as a serious disciplinary offense.
- **Improper conduct** includes any action or suspected action taken by or within the organization that is illegal, fraudulent, or in violation of BVA adopted policies.
- **Retaliation** includes intimidation, harassment, discrimination or other forms of retaliation, or adverse membership/employment consequences.

REPORT VIOLATIONS OR SUSPECTED VIOLATIONS OF THE POLICY FOR THE PROMOTION OF ETHICAL CONDUCT

BVA supports an Open Door Policy and encourages you to share your questions, concerns, suggestions, or complaints with someone who can properly address them. In most cases, the Chief of EMS Operations Business Manager is in the best position to help you.

The Chief of EMS Operations and the Business Manager are required to report violations or suspected violations of the Policy for the Promotion of Ethical Conduct to the Compliance Officer.

Contact the Compliance Officer directly for any of the following:

- you suspect fraud; or
- you are not comfortable following the Open Door Policy, or are not satisfied with the results you received.

Contact the President of the Board of Directors for any of the following:

- you are not comfortable speaking with the Business Manager, or you are not satisfied with their response;
- your concern is about the Compliance Officer; or
- your concern is about a member of the Board of Directors in their role as an officer or director.

Contact the Vice President of the Board of Directors for the following:

- if you are not comfortable speaking with the Chief of EMS Operations or you are not satisfied with his/her response.

COMPLIANCE OFFICER RESPONSIBILITIES

- Administer the Whistleblower Protection Policy.
- Acknowledge receipt of the complaint, violation or suspected violation to the submitter within 10 business days.
- Exclusive responsibility to promptly investigate all reported complaints and suspected violations mentioned in the Purpose section of this policy, and take appropriate corrective action if warranted by the investigation. The Compliance Officer will advise the Board of Directors of his/her findings.
- Immediately notify the Financial Review Committee of any complaints or concerns regarding BVA accounting practices, internal controls, or auditing, and work with the Financial Review Committee until the matter is resolved.
- Provide a compliance activity report to the Board of Directors at least once a year.

CONFIDENTIALITY

Violations or suspected violations may be submitted anonymously via the toll-free hotline, or in writing on a confidential basis. Reports of violations or suspected violations will be kept confidential, and the identity of the reporting individual will be protected, to the extent possible consistent with the need to conduct an adequate investigation.

2.11 WORKPLACE BULLYING

The purpose of this policy is to communicate to all employees, supervisors and managers, that BVA will not tolerate bullying behavior in the workplace.

DEFINITION

BVA defines bullying as unwanted behavior of a non-sexual nature that has the purpose or effect of threatening, intimidating, or demeaning another employee. Such behavior violates this policy, as well as BVA's Code of Ethics, which clearly states that all employees will be treated with dignity and respect.

EXAMPLES

Bullying may be intentional or unintentional. It is the effect of the behavior on the individual that is of the utmost importance. BVA considers the following types of behavior examples of bullying:

Verbal bullying: Slandering, ridiculing or maligning a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.

Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.

Gesture bullying: Nonverbal threatening gestures; glances that can convey threatening messages.

Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

The examples are not intended to be an exclusive list of the types of behavior that would be considered bullying.

ADDITIONAL INFORMATION

Employees who feel they have been bullied should contact the Business Manager. Reports of bullying will be investigated. Employees found in violation of this policy will be subject to disciplinary action, up to and including termination.

SECTION THREE

EMPLOYEE RELATIONS

3.01 RECRUITMENT & PLACEMENT

Our agency recruits and selects individuals for employment on the basis of merit, qualification and competency without regard to all legally protected classes, including, but not limited to: race; color; sex; age; disability; religion; citizenship; national origin; ancestry; military status or veteran status; marital status; familial status; gender identity and expression; sexual orientation; status as a victim of domestic violence, stalking or sex offenses; predisposing genetic characteristics; genetic information and any other status protected by law. All job offers are contingent upon the applicant providing proof of legal authorization to work at the Agency and the successful completion of a background check and a physical including drug testing

JOB POSTING

Whenever possible, we seek first to fill job openings with qualified applicants from within our agency. Notices of job vacancies are posted at local hospitals and internally at the office. Employees should submit a letter of interest to the Chief EMS Operations or Business Manager if they would like to be considered for a different job within our agency.

INTRODUCTORY PERIOD

The performance of new employees will be evaluated at the end of a 90-day introductory period. Successful completion of the introductory period does not guarantee employment for any period of time thereafter and does not affect the employee's employment-at-will status during or after the introductory period.

HIRING PROCESS

The hiring procedure includes recruitment, interviewing and reference checks of all applicants considered for the opening. Background checks and a pre employment physical and drug test are required for all employees.

All employment offers are contingent on the satisfactory completion of these requirements.

REHIRE

Employees that where been previously employed and left under good terms with BVA may be eligible for rehire. Employees that are rehired do not return to the same seniority level that had during their previous employment with BVA. Past years of employment do not count towards their current seniority.

3.02 EMPLOYMENT CLASSIFICATIONS

Employees of our agency are employed based on the classifications detailed below. BVA offers different employment classifications in order to meet staffing and business requirements and accommodate employee needs and schedule preferences.

FULL-TIME

Employees in this category are regularly scheduled to work at least 36 to 42 hours per week and receive benefits based on job, length of service and scheduled hours.

PART-TIME

Employees in this category are scheduled to work a minimum of 12-hours per month and are eligible for statutory benefits and participation in the 401(k).

FLSA CLASSIFICATIONS

Under the Federal Fair Labor Standards Act (FLSA), all jobs, regardless of employment classification, are classified as either exempt or non-exempt for overtime and minimum wage requirements based on the nature of the job duties and amount of wages.

EXEMPT EMPLOYEES: The FLSA provides an exemption from both minimum wage and overtime pay for employees employed as executive, administrative, professional, outside sales and computer employees.

NON-EXEMPT EMPLOYEES: Under the FLSA, non-exempt employees must be paid at least the federal minimum wage for all hours worked and overtime pay at one and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

3.03 ORIENTATION PROGRAM

People are the core of our mission at BVA. To help get new employees off to a good start in our agency, an orientation program will be scheduled during the first week on the job.

DURING THE FIRST FEW DAYS

An appointment will be scheduled for new employees to meet with the Orientation Coordinator who will explain policies and procedures and answer questions and help employees complete the OSHA and HIPAA Training, and the new-hire payroll forms.

The Orientation Coordinator or designee gives the new employee a tour of our facility, introduces him or her to co-workers, explains general expectations for performance and behavior and begins training him or her on specific job requirements. It is important for employees to read our handbook, as it will answer many questions about our agency and its personnel policies.

EMPLOYEE RESPONSIBILITIES

During the first few days of employment, new employees are expected to promptly and accurately complete a number of employment-related forms and documents. The Training Officer is available to answer questions or to assist new employees with any job related procedures, subjects or issues affecting their job or employment relationship. The Business Manager or designee will be available to guide the new employee with required personnel and payroll forms and other related documents

THROUGHOUT THE EARLY WEEKS

Throughout the first few weeks, employees will be given on-the-job training. During this time employees should gain a full understanding of their job responsibilities and our agency's standards for their job. Supervisors are anxious to help in any way they can, so employees should not hesitate to ask questions.

3.04 WORKING HOURS

Electronic time records are kept for each non-exempt employee showing the hours worked each week.

WORKWEEK

Due to the nature of our business, work days and hours may vary with the job and/or shift. Based on your job, your standard workweek can consist of an eight, 10 or 12 hour shift per day.

MEAL BREAK

Employees who work more than six (6) hours in a workday are required to take a 30-minute meal break during that period. The Agency's noontime meal period is paid. A 30-minute meal break is standard, unless otherwise stated for an employee's job and/or department. Supervisors are responsible for the scheduling of meal breaks.

If for any reason an employee's meal break is interrupted, the employee must notify his or her supervisor and the time should be recorded as worked. The employee will be paid for the time and will receive an uninterrupted meal break as soon as practicable. Employees should contact their supervisor if they have any questions regarding the meal break.

NURSING MOTHERS' PROTECTION

Nursing mothers may receive break time each day to express breast milk for up to three years after the birth of a child. Meal periods may also be used for this purpose. A nearby private area or room, which is not a bathroom, will be provided in which the employee may express breast milk. No employee will be penalized or retaliated against for choosing to express breast milk. Employees needing a private area for expressing breast milk should see the Business Manager for more details.

TIME RECORDS

To ensure accurate record keeping of hours worked, non-exempt employees are required to clock-in their time at the beginning and clock-out at the end of their shift. As a courtesy (although not mandatory), employees are asked when possible, to arrive 15 minutes before their shift to relieve off going crew members. This helps to lessen the possibility of a late call for the off going crew. Employees may not clock-in more than 15 minutes before their authorized start time without permission from their supervisor.

In the case of sickness, employees must notify their supervisor as soon as possible before the start of the work day. This should be done no later than two hours prior to the start of a scheduled shift. A supervisor will make the appropriate notation on the time record.

ABSENCE REPORTS

Non-Exempt employees are responsible for submitting Paid Time Off (PTO) requests using the Time Off Request Form to their Manager at least by the 15th of the preceding month relative to the date of the requested time off. Any requests made less than two weeks in advance may be granted. If the request is granted it shall be contingent upon the employee to find their own shift coverage (if applicable). If coverage cannot be found, the PTO may be revoked and the scheduled employee required to work the scheduled shift.

SHIFT TRADES

Shift trades are permissible in lieu of requesting time off. Trades must be taken within the same week (Sunday 00:00 a.m. – Sunday 24:00 p.m.) and with the same classification (ALS or BLS). Trade requests should not impact overtime unless pre-authorized by your Manager. Trade requests must be submitted to your Supervisor for approval and may be subject to denial based on other scheduling needs.

MAXIMUM NUMBER OF PAID EMPLOYEES OFF

The maximum number of EMS employees permitted off per calendar day (24 hours) will be: one ALS provider, and one BLS provider. Management may make attempts to accommodate additional people requesting time off beyond this maximum number permitted off, but it would be the responsibility of the employee requesting time off to find their own shift coverage. Additional accommodations submitted to your Manager for approval may be subject to denial based on other scheduling needs.

3.05 TELECOMMUTING

Telecommuting is a work arrangement that allows eligible employees to work at home or at some other off-site location for some of their regularly scheduled work hours. Although not all jobs can be performed satisfactorily from other locations Brighton Volunteer Ambulance (BVA) recognizes that, in some cases, telecommuting arrangements can provide a mutually beneficial option for both the company and employee.

ELIGIBILITY

BVA will consider requests for telecommuting from any full-time administrative/managerial employee who has completed one (1) year of employment in an administrative/managerial role with BVA and has had no performance related issues in the previous twelve months. Employees must also demonstrate good time-management and organizational skills, and be self-motivated, self-reliant, and disciplined.

REQUIREMENTS

The following basic requirements must be met:

- Employees must be able to carry out the same duties, assignments, and other work obligations at their home office as they do when working on BVA premises.
- The standard work week is forty hours, Monday through Friday, with employees scheduled to work eight hours per day.
- Employees must be available to their supervisors and co-workers during their standard work schedule, whether they are at BVA or their home office.
- Employees must be available to attend scheduled meetings and participate in other required office activities at the corporate office as needed. Except for extraordinary circumstances, BVA normally provides at least 24 hours' notice for such events.
- The employee's schedule generally must be fixed for the term of the telecommuting agreement and cannot vary week to week.
- Employee must abide by the company safety policies.
- Employees must arrange for childcare during their work hours.

REQUEST PROCESS

The employee must submit a written request to their reporting manager/supervisor setting out a proposed telecommuting schedule, anticipated duration of the schedule, reason for the request, and expected impact on the employee's ability to carry out his or her job duties.

Telecommuting will be approved by their reporting manager/supervisor on an individual basis after considering departmental needs. Telecommuting may not be feasible within some departments or for certain positions within departments.

Telecommuting will generally be in effect for six month intervals. BVA will consider the employee's job performance and company needs when determining whether the arrangement will be renewed. Managers must forward a copy of all telecommuting workweek requests and agreements to the Business Manager or designee to be kept in the employee's personnel file.

EQUIPMENT, FURNISHINGS AND OFFICE SUPPLIES

BVA does not provide telecommuting employees with equipment or office furnishings for their home offices. Employees are responsible for equipping and maintaining their home offices so that they can accomplish their work in an efficient and expeditious manner. Depending on the nature of their jobs, this may require having computers, printers, computer software, fax machines, data and telecommunications equipment, and other equipment available for their use.

Employees are responsible for providing office furnishings, such as desks, chairs, file cabinets, and lighting, at their own expense.

BVA is not responsible for the maintenance or repair or associated costs of office equipment or furniture supplied by the employee.

BVA will provide common office supplies, such as paper, ink cartridges, pencils, pens, and paper clips, for employees' use for company business conducted in their home offices.

OTHER REQUIREMENTS/RESTRICTIONS

Exempt employees who telecommute will be required to record all hours worked on a weekly timesheet. The timesheet must be filled out and returned to your supervisor on a weekly basis.

Telecommuting employees will be expected to ensure the protection of proprietary company information accessible from their home office consistent with the company's expectations of information security. Employees will need to provide evidence that their offsite working environment is capable of supporting all offsite compliance requirements, such as HIPAA. Please refer to the Employee Handbook section 6.14.

Injuries sustained by telecommuting employees in the course of their job duties are normally covered by BVA's workers' compensation policy. Telecommuting employees are required to notify the company immediately of any such injuries, in accordance with the company's worker's compensation policy.

BVA has the right to cancel or suspend employee telecommuting privileges at any time. An employee's telecommuting arrangement can be modified at the company's discretion at the end of the current six month interval to meet varying business conditions.

3.06 PAY PRACTICES

BVA is committed to a policy of fair and equitable compensation for work well done.

WAGE AND SALARY PROGRAM

Wage rates are assigned to each job based on job requirements and the economic conditions of the Agency and the marketplace, as well as each employee's qualifications, skills and abilities. The Agency endeavors to comply with all federal, state and local laws with respect to wage payments.

MERIT INCREASES

Pay increases may be provided when an employee demonstrates improvement or outstanding performance in his or her job. When reviewing pay increases, the Agency considers business profitability, an employee's individual work performance and other economic factors. All merit increases are provided at the sole discretion of the Agency.

PAYDAY

Employees are paid weekly on Friday. If payday falls on a holiday, employees will ordinarily be paid on the day before the holiday.

PAYROLL

Employees have the option of being compensated by check or direct deposit. The Business Manager or designee can answer questions regarding these compensation options.

GARNISHMENTS

A court may order the Agency to garnish amounts directly from an employee's paycheck. Our agency is required to withhold the amount indicated in the garnishment from the employee's paycheck in accordance with federal, state and local law.

OVERTIME

Non-exempt employees will be paid one and one-half times their regular straight-time rate for all hours worked over forty (40) hours in a workweek.

BVA's seven day workweek is from 6:00 a.m. Sunday through 11.59 p.m. on Saturday

Paid absences, including holidays and PTO are not counted as hours worked when calculating overtime. Only actual hours worked are counted when calculating overtime.

All overtime work must receive the supervisor's prior authorization.

Failure to work assigned overtime, or working unauthorized overtime may result in disciplinary action, up to and including termination.

OUTSIDE WORK ACTIVITIES

Unless pre-approved by the Business Manager or Chief of EMS Operations, non-exempt employees are prohibited from performing work activities during non-working hours. This includes but is not limited to, accessing electronic communication devices (cell phones, texts, emails) for work related purposes and performing preparatory work outside of regular work hours. Time spent accessing work-related electronic communications devices outside of regular work hours or performing any other work during non-working hours must be approved by the Business Manager or Chief of EMS Operations. Any such time, regardless of whether it has been approved or not, must be recorded and reported as time worked in BVA's time and attendance system.

TRAVEL TIME

Exempt employees are paid their regular salary when they travel. Non-exempt employees are paid in accordance with federal and state wage and hour laws. For more information see the Business Manager or designee.

TRAVEL/EXPENSE REIMBURSEMENT

Employees will be reimbursed for pre-authorized expenses, such as: agency-related travel mileage, hotel expenses, airfare or other business expenses incurred on behalf of BVA. Employees will be reimbursed for their mileage at the Agency's current reimbursement rate. In addition to obtaining pre-approval, the employee must complete a travel/expense reimbursement form, attach any receipts and submit it to the Business Manager or designee for reimbursement.

OVERPAYMENTS

In the event an employee is overpaid due to a mathematical or clerical error, BVA will proceed to recoup the overpayment via wage deductions in accordance with New York State employment law. Employees who become aware of any overpayment must notify the Business Manager immediately. For more information, see the Business Manager or designee.

POLICY FOR DEDUCTIONS FROM WAGES

Employee pay stubs itemize deductions made from gross earnings. The Agency is required by law to make deductions for Social Security, federal income tax and any other appropriate taxes. These required deductions include any court-ordered garnishments. Pay stubs also itemize any voluntary deductions such as an employee's portion of health, dental, or life insurance premiums and/or

voluntary contributions to a 401(k) or pension plan, to the extent applicable. If applicable, pay stubs will also differentiate between regular and overtime pay received.

It is our policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and state law. In turn, agency supervisors are prohibited from making any improper deductions from the salaries of exempt employees or from the wages of any employee that are not consistent with federal and state wage and hour laws.

