

# Appendix A



## NYSWYSA NEW YORK STATE WEST YOUTH SOCCER ASSOCIATION

## PERSONNEL POLICIES MANUAL

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Amended - [08/14/2011 \(proposed adoption date\)](#)

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Approved by the Board of Directors on August 12, 2007



## NEW YORK STATE WEST YOUTH SOCCER ASSOCIATION PERSONNEL POLICIES MANUAL

This manual replaces any employee policies, manual, memoranda or other written materials prepared or distributed prior to the effective date of this manual, with the exception of any written employment agreement that has been signed by both the employee and the President or a former Executive Director.

### INTRODUCTION

This Personnel Policy Manual is a compilation of personnel policies, practices, and procedures that have been developed over a period of years in our company. Designed as a communication tool for the management of the NYSWYSA (Company), it offers a standardized approach for the administration of personnel policies, and thereby is intended to reduce difficulties that might arise from inconsistent policy, or lack of proper communication.

One of the purposes of this personnel policy manual is to announce to all employees the fundamental principles, and mutual rights and obligations comprising the relationship of employment between the company and its' personnel.

The employment relationship between the NYSWYSA and the Employee is “at will”, which means that the employee may resign at any time and the Employer may discharge the employee at any time with or without cause. However, employees are expected to give at least two weeks advance notice of a resignation. This “at will” employment relationship may not be modified by any conduct nor any document, unless the modification is expressly acknowledged in writing by the President of the NYSWYSA and approved by the Board of Directors (BOD). Nothing in this handbook will be construed as a contract between the NYSWYSA and any one or all of its employees or guarantee of employment. The NYSWYSA reserves the right to change or eliminate any or all of these benefits without notice.

The BOD reserves the rights to amend, eliminate, terminate, or make additions in whole or in part, to this Personnel Policy at any time, based on its discretion and formal approval.

### EMPLOYEE STATUS

Full-time employees: those who are regularly scheduled to work a minimum of 35 hours per week throughout the year. Full-time employees are eligible for benefits



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provided by [the NYSWYSA](#), subject to the terms, conditions, and limitation for each benefit program.

Part-time employees: those who are regularly scheduled to work less than 35 hours per week throughout the year. Part-time employees are eligible for some benefits provided by [the NYSWYSA](#) as explicitly stated, subject to the terms, conditions, and limitation for each benefit program.

Exempt employees: employees whose job positions are of an executive, supervisory or professional category and meet certain qualification stated in the Fair Labor Standards Act. Exempt employees are salaried and are not normally paid for overtime.

Non-exempt employees: employees whose job positions do not meet the qualifications for exempt status. Non-exempt employees are paid on an hourly basis and are paid for overtime for the time worked over forty hours per week.

### HOURS

The normal scheduled office hours of the [Company](#) are Monday through Friday from 8:30 a.m. to 4:30 p.m. Regular working hours may be within those hours at the discretion of the President. On occasion, employees may work extended hours to complete a special project only at the request of the President, [Executive Director](#) or other Board members. Non-exempt employees should not be working after normal business hours unless approved by the President, [Executive Director](#) or Treasurer. Failure to accurately report the actual hours worked is cause for discipline.

### OVERTIME

The President, [Executive Director](#) or Treasurer must approve any work performed by a non-exempt employee in excess of 40 hours in a pay period before it is performed. Upon prior approval, nonexempt employees will be paid one and one-half times their hourly rate for hours in excess of 40 hours in a workweek.

Personnel employed in an exempt capacity, are not eligible to receive overtime compensation if they work more than 40 hours in a week. However, on occasion, the President or Treasurer may allow an employee to take a few hours off during a week (or pay period) when the employee has put in a lot of extra work on a project and have



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worked more than their minimum scheduled hours. Such time off will be granted on a case-by-case basis, ~~at~~ the President's or Treasurer's sole discretion.

~~The Company~~We expects exempt employees to put in extra hours, if necessary, to work toward accomplishing goals.

### JURY DUTY

Absences resulting from jury duty will be compensated for up to 10 days at the employee's regular pay. Upon return, the employee will turn over their jury duty pay to ~~the~~ NYSWYSA. The employee must submit written documentation to the President, Treasurer or ~~Office Manager~~ Executive Director such as the jury summons and any paperwork as to time and dates the employee was required to be in attendance or serve jury duty. After two weeks of jury duty, the ~~L~~ong ~~T~~erm ~~L~~eave ~~P~~olicy takes effect. Employees must report to work on days they are not required to be in court, or if dismissed early for the day by the court, unless instructed otherwise by a supervisor.