PERMITTED DEDUCTIONS FROM EXEMPT EMPLOYEE'S PAY

If an employee is classified as an exempt, salaried employee, he or she will receive a weekly salary which is intended to compensate him or her for all hours worked for the Agency. This salary is established at the time of hire or when an employee becomes classified as an exempt employee. While it may be subject to review and modification periodically, such as during salary review periods, the salary is a predetermined amount that is not subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, an employee's salary is subject to certain deductions. Absent contrary state law requirements, an exempt employee's salary can be reduced for the following reasons:

- Full-day absences for personal reasons other than sickness or disability, if employee has exhausted or is not yet eligible for paid time off.
- Full-day absences for sickness or disability, if the employee has exhausted or is not yet eligible for paid time off.
- Full-day disciplinary suspensions for infractions of written policies and procedures.
- Penalties imposed in good faith for infractions of safety rules of major significance.
- Unpaid leave taken under the Family Medical Leave Act (if applicable).
- To offset amounts received as payment for jury and witness fees or military pay.
- The first or last week of employment when an employee works less than a full week.
- Any full work week in which an employee does not perform any work.

An employee's salary may also be reduced for certain types of deductions such as his or her portion of health, dental and life insurance premiums; state, federal or local taxes, social security or voluntary contributions to a pension or 401 K plan. In a work week in which an exempt employee performs any work, his or her salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness or disability.

- Absence on a scheduled work day in which the Agency has decided to close the facility at which an employee is scheduled to work and has not designated an alternate work site.
- Absences for jury duty, attendance as a witness, or military leave in any week in which an employee has performed any work.
- Any other deductions prohibited by state or federal law.

Please note: it is not an improper deduction to reduce an employee's accrued vacation, personal or other forms of paid time off for full- or partial-day absences for personal reasons, sickness or disability.

REPORTING IMPROPER DEDUCTIONS OR OTHER ERRORS

Employees should immediately contact the Business Manager or designee with questions about deductions or to report improper deductions and/or errors. Employees will not be retaliated against for making a complaint.

Reports of improper deductions or other errors will be promptly investigated. If it is determined that an improper deduction or other error has occurred, the employee will be promptly reimbursed.

It is our policy and practice to accurately compensate employee and to do so in compliance with all applicable state and federal laws. To ensure accurate pay and proper deductions for time worked, employees must record correctly all work time. Additionally, employees should promptly review their paychecks to identify and report all errors.

3.07 JOB DESCRIPTIONS

A job description is written for each job in our agency and maintained on file in the business office. The purpose of these job descriptions is to define job standards and essential functions and physical requirements, as well as marginal or peripheral duties and reporting relationships for the various jobs throughout our agency.

EMPLOYEE ACCESS TO JOB DESCRIPTIONS

Employees are provided with a copy of their job description at the time of hire and whenever accountabilities change significantly.

USE OF JOB DESCRIPTIONS

Job descriptions are designed to promote a better understanding of the total job for both employees and their supervisors. Supervisors will refer to job descriptions during the recruitment and hiring process, as well as during performance appraisal discussions.

UPDATING JOB DESCRIPTIONS

Job descriptions are updated periodically to reflect changes in job duties and organizational structure. Employees should schedule time to meet with their supervisor if they believe their job description needs updating or if they have questions.

3.08 PERFORMANCE PROGRESS & APPRAISAL PLAN

To help employees grow in their jobs, supervisors will evaluate an employee's performance in writing on a regular basis. The purpose of this performance appraisal plan is to provide a basis for better understanding between employees and their supervisors with respect to job performance, potential and development within the Agency.

MEETING WITH YOUR SUPERVISOR

Performance is evaluated by your direct supervisor. Evaluations should not take the place of informal discussions between employees and their direct supervisor regarding performance, but rather should provide regular opportunities to discuss the job relationship in depth.

FREQUENCY

All employees will be reviewed at least once a year on or near the employee's anniversary date. Performance appraisals are a review of the employee's work performance; not necessarily a review of pay rate. BVA addresses merit increases separately and bases them on profitability and individual work performance in accordance with agency policy.

FORMS

Performance appraisals are completed on the forms designed for this purpose. The information on the form is to be the basis for discussion between employees and their supervisor. Employees may obtain a sample of this form from their supervisor.

3.09 ATTENDANCE

Each employee's job and the work that he or she does at BVA is important. It is essential that employees be at work on time in order for us to serve our patients and the community in an efficient manner.

PUNCTUALITY

Although individual schedules may vary, employees should be at their work area on time, ready to work. As a courtesy (although not mandatory), employees are asked when possible, to arrive 15 minutes before their shift to relieve off going crewmembers (if applicable). This helps to lessen the possibility of a late call for the off going crew. Punctuality is very important. Repetative, unexcused tardiness, as determined by the Agency, is considered a performance issue and is subject to disciplinary action, up to and including termination of employment.

EMPLOYEE RESPONSIBILITIES

Employees who are going to be late or absent from work must personally call the appropriate Operations Officer or their supervisor no later than two hours prior the start of their shift. If no one is in quarters at BVA, employees may leave a message and should also leave the phone number where they can be reached.

An employee absent for three consecutively scheduled days without contacting his or her supervisor will be considered to have voluntarily resigned from their position.

VIOLATION OF POLICY

Repetative, unexcused tardiness, as determined by the Agency, is considered a performance issue and is subject to disciplinary action, up to and including termination of employment.

3.10 OPEN COMMUNICATION

Our agency is committed to the principle of open communication between employees and their supervisors concerning any aspect of the employment relationship.

WORKING TOGETHER, WE CAN FIND A SOLUTION TO ANY PROBLEM

In every agency there are honest differences of opinion about working conditions, discipline, policies and other work-related matters. Employees should not keep concerns to themselves and are encouraged to communicate their issues to management via the steps outlined below. Problems that are unknown cannot be solved. If you have a work-related complaint, concern or problem of any kind, we would welcome the opportunity to discuss it with you and resolve it.

FIRST STEP

Employees who have a problem, complaint, question or suggestion about any aspect of our agency are encouraged to discuss the issue with their immediate supervisor. We hope that most matters can be satisfactorily resolved by such discussions.

SECOND STEP

Employees who are not satisfied with the outcome of this first step or are not comfortable raising a particular issue with their supervisor, are welcome to discuss the situation with the Chief EMS Operations and/or Business Manager. He or she will meet with the employee and/or his or her supervisor and attempt to reach a satisfactory solution.

THIRD STEP

Employees who are not satisfied with the outcome of the second step or are not comfortable raising a particular issue with the Chief EMS Operations or Business Manager, are encouraged to discuss the situation with the VP of Operations and/or President. He or she will review the situation in its entirety, meet with the employee and attempt to reach a satisfactory solution.

3.11 SOLICITATION & DISTRIBUTION

In order to prevent disruptions in the operations of our agency and protect our employees from annoyance, embarrassment and interference with their work, solicitation and distribution of advertising material, handbills or other literature during working time or in working areas is restricted as described below.

SOLICITATION DEFINED

For purposes of this policy, solicitation means activity that poses a reasonable risk of interference with production by calling for an immediate response to another employee's verbal persuasion to join a certain cause or purchase a type of product or service.

DURING WORKING TIME

Employees may not solicit or distribute non-work-related literature to another employee for any purpose when either the person doing the soliciting or the person being solicited is on working time. For purposes of this policy, working time refers to that portion of any working day in which the employee is actually scheduled to work. It does not include such times as lunch or break time or before or after work. Employees who are on non-working time still may not solicit or distribute non-work-related literature to another employee who is on working time.

IN WORKING AREAS

Employees may not distribute non-work-related literature to another employee for any purpose in the working areas of our agency. "Working areas" do not include areas such as, but not limited to, the cafeteria or break rooms.

OUTSIDE INDIVIDUALS

Individuals who are not employed at our agency may not distribute literature, nor solicit employees or visitors at any time on our agency's grounds or inside our offices.

POST NOTICES

Only governmental notices required to be posted due to federal or state regulations may be posted on agency property.

3.12 STANDARDS OF CONDUCT

In order for our agency to operate efficiently and safely, it is necessary for all employees to observe the policies and procedures governing our work environment. If an employee's conduct interferes with the orderly and efficient operations of a department, disciplinary measures will be taken, up to and including termination of employment.

INITIAL DISCUSSIONS

BVA utilizes progressive discipline when it is deemed appropriate. This is a structured, but flexible disciplinary plan, whereby corrective action will typically be handled in phases, and the severity of the discipline will generally increase based on the severity or frequency of the misconduct. Before taking corrective action, the supervisor will meet with the employee to explain why the need for corrective action is warranted.

Grounds for corrective discipline, up to and including immediate termination, may include, but are not limited to:

- Violation of agency policies or safety rules;
- Disrespectful conduct towards other employees, patients or visitors;
- Insubordination;
- Poor performance;
- Audio or video recording of others in the workplace with or without their permission;
- Excessive absenteeism and/or tardiness;
- Possession of firearms or other weapons;
- Theft or dishonesty;
- Willful destruction of agency property;
- Physical, verbal or sexual harassment of employees, suppliers or patients;
- Possession, use or sale of illicit drugs or alcohol on agency property;
- Reporting to work under the influence of drugs or alcohol;
- Unsatisfactory performance or conduct;
- Intentionally falsifying records, or fraud of any type;
- Breach of confidentiality or HIPAA/ePHI violations;
- Failure to comply with any BVA By-law, Rules & Regulations, Policies or Standard Operating Guidelines; or
- Any other misconduct which is not otherwise protected concerted activity.

CORRECTIVE ACTION

Depending upon the severity of the matter, disciplinary measures may include counseling, verbal warning, written warning, suspension, demotion, transfer or termination. The Agency will determine the appropriate corrective action and does not guarantee that one form of action will necessarily precede another.

3.13 SHOULD YOU LEAVE US

To ensure fairness and consistency throughout our agency, terminations are handled in accordance with the following provisions.

TYPES OF TERMINATIONS

Termination refers to either voluntary resignations initiated by the employee or involuntary terminations initiated by the Agency.

RESIGNATIONS

Employees resigning voluntarily are expected to give a minimum of two weeks advance notice in writing to their supervisor so that the proper replacement can be found. Management employees are expected to give a minimum of four weeks advance notice. An employee's consideration in this situation will be viewed favorably by management should the employee reapply for employment with our agency at a later date.

UNUSED PAID TIME OFF (PTO)

Employees who resign voluntarily giving the required advance notice will be paid for earned but unused PTO. Earned but unused PTO will not be paid to employees who resign with less than the required advance notice or to employees who are terminated by the Agency.

HEALTH, DENTAL AND VISION INSURANCE

Premiums for health, dental and vision insurance will be paid through the last day of the month in which the termination of employment occurred. Employees who have health, dental and vision insurance with our agency may have the option of continuing these benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the official COBRA notice for further information.

HEALTH SAVINGS ACCOUNT

Upon separation, an employee loses eligibility to make additional contributions. The HSA account and balance is the property of the employee and remains available for use toward qualified expenses for the lifetime of the employee, his or her spouse or tax dependent.

401(K) PROFIT SHARING PLAN

Upon termination of employment, employees must withdraw or roll over funds within 90 days of their termination date. Contact the Business Manager or designee for more details.

AGENCY PROPERTY

Upon termination, employees are expected to return all agency-issued items, including, but not limited to: keys, tools, uniforms, employee handbooks, manuals, computers, cellular phones, computer disks, flash drives and client information and may not retain any copies of Agency information in any form.

SECTION FOUR

BENEFIT PROGRAMS

4.01 HOLIDAYS

BVA operates 24 hours a day, seven days a week. As a result, the base must be staffed during holidays. BVA observes the following paid holidays each year.

OBSERVED HOLIDAYS

New Year's Day	Labor Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

ELIGIBILITY

Full-time employees are eligible for these paid holidays immediately upon hire.

HOLIDAY PAY

For non-exempt (road) employees, if a holiday falls on one of their scheduled days, they are responsible for working the holiday. Employees will be paid at two times their base rate of pay for all hours worked during the day of the holiday.

WEEKEND HOLIDAYS

For exempt (non-road/administrative) employees: when one of the observed holidays falls on a Saturday, the holiday will generally be observed on the preceding Friday. When a holiday falls on Sunday, the holiday will generally be observed on the following Monday.

HOLIDAY SHIFT TRADES

Shift trades on holidays are permissible as approved by the Chief of EMS Operations. It is the employee's responsibility to find coverage for their scheduled holiday if they desire to have that day off in exchange for a different shift within the same pay-week. This can be done through swaps with Part-time/Member personnel to cover the day. Swaps with full-time employees may be accepted by the Chief of EMS Operations.

All shift trades must be taken within the same week (Sunday 00:00 a.m. – Sunday 24:00 p.m.) and with the same classification (ALS or BLS). Trade requests should not impact overtime unless authorized by the Chief of EMS Operations or designee. Trade requests must be submitted to the Chief of EMS Operations or designee for approval and may be subject to denial based on other scheduling needs.

RELIGIOUS ACCOMMODATIONS

Requests for time off or any other type of accommodation based on an employee's sincerely held religious beliefs should be directed to the Chief EMS Operations or the Business Manager.

4.02 PAID TIME OFF

Our agency provides eligible employees with an annual paid time off (PTO) program to give employees time off for rest and relaxation. PTO time may also be used in cases of employee injury or illness, for doctor's appointments or personal matters.

ELIGIBILITY

- PTO periods are calculated on an accrual basis determined by the employee's anniversary date and continuous years of employment.
- Full-time employees are eligible for paid time off in accordance with their full-time status.
- Part-time employees may be eligible for paid time off in accordance with their consistent compliance of specific requirements.
- PTO begins to accrue once an employee has completed their 90-day introductory period (the calculation start date is the date of the employee's first day work).
- Employees must complete their introductory period before any accrued PTO can be used.

All full-time employees are eligible for paid time off as a benefit of their employment status. Any current employee who has worked for six months or longer at BVA and changes to full-time status from part-time status is eligible to accrue PTO beginning on their first shift as a full-time employee. A probationary period will not be required of these employees.

Any employee enrolled in a introductory period will not begin to accrue PTO until the completion of their introductory period. PTO is accrued weekly based on the annual benefit corresponding with the employee's anniversary date. Therefore, as each introductory period will last six months, employees on introduction will earn $\frac{1}{2}$ the regular annual PTO accrual, correlating directly to the remainder of a year in which a new employee is not on probation.

REHIRE

Employees that have been previously employed with BVA, who left under good terms may be eligible for rehire.

Employees that are rehired do not return to the same seniority level that had during their previous employment. **Past years of employment do not count towards their current seniority.**

FULL-TIME

Full-time PTO is earned based upon the eligibility rules previously listed. The following schedule is for employees who have maintained continuous years of employment:

Year of Continuous Employment	Hours Earned
0-1 year	40 hours
1 year	80 hours
2-3 years	120 hours
4-5 years	148 hours
6-8 years	180 hours
9+ years	240 hours

PART-TIME

Part-time PTO is earned based on an average of 22 hours worked per week within a calendar quarter. The Business Manager will review and assign these hours at the end of each calendar quarter and notify the employee and the scheduling officer of these earned PTO hours.

Year	Hours Earned per Quarter
0-1 year	5 hours
1-2 years	10 hours
3-6 years	15 hours
7-9 years	20 hours
10+ years	24 hours

As it is possible for a part-time employee to earn PTO in some and not all quarters, a part-time employee may only earn up to the amount of PTO listed in the accrual schedule above. No part-time employee is guaranteed an amount of paid time off; all PTO must be earned.

SCHEDULING

PTO covers vacation, sick, and personal time, and needs to be accrued and earned prior to being dispensed. Special situations may be considered on an individual basis.

PTO may be taken in full-day increments. All PTO requests are subject to approval by the Scheduling Manager or Business Manager. Every effort will be made to permit employees to take planned PTO (such as time off for vacation purposes) at the time requested. However, due to the nature of our business, coordination within and between shifts and crewmembers is essential. Approval will depend on the schedule and the number of people who are scheduled for PTO at that time.

All requests for time off by paid personnel must be submitted to your manager using the Time Off/Trade Request forms by the 15th of the month preceding the date of your requested time off. Any requests made less than two weeks in advance may be granted, but if granted any road employee making this request will be responsible for finding their own shift coverage.

The employee may elect to supplement his or her New York Paid Family Leave (PFL) benefit, Family and Medical Leave (FMLA) benefit or any other job protected leave with PTO leave in full day increments.

TIME OFF FOR WORK-RELATED CLASSES

Employees may choose to use PTO hours, trade hours or take time without pay for approved work related classes. Classes must be approved by the Training Manager prior to the start of the class.

MAXIMUM NUMBER OF PAID EMPLOYEES OFF

The maximum number of EMS employees permitted off per calendar day (24 hours) will be: one ALS provider, and one BLS provider. Management may make attempts to accommodate additional people requesting time off beyond this maximum number permitted off, but it shall be the responsibility of the employee requesting time off to find their own shift coverage.

DEFERRAL OF PTO TIME

Up to 40 hours of PTO may be carried over from one year to the next.

PTO PAY

PTO is earned on a weekly accrual basis. PTO pay is based on the employees regular straight time hourly rate. PTO is based on an 40 hour work week, eight hours a scheduled day.