### EQUAL EMPLOYMENT OPPORTUNITY

~~The~~ NYSWYSA complies with all applicable federal, state and local laws relating to equal opportunity/affirmative action and non-discrimination. It is the policy of the ~~C~~ompany to provide equal opportunity employment to all employees and applicants for employment. No person shall be discriminated against in employment because of race, religion, color, sex, age, national origin, or handicap.

### SEXUAL AND OTHER HARASSMENT

It is the policy of ~~the~~ NYSWYSA to provide its employees with a pleasant environment, which encourages efficient, productive and creative work, and is free of discrimination and harassment based on a person's sex, race, color, age, religion, disability, ancestry, or national origin, consistent with applicable federal and state laws. Harassment of any person because of sex, race, color, age, religion, disability, ancestry, or national origin is strictly prohibited, whether directed at an employee, vendor, visitor, or customer. ~~The~~ Company will not tolerate verbal or physical conduct by an employee that harasses, disrupts, or interferes with another's work performance, or which creates an intimidating, offensive, or hostile environment.

No one may threaten or imply that an employee's submission to or rejection of sexual advances will in any way influence any decision about that employee's employment,



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advancement, duties, compensation or any other terms or conditions of employment. No one may subject another employee to any unwelcome conduct of a sexual nature. This includes both unwelcome physical conduct, such as touching, making sexual gestures, and making or displaying sexual drawings or photographs, and unwelcome verbal conduct, such as sexual propositions, slurs, insults, jokes, and other sexual comments. An employee's conduct is considered unwelcome and in violation of this policy when the employee knows or has reason to know it is unwelcome to the person subjected to it or when it substantially interferes with an individual's employment by creating an intimidating, hostile, or offensive work environment.

Any employee, who believes that the actions or words of a fellow employee constitute unwelcome harassment, has the responsibility to report this to the President, or the First Vice President of the NYSWYSA if the action or words were from the President. No reprisal, retaliation, or adverse action will be taken against an employee for making a good faith complaint or report of harassment, or in good faith assisting in the investigation of any such complaint or report.

The NYSWYSA will promptly and thoroughly investigate any complaint or report of a violation of this policy. During the pendency of the investigation, to the extent possible, measures will be taken to prevent any further contact or interaction between the person who believes he or she has been subject to harassment and the alleged violator of the policy. While it is the intent of the NYSWYSA to attempt to keep any complaints or reports under this policy as confidential as possible, in order to ensure a fair and thorough investigation, complete confidentiality may not be possible. However, all persons involved will be reminded of the confidential nature of the process.

Any employee, who is found, after appropriate investigation, to have violated this policy against harassment, will be subject to appropriated disciplinary action, depending on the circumstances, up to and including termination. A complaint or report that this policy has been violated is a serious matter. Dishonest complaints or reports are also against our policy, and the NYSWYSA will take appropriate disciplinary action up to and including termination if its investigation shows that deliberately dishonest and bad faith accusations have been made.

### **ACCOMMODATIONS FOR DISABILITIES**

If you have a disability, which affects your ability to perform your essential job duties, please contact your supervisor to discuss what reasonable accommodations; the Company we might make for you to safely and effectively perform your job. A



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statement from your physician describing the extent of your disability and limitations will be necessary in order for the Companys to assess whether itwe can reasonably accommodate your condition.

### EMPLOYMENT AGREEMENT

Certain employees of the NYSWYSA such as executives, professional employees, and certain others, may be asked to sign written employment agreements and/or non-competition and nondisclosure agreements. These agreements will be a condition of employment, and continued employment.

### ORIENTATION AND TRAINING

From time to time, the NYSWYSA will conduct orientation and training programs to familiarize employees with the company, enable them to learn their assigned jobs, and develop the skills required for efficient job performance.

### PROBATIONARY PERIOD

The NYSWYSA has established a three-month probationary period for all non-contracted employees. During the probationary period, you will be directly observed and evaluated for your proficiency, quality of work, accuracy and interaction with others. During, or at the end of, the probationary period, you will receive a performance review that will outline your progress in accomplishing the requirements of the position. If the NYSWYSA determines that the designated probationary period has not provided sufficient time to evaluate your performance, the probationary period may be extended for an additional length of time that is deemed appropriate. Should ~~not meet~~ the requirements of your position during the probationary period not be met, you will be terminated.

### LAYOFFS

The NYSWYSA will use its best efforts to stabilize employment so that its employees may be provided with regular and continuous work. In the event that a reduction in the work force becomes necessary, at the sole discretion of the President or the NYSWYSA Board of Directors, employees will be selected for layoff after considering such factors as the ability to perform remaining work and past performance. Laid off employees will be entitled to receive Personal Time Off pay for the time actually accrued from the previous hire date anniversary.

### TERMINATION OF EMPLOYMENT



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The NYSWYSA will terminate employment in the event of an employee's resignation, discharge, retirement, the expiration of an employment contract, or a permanent reduction in the work force. Discharge can be for any reason not prohibited by law, including employee misconduct or unsatisfactory job performance. In the absence of a specific written agreement, employees are free to resign at any time, and the NYSWYSA has the right to terminate the employee for any reason or no reason at all.

All employees are expected to give written notice of their intent to resign. Executive and professional employees are expected to give at least three weeks notice. All other employees are expected to give at least two weeks notice. Failure to give the required notice may result in forfeiture of accrued benefits, at the President's or Treasurer's sole discretion.

If any NYSWYSA property in the employee's possession has been lost or damaged, the cost of replacing such property shall be deducted from the employee's final paycheck. The amount deducted shall not reduce the employee's earning for the final pay period below the current minimum wage. However, the employee will be held responsible for any remaining balance owed.

### PERFORMANCE APPRAISALS

~~The Office Manager shall evaluate the job performance of each State Office employee periodically. A committee of the Board will complete the job performance of the Director of Coaching. The Office Manager's appraisal will be completed by the President.~~ Performance appraisals will normally be conducted annually, and at the discretion of the appropriate individual or group performing the appraisal. Each employee's manager will prepare the appraisal. Prior to communicating the appraisal to the employee, the individual preparing the appraisal will seek review and approval from their respective manager.

The performance appraisal consists of a written evaluation of the employee's job performance. Information derived from the performance appraisal will be used to identify training needs of the employee as well as recommendations for compensation adjustments.

The job performance of each employee shall be evaluated on the basis of the experience and training of the employee, the job description, and the attainment of previously set objectives and goals. Factors to be considered in the performance appraisal include: knowledge of the job, quantity and quality of work, promptness in



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completing assignments, creativity, cooperation, initiative, reliability, attendance, judgment, and acceptance of responsibilities.

After the ~~President has reviewed the written evaluation~~ performance appraisal has been approved, the employee's strengths and weaknesses will be discussed with them by their manager in a constructive manner, and objectives and goals will be set for the next period ahead. ~~For the office staff the Office Manager will review the appraisal with them. The President and/or his assignee will perform the Office Manager and Director of Coaching appraisals.~~ The employee shall be given the opportunity to examine the written evaluation, and make written comments about any aspect of it. The employee and ~~President~~ the employee's manager shall then sign and date the evaluation and forward it to the employee's personal file.

The President shall prepare the performance appraisal of the Executive Director, with input from the Board of Directors, for review and approval by the Executive Board. The Executive Director shall will prepare the performance appraisal of the Technical Director, with input from the Board of Directors, for review and approval by the Executive Board. The Executive Director and Technical Director will prepare the performance appraisals of the staff directly reporting to them, for review and approval by their respective manager.

### **SALARY ADMINISTRATION**

NYSWYSA pays wages and salaries that are based upon the nature of the job performed.

Salary increases are intended to reward above average job performance. Employees are paid bi-weekly on Fridays for the previous two weeks of work.

Compensation adjustments will normally be made annually, and at the discretion of the appropriate individual or group managing each individual employee. Each employee's manager will prepare a compensation recommendation, and seek review and approval of any compensation adjustment from the Executive Board.

### **EXTENDED ILLNESS**

Employees who miss three (3) or more consecutive days of work due to injury or illness may be required to present a physician's statement to the ~~Office Manager~~ Executive Director or President? upon return to work. The NYSWYSA reserves the right to have the employee examined by a physician of its choice before accepting the return to work if there are concerns about the employee's ability to perform the





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essential functions of the job. The employee may, at the sole discretion of the President, be required to pass a drug test prior to returning to work.

### DRUG TESTING

For the protection of all of the Company's staff, all employees are strictly forbidden to use, possess, or be under the influence of alcohol or illegal drugs at any time during the work day or anywhere on NYSWYSA's premises or at offsite NYSWYSA events. Off duty sale or use of illegal drugs, or abuse of prescription drugs, is also prohibited.