EXCESS LEAVE AND UNPAID PTO

Leave taken in excess of an employee's allotment will be unpaid and must be approved in advance by your supervisor. **All PTO must be used before any unpaid time is granted.**

PTO advances are not permitted.

PTO AT TERMINATION

Employees who resign voluntarily giving at least two weeks advance notice will be paid for earned but unused PTO. Earned but unused PTO will not be paid to employees who resign with less than the specified advance notice or to employees who are terminated by the Agency.

4.025 NEW YORK PAID FAMILY LEAVE BENEFITS

New York's Paid Family Leave (PFL) law provides job protected leave and wage replacement to eligible employees for qualifying events.

ELIGIBILITY

To be eligible, employees must: regularly work 20 or more hours per week and be employed for at least 26 consecutive workweeks preceding the first full day family leave is taken; or regularly work less than 20 hours per week and be employed for at least 175 days preceding the first full day family leave is taken. Paid time off can be counted toward an employee's eligibility determination. Employees are eligible for PFL regardless of citizenship and/or immigration status.

PFL is granted to eligible employees who request time off for the following qualifying events:

- to participate in providing care, including physical or psychological care, for an employee's spouse, child, stepchild, parent, parent-in-law, stepparent, grandchild, grandparent, or domestic partner with a serious health condition;
- to bond with a child during the first 12 months after the child's birth, adoption or foster care placement with the employee, the employee's spouse, or the employee's domestic partner; or
- due to a qualifying exigency for the employee's spouse, domestic partner, child, or parent who is on active military duty or has been notified of an impending call to active duty.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves: (a) inpatient care in a hospital, hospice or residential health care facility; or (b) continuing treatment or continuing supervision by a health care provider.

LENGTH OF LEAVE AND BENEFITS

PFL benefits increase in four phases, according to the following schedule:

Date	Maximum Weeks of Leave	Maximum Pay Recovered*
January 1, 2018	8	50%
January 1, 2019	10	55%
January 1, 2020	10	60%
January 1, 2021	12	67%

*The percent of the employee's average weekly wage or the percent of the state average weekly wage, whichever is less. The pay percentage outlined in future years is subject to change and/or freeze.

Employees who take PFL in weekly increments are eligible for the maximum number of weeks of leave, as indicated in the above chart, using a 52-week rolling look back period.

Employees who take PFL in daily increments (intermittent leave) are eligible for paid leave based on the average number of days worked per week during a base period.

INTERMITTENT USE

Eligible employees may take leave under the PFL on an intermittent basis, in full-day increments. Employees may not take partial-day leave under PFL.

When an employee takes intermittent PFL, the employee must provide notice to their Supervisor as soon as is practicable before each day of intermittent leave.

EMPLOYEE NOTICE REQUIREMENTS

In the case of a foreseeable leave, a covered employee must provide the Business Manager or Chief of EMS Operations with advance notice 30 days before the date on which the leave would begin. If the employee is unable to provide 30 days' notice, he or she must provide notice as soon as it is practicable under the circumstances. Usually, this means giving notice the same day the employee receives notice or the next business day. If an employee does not give the supervisor timely notice, the employee's PFL leave may be delayed or denied.

In giving notice, an employee must provide sufficient information for the Business Manager to determine if the leave qualifies for PFL and the anticipated timing and duration of the leave.

PROCEDURE FOR REQUESTING LEAVE

Employees must complete and submit a Request for Paid Family Leave Form (PFL-1) with supporting documentation as follows to Shelterpoint (the insurance carrier)

- (1) Bonding Certification: PFL-2 Form plus documentation;
- (2) Health Care Provider Certification: PFL-4 Form plus Personal Health Information (PHI) Release (PFL-3 Form); or
- (3) Military Qualifying Event: PFL-5 Form plus documentation.

The Forms can be obtained from Shelterpoint (the insurance carrier).

To submit a request for PFL, employees must:

- Complete the employee's portion of the PFL-1 Form.
- Submit the PFL-1 Form to Shelterpoint (the insurance carrier).
- The Company will complete its portion of the PFL-1 Form and return it to the employee within 3 business days.
- If the Company fails to respond, employees may submit all materials directly to Shelterpoint (the insurance carrier).
- Depending on the type of PFL leave the employee is seeking, the employee will be required to complete additional PFL forms as described in the letter from Shelterpoint (the insurance carrier). Employees must submit the completed PFL forms to Shelterpoint (the insurance carrier) before or within 30 days after the start of their leave. Shelterpoint must pay or deny leave requests within 18 calendar days of receiving an employee's completed forms.

CONTINUATION OF BENEFITS DURING LEAVE

Employees are entitled to continue group health benefits under the same terms and conditions as if they were on the job during PFL. Employees are required to pay their portion of the premium on the first of each month. BVA's obligation to maintain health insurance coverage ceases if an employee's premium payment is more than 30 days late. If the health care premium is overdue, BVA will notify the employee in writing at least 15 days before coverage is to cease, advising that coverage will be dropped on a specified date at least 15 days after the date of the letter unless payment has been received by that date.

If group health plan benefits lapse because an employee has not made the required premium payments, then upon the employee's return from PFL, the employee will be restored to coverage/benefits equivalent to those the employee would have had if paid family leave had not been taken and premium payment(s) had not been missed, including family or dependent coverage.

If an employee chooses not to retain group health plan coverage during PFL, then upon the employee's return from leave, the employee shall be reinstated into the health plan on the same terms the employee had prior to taking leave.

An employee's use of PFL leave will not result in the loss of any employment benefits that accrued prior to the start of an employee's PFL leave (unless such accrued benefits, such as paid time off, were used during PFL leave). The employee, however, will not accrue any additional benefits or seniority during any period of PFL leave that is not paid through use of accrued leave benefits, unless otherwise required by law.

[All other employee-paid benefits will be retained as long as the employee continues to make premium payments.]

CONCURRENCE WITH OTHER LEAVES/BENEFITS

Employees may choose to supplement PFL benefits with applicable earned PTO to receive full salary. Employees should refer to applicable paid time off policies for information regarding minimum increments applicable to such leave.

COST

PFL premiums are paid for by the employee and are deducted from the employee's paycheck on an after-tax basis. The deduction amount is set annually by the Department of Financial Services.

WAIVER OPTION

Employees have the option of filing a waiver for PFL benefits if:

- The employee's regular employment schedule is 20 hours or more per week, however the employee will not work 26 consecutive weeks; or
- The employee's regular employment schedule is less than 20 hours per week and the employee will not work 175 days in a 52-consecutive-week period.

Employees who are eligible to waive PFL benefits and wish to do so must complete and submit a waiver form to the Business Manager. Employees who submit a waiver form will not make any contributions for PFL benefits and will not be eligible to receive PFL benefits. If the employee voluntarily revokes the waiver or the schedule of an employee changes such that it is anticipated that the employee will become eligible to receive PFL benefits, the waiver will be revoked and the employee must start making contributions on a going forward basis and must pay retroactive contributions to the employee's date of hire.

PERIODIC STATUS REPORTS AND RETURN FROM LEAVE

BVA may require an employee on PFL leave to report periodically on the employee's status and intent to return to work to the extent permitted by law.

Any employee who exercises his or her right to PFL will receive job protection. This means that upon the expiration of that leave, the employee will be entitled to return to the same position the employee held when leave began, or to an equivalent position with equivalent pay and other terms and conditions of employment.

QUESTIONS AND ADDITIONAL INFORMATION

Employees who have questions regarding this PFL policy should contact the Business Manager. For additional information concerning leave entitlements and obligations that might arise when PFL is either not available or exhausted, employees should consult BVA's other leave policies or contact the Business Manager. BVA is committed to complying with PFL and shall interpret and apply this policy in a manner consistent with the PFL regulations. Employees who disagree with a denial of their claim for PFL may submit their dispute to arbitration. Employees will be provided with information about how to request arbitration with their PFL denial.

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Employees are protected from discrimination and retaliation for requesting or taking PFL. If an employee believes their rights have been violated and/or job restoration has been denied as a result of requesting and/or taking PFL, the employee must send the Business Manager a formal request for job reinstatement using the Formal Request for Reinstatement Regarding Paid Family Leave (Form PFL-DC-19), which can be found in the forms section of <https://www.ny.gov/PaidFamilyLeave>. Employees must file the completed form with BVA and send a copy to: Paid Family Leave, P.O. Box 9030, Endicott, NY 13761-9030. If BVA does not comply with an employee's request for reinstatement within 30 days, the employee may file a PFL discrimination complaint with the Workers' Compensation Board using the Paid Family Leave Discrimination Complaint (Form PFL-DC-120), which is also available on the New York Paid Family Leave website. Once an employee's complaint is received, the Board will assemble the employee's case and schedule a preliminary hearing in front of a Workers' Compensation Law Judge.

4.026 FAMILY & MEDICAL LEAVE ACT

BVA complies with the Family and Medical Leave Act (FMLA) which provides eligible employees with time off when qualifying family or medical issues require a leave of absence.

ELIGIBILITY

Employees are eligible for Family and Medical Leave after completing 12 months of employment with BVA and working at least 1,250 hours during the 12 months immediately preceding the start of the leave. Eligible employees must work at a location which employs at least 50 employees within a 75-mile range.

Employees are eligible for Family and Medical Leave for one or more of the following reasons:

- A serious health condition which renders the employee unable to perform the essential functions of his or her job: illness, injury, impairment or physical or mental health condition which involves;
 - Inpatient care at a hospital, hospice or residential medical care facility; or
 - Continuing treatment by a health care provider and a period of incapacity; e.g., the inability to work or attend school or perform other usual daily activities.
- The birth of the employee's child and to care for the newborn child;
- The placement of a child under the age of 18 years with the employee for adoption or foster care;
- The care of a child, spouse or parent with a serious health condition;
- The care of a covered service member who has incurred or aggravated a serious injury or illness in the line of duty while on active duty in the Armed Forces, if the employee is the service member's spouse, child, parent or next of kin ("covered service member leave"); or
- Any "qualifying exigency" arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces in support of contingency operation or Regular Armed Forces for deployment to a foreign country. This leave is also available for family members of active duty service members.

Qualifying exigencies may include the need to address issues arising from short-notice deployment, attend military events and related activities, arrange for or attend childcare and school activities, address certain financial and legal arrangements, attend certain counseling sessions, provide care for the parents of the military member of covered active duty, attend post-deployment activities and spend time with a covered military member on short-term rest and recuperation leave.

LENGTH OF LEAVE

Eligible employees may take up to 12 weeks of leave in a 12-month period for reasons defined above. For leaves other than covered service member leave:

- The 12-month period is calculated from the date that the first FMLA absence begins.
- Absences due to an employee's serious health condition that are also covered by Short Term Disability Insurance or Workers' Compensation are counted as part of the leave time available to eligible employees under the Family and Medical Leave Act.
- Leaves taken for the birth or the placement of a child with the employee for adoption or foster care must be completed within 12 months of that birth or placement.

Covered Service Member Leave

- A "covered service member" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is on the temporary retired list for a serious injury or illness. "Covered service member" also includes a veteran who is discharged or released from military services under conditions other than dishonorable at any time during the five years preceding the date the eligible employee takes FMLA leave to care for the covered veteran and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are "covered veterans."
- The FMLA definition of a "serious injury or illness" for current Armed Forces members and covered veterans is distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.
- Eligible employees may take up to 26 weeks of leave during "a single 12-month period" to care for the service member. The "single 12-month period" begins on the date the employee's first FMLA leave to care for the service member begins. During this single 12-month period, the employee's combined total FMLA qualifying-leave for all types of FMLA leave may not exceed 26 weeks.

Under certain circumstances, leaves may be taken intermittently or on a "reduced leave schedule," e.g. in periods of days or blocks of time smaller than a day.

- Employees may take leave intermittently or on a reduced leave schedule:
 - when medically necessary for their own serious health condition;
 - to care for a family member with a serious health condition;
 - to care for a covered service member with a serious injury or illness; or
 - when necessary for "qualifying exigency" leave.
- Intermittent or reduced leave to care for a newborn or newly adopted child or a child placed in foster care may be taken only if the Company and the employee agree to the arrangement.
- If intermittent or reduced schedule leave is taken for planned medical treatment or, if agreed to by the Company, for the reasons stated above, the Company may require the employee to transfer temporarily, during the period in which intermittent or reduced schedule leave is required, to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than the employee's regular position. The employee will receive his or her same rate of pay and equivalent benefits in the alternate position.

SPOUSES COMBINED LEAVE

If both spouses are employed by the Company and wish to take leave to bond with a newly arrived child or to care for a parent with a serious health condition their aggregate leave is limited to a combined total of 12 weeks during any 12-month period. If both spouses wish to take leave to care for a covered service member with a serious injury or illness or take a combination of service member leave and leave to bond with a newly arrived child or care for a parent with a serious health condition, their aggregate leave is limited to 26 weeks during a single 12-month period.

PROCEDURE FOR REQUESTING A LEAVE

In the case of a foreseeable FMLA leave for the birth, adoption or placement of a child or for planned medical treatment of the employee, a covered family member or a covered service member, an employee must provide the Business Manager with 30 days advance notice in writing before the date on which the leave would begin. If the employee is unable to provide 30 days' notice, he or she must provide notice as soon as it is practicable under the circumstances.

In the case of a qualifying exigency leave or when the approximate timing of any FMLA leave is not foreseeable, the employee must provide the Business Manager as much notice as is practicable under the circumstances.

In requesting FMLA leave, the employee must provide sufficient information to allow the Company to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave.

In the case of a leave for planned medical treatment, employees are required to make a reasonable effort to schedule the treatment so as not to unduly disrupt the company's operations.

Employees are expected to consult with their supervisor before scheduling treatment to work out a treatment schedule that best suits the needs of both the employer and the employee.

MEDICAL/SUPPORTING CERTIFICATION

INITIAL CERTIFICATION. Employees are required to provide medical certification from a health care provider for their own serious health condition or that of a family member or covered service member. Employees who request qualifying exigency leave are also required to provide certification supporting the need for leave and, when the leave is requested for the first time, a copy of the covered military member's active duty orders. If an employee provides at least 30 days' notice of medical leave, medical certification should be submitted before the leave begins.

The employee must submit to the Business Manager a complete and sufficient certification within 15 calendar days after the company requests the certification. If the certification is returned incomplete or insufficient, the employee will have seven calendar days to cure the deficiency. Failure to provide a complete and sufficient certification may result in denial of FMLA leave.

If there is reason to doubt an initial medical certification, an employee may be required to obtain a second opinion at the Company's expense. If the opinions differ, a third, final and binding certification from a healthcare provider designated or approved jointly by the Company and the employee may be obtained at the company's expense.

PERIODIC RECERTIFICATION. The Company may also require employees on FMLA leave to submit periodic recertification throughout the leave, but generally not more often than every 30 days unless a change in circumstances warrants earlier recertification. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

RETURN TO WORK. Before returning to work, employees who have taken a leave for their own serious health condition are required to present documentation from their health care provider certifying that they are able to return to work and perform the essential functions of their positions with or without reasonable accommodation. Job restoration may be delayed or denied pending receipt of a return to work/fitness for duty certification.

OTHER REQUIREMENTS

Employees may be required to periodically report on their leave status and on their intent to return to work as directed by their direct supervisor before or during their leave.

Employees must comply with the Company's usual call-in procedures for absences while they are on FMLA leave.

FMLA leave under this policy runs concurrently with BVA's Disability Leave policy, BVA's New York Paid Family Leave and any other state or statutory leave entitlement to the extent permitted by law.

EMPLOYMENT AND BENEFITS PROTECTION

Employees are entitled to continue group health benefits under the same terms and conditions as if they were on the job during an FMLA leave.

- Employees are required to pay their portion of the premium by the 1st of each month if FMLA leave is unpaid. Coverage will cease if an employee's premium payment is more than 30 days late. If the health care premium is overdue for 15 days, the Company will notify the employee that their health insurance coverage will terminate if the premium is not received within the next 15 days.
- Employees who provide a statement of notice of their intent not to return to work are not entitled to continuation of health care benefits, except as covered by COBRA (Refer to COBRA policy).
- Employees who fail to return from the leave, except for reasons of continuation, recurrence or onset of a serious health condition (including the serious health condition of a family member or covered service member) or something else beyond the employee's control, must repay the Company for the Company's share of health coverage premiums incurred to maintain their coverage during the unpaid leave.

PTO and seniority or service time do not continue to accrue, except in cases of intermittent leave.

All other employee-paid benefits will be retained as long as the employee continues to make premium payments.

Employees receive time off on an unpaid basis. Employees who have accrued, applicable PTO are not required to substitute this paid time during unpaid FMLA leave, but are permitted to do so. If an employee does use paid leave time, he or she must satisfy the procedural requirements of the company's paid time off policy to receive compensation.

The substitution of paid leave time for unpaid FMLA leave time does not extend the length of the FMLA leave and the paid leave time will run concurrently with the FMLA leave time.

An employee (other than a key employee) who qualifies for a leave will return either to the same position he or she held prior to the leave or to a position equivalent in pay, benefits and other terms and conditions of employment.

Key employees may not be eligible for reinstatement to the same or an equivalent position if it would cause substantial and grievous economic harm to the company. (A “key” employee is one who is a salaried, FMLA-eligible employee, who is among the highest paid 10 percent of all the employees employed by the employer, within a 75-mile range of the employee’s worksite.) The Company will notify an employee if he or she qualifies as a key employee and advise the employee of his or her rights if the Company intends to deny reinstatement.

Employees who have questions regarding this policy should contact the Business Manager

4.03 HEALTH INSURANCE

Benefits for our employees are currently obtained through a health care insurance exchange where employees can choose not only health insurance but other optional insurances as well. We also provide optional insurance resources through a company representative from both Aflac and New York Life Insurance companies.

To aid employees in covering the cost of medical care, our agency offers a health insurance program.

ELIGIBILITY

Full-time employees are eligible to join our group health insurance plan after completing their introductory period of 90-days of employment. Employees who enroll in our group health insurance plan will also be automatically enrolled in our pre-tax premium plan.

COST

To assist with the escalating cost of health insurance, our agency currently pays a portion of the premium, the remainder to be paid by the employee through pre-tax dollars via payroll deduction. When you become eligible for coverage, you will receive access to information and materials which will give you more information regarding your insurance benefits and includes information on deductibles, co-payments, etc.

As a part of our benefits review process, the cost of health insurance is evaluated periodically and the ratio of employer/employee contribution is subject to change.

HEALTH INSURANCE COVERAGE AT TERMINATION

Premiums for health insurance will be paid through the last day of the month in which the termination of employment occurred. Employees who have health insurance with our agency may have the option of temporarily continuing these benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the official COBRA notice for further information. If you have not received a COBRA notice or cannot locate it, please contact the Business Manager or designee.

This is intended as a brief introduction to the Health Insurance Plan. A more thorough explanation of the plan is contained in the Summary Plan Descriptions, plan documents and insurance policies available from the Business Manager or designee. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control. BVA and, if applicable, the benefit plan administrators or insurance companies, reserve the maximum discretion and right permitted by law to administer and interpret the health plan, as well as to amend, modify or terminate the plan at any time for any reason.

October 2017

4.04 DENTAL INSURANCE

Our agency recognizes that regular dental care is essential to good health. With this in mind, we offer eligible employees a dental insurance program designed to provide preventive and remedial dental care.

ELIGIBILITY

Full-time employees are eligible to join our group dental insurance plan after completing 90-days of employment. Employees who enroll in our dental insurance plan will also be automatically enrolled in our pre-tax premium plan.

BENEFITS

This plan is designed to encourage preventive and remedial dental care. Covered services are detailed in the plan booklets provided by the insurance carrier. A copy of this booklet is available from the Business Manager or designee.

COST

Employees are responsible for the full cost of dental insurance.

DENTAL INSURANCE COVERAGE AT TERMINATION

Premiums for dental insurance will be paid through the last day of the month in which the termination of employment occurred. Employees who have dental insurance with our agency may have the option of continuing these benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the official COBRA notice for further information.

This is intended as a brief introduction to the Dental Insurance Plan. A more thorough explanation of the plan is contained in the Summary Plan Description, plan documents and insurance policies available from the Business Manager or designee. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

4.05 VISION INSURANCE

To aid employees in covering the cost of vision care, BVA offers a vision insurance program.

ELIGIBILITY

Full-time employees are eligible to join our group vision insurance plan after completing 90-days of employment. Employees who enroll in our vision insurance plan will also be automatically enrolled in our pre-tax premium plan.

BENEFITS

Payment for covered services is determined by a schedule of allowances which is maintained by the insurance carrier. A copy of this schedule may be obtained from the Business Manager or designee.

COST

Employees are responsible for the full cost of vision insurance through our payroll deduction plan.

As a part of our benefits review process, the cost of vision insurance is evaluated periodically and is subject to change.

VISION INSURANCE COVERAGE AT TERMINATION

Premiums for vision insurance will be paid through the last day of the month in which the termination of employment occurred. Employees who have dental insurance with our agency may have the option of continuing these benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the official COBRA notice for further information.

This is intended as a brief introduction to the Vision Insurance Plan. A more thorough explanation of the plan is contained in the wrap plan documents and insurance policies available from the Business Manager or designee. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

October 2017

4.06 PRE-TAX PREMIUM PLAN

Employees of BVA may participate in our pre-tax premium plan. The advantage of a pre-tax premium plan is that it allows employees to pay for certain insurance benefits on a pre-tax basis.

ELIGIBILITY

All employees who enroll in the health insurance plan, dental and/or vision insurance plan are eligible to join our pre-tax premium plan.

BENEFITS

Our pre-tax premium plan allows employees to save taxes on the money they pay toward health and dental insurance. Under this plan employee premiums are deducted from gross pay before taxes are deducted. By reducing gross wages, employees pay fewer taxes on the money that they earn.

ENROLLMENT

Eligible employees who enroll in our group health, dental or vision insurance programs will automatically be enrolled in the pre-tax premium plan.

CHANGES IN BENEFIT ELECTIONS

Generally, after selecting the pre-tax premium plan from the exchange enrollment form, employees may not change their benefit plans until the beginning of the next plan year. An eligible employee may make a mid-year election change, however, upon the occurrence of certain qualifying events, provided the change is made on account of and consistent with, such event. The qualifying events for a mid-year election change can include:

- Certain significant changes in health plan coverage or costs;
- Certain changes in family status; or
- Certain changes in the employment status of the employee or his or her spouse.

A complete list of the qualifying events for a mid-year election change can be found in the Summary Plan Description.

This is intended as a brief introduction to the pre-tax premium plan. A more thorough explanation of the plan is contained in the Summary Plan Description, plan documents and insurance policies available from the Business Manager or designee. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

4.07 HEALTH SAVINGS ACCOUNT

Employees of BVA participating in our High Deductible Health Plan (HDHP) may participate in a Health Savings Account (HSA). The advantage of an HSA is that money going into the HSA is tax-free, earns interest tax-free and is not taxed when withdrawn to pay for qualified medical, dental and vision expenses.

The HSA is not an employer-sponsored employee benefit plan. It is a savings account that is established and maintained by an HSA trustee/custodian to be used primarily for reimbursement of “qualified eligible medical expenses” as set forth in Code Section 223(d)(2). The Agency has no authority or control over the funds deposited in an HSA. Even though the Agency may allow pre-tax salary reduction contributions to an HSA, the HSA is not intended to be an ERISA benefit plan sponsored or maintained by the Agency.

ESTABLISHING THE HSA

Opening an HSA account is similar to opening an individual retirement account (IRA). The application forms for this account can be obtained from the Business Manager after you enroll in a HDHP. . The HSA should only be used to pay for or reimburse qualified medical expenses that are incurred after the HSA is established.

Employees will be responsible for managing their HSA, . Once the Agency’s contributions have been deposited in the employee’s HSA, the employee will have a non-forfeitable interest in the funds and will be free to request a distribution of the funds or to move them to another HSA provider, to the extent allowed by law.

ELIGIBILITY

Full-time employees participating in our HDHP are eligible for an HSA after 90-days of employment provided that the employee (1) cannot be claimed as another person’s tax dependent; (2) is not entitled to Medicare benefits; and (3) does not have any health coverage other than the Agency’s HDHP coverage (except for certain types of permitted insurance or coverage as discussed in IRS Publication 969). An employee will not be an HSA-Eligible Individual if covered under a spouse’s or domestic partner’s non-HDHP plan or in our Flexible Spending Account Plan.

CONTRIBUTIONS

Eligible employees may contribute to their HSA. The annual maximum deposit to an HSA is based on the federal tax-deductible limits on HSA contributions.

All HSA contributions become the property of the employee, regardless of the source of contributions. Funds deposited but not withdrawn each year will carry over into the next year. If an employee ends his or her HSA-eligible insurance coverage (e.g. because the employee ends participation in an HDHP or separates from service), the employee loses eligibility to deposit further funds but funds already in the HSA remain available for use for qualified expenses for the lifetime of the employee, his or her spouse or tax dependent.

Although the Agency expects to continue this HSA program indefinitely, it has the right to amend or terminate the HDHP and/or suspend or terminate HSA contributions at any time for any reason. It is also possible that changes to the program may be necessary or advisable as a result of future changes in state or federal tax laws.

ENROLLMENT

To participate in an HSA, please see the Business Manager or designee for the appropriate forms. Participation in the HSA program is entirely voluntary and participants may terminate their participation at any time by notifying the Agency.

WITHDRAWALS

Distributions from the HSA will be tax-free to a participant if they are for expenses incurred for medical care (as defined in Code section 213(d)) or the medical care of the participant's legal spouse or tax dependents. Expenses generally must have been incurred after the establishment of the HSA in order to qualify. HSA distributions used to pay insurance premiums will not be tax-free unless they are used for COBRA or USERRA coverage, qualified long-term care insurance, health insurance maintained while the individual is receiving unemployment compensation under federal or state law or health insurance for an individual age 65 or over (other than a Medicare supplemental policy).

HSA funds can also be withdrawn for nonmedical reasons, but such distributions must be included in a participant's taxable income and generally will be subject to an additional 20% excise tax. The excise tax will not apply to certain distributions made after death, disability or attaining the age of 65. More information about HSA distributions can be found in IRS Publication 969.

More information about HSAs, including who is eligible, other health coverage that might disqualify an individual from being eligible, contribution limits and other rules, are set forth in IRS Publication 969(Heath Savings Accounts and other Tax-Favored Health Plans).

4.08 CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)

The following is a summary of the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and New York health continuation coverage or “mini-COBRA” law. These laws require most employers to offer employees and their families continued group health insurance coverage at group rates in certain circumstances.

CONTINUATION COVERAGE

Federal law requires most employers to offer employees and their families the opportunity to temporarily continue group health insurance coverage (called "continuation coverage") at group rates in specified circumstances where coverage under the plan would otherwise end. COBRA continuation coverage for [BVA] applies to medical/dental/vision/EAP. New York's mini-COBRA law also requires temporary continuation coverage by the applicable insurance carrier if COBRA does not apply where either (i) the employer has less than 20 employees or (ii) federal COBRA continuation coverage was exhausted.

ELIGIBILITY

Employees of the Agency who are covered by agency group medical/dental/vision/EAP coverage have a right to choose this continuation coverage if they lose their group medical/dental/vision/EAP coverage because of a reduction in their hours of employment or the termination of their employment (for reasons other than gross misconduct on the employee's part), among certain other qualifying events.

The spouse or dependent child of an employee covered by the agency group medical/dental/vision/EAP coverage also has the right to choose continuation coverage if they lose group health coverage under certain qualifying events.

OPTIONS

If an employee does not choose continuation coverage, his or her group health insurance coverage will end. If an employee chooses continuation coverage, the agency is required to give the employee coverage that is identical to the coverage provided under the plan to similarly situated active employees or family members. Employees may be required to pay the entire premium for their continuation coverage, plus a small administrative fee.

At the end of the continuation coverage period, employees must be allowed to enroll in an individual conversion health plan if such option is available under the agency's group medical/dental/vision/EAP coverage.

If an employee does not choose continuation coverage of medical/dental/vision/EAP benefits, the employee may submit claims only for eligible medical/dental/vision/EAP expenses incurred through the last day of employment or applicable grace period, if any. If an employee chooses COBRA continuation of medical/dental/vision/EAP benefits, the employee may obtain reimbursement of eligible expenses incurred after termination of employment, provided the employee continues to pay contributions to the plan plus a small administrative charge.

ALTERNATIVES TO COBRA

An employee may have other options available when losing group health coverage. For example, an employee may be eligible to buy an individual plan through the Health Insurance Marketplace. By enrolling in coverage through the Marketplace, an employee may qualify for lower costs on monthly premiums and lower out-of-pocket costs. Additionally, an employee may qualify for a 30-day special enrollment period for another group health plan for which the employee is eligible (such as a spouse's plan), even if that plan generally doesn't accept late enrollees.

This policy is only a summary of your rights under the continuation coverage provisions of the law. Additional information regarding your rights is contained in the plan's general COBRA notice or can be obtained from the Business Manager or designee. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

October 2017

4.09 LIFE INSURANCE

A group life insurance policy is available for eligible full time employees through our benefits program.

ELIGIBILITY

Full-time employees are eligible for this insurance coverage after 90-day introductory period is completed. For plan information and enrollment instructions, please contact the Business Manager or designee.

PREMIUM COST

The premium for this insurance is paid for by the employee.

BENEFICIARY DESIGNATION

Employees enrolled in the life insurance benefit will be required to designate a beneficiary upon enrollment. Designations may be changed by written request at any time. Beneficiaries will be eligible to receive the full amount of the employee's life insurance coverage in the event of the employee's death in accordance with the terms of the plan.

LIFE INSURANCE

Coverage ceases on the last day of the month in which the termination of employment occurred.

This is intended as a brief introduction to the Life Insurance Plan. A more thorough explanation of the plan is contained in the Summary Plan Description, plan documents and insurance policies available from the Business Manager or designee. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

4.10 SOCIAL SECURITY

All employees are covered by this federal program, which is funded through payroll taxes known officially as the Federal Insurance Contributions Act (FICA) taxes.

BENEFITS

Social Security is an important benefit for employees and their families as it provides death, disability and retirement benefits.

COST

The cost of this coverage is determined by law. The rates are subject to change in accordance with legislated amendments by Congress. The required amount of an employee's contribution will be deducted automatically from his or her paycheck.

ADDITIONAL INFORMATION

Questions regarding the Social Security program should be directed to the Social Security Administration, which has answers to many common questions on its website at www.ssa.gov. Questions regarding an individual's FICA or other payroll tax deductions should be directed to the Business Manager or designee.

4.11 401(k) RETIREMENT PLAN

Our agency provides eligible employees with a 401(k) retirement plan. This plan, which may be used in combination with Social Security benefits and personal resources, helps to provide employees with income for retirement.

ELIGIBILITY

Full-time and part-time employees are eligible to join our 401(k) retirement plan after completing one year of employment, providing they have completed 1,000 hours of paid employment with our organization during that time and are at least 21 years of age.

ENROLLMENT

Open Enrollment occurs in December of each year. However employees may become participants on the nearest entry date after they have completed the above eligibility requirements.

EMPLOYEE ELECTIVE CONTRIBUTIONS

Plan participants may elect to contribute a percentage of their compensation to the 401(k) retirement plan, subject to the terms of the plan and certain established federal limitations.

AGENCY MATCHING CONTRIBUTIONS

The Agency will match up to three (3%) percent of the employee's contribution for the plan year.

VESTING

Employees are always 100 percent vested in the full amount of their contributions which means that employee contributions are non-forfeitable in the event employment terminates. The portion of the Agency matching contributions that are "vested" is based on the employee's number of years of service with the Agency. Employees will be vested according to the schedule below.

% Vested	Length of Service
0	One Year
25	Two Years
50	Three Years
75	Four Years
100	Five Years

INVESTMENT OF ACCOUNTS

Participating employees may direct how their account balances are invested by choosing among several investment options offered under the plan.

ADDITIONAL INFORMATION

Employees with questions about their 401(k) Retirement account should be directed to the Business Manager or designee.

This is intended as a brief introduction to the 401(k) Retirement Plan. A more thorough explanation of the plan is contained in the Summary Plan Description and plan documents available from the Business Manager or designee. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

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4.12 SHORT-TERM DISABILITY INSURANCE

A loss of income due to disability can be destructive to an individual's or family's security. For this reason BVA provides eligible employees with short-term disability insurance. This insurance program assists employees in replacing lost income in the event that an employee is disabled due to an off-the-job injury, illness or pregnancy.

ELIGIBILITY

All employees who cannot work due to a non-job related disability are covered under this short-term disability insurance program if they meet the eligibility requirements of the New York State Disability Benefits Law.

BENEFITS

The benefits begin on the eighth calendar day of the disability and may continue for up to 26 weeks* Disability benefits are 50 percent of the employee's average weekly wage (based on the last eight weeks of employment) up to a maximum weekly benefit of \$170.00.

*Employees receive a combined total of 26 weeks of disability and New York Paid Family Leave Benefits.

OPTIONAL SHORT-TERM DISABILITY INSURANCE

Employees have the option to purchase supplemental short-term disability insurance coverage at their own expense. The weekly state insurance benefit is integrated with this additional supplemental benefit. Combined short-term disability benefits are a percent of an employee's average weekly wage, up to a maximum weekly benefit as defined by the plan benefit.

COST

The cost of state-mandated short-term disability insurance is shared between the employee and the Agency. The cost to the employee is no greater than \$.60 each week and is deducted from the employee's paycheck.

The cost of the supplemental or optional disability insurance is paid for by the employee.

LEAVE ENTITLEMENT

Employees are eligible for a Disability Leave. This leave runs concurrently with any available Family and Medical Leave. See the [Disability Leave](#) policy for more information.

EMPLOYEE'S RESPONSIBILITY

Employees must notify the Business Manager or designee immediately if they anticipate being on a medical leave beyond seven calendar days.

This is intended as a brief introduction to the Short-Term Disability Insurance. A more thorough explanation of the plan is contained in the Summary Plan Description and plan documents available from the Business Manager or designee. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

4.13 LONG-TERM DISABILITY INSURANCE

Income protection is vital to anyone disabled for a long period of time. For this reason, BVA offers eligible employees a long-term disability insurance plan which provides income protection during extended periods of disability.

ELIGIBILITY

Full-time employees are eligible to participate in this plan after completing 90-day of employment with the Agency.