The NYSWYSA reserves the right to drug test all employees and job applicants. This testing may be performed on a random, post accident, return to work or a reasonable cause basis. All positive results will be confirmed using a gas chromatography/mass spectrometry test (GC/MS) or equivalent test. A positive result on the confirmation is a violation of the policy and can result in discipline or discharge.

Employees will be required to sign a consent and release form prior to taking a drug test.

An employee who refuses to submit to a drug or alcohol test upon demand by the Company will be subject to disciplinary action, up to and including termination.

The NYSWYSA reserves the right to search employee personal effects as well as Company property in an employee's possession, to determine whether employees are in possession of illegal drugs, alcohol, or other controlled substances. Employees who are convicted of a criminal drug statute must immediately notify their supervisor.

### PARTICIPATION IN TRADE AND PROFESSIONAL ASSOCIATIONS

The NYSWYSA encourages all employees to participate in trade and professional associations. Employees are encouraged to apply for membership and take active interest in trade and professional associations. Time spent participating in trade and professional associations at the NYSWYSA's request, or under its direction or control, shall be considered hours worked for pay purposes. Subject to prior approval or recommendation by the President or Treasurer, the NYSWYSA will reimburse



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employees for membership fees in trade and professional associations. Each approved membership is subject to annual evaluation by the President or Treasurer.

### DISCLOSURE OF BENEFITS

All full-time employees have the option of joining the NYSWYSA's benefit plan.

The NYSWYSA offers medical insurance to full-time employees on a co-pay plan with an established monthly employee contribution. The medical plan will be selected by the Board of Directors. The applicable premiums that will be paid by the full-time employees will be approved by the Board of Directors on an annual basis. If an employee chooses not to participate in the medical plan, they will receive any additional compensation (I don't understand this statement.). The Board of Directors reserves the right to change any portion of its benefit package at any time.

The NYSWYSA also offer retirement services – full-time employees are eligible to participate in a retirement savings program. The plan will be selected by the Board of Directors on behalf of its full-time employees. The NYSWYSA will contribute an amount in each calendar year equal the amount which a full-time employee contributes to the plan, up to four percent (4%) of the employee's contractual base salary during the year. Part-time employees are not eligible to participate.

### HOLIDAYS

The NYSWYSA observes the following holidays each year: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving, and Christmas Day, and the business days between Christmas Day and New Year's Day. If a holiday is on Saturday, the day observed will be Friday, if the holiday is on Sunday, the day observed will be Monday. The NYSWYSA's observance of these holidays is subject to change at any time. Employees must work a full day on the work day scheduled before and after the holiday in order to receive holiday pay unless excused in advance by the President or ~~Office Manager~~ Executive Director. Holiday pay shall be paid at the employee's regular rate of pay based on their regular workday, but not to exceed 8 hours per day.

Holiday pay will be paid to employees working less than 40 hours per week only when the holiday falls on their regular working day.

### PERSONAL TIME OFF (PTO)



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It is the policy of the NYSWYSA to grant personal time off with pay (PTO) to full time employees who have worked for the company for six months. PTO includes all leave time taken for vacation, personal reasons, and sickness. Upon a full time employee's six-month anniversary, the employee is entitled to six (6) days of PTO. After one year of service, the employee is entitled to thirteen (13) days PTO; after two years of service the employee is entitled to eighteen (18) days PTO, after five years of service, the employee is entitled to twenty three (23) days PTO; after ten years of service the employee is entitled to twenty eight (28) days paid PTO. The years of service are calculated based on how many completed years of service a full-time employee has accumulated at the beginning of a calendar year.

No more than five days of PTO can be carried over to the next year. The employee will not be paid for unused PTO remaining at the end of the year. On separation from employment with the Company for reasons other than cause or resignation without due notice, an employee shall receive pay for any accrued and unused PTO determined for the year in which termination occurs. PTO cannot be taken in smaller than half day increments. In the normal course of business, employees must request PTO in advance. Requests for PTO must be in writing to the Office Manager Executive Director or President, if the Office Manager Executive Director is unavailable. In the event of an emergency that causes an employee to be absent without advance notice, the employee is required to notify the Office Manager Executive Director or President as soon as possible. Failure to give proper notification is grounds for disciplinary action.

Employees will not be compensated during periods of unauthorized absence. Such absences will not be tolerated, and will be considered grounds for disciplinary action. If an employment is terminated due to unauthorized absences, pay for accumulated and unused days of paid absence will not be granted.