BENEFITS

The payment of long-term disability insurance benefits is contingent upon being totally disabled due to illness or non-occupational injury. Total disability is defined in the plan documents. Long-term disability benefits begin after 26 weeks of disability.

COST

The cost of this insurance is paid for by the employee.

EMPLOYEE'S RESPONSIBILITY

Employees who are on long-term disability are responsible for notifying the Agency of any change in their return-to-work status.

This is intended as a brief introduction to the Long-Term Disability Plan. A more thorough explanation of the plan is contained in the Summary Plan Description and plan documents available from the Business Manager or designee. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

4.14 WORKERS' COMPENSATION

Our agency carries a Workers' Compensation Insurance Policy which covers all employees in the event that they are injured or become disabled due to occupational illness or injury while on the job.

BENEFITS

For employees who are injured while on the job or who develop an occupational illness, medical expenses and loss of earnings up to the specified maximum normally will be covered by our Workers' Compensation Insurance Policy. Compensation under this plan is based on a formula using the employee's average weekly wages.

ELIGIBILITY

Benefits for lost earnings begin after the seventh day of disability. If disability continues beyond two weeks, the benefits will also be paid for the first week of disability. Payment of medical expenses begins on the first day of disability.

LEAVE ENTITLEMENT

Employees are eligible for a Disability Leave. This leave runs concurrently with any available Family and Medical Leave. See the [Disability Leave](#) policy for more information.

COST

The Agency pays the entire premium for this insurance policy.

REPORTING ACCIDENTS

Reports of accidents or injuries, even if minor, must be filed within 24 hours with the shift supervisor. Failure to receive medical treatment in a timely manner may result in serious complications and also may jeopardize eligibility for medical benefits.

4.15 JURY DUTY & COURT ATTENDANCE

Our agency considers service on a jury to be an important civic duty.

JURY DUTY PAY

If an employee is called to serve, on a scheduled work day he or she will be paid by the Agency the employee's standard pay rate for jury duty hours served.

Exempt employees will be paid their full weekly salary if they work any part of the week in which they perform jury service.

DOCUMENTATION

Employees must submit a copy of the Jury Duty Attendance Certificate to their reporting supervisor indicating the dates served. Employees will receive this statement when their jury duty is complete.

TIME AWAY FROM WORK

In fairness to the Agency, employees are expected to return to work if they are excused from jury duty during their regular working hours.

COURT ATTENDANCE

Employees who are subpoenaed to appear in court as a witness in a criminal proceeding or who attend court as a victim of a crime, will be granted unpaid time off for their attendance.

Employees who are subpoenaed to appear in court as a witness in a criminal proceeding or who attend court as a victim of a crime on behalf of BVA will be paid their normal pay rate for their court attendance time. Employees must submit their court appearance hours to their Supervisor for payroll processing.

4.16 BEREAVEMENT

In the event of a death in an employee's immediate family, the employee may take a leave immediately following the death for the purpose of making arrangements and attending the funeral.

COMPENSATION

Full-time employees will receive up to three days off with pay based on their regular rate of pay in the event of the death of an immediate family member. For the purposes of this policy, members of the immediate family include spouse, domestic partner, parents, children, stepchildren, sisters, brothers, parents-in-law, sons/daughters-in-law, stepparents, stepparents-in-law and grandparents.

4.17 MILITARY LEAVE

The Agency recognizes the obligation of those employees serving in any branch of the military or other uniformed services of the United States. Employment status within the Agency is protected by the Uniformed Services Employment and Reemployment Rights Act of 1994 (“USERRA”) and state military leave provisions.

LEAVE AND REEMPLOYMENT

Employees who serve on active or reserve duty will be granted a leave of absence up to the maximum time required by law. BVA is committed to preserving the job rights of employees absent on military leave in accordance with law.

COMPENSATION

Military leave is unpaid. Employees on unpaid military leave may choose to apply PTO benefits to their absence.

HEALTH CARE CONTINUATION

During a military leave of less than 31 days, an employee is entitled to continued group health plan coverage under the same conditions as if the employee had continued to work. For military leaves of more than 30 days, an employee may elect to continue his/her health coverage in accordance with USERRA and COBRA. For additional information on health care continuation contact Human Resources.

SPOUSAL LEAVE

In accordance with New York State law, spouses of members of the U.S. armed forces, National Guard or reserves that have been deployed to a combat area during a period of military conflict are entitled to up to 10 days of unpaid leave. The spouse must work on average at least 20 hours per week to be eligible for this leave. The military personnel must be on leave at the time the spousal leave is taken.

NOTIFICATION OF SUPERVISOR

Employees are expected to inform their supervisor of their need for military or spousal leave as far in advance as possible. Employees also must submit a copy of the military orders to the Business Manager or designee.

OTHER LEAVES

This leave may run concurrently with any available Family and Medical Leave, where applicable.

NO RETALIATION

Employees who request military and/or spousal leave will not be retaliated against or penalized in any manner. Any employee who believes he or she has been retaliated against in violation of this policy should notify the Business Manager or designee immediately.

4.18 VOTING LEAVE

Our agency believes that all employees should have the opportunity to exercise his or her right to vote in elections.

TIME AWAY FROM WORK

Employees who do not have sufficient time to vote outside their working hours will be allowed the necessary time off to vote at the beginning or the end of their shift. Up to two hours will be paid time off. No time off will be allowed in any election where the polls are open at least four consecutive hours before or after the employee's shift.

Employees must return to work immediately after voting if their shift has not ended.

ADVANCE NOTICE

Employees must request time off to vote in writing at least two work days in advance. Requests for time off to vote should be given to supervisors.

4.19 BONE MARROW & BLOOD DONATION LEAVE

In accordance with New York State law, our agency offers employees a leave of absence for the purpose of bone marrow or blood donation.

TIME AWAY FROM WORK

Employees who work at least 20 hours per week who seek to undergo a medical procedure to donate bone marrow will be granted a leave of absence no longer than 24 work hours. This leave is unpaid.

Employees who work at least 20 hours per week may be granted three hours of unpaid leave in any 12-month period of time for the purposes of donating blood.

VERIFICATION

Employees are requested to give as much advance notice as possible. Employees who donate bone marrow must provide the Business Manager or designee with verification from a physician as to the purpose and length of leave requested.

4.20 VOLUNTEER FIREFIGHTER & AMBULANCE PERSONNEL LEAVE

Our agency recognizes the obligations that our employees who serve as volunteer firefighters and ambulance personnel may have in times of emergency.

ELIGIBILITY:

Employees who are volunteer firefighters or ambulance personnel are permitted unpaid time off (unless payment is required by law) in the event that a State or local state of emergency has been declared by the Governor or a local government executive (such as a city mayor or town supervisor) and the employee's duties as a volunteer are related to handling/resolving the declared emergency.

NOTIFICATION:

If an employee requests time off under the policy, he or she must notify their supervisor immediately after the need for the leave becomes known. If the Agency grants an employee time off pursuant to this law, the employer may request the employee provide appropriate documentation from the head of the volunteer fire department or ambulance service certifying the period(s) of time that the employee spent responding to the declared emergency.

4.21 DISABILITY LEAVE

Our agency offers employees a leave of absence due to an injury or illness, including pregnancy-related disability, consistent with applicable law.

ELIGIBILITY

All employees are eligible for this leave.

LENGTH OF LEAVE

Leave will be provided as medically necessary and consistent with the operational needs of the Agency. The Agency will comply with the requirements of the Americans with Disabilities Act and state law.

PAY DURING LEAVE

Disability leaves are unpaid except to the extent an employee is eligible to receive Workers' Compensation benefits, short-term disability benefits or PTO days. (See those policies for details.)

MEDICAL CERTIFICATION

Prior to the granting of such leave, employees must provide the Business Manager or designee with a health care provider's certificate justifying the medical need for the disability leave and the expected date of return.

HEALTH INSURANCE DURING LEAVE

Our agency will continue to provide health insurance coverage for full-time employees on authorized disability leave for twelve weeks. Employees are required to pay their portion of the premium on the first day of each month. Coverage will cease if an employee's premium payment is more than 30 days late.

For any disability leave that would extend beyond twelve weeks, employees are responsible for 100% of the cost of their benefits while on extended leave.

RETURN TO WORK

Before returning to work, employees are required to present documentation from a health care provider certifying they are able to return to work with or without a reasonable accommodation.

JOB REINSTATEMENT

We will make all reasonable efforts to return employees to the same or similar job as held prior to the disability leave, subject to our staffing and business

requirements and applicable law. An employee's continued absence from work beyond the period of disability may be deemed a voluntary termination of employment.

4.22 PERSONAL LEAVE OF ABSENCE

A personal leave of absence without pay will be considered for up to 60 consecutive days for employees who have completed at least one year of service with BVA. Our service to patients is of the utmost importance and will be a factor when considering a request for a leave of absence.

PURPOSE

Generally, a request for an unpaid personal leave of absence should be for compelling personal reasons that are not covered by any other leave or established state or federal law.

PROCEDURE FOR REQUESTS

Requests should be given in writing to the employee's supervisor as far in advance as possible. The supervisor will give the request to the Chief EMS Operations and/or Business Manager who will review it and determine whether or not it can be granted. Employees then will be notified of this decision.

Earned but unused PTO benefits must be exhausted before a personal leave of absence will be approved.

BENEFIT STATUS WHILE ON LEAVE

All benefits and agency payments toward insurance coverage will be suspended during leaves. No service credit is accrued toward PTO or other paid time off while on leave.

Employees must contact the Business Manager or designee to determine if they are eligible for health insurance continuation at their own expense (see [COBRA Policy](#)).

JOB REINSTATEMENT

Depending upon our staffing needs and business requirements, the Agency will make reasonable attempts to place an employee who returns from an authorized personal leave of absence in the same or equivalent job. However, the Agency does not guarantee that his or her job or any other job will be available when the employee returns from a personal leave.

4.23 TUITION ASSISTANCE

Our agency is interested in helping employees improve job related skills. A portion of tuition costs for non mandatory classes may be paid when the courses are directly related to the employee's job. The Agency determines whether courses are job-related for tuition reimbursement.

ELIGIBILITY

Full-time employees who have completed one year of service and have a satisfactory level of performance, as determined by the Agency, may apply for tuition assistance.

APPROVAL

Every employee is responsible for his or her own continuous education and maintenance of job skills. Therefore, assistance will be considered on a case-by-case basis.

Prior to registration for the course(s), employees must apply for tuition reimbursement and receive approval from both the Training Manager and the Chief EMS Operations or the Business Manager.

PAYMENT

A portion of tuition costs may be paid when the courses are directly related to the employee's job. The Agency determines whether courses are job-related. The Agency will pay a portion of tuition, registration and laboratory fees to be determined at the time of approval for tuition reimbursement.

Employees will be reimbursed after completing the course with a passing grade as long they are still employed by the Agency when they receive the grade.

A copy of the tuition bill, and the final grade report must accompany the request for reimbursement.

SCHEDULING

The course(s) should not interfere with an employee's normal work schedule.

NON-CREDITED PROGRAMS

Programs of a non-credited nature, such as conferences and seminars, are ineligible for reimbursement under this policy. If the Agency requests an employee's attendance at an outside educational course, the costs will be paid in full directly by the Agency.

4.24 EXTERNAL TRAINING PROGRAMS

Our organization encourages new and continuing medical education by attending conferences and EMS related classes. This policy establishes qualifying EMS classes and conferences to be paid for by BVA and the procedure for how payment will occur.

ELIGIBILITY

Tuition and class materials reimbursement are available to employees as approved by the Board of Directors.

QUALIFICATIONS

Conferences and classes made mandatory will be covered in full by BVA at the time of registration and need approval from the Training Manager.

Conferences and classes not mandatory will be paid for by the individual and upon approval by the Training Manager, may be reimbursed for qualifying expenses.

To qualify for reimbursement, employees must have completed the 90-day introductory period and met the minimum monthly hour requirement.

Part-time employees working for multiple EMS, Fire, or Law Enforcement agencies will only qualify for a maximum of 50 percent expense reimbursement on qualifying courses.

Reimbursable classes must have a benefit to BVA or be EMS related. Reimbursable expenses may include:

- Tuition costs will be reimbursed up to \$450 per fiscal year per employee for classes related to CPR, ACLS, PALS, BTLS and GEMS.
- Incident Management Classes.
- STEP Conference and Vital Signs Conference.
- Other relevant courses pre-approved by the Training Manager.

NON-REIMBURSABLE EXPENSES

- CFR EMT and Paramedic classes that are part of a career track program
- Mileage, gas and other related vehicle costs
- Tolls
- Meals
- Other miscellaneous expenses

REIMBURSEMENT

A request for tuition reimbursement should be made, in writing, to the Training Manager. Upon approval, the employee making the request shall be informed of the approval.

Tuition reimbursement will be issued after successful completion of the class. A copy of the certificate and a copy of the bill and payment receipt should be submitted to the Business Manager or designee within 30 days of course completion.

If documentation is received after the 31st day following course completion, the request for reimbursement will be automatically denied. An appeal can be made to the Board of Directors, in writing, no later than one week prior to the next Board of Director's meeting.

ADDITIONAL INFORMATION

Please see the Business Manager or designee for additional information.

4.25 PROFESSIONAL DEVELOPMENT

BVA supports the professional development of individuals that is made possible through active participation in business and technical organizations.

MEMBERSHIPS

The Agency will consider paying the cost of membership in a technical or business organization when the membership is beneficial to an employee's job within the Agency.

TRADE PUBLICATIONS

A variety of trade journals, videos and publications are available in the Library at the Base Office. By reading these periodicals on a regular basis, employees can stay informed and updated on your career field.

MEETINGS AND SEMINARS

The costs associated with registration fees, meals and travel expenses generally will be paid by the Agency if it asks employees to attend a specific meeting or seminar.

CONTINUING MEDICAL EDUCATION

BVA participates in the NYS DOH CME-Based Recertification Program and provides opportunities for EMS providers to obtain the necessary training for recertification.

Records of training are kept in the BVA Training Files for all BVA EMS personnel, but it is the EMS provider's responsibility to assure that the CME classes are obtained and the paperwork is completed a minimum of 45 days prior to the expiration date of his/her EMT card.

IN-SERVICE TRAINING PROGRAMS

Mandatory In-services: Mandatory in-service programs are provided on an as needed basis. All employees must attend these training sessions. All paid employees will be paid their base rate of pay.

Examples of mandatory in-services: Protocol Updates, OSHA and Safety Training Documentation Updates, CEVO II Training, CPR Training, any complex policy/procedure change, etc.

Voluntary In-services: Voluntary in-service training is provided on a periodic basis, generally on a monthly basis. While all employees are encouraged to attend, attendance is not mandatory. Employees will not be monetarily compensated for attendance at these sessions.

Topics of Voluntary In-service sessions are selected based on issues identified in the QA/QI process, employee suggestions, general professional development, and CME-Based recertification program requirements.

OTHER EDUCATIONAL/TRAINING PROGRAMS

Programs pre-approved by your Manager that will be of benefit to BVA.

ADDITIONAL INFORMATION

Please see the Business Manager or designee for additional information.

4.26 UNIFORMS

Our uniforms convey an important message about the Agency's professionalism. These uniforms also promote safety and assist employees by reducing the expense of purchasing work clothing. As BVA team members, employees are expected to wear our agency uniforms.

GENERAL

BVA road crew employees (full-time and part-time) receive a uniform allowance.

NEW EMPLOYEE ORIENTATION

All employees will be issued vouchers on day one of BVA in-service training. Uniforms are purchased and obtained through our supply officer.

Full-time Employees	Part-time Employees
1 st Year - \$500 + Jacket	1 st Year - \$250 + Jacket
2 nd Year and each yr. after: \$250	2 nd Year and each yr. after: \$150

Any additional purchase for uniform apparel beyond these voucher amounts would be the responsibility of the employee. This allowance may only be spent on uniforms and other apparel items approved by the organization. Each employee is responsible for spending their allowance before the end of BVA's fiscal year end August 31st.

Employees are expected to treat these uniforms with pride and care.

ADDITIONAL INFORMATION

The Duty Captains and or the Field Training Officer (FTO) will explain the procedure for obtaining uniforms.

4.27 EMPLOYEE DISCOUNTS

Our agency offers discounts on products and services to current employees.

CURRENT DISCOUNTS

Dell Employee Store: Online discounts for computer purchases.

BJ's Discount Warehouse: Discounted membership as part of the BVA Master Membership Plan.

My Better Benefits Discount program available for a wide variety of local programs and services.

M&T Banking Services: Discounted fees on banking services.

Wireless Phone Plans: Sprint and Verizon discount monthly cell phone service costs.

4.28 EMPLOYEE ASSISTANCE PROGRAM

On occasion, everyone has personal problems. Usually these problems are resolved with the support of relatives and close friends. But sometimes, employees or members of their family may find that they would benefit from the assistance of a trained counselor. It is for this reason that BVA provides an Employee Assistance Program (EAP) to employees and family members who may need help with personal or behavioral problems.

ELIGIBILITY

Our EAP, which is offered through the ESI is available to all BVA Staff-employees, volunteers and their family members.

BENEFITS

Through this program, confidential advice and short-term counseling are provided for any employee or member of an employee's family who requests it or for an employee who is referred by his or her supervisor. Common problems addressed through counseling include alcoholism, drug abuse, financial difficulties, family tensions and conflicts with co-workers.

The privacy of employees and their family members is protected at all times. The Agency is not informed when anyone seeks assistance, unless the individual so requests or the Agency refers the employee to the program as a requirement of continued employment.

COST

BVA pays the full cost of the Employee Assistance Program. Employees are responsible for the cost of outside referrals. However, the cost for outside referral help may be covered by BVA group health insurance program.

ADDITIONAL INFORMATION

Employees may contact ESI. The contact information is posted at the Base Office. If they are unable to reach help at the EAP number and it is a crisis situation, employees should call 911. If it is not a crisis situation, employees may contact 2-1-1 /LIFE LINE at 1-877-356-9211, by dialing 211 or by visiting <http://211lifeline.org/>. The 2-1-1 /LIFE LINE offers referrals for emergency food, shelter, clothing, crisis counseling, substance abuse issues, employment, financial and legal issues and physical and mental health needs.

4.29 DOMESTIC PARTNER BENEFITS

BVA allows employees to obtain allowable benefits for themselves and their domestic partners. If the domestic partner is not the employee's legal spouse or income tax dependent under applicable IRS rules, then the value of the employer-provided benefits (including any such coverage paid for on a pre-tax basis) may be added to the employee's taxable earnings. If you need further advice on this issue, please consult your tax advisor.

ELIGIBILITY

Domestic partners of current employees, including same sex and opposite sex partners and children of a current domestic partner are eligible for health insurance and dental insurance benefits. Domestic partners must meet the following requirements:

- Have an exclusive mutual commitment, similar to that of marriage;
- Are each other's sole domestic partner and intend to remain so indefinitely;
- Neither partner is legally married;
- Are not related by blood to a degree of closeness which would prohibit legal marriage in the state in which the partners legally reside;
- Are at least 18 years of age and are legally competent to contract;
- Are currently residing together and have resided together in a common household for at least six consecutive months and intend to reside together indefinitely;
- Share joint responsibility for the partners' common welfare and financial obligations as evidenced by an Affidavit of Domestic Partnership (a prescribed affidavit sworn to by both individuals which demonstrates their personal and financial interdependence).

Same-sex couples who have been legally married are eligible for the same insurance benefits from the Agency as are other married couples without meeting the above eligibility requirements.

ENROLLMENT

To enroll a domestic partner in BVA health and dental insurance benefit programs, the employee must provide an Affidavit of Domestic Partnership which may be obtained from the local city or town clerk's office.

CHANGES IN BENEFIT ELECTIONS

After enrolling, employees may not change their benefit plans until the beginning of the next plan year, unless one of the following events occurs and provided the change elected is made on account of and consistent with, such event:

- The domestic partnership is dissolved;
- You have a change in family status; or
- Your employment status changes.

TAX IMPLICATIONS

The tax consequences of a domestic partnership are the responsibility of the employee, not the Agency. Unless a domestic partner qualifies as the employee's tax dependent the value of any domestic partner benefit may be taxable compensation for the employee.

TERMINATION PROCEDURES

If there is a change in status of the domestic partnership, the employee must notify the Business Manager or designee within 30 days of the change of status. Benefits will continue until the last day of the month the statement is received.

If there is a conflict between this policy or guidance under it, information you receive and the benefit plan document(s), the terms of the actual plan documents shall control.

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SECTION FIVE

SAFETY POLICIES

5.01 SAFETY THROUGH TEAMWORK

Safety is a high priority at BVA. We accept responsibility for providing employees with a safe working environment and we expect employees to take responsibility for performing their work in accordance with our safety standards and practices.

Safety will only be achieved through teamwork at our agency. We must all join together in promoting safety and taking every reasonable measure to assure safe working conditions exist throughout our agency.

EVERYONE IS RESPONSIBLE FOR SAFETY

Employees who notice an unsafe condition must notify their supervisor. Immediate action will be taken to correct the situation.

ACCIDENTS

Employees should promptly report any work-related injury to their supervisor, even if it appears minor, and explain how the injury occurred.

EMPLOYEE RESPONSIBILITIES

An unsafe worker is a danger to the worker and fellow employees. Attention to all safety procedures is essential, not only to prevent injury, which is paramount, but also to protect property and the tremendous investment that it represents.

Each employee is responsible for safety. To accomplish this, employees should:

- Know and apply safety measures at all times;
- Know the locations, contents and use of first aid and firefighting equipment;
- Understand their job fully;
- Seek guidance from their supervisor when unfamiliar conditions are encountered;
- Report any accident or near accident to their supervisor promptly;
- Cooperate in the application of improved work measures; and
- Report any damaged or defective equipment or other unsafe condition to their supervisor promptly.

Employees have the right to report a work-related injury or illness, and will not be subjected to any discrimination or retaliation for doing so.

SAFETY VIOLATION

Violation of a safety measure is in itself an unsafe act. A violation will be grounds for disciplinary action, the extent of which will be determined by the nature of the violation.

5.02 ALCOHOL & DRUG-FREE WORKPLACE

The Agency is committed to providing employees with a work environment that is free of the problems associated with the use and unlawful possession of controlled substances or alcohol. We also are responsible for providing our patients with quality service at reasonable costs in a safe and efficient manner. As a condition of employment with our agency, all employees are required to fully comply with the provisions of this policy.

DEFINITION OF CONTROLLED SUBSTANCES

"Controlled substances" are defined as those drugs listed in Schedules I through V of Section 202 of the Federal Controlled Substances Act, 21 U.S.C. 812 and include, but are not limited to: marijuana, cocaine (including "crack" and other cocaine derivatives), morphine, codeine, phenobarbital, heroin, amphetamines and many barbiturates.

UNAUTHORIZED PRESENCE OF CONTROLLED SUBSTANCES AND/OR ALCOHOL IN THE WORKPLACE

The unauthorized or illegal use, sale, purchase, possession, distribution, dispensation, formulation, manufacture or transfer of controlled substances or alcohol on agency property or any location at which agency business is conducted, including agency vehicles and any private vehicle parked on agency premises or work sites, is strictly prohibited.

Further prohibited is the unauthorized or illegal use, sale, purchase, possession, distribution, dispensation, formulation, manufacture or transfer of controlled substances or alcohol on non-working time on agency premises to the extent such actions impair an employee's ability to perform his or her job or otherwise adversely affects the Agency's business interests.

REPORTING THE USE OF CERTAIN MEDICATIONS BY SAFETY-SENSITIVE EMPLOYEES

This policy does not prohibit the use of prescription or over-the counter medication taken by employees in safety-sensitive jobs which: (1) have been lawfully prescribed to or obtained by, the employee; (2) are being used by the employee in accordance with the prescription's guidelines (if applicable); and (3) before reporting to work under the influence of such medication, the employee has inquired whether the drug manufacturer or the employee's physician warns against driving, operating machinery or performing other work-related safety-sensitive tasks and has informed the Agency. When these warnings exist, the employee must inform Business Manager or designee of such restrictions before reporting to work under the influence of such substances. The employee should not identify the medication(s) being used or the reason for its use. The Agency

will evaluate and respond to this information on a case-by-case basis and will maintain the confidentiality of the information provided. Responses may include, among other things, temporary job reassignment or modifications, a request for additional medical documentation and consultation and/or an instruction that the employee not work until the restriction is removed. Any employee reporting to work in a safety-sensitive job without first advising the Agency about warnings acknowledging lawfully-prescribed or obtained medications will be subject to disciplinary action up to and including possible termination of employment. An employee's lack of knowledge concerning such warnings will not excuse a violation of this rule where an employee has failed to make the inquiries required by this rule.

“Safety-sensitive” employees are those whose job duties put them at risk for seriously injuring or harming themselves or others if they perform their job duties while using drugs or alcohol.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

BVA provides an EAP for employees and their family members. Employees are encouraged to use the EAP whenever they feel the need to discuss personal issues. For employees who have difficulty handling drugs or alcohol, the EAP can provide information on treatment. The EAP is a confidential service.

VIOLATION OF POLICY

Violations of this policy will lead to disciplinary action, up to and including termination.

5.03 ACCIDENT REPORTING AND INVESTIGATION

Properly reporting accidents and/or unsafe conditions is the key to creating a safe workplace. Employees have both a right and responsibility to report work-related injuries and illnesses and unsafe working conditions.

PURPOSE

The purpose of accident investigation is to discover the cause(s) so proper action may be taken to prevent a recurrence. Every accident indicates that proper preventive action must be taken. Employees have both a right and responsibility to report work-related injuries and illnesses.

NO RETALIATION

Employees have the right to report work-related injuries or illness without fear of reprisal. It is the policy of BVA that any employee who makes a complaint regarding safety and/or reports a work-related injury will not be retaliated against in any way. Employees who feel that they have been retaliated against for such activity should immediately contact the Captain on Duty.

PROCEDURES

INJURED PERSONNEL

Any and all injuries occurring on duty need to be reported to the Shift Supervisor as soon as possible. If the Shift Supervisor is otherwise unavailable, the report will be made to any other Operations Officer. All paperwork will be filed with the initial report taker. Any injury report will be cause to complete a full medical evaluation, and if the injured personnel does not wish to seek treatment at a hospital, a refusal of treatment/transport will be completed.

BVA employs a Health and Safety Officer. At the soonest convenient time, the report taker will notify the Health and Safety Officer, who will assume control of all reports and paperwork upon arrival.

Any and all injuries, regardless of severity are applicable for an injury report. The following paperwork will be submitted/collected by the Health and Safety Officer.

1. Date, Time, Run Number
2. Location
 - a. With as much detail as possible. Weather conditions, Scene description, etc.
3. Shift Supervisor Name and Rank
4. Any Witness' names & written reports

5. Injured person(s) written report
6. Treatment rendered by others
7. Copy of Patient Care Report
8. Brief Description of the event
9. BVA Workers Compensation paperwork
 - a. To be filed immediately by the injured person(s) and signed by the evaluating physician

The injured party is solely responsible for any and all follow up care. Failure of the person injured to partake in any follow up care may result in subsequent denial of a Workers Compensation Claim. Failure of an injured person to follow up may also result in a denial of coverage from Workers Compensation Claims. Any and all BVA representatives are not responsible for ensuring that injured personnel attends to any follow up care. If the injured person fails to notify management at the time of the incident, he/she may also face a denial of coverage. These possible denials are at the mercy of the Workers Compensation insurance company contracted for service with BVA.

All Injured Personnel reports will be forwarded to the Business Manager within forty-eight (48) hours of the incident.

VEHICLE ACCIDENTS

The risk for an accident involving the BVA fleet is inherently high when utilizing equipment in the field of Emergency Services. All Vehicle and Traffic laws will be followed at all times.

In the event of an accident, the following is to occur:

Crew:

1. Immediately notify dispatch of:
 - a. The exact location of the accident
 - b. Any injuries and need for additional equipment
 - c. Need for Law Enforcement
2. If you are responding to a call, ensure another ambulance is started to cover the call. The crew involved will stay at the scene until Law Enforcement arrives. Regardless of damage, an MVA report must be filed
3. If you are transporting to a hospital, ensure patient care is continued until relieved by another unit
4. Notify Operations via cell, 585-435-0143
5. Photograph the scene if possible
6. Ensure a copy of the Police report is obtained
7. Incident reports are to be filed by all members of the crew as soon as possible
8. At no time will any crew members admit fault regarding the cause of the accident
9. At no time will any crew members post to social media regarding the accident

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Shift Supervisor:

1. Ensure that the call the vehicle was involved with is properly tended to. Either by starting another unit to the scene of the original call, or the scene of the accident for continuity of care
2. Respond to the scene of the accident
3. Notify the Chief of an accident involving our fleet
4. Complete an BVA Accident Report Form (Including incident diagram)
5. Ensure reception of Law Enforcement Accident Report
6. Record photographs of the scene
7. Receive incident report from all crew members
8. Complete an Injured Person(s) report in accordance with SOG 5.09
9. Complete event summary
10. Compile Accident Package: BVA Accident Report, Law Enforcement Report, Photographs, Crew Incident Reports, Injured Person(s) report, and Summary and submit to the Chief

Chief:

1. Receive and review Accident Package
2. Deliver a copy of the Package to the Business Manager for follow up
3. Issue corrective action if needed
4. Coordinate actions to repair or replace vehicle so that it may be returned to service

Key Points:

- BVA Fleet Vehicles will be towed to American Fleet Maintenance for service and/or repair
- At no time should fault be assigned
- Any secondary responding units will handle care accordingly, regardless of fact that a BVA vehicle is involved
- Documentation, scene diagram, and photographs are critical.
- The procedure above remains in effect, whether the accident involves striking an individual, vehicle, structure, or other.

5.04 CHEMICAL HAZARD COMMUNICATION PROGRAM

Our agency's Chemical Hazard Communication Program has been created with health and safety in mind. To be successful, this program requires full commitment. Working together, we can keep our workplace safe.

OBJECTIVE OF PROGRAM

The purpose of this program is to ensure our organization's full compliance with the OSHA Hazard Communication Standards, thereby keeping our employees informed of the hazardous chemicals to which they may be exposed. The scope of the program includes:

- Maintaining a list of all hazardous chemicals used in our work areas and updating the list as necessary;
- Placing warning labels on containers that have hazardous materials;
- Maintaining Materials Safety Data Sheets (MSDS) for every substance on the list of hazardous chemicals and making the MSDSs readily available to all employees;
- Training employees to recognize and interpret labels, warnings and signs that are fixed to containers;
- Training employees to understand the elements of the MSDS and to recognize possible risks to health and physical harm;
- Making this written program available upon request to employees.

REPORTING ACCIDENTS

The Health & Safety Officer is responsible for monitoring and updating the Chemical Hazard Communication Program within our agency. Any accidents pertaining to chemicals or hazardous materials should be reported immediately to him or her. Employees can obtain MSDS information from the Health & Safety Officer.

ADDITIONAL INFORMATION

For additional information regarding our Chemical Hazard Communication Program, contact the Health & Safety Officer.

5.05 BUILDING SECURITY & BADGES

The security of BVA's offices and facilities is of the utmost importance. To control building security, all visitors who require access to our facilities must be accompanied by an authorized employee.

EMPLOYEES AND MEMBERS

All employees are required to have their badge on their person ready to use, any time they come to BVA, whether it be for a duty shift, a class, or a meeting.

Your badge will only allow you access to the area's you are authorized to have access to. Any questions regarding your personal access points should be directed to your reporting Supervisor.

VISITORS

Visitors requiring access to BVA's offices are to be met in the reception area by an authorized employee, escorted while in the building and accompanied back to the reception area when leaving the building. Visitors should only have access to the areas/offices within the building that are needed to conduct business.

Community visitors who come to BVA for blood pressure checks and to borrow or return loan closet items will be met and restricted to the reception area. They will not be required to have a badge.

DELIVERIES

Delivery people are seldom thought of as visitors, but they are and should be treated as any other visitor.

PROHIBITED ITEMS

The following articles may not be brought onto agency premises:

- Firearms, weapons, explosives;
- Narcotics, other unauthorized controlled substances or alcoholic beverages; and
- Other items similar in effect or purpose to any of the above, as well as items which may be considered illegal under local, state or federal laws or contrary to standard industrial practice.

Any personal items brought on the premises are subject to inspection as necessary to protect agency property and personnel.

USE OF AGENCY PROPERTY/VEHICLES

Agency property may not be removed from the premises or equipment operated for personal use without the written approval of the Chief EMS Operations and/or Business Manager.

5.06 SMOKE-FREE WORKPLACE

The following smoking provisions have been adopted in the interest of providing a safe and healthy environment for both employees and visitors to our building.

SMOKING RESTRICTIONS

Smoking including E-cigarettes is not permitted in any agency work areas and buildings or in any agency-owned vehicles.

Employees may only smoke in designated areas.

Employees, members and visitors are expected to refrain from smoking near any building entrance where other employees and/or visitors would be exposed to second-hand smoke. Employees must be at least 25 feet away from the building entrance while smoking.

COMPLIANCE

Violations of this policy are subject to disciplinary action, up to and including termination.

5.07 VIOLENCE IN THE WORKPLACE

BVA is committed to providing a safe environment for employees, patients and visitors. The Agency has zero tolerance for violence. Employees who display any violence or threaten violence in the workplace are subject to disciplinary action, up to and including termination. Talk of committing violence or joking about committing violence will not be tolerated.

DEFINITION

Violence in the workplace includes, but is not limited to: physically harming another, shoving, pushing, brandishing weapons and explicit or implicit threats or talk of committing violence.

WEAPONS

All employees are prohibited from carrying a weapon while in the course and scope of performing their job for BVA, whether they are on agency property at the time or not and whether they are licensed to carry a handgun or not. This policy also prohibits weapons at any agency-sponsored functions such as parties or picnics.

Failure to abide by this policy may result in disciplinary action, up to and including termination. Further, carrying a weapon onto agency property in violation of this policy will be grounds for immediate removal from agency property and may result in prosecution. This policy shall not be construed to create any duty or obligation on the part of the Agency to take any actions beyond those required of an employer by existing law.

REPORTING VIOLENCE

It is everyone's responsibility to prevent violence in the workplace. Employees must report what they see in the workplace that could indicate that a co-worker may be a threat to the safety of the workplace. Employees should report any incident that may involve a violation of the Agency's policies that are designed to provide a safe workplace environment. Concerns may be presented to supervisors or any other member of management. All reports will be investigated and information will be kept confidential by management, consistent with applicable law and the need to facilitate an investigation and/or a solution to the problem.

TRAINING PROGRAMS

As part of its commitment to preventing workplace violence, the agency has established training programs for all employees. Training is included as part of the orientation. Thereafter, employees will be scheduled for annual refresher training.

EDUCATIONAL OFFERINGS

In order to promote a peaceful working environment, the agency encourages employees to enroll in courses to learn more about working with each other. Courses covering communication, problem solving, building effective working relationships, stress management and related or similar course topics are supported by tuition reimbursement; offered by the agency; or, where appropriate, provided by attendance at outside seminars.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

BVA provides an EAP for employees and their family members. Employees are encouraged to use the EAP whenever they feel the need for guidance with personal problems. For employees who have difficulty handling drugs or alcohol, the EAP can provide information on treatment. The EAP is a confidential service.

5.08 WORKPLACE SEARCHES

In order to ensure the safety of the workplace, prevent theft of agency and personal property and/or enforce agency policies, BVA reserves the right to conduct searches of any person, vehicle or object that enters onto agency property with or without reasonable suspicion that a policy or legal violation has occurred.

SEARCHES

Please be aware that the Agency reserves the right to search lockers, desks, files or file cabinets, briefcases, baggage, toolboxes, lunch sacks, clothing, purses, vehicles parked on agency property and any other item in which dangerous, stolen or unauthorized objects may be hidden. Additionally, the Agency may search agency-owned vehicles that are primarily used by the employee, regardless of whether the vehicle is located on agency property at the time. Searches may be conducted by agency management. The Agency also reserves the right to authorize searches by law enforcement on its property with or without the employee being present.

5.09 BLOODBORNE PATHOGENS

Bloodborne pathogens are microorganisms that in human blood can cause disease in humans. They include but are not limited to: the hepatitis B virus and the human immunodeficiency virus (HIV). The OSHA standards mandate work practices, controls and personal protective equipment that, combined with training, will reduce the risks for all employees who may be exposed to blood.

PROCEDURES

The following precautions should be followed:

- Gloves should be worn whenever there is a possibility of contact with blood or body fluids.
- Spills of blood or body fluids should be cleaned with a solution of household bleach and water in a 1:100 solution for smooth surfaces and 1:10 for porous surfaces.
- Contaminated equipment that is reusable should be cleaned of any visible organic material, placed in an impervious container and returned to a designated place for decontamination reprocessing.
- Hands should be washed immediately if they come in contact with blood or other body fluids.
- Health care professionals should wash their hands before and after each patient contact.
- Masks should be worn whenever there is a possibility of splashing or splattering body fluids.
- Gowns should be worn if soiling of exposed skin or clothes is likely.
- Health care professionals who have open lesions, dermatitis, or other skin irritations should notify their Manager.
- Contaminated needles should never be bent, clipped or recapped. Immediately after use, contaminated sharp objects should be discarded into a puncture-resistant "sharps" container designed for this purpose.
- Instruments and other reusable equipment used in performing invasive procedures should be disinfected and sterilized.

POST-EXPOSURE

The organization has procedures for confidential medical evaluation and follow-up in the event of a bloodborne pathogens exposure. Should an exposure incident occur, employees must immediately inform the Duty Officer and the Health & Safety Officer. Employees must document each exposure on an Incident Report and submit it to the Health & Safety Officer. Copies of these forms are available from the Chief of EMS Operations or designee.

ADDITIONAL INFORMATION

For additional information regarding our Bloodborne Pathogens Program, contact Health & Safety Officer.

5.10 PANDEMIC ILLNESS

BVA strives to maintain a safe workplace and protect the health of employees, patients, visitors or others in the event of a severe pandemic illness like influenza. BVA also wants to ensure the continuity of business operations in the event of a severe pandemic illness. Efforts for an effective response will be guided by and in accordance with all applicable federal, state and local laws and guidelines issued by public health authorities such as the Centers for Disease Control and other governmental agencies.

INFLUENZA PREVENTION

All employees are asked to cooperate in taking steps to reduce the transmission of pandemic illness in the workplace. We encourage employees to assist in reducing the transmission of pandemic illness by frequent hand washing with warm, soapy water, using hand sanitizer, covering mouths with tissues when sneezing and discarding tissues used when sneezing.

STAYING HOME WHEN ILL

BVA provides employees with PTO benefits to compensate employees who are unable to work due to illness. During flu season and/or some other pandemic illness, it is critical that employees do not report to work while they are ill and/or experiencing influenza-like symptoms such as: fever, cough, sore throat, runny or stuffy nose, body aches, headache, chills, diarrhea, vomiting and fatigue. The Centers for Disease Control and Prevention has recommended that people with influenza-like illness remain at home until at least 24 hours after they are free of fever (100 degrees F or 37.8 degrees C) or signs of a fever without the use of fever-reducing medications.

WORK SCHEDULES

A severe pandemic illness could result in a significant level of absenteeism. Some employees may be unable to work if they become ill due to the virus while others may need to remain home to care for ill family members or to provide care for children during school closings. During this time, unless otherwise notified, our normal attendance and leave policies will remain in place. Individuals who believe they may face particular challenges reporting to work during a severe pandemic illness should take steps now to develop any necessary contingency plans.

For example, employees might want to arrange for alternative sources of childcare should schools close and/or speak with supervisors about the potential to work from home temporarily or on an alternative work schedule if necessary.

CONFIDENTIALITY OF MEDICAL INFORMATION

Our policy is to treat any medical information obtained from an employee or an employee's health care provider, including any voluntary disclosure that the employee has contracted influenza, as a confidential medical record. In furtherance of this policy, any disclosure of influenza-related medical information will be shared only on a need-to-know basis and only as necessary to prevent or slow the spread of the illness at work, while maintaining confidentiality to the extent reasonably possible. Information will be shared with government officials only if required by law.

ADDITIONAL INFORMATION

Please see the Chief EMS Operation and/or Clinical Care Manager for additional information.

SECTION SIX

EMPLOYEE PROGRAMS & PROCEDURES

6.01 PATIENT RELATIONS

The professional treatment of our patients and the impression that we make on our community are important. Our agency's reputation is based on product excellence and quality service. To maintain our reputation as an industry leader requires the active participation and cooperation of every employee.

EACH EMPLOYEE'S RESPONSIBILITY

The opinions and attitudes that patients and potential patients have toward our agency may be determined for a long period of time by the actions of one employee. Each employee must be sensitive to the importance of providing courteous treatment in all working relationships.

QUALITY SERVICE

Quality service can only be achieved when every employee understands that patients are critically important to the success of our agency.

Some of us have internal patients (co-workers) for whom we provide service and some of us work with individuals outside the Agency who have given us the privilege of their business. In both situations, we are committed to providing quality service and a high level of professionalism at all times.

6.02 SUGGESTION PROGRAM

Suggestions for improving the operations of our agency are welcomed and encouraged. We believe capable people with good ideas and creative solutions are working throughout our agency and we welcome their participation in our continuous improvement.

WHAT IS A SUGGESTION?

Normally, any idea that an employee has for improving our agency may be submitted as a suggestion. Employees who believe they have a good idea should ask themselves these questions: "Will it strengthen our operations or service? Will it make us more responsive to our patients?" Discussing a problem without offering a practical solution is not a suggestion.

PUT THE SUGGESTION IN WRITING

It is recommended that suggestions be put into writing and given to their supervisor for review. After investigating the suggestion, the employee will be informed whether or not it is feasible to put into practice. Suggestions become the property of BVA.

RECOGNITION

Management believes that suggestions indicate initiative on the part of an individual.

ADDITIONAL INFORMATION

Additional information on the processing of suggestions is available from the supervisor.

6.03 PARKING

Free parking facilities are available to the employees of BVA. When using these facilities, park in an orderly and courteous fashion.

PROTECTION OF PROPERTY

Employees, members and volunteers are asked to park in designated parking. For each individual's protection, car doors should always be locked when parking in our parking areas. The Agency is not responsible for loss, damage or theft in our parking area.

SAFETY IN THE PARKING LOT

Employees must adhere to normal traffic laws while driving in our parking lot. This includes full adherence to stop signs and speed limits.

6.04 MEDIA RELATIONS

Communication with news reporters and other journalists is, at times, sensitive in nature. Therefore, media requests for official statements from the Agency may be handled only by designated senior managers.

MEDIA REQUESTS FOR OFFICIAL STATEMENT

Any telephone calls, electronic communications or visits from members of the media requesting the Agency's official statement should be directed to the Chief EMS Operations.

6.05 TELEPHONES & ELECTRONIC DEVICES

It is important that our telephones be free and our employees be available during working hours for patients and other business-related calls.

NON-BUSINESS CALLS

Our telephones, including agency-provided cellular phones, are maintained for business purposes only. The Agency recognizes that employees may occasionally need to use agency telephones, including agency-provided cell phones, for non-business related matters. Employees are requested to limit these calls to an absolute minimum and place calls only during non-working periods. The abuse of this privilege would negatively impact the already heavy demand on our telephone lines and interfere with the efficiency of our operations.

LONG DISTANCE CALLS

The Agency's telephones may not be used to make non-business long distance calls except in emergencies with prior permission from an employee's supervisor.

PERSONAL CELL PHONES AND ELECTRONIC DEVICES

Most of today's hand-held electronic devices make it easy to bring music, entertainment and personal communications to the workplace. However, due to safety, productivity and efficiency reasons, the use of personal cell phones, iPods, MP3 players, PDAs, handheld videogames and other personal electronic devices are limited to break and meal periods. They are not permitted during working time, unless used for work-related reasons (e.g. podcasts, etc.) with prior approval from your supervisor. For purposes of this policy, "working time" is defined as the time during which employees are actually scheduled to work, but does not include scheduled rest periods, meal breaks and other specified times when employees are not expected to be working.

Personal cell phones are permitted to be carried while on duty, but must be placed on silent mode, and allow voicemail to answer the call. Messages may be checked on "down time" when not actively involved in a call or performing work duties.

Personnel are prohibited from using personal cell phones or PDA's between the dispatch of a call and the time that the call is cleared. BVA personnel shall not, under any circumstances, respond to (or make) a personal cellular call, send text messages or check electronic mail on PDA's while on a call or with a patient. This is to prevent any distractions while engaged in patient care, and to avoid any possible interference with equipment that may occur based upon the cellular activity. Personal cell phones are also not to be used while operating a company vehicle.

In the interest of protecting employee documents and patient confidentiality, personnel shall not physically or electronically capture inappropriate data and documents.

AGENCY-ISSUED CELL PHONES

Agency -issued cell phones or PDA's shall be used for Agency business only, including, but not limited to: making contact with dispatch, medical command, or a receiving hospital.

Personnel will not utilize a cell phone or PDA while driving. If cellular communication is necessary, the passenger should operate the phone.

Personnel working aboard single-occupancy vehicles will minimize the use of Agency-issued cell phones while operating Agency vehicles. This activity will be restricted to emergency situations only; normal business activity will not be conducted even in single-occupant vehicles while the vehicle is in use. Where necessary and possible, BVA will install compatible hands-free cell phone equipment in single-occupancy vehicles.

6.06 HOUSEKEEPING

Each employee is responsible for keeping his or her own work area, as well as common areas like the lunch room and kitchen, neat and orderly. In addition, the Agency may use a custodial service for the regular cleaning of our facility.

WORK AREAS

Subject to the Agency's policies against discrimination, harassment and/or workplace violence, employees may personalize their work area as long as this does not result in clutter, disorder or other unreasonable interference with business operations. The Agency reserves the right to exercise judgment as to whether an employee's personalization of his/her work area violates this policy.

COMMON AREAS

BVA provides kitchen, shower, laundry, and storage facilities for all employees. Daily chores are listed on the daily chore responsibility list, and all are required to participate in these activities as listed.

There is a designated laundry area for personal use. The additional laundry area is for EMS use only.

Any items stored in the refrigerator and cupboards should be removed at the end of the employee's shift. Items remaining will be thrown out at the end of the week.

KITCHEN/DINING ROOM

The agency provides kitchen facilities for refrigeration and preparation of light meals as well as a dining area. Please remember when using these facilities that others will use them after you. If you use the kitchen to prepare any food or the dining area to consume our meal, please clean it up when you are finished. Each employee is responsible for cleaning up after themselves and using the proper trash receptacles for waste.

BEVERAGE BOTTLES

Beverage cans and bottles should be disposed of in recycling containers and not left to accumulate.

6.07 PROFESSIONAL ATTIRE

The impression that we make on visitors to BVA is important. There is no substitute for neatness, propriety of dress, good grooming, speech and a professional attitude. Sensitivity to these areas will ensure that our good relationships with patients are maintained and fostered.

DRESS CODE

Although no formal dress code exists, employees are asked to wear clothing that is appropriate for their job and the work that they do. Clothing should be neat, clean, in good taste and not constitute a safety hazard.

BVA will make accommodations when necessary to comply with state and/or federal law. Please contact the Business Manager or designee with questions regarding this policy.

6.08 CHANGES IN PERSONAL INFORMATION

Employees are responsible for notifying the Agency when there is a change in their personal data. This information needs to be kept up-to-date so benefit plans and payroll withholdings are properly administered. Timely notification of these changes will also enable BVA to assist employees and their family in matters of personal emergency.

NOTIFICATION

Notify the Business Manager or designee in writing if any of the following change:

- Name
- Address
- Telephone numbers
- Number of dependents
- Change in familial status and/or beneficiaries
- Emergency contact

6.09 ANTI-NEPOTISM

The employment of relatives is a sensitive issue that could possibly create a conflict of interest situation for the related individuals. Hiring decisions and continued employment must be handled in accordance with the following provisions.

ANTI-NEPOTISM

Members of an employee's immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired, however, if employment would:

- (i) Create a supervisor/subordinate relationship with a family member;
- (ii) Have the potential for creating an adverse impact on work performance; or
- (iii) Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must also be considered when assigning, transferring, or promoting an employee. For the purpose of this policy, immediate family includes: spouse, parent, child, sibling, in-law, aunt, uncle, niece, grandparent, grandchild, members of household. This policy also applies to romantic relationships.

NON-FRATERNIZATION

Employees who become immediate family members or establish a romantic relationship may continue employment as long as it does not involve any of the above. If one of the conditions outlined should occur, attempts will be made to find a suitable position within Brighton Volunteer Ambulance to which one of the employees will transfer. If employees become immediate family members or establish a romantic relationship, Brighton Volunteer Ambulance will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security or morale. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. If the employees cannot make a decision, Brighton Volunteer Ambulance will decide in its sole discretion who will remain employed.

6.10 OUTSIDE EMPLOYMENT

We hope our employees will not find it necessary to accept additional outside employment. However, if the need arises, employees may accept part-time employment providing the following provisions are observed.

NOTIFICATION

Employees must notify their supervisor in writing of their intent to accept another job at another agency while they are still employed by BVA. This notice should specify the name of the employer, the nature of the job duties and the hours of work.

CONFLICT OF INTEREST

Outside employment must not interfere in any way with your capability for giving full service to our agency. Such employment cannot be for patients or competitors, nor should you take an ownership job with a competitor.

6.11 SEVERE WEATHER

Inclement weather is to be expected during the winter months. Driving, although rarely impossible, may be difficult at times. When caution is exercised, the roads are normally passable.

NOTICES OF OFFICE CLOSINGS

Except in cases of severe storms, we will work regular hours. Any alteration in our regular schedule will be decided by the Duty Officer. Employees are asked to call in if they anticipate not being able to come in, or would like to confirm that the organization is still open. In addition, employees are asked to plan additional time for their commute based on poor road conditions.

ABSENCES DUE TO POOR WEATHER

Time taken off by employees due to poor weather conditions when the Agency remains open must be taken as PTO day or unpaid time unless otherwise required by federal or state wage and hour laws.

6.12 BULLETIN BOARDS

BVA maintains bulletin boards in suitable places for the posting of official notices relating to BVA business, job opportunities, sponsored activities and federal and state regulations.

GENERAL

Information of interest and importance is regularly posted on our bulletin boards. Make a point to look at the bulletin boards regularly to keep up with "what's happening." These bulletin boards are for administrative use only so employees may not post or remove any items on them.

6.13 VOICEMAIL, E-MAIL & COMPUTER SYSTEMS

BVA's telephone and computer systems permit employees to receive, send and transfer voice mail, text and e-mail messages. BVA reserves the right to access all voicemail, text and e-mail messages left on or recorded on the phone system or the computer mail system, as well as the right to access any file on the computer system, at any time without advance notice.

CONFIDENTIALITY

Employees should not assume that messages on voice mail, e-mail or agency-provided cell phones and electronic devices are private or confidential. Security codes limit access to employees' messages, but management reserves the right to search or monitor the phone and computer systems, without advance notice.

Further, the Agency may review internet usage to ensure that such use with the Agency's property or communications sent via the internet with the Agency's property during working time, are for business purposes only. "Working time" includes the time during which employees are actually scheduled or expected to work, but does not include scheduled rest periods, meal periods and other specified times when employees are not expected to be working. The reasons for which the Agency may obtain such access include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; complying with legal and regulatory requests for information; ensuring that the Agency's operations continue appropriately during an employee's absence and any other purpose deemed appropriate by the Agency.

IMPROPER USES

As with all agency communications, messages of a discriminatory or harassing nature may not be transmitted on agency network systems. Employees are expected to use professional and respectful language when communicating over agency computer and phone systems and other agency-provided electronic devices.

Employees are prohibited from downloading any software from the Internet. Employees must respect copyright and license agreements for software, digital artwork and other forms of data. Employees may not use other employees' passwords to access agency data unless authorized in writing in advance by the Chief EMS Operations and/or Business Manager.

Employees may not disclose their passwords or allow others to use their access to agency systems and equipment. Employees must protect information maintained on BVA's systems from unauthorized use or care not to introduce viruses into agency systems by not opening messages or documents sent by unknown users. Employees should utilize anti-virus software and notify management immediately if there is reason to believe a virus has been introduced into our computer system or that any person may have accessed data which they were not authorized to view.

MAINTENANCE

Employees are responsible for maintaining their files and messages on these systems and devices. Messages should be accessed, acted upon, filed or deleted on a regular basis.

6.14 USE OF INTERNET

The Internet is a powerful communications tool and a valuable source of information. However, an employee's improper use of agency-provided Internet services can waste time and resources and create legal liability and embarrassment for both BVA and the employee.

ACCESS

This agency's policy applies to any agency provided Internet service that is accessed on or from the Agency's premises, accessed using agency computer equipment or via agency-paid access methods and/or used in a manner that identifies the employee with BVA.

IMPROPER USES

Employees are strictly prohibited from using agency-provided Internet services in connection with, but not limited to, any of the following activities:

- Engaging in illegal or fraudulent conduct which includes improper use or downloading of copyrighted material;
- Viewing, sending, receiving or storing material that could be viewed as maliciously false, vulgar, obscene, threatening or contributing to a hostile work environment on the basis of any status protected by law or agency policy;
- Monitoring or intercepting the files or electronic communications of employees or third parties;
- Using another individual's account or identity without explicit authorization from the Chief EMS Operations and/or Business Manager;
- Attempting to test, circumvent or defeat security or auditing systems of BVA or any other agency without prior authorization;
- Activity that poses a reasonable risk of interference with production by calling for an immediate response to another employee's verbal persuasion to join a certain cause or purchase a type of product or service when either employee is on working time. For purposes of this policy, "working time" is defined as the time during which employees are actually scheduled to work, but does not include scheduled rest periods, meal breaks and other specified times when employees are not expected to be working; or
- Distributing or storing chain letters or jokes.

USE OF INSTANT MESSAGING, WEBLOGS AND SOCIAL NETWORKING SITES

Blogging, instant messaging and visiting social networking sites such as Facebook are not appropriate working time activities unless required by the scope and responsibilities of an employee's job. Such personal activities, if engaged in, must be limited to non-working time and must comply with BVA policies governing the proper use of the internet, e-mail, off-duty social networking and computer systems.

CONFIDENTIALITY

Employees should not expect privacy with respect to any of their activities using agency-provided Internet access or services. BVA reserves the right to review any site visits and/or files, messages or communications sent, received or stored on agency computer systems.

VIOLATIONS

Employees violating this policy are subject to disciplinary action, up to and including termination. Employees using agency computer systems for illegal or fraudulent purposes also may be subject to civil liability and/or criminal prosecution. The Agency may also report suspected unlawful conduct to the appropriate law enforcement authorities.

6.15 OFF-DUTY SOCIAL NETWORKING

This policy establishes a set of rules and guidelines for any activity and participation in “social media” by all BVA's employees. These rules are intended to be adaptable to the changes in technology and norms of online communication and behavior and may be amended by BVA at any time, for any reason, without notice to employees.

PURPOSE

We are committed to ensuring our staff members' use of social media does not violate Federal or state privacy, copyright, defamation or discrimination laws. For example, Brighton Volunteer Ambulance is required under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) to ensure that any protected health information (“PHI”) that we create, receive, use, or store is not improperly used or disclosed through any means, including the Internet. We are also committed to, and have a legitimate interest in, protecting our business interests, our working relationships with other organizations, and our confidential and proprietary information.

This policy is not intended to restrict your legal rights, such as your right to engage in responsible social media discussions about things such as wages, benefits, hours, or working conditions. Rather, this policy is designed to help avoid claims against Brighton Volunteer Ambulance or its personnel for things like: HIPAA violations, invasion of privacy, breach of contract, defamation, unlawful discrimination, and unlawful harassment.

DEFINITIONS

The term “social media” applies to any web-based and mobile technologies, in use now or developed in the future, that enable individuals or entities to disseminate or receive information, communicate or otherwise interact and includes, without limitation, email, texting, messaging, social networking, blogging, micro-blogging, bulletin boards and so on, through providers such as Facebook, Instagram, LinkedIn, Twitter, YouTube, Google+ or others.

EXERCISE RESPONSIBILITY ONLINE

If, from an employee's post in a blog or elsewhere in social media, it is clear the employee is a BVA employee or if the employee mentions the BVA or it is reasonably clear the employee is referring to BVA or a job taken by BVA and the employee expresses a political opinion or an opinion regarding BVA's jobs or actions, the post must specifically note that the opinion expressed is the employee's personal opinion and not necessarily BVA's job. This is necessary to preserve the BVA's good will in the marketplace.

FOLLOW EXISTING POLICIES AND TERMS OF USE

Observe and follow: (a) existing BVA policy and agreements, such as our employee handbook; (b) the policies and terms of use of the particular social media forum or service you are using; and (c) applicable laws and regulations. This means that employees are prohibited from using social media to post or display comments about co-workers or supervisors of BVA that are maliciously false, vulgar, obscene, threatening, intimidating or in violation of BVA's workplace policies against workplace violence or discrimination and harassment on the basis of race; color; sex; age; disability; religion; citizenship; national origin; ancestry; military status or veteran status; marital status; familial status; gender identity and expression; sexual orientation; status as a victim of domestic violence, stalking or sex offenses; predisposing genetic characteristics; genetic information and any other status protected by law.

Thus, the rules in BVA's employee handbook including but not limited to its [Non-Harassment](#), [Sexual Harassment](#), [Equal Employment Opportunity](#), [Code of Ethics](#), [Standards of Conduct](#), [Voicemail](#), [E-mail and Computer Systems](#) and [Use of Internet](#) policies apply to employee behavior within social media and in public online spaces.

Do not post any information or conduct any online activity that violates applicable local, state or federal laws and regulations. Any conduct which is impermissible under the law if expressed in any other form or forum is also impermissible if expressed through social media. In addition, most social media websites/services have rules concerning the use of and activity conducted on their sites. These are sometimes referred to as "Terms of Use." You must follow the established terms and conditions of use that have been established by the venue and do not do anything that would violate those rules.

RECOGNIZE OTHERS' PRIVACY

It is inappropriate to use or disclose "confidential personal information" (as defined below) about another individual or use or disclose BVA's "proprietary confidential information" in any form of social media.

For purposes of this policy, "confidential personal information" refers to an individual's Social Security number, financial account numbers, driver's license number or personal medical information (including family medical history). BVA's "proprietary confidential information" refers to internal information regarding BVA's finances, future business performance and business plans, and business strategies.

All BVA's rules regarding BVA's confidential proprietary information and confidential personal information, apply in full to social media, such as blogs or social networking sites.

USE YOUR TRUE IDENTITY

When commenting on or promoting any BVA venue or service on any form of social media, we suggest that you be completely transparent and disclose your true identity for your personal protection. Additionally, when commenting on or promoting any agency product or service on any form of social media, an employee must clearly and conspicuously disclose his or her relationship with BVA to the members and readers of that social media.

MANAGE EXPECTATIONS OF PRIVACY

Consistent with BVA's [Voicemail, E-mail and Computer Systems](#) and [Use of Internet](#) policies, BVA may access and monitor its Information Systems and obtain the communications within the systems, including email, Internet usage and the like, with or without notice to users of the system, in the ordinary course of business when the Agency deems it appropriate to do so. When using such systems, employees should have no expectation of privacy with regard to time, frequency, content or other aspects of use, including the websites the employee visits and other Internet/Intranet activity. The reasons BVA accesses and monitors these systems include, but are not limited to: maintaining the system, preventing or investigating allegations of system abuse or misuse, assuring compliance with software copyright laws and complying with legal and regulatory requirements.

PERSONAL INTERACTION

BVA respects the right of any employee to participate in social media, such as maintaining a blog or participating in online forums. However, to ensure proper employee focus on job duties and adequate functioning of agency equipment, employees are not permitted to engage in social media activities during working time. For purposes of this policy, "working time" is defined as the time during which employees are actually scheduled to work, but does not include scheduled rest periods, meal breaks and other specified times when employees are not expected to be working. Moreover, during non-working time, employees must avoid usage that may interfere with the system's productivity, such as large attachments or audio/video segments.

IDENTIFY ANY COPYRIGHTED OR BORROWED MATERIAL WITH CITATIONS AND LINKS

When publishing any online material through social media, employees must respect and follow all copyright and other intellectual property laws and should use citations and links to original material, where possible.

ADDITIONAL INFORMATION

Please see the Chief EMS Operations and/or Business Manager for additional information or clarification of any aspect of this policy.

6.16 PROTECTED HEALTH INFORMATION PRIVACY

For employers with self-insured medical plans or medical flexible spending account plans, the Health Insurance Portability and Accountability Act (HIPAA) privacy rules require group health plans like BVA's group health plan to take steps to ensure the privacy of personally identifiable health information (PHI) and provide notice of the plan's legal duties and privacy practices to participants. Generally, the plan cannot use or disclose PHI without written authorization except for the purposes stated in the plan's Notice of Privacy Practices. The summary below briefly describes some of the aspects of how medical information may be used and disclosed by the BVA's group health plan and how employees can get access to this information. A more complete summary is contained in the plan's Notice of Privacy Practices.

USE AND DISCLOSURE OF PHI

The plan is required to provide an employee access to certain PHI in order to inspect or copy it. Use and disclosure may also be required by the Department of Health and Human Services to enable the Department to investigate or determine compliance with the privacy regulations.

YOUR RIGHTS

Employees may request that the plan restrict the use and disclosure of PHI to carry out treatment, payment or health care operations. Employees also may request that the plan allow the use and disclosure of PHI to relatives, friends or other individuals identified by the employee. However, there is no requirement that the request be granted.

Employees generally have the right to inspect and copy their PHI. The plan will provide requested information within the federally established timeframe. If the request is denied, the employee will receive a written notice.

Employees have the right to request an amendment of their PHI. The plan will act on the request within the legally required timeframe. If the plan is unable to comply with the request for amendment, the employee will be provided with a written denial that explains the basis for denial. Employees may also submit a written statement disagreeing with the denial.

Employees have the right to request an accounting of disclosures of their PHI. However, such accounting need not include PHI disclosures made to carry out treatment, payment or health care operations or certain other types of disclosures identified in the privacy regulations.

MORE INFORMATION

Requests to restrict use and disclosure, inspect or copy PHI, amend PHI or receive an accounting of PHI should be made to the Privacy Officer for Brighton Volunteer Ambulance, Inc., 1551 Winton Road South, Rochester, NY 14618. The plan will make every effort to accommodate the request within a reasonable period of time.

This policy is a brief summary of some of your PHI Use and Disclosure Rights under the Health Insurance Portability and Accountability Act. Additional information regarding rights may be found in the plan's Notice of Privacy Rights which may be obtained from the Business Manager or designee.

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6.17 PERSONNEL FILES

The Agency maintains an official personnel file for each employee that contains necessary job-related and personal information. The personnel files are the property of BVA. These files are confidential and guidelines exist to safeguard against improper disclosure. Employees may be granted limited access to view the contents of their file under certain circumstances.

REQUESTING ACCESS TO PERSONNEL FILE

Current employees may request to see information which is kept in their own personnel file except for confidential materials such as job references or information relating to other employees. Employees will need to make arrangements with the Business Manager to see these documents. Employees may request and receive copies of all documents they have signed at the time they are signed.

Internal availability and access to personnel files is limited to those with proper authorization and a business need to know.

INQUIRIES ABOUT EMPLOYEES

All inquiries or requests for information about employees (active or inactive) from people outside the Agency should be referred to the Business Manager. This applies to all requests, whether written or verbal.

In some cases, employers are required by federal, state or local law to disclose information to the government or other authorized entities even if BVA would ordinarily keep such information confidential. BVA will comply with all laws which require disclosure of employee information upon receipt of a properly authorized request.

PROTECTION AND DISPOSAL OF PERSONAL RECORDS

BVA is committed to ensuring that records containing personal identifying information are protected and disposed of in accordance with state law. Personal information is disposed of in a manner that ensures no unauthorized person will have access to employee personal information.

6.18 OPERATION OF VEHICLES FOR AGENCY BUSINESS

The use of agency vehicles is limited to authorized employees. It is the responsibility of every employee operating an agency vehicle or operating his or her own vehicle for agency business to drive safely and obey all traffic, vehicle safety and parking laws or regulations.

VALID DRIVER'S LICENSE

All employees authorized to drive agency or personal vehicles for use in conducting agency business must possess a current, valid driver's license and their driving record must meet the qualifications of our insurance carrier.

DRIVER AUTHORIZATION

All drivers must be cleared by the Training Department, and authorized by the Chief of EMS Operations and or the Business Manager to drive for company business.

DRIVING PROCEDURES

Seat Belts:

- Seat belts must be used by drivers, passengers, riders, patients, etc. who ride in the front seat.
- Seat belts must be worn by the providers, any passengers, caregivers, or other persons in the patient compartment at all times, unless doing so will inhibit patient care.
- Patients on the stretcher will have all available straps securely fastened.
- Child seat use – whenever possible, a child safety seat should be used to transport a child to the hospital.
- All equipment must be secured in the ambulance prior to the vehicle moving.

Speed Limits:

- Emergency Response: At no time will a vehicle be driven in excess of 10 mph over the posted speed limit.
- Non-Emergency Response: All traffic laws will be followed.
- Parking lot speed: Less than 10 mph.
- Vehicle speeds are to be decreased to appropriate levels, depending on weather conditions, day or night, traffic patterns, special events or constructions, and following CEVO or EVOC standards.
- Back-up speed is less than 5 mph.

Backing and Spotters

- Backing of the ambulance should be avoided whenever possible. When backing is unavoidable, a spotter or an assistant outside the vehicle should be used.
- In addition, a spotter should be used when vehicles must negotiate forward turns with restrictive side clearances and where height clearances are uncertain.

WORK-RELATED ACTIVITIES

Our agency vehicles must only be used in work-related activities and may not be used for personal business or activities without the approval of management. In accordance with New York State law, smoking is not allowed in agency-owned vehicles. Employees may not use portable electronic devices, including hand-held cellular telephones, while operating an agency vehicle.

PERSONAL VEHICLES

In some instances, employees may be required to drive their own personal vehicle for the purposes of conducting agency business. Employees must maintain adequate personal automobile liability insurance. The Agency is not responsible for any damages or fines incurred while conducting agency business in a personal vehicle. Employees may not use portable electronic devices, including hand-held cellular telephones, while operating a personal vehicle for agency business.

SAFETY WHILE DRIVING

Employees, while driving on agency business, are expected to:

- Follow all driving laws and safety rules such as following posted speed limits and directional signs;
- Avoid confrontational or offensive behavior;
- Practice defensive driving;
- Wear seat belts, whether they are the driver or the passenger; and
- Take a sufficient number of driving breaks.

Employees while driving on agency business must refrain from distracting activities, including but not limited to:

- Using a portable electronic device while driving to: view, take or transmit images; to play games; or to compose, send, read, view, access, browse, transmit, save or retrieve e-mail, text messages or other electronic data; and
- Any other activity unrelated to the operation of the motor vehicle that jeopardizes an employee's safety or the safety of others while driving.

Portable electronic devices include hand-held mobile telephones, hand-held devices with mobile data access, personal digital assistants (PDAs), laptop computers or other portable computing devices, pagers, text message devices, electronic games and broadband personal communication devices. Drivers who hold portable electronic devices in a conspicuous manner while driving are presumed to be using such devices.

Employees who drive as part of their job duties are permitted to use hands-free cell phones while driving. Employees with hands-free devices for their cell phones are to make conversations brief. If road conditions are poor, traffic is heavy, the conversation is involved or other safety concerns are present, employees should find a proper parking space to continue their conversations.

Employees are permitted to use portable electronic devices to communicate during an emergency to emergency-response operators, hospitals, physician offices, health clinics, ambulance and other emergency vehicle drivers, firefighters and the police department.

EMPLOYEE HANDBOOK RECEIPT ACKNOWLEDGEMENT

I acknowledge receipt of the BVA Employee Handbook which describes agency policies, an overview of current employee benefits and my obligations.

I understand that the policies contained in this handbook are not intended to create a contract of employment nor is any other communication by a management representative, either express or implied, intended to be a contract, unless explicitly stated otherwise in a written agreement signed by the President and Business Manager of our agency.

I understand that this handbook is not a guarantee of employment for any set period and that either the Agency or I may terminate my employment at any time, with or without cause. Furthermore, I understand that the policies and benefits described in this handbook may be added to, revised or deleted at any time.

I agree to read and study the contents of this manual. It is understood that BVA retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the Agency.

Employee's Name (Printed)

Employee's Signature

Date