### **SHORT TERM DISABILITY**

All employees are insured by New York State Disability Insurance, which is mandated by New York State Disability Benefits Law. The cost is paid jointly by the employee and the NYSWYSA. This insurance is designed to protect employees against income loss due to non-work related accidents or illnesses, including pregnancy-related disabilities. Benefits begin on the eighth day of non-occupational disability, and provide 50% of the last eight weeks average salary, up to a statutory maximum as established by law, for up to twenty-six (26) weeks. Disability extending beyond that time may be recovered by Social Security Disability Insurance for all employees.



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Employees on disability leave will receive full pay to the extent of their paid absence accrual. If an employee is receiving full pay from accrued paid absence, all monies received from Disability Insurance revert to the NYSWYSA. In such cases, the employee's paid absence accrual will be re-credited with the equivalent of ½ day of pay for each full day of qualified disability payment received by the NYSWYSA. When paid absence has been exhausted, the NYSWYSA will make up any difference between regular weekly wages and the weekly State Disability benefits received for a maximum of two (2) weeks. After that, the NYSWYSA will supplement the disability benefit amounts so that the total of this supplement and the disability benefit amounts to 75% of the weekly wage for up to a maximum of two (2) additional weeks. After this, the employee will be eligible for Disability Insurance payments only if he/she still qualifies.

### **FAMILY MEDICAL LEAVE ACT (FMLA)**

It is the policy of the NYSWYSA to grant up to twelve (12) weeks of family and medical leave during any twelve (12) month period to eligible employees in accordance with the Family and Medical Leave Act of 1993. Eligible employees have the right under federal law to take a total of twelve (12) weeks of unpaid leave in a twelve (12) month period for certain family or personal health care needs (referred to in the policy as "serious health condition"). This policy describes the employee's right to obtain family and medical leave and how this leave relates to other NYSWYSA ~~other~~ benefits. "Serious health condition" is a health condition that involves inpatient care in a hospital, hospice, or nursing home, or continuing treatment by a health care provider, as defined by law.

**Eligibility:** You are eligible to take family and medical leave if, at the time you request it, you have been employed by the NYSWYSA for at least one year, and have worked at least 1,250 hours in the preceding twelve (12) months.

**Reasons for Leave:** If you are eligible, you may take family and medical leave for any of the following purposes:

1. The birth of your child or the placement of a child with you either through adoption or foster care, and you must care for that child in the first 12 months after childbirth or placement. Leave for the birth or placement of a child must be taken all in one block and must conclude within one (1) year of the birth or placement.
2. To care for your spouse, parent of child who has a serious health condition as described above.



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3. To care for yourself because of a serious health condition, as described above, that prevents you from performing the essential functions of your job.

**Procedures:** In general, you must give your immediate supervisor thirty (30) days advance notice before commencing family leave. If this is not practical, you must give as much advance notice as possible. If you are requesting intermittent or reduced hours leave (as opposed to taking all of your leave in one block), you must schedule the leave, insofar as possible, to minimize the disruption to your work schedule and assignments.

All leaves involving a serious health condition (as defined earlier) require medical certification from the health care provider to substantiate that a condition exists, which requires the leave. In the event you use family leave for your own care, your health care provider must also certify either that you cannot perform any job or that you cannot perform the essential functions of your own job.

Miscellaneous: The Board of Directors has the authority and the responsibility to take all steps necessary to administer this leave policy, including deciding which absences from work will be charged to family leave. To the extent consistent with applicable law, the Board of Directors has the responsibility to interpret this policy and to decide any issues not expressly addressed by it. The Board of Directors may at any time change this policy, provided such changes accord with applicable law.

### **MILITARY LEAVE**

Employees who are members of the U.S. Military Reserve or National Guard are eligible for leave for reserve training or emergency military duty. A long-term leave of absence will be granted to employees who enter active full-time military service, up to the limits provided by law. The employee must notify the NYSWYSA's Office Manager Executive Director of the need for any such leave immediately upon receipt of his or her military orders.

### **BEREAVEMENT LEAVE**

In the event of a death of a child, spouse or parent of the employee, three days of paid bereavement leave will be given. For the death of a sibling or grandparent, one day of



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paid bereavement leave will be given. Time off without pay to attend the funeral for other relatives or friends may be arranged with the approval of the [Office Manager](#) [Executive Director](#) or President.

### LONG TERM LEAVE

Long Term Leave may be granted when an employee has exhausted all PTO and needs a leave of absence for a period of two weeks or longer. The President may grant Long Term Leave without pay, in his or her sole discretion. All Long Term Leaves approved by the President are without pay.

If the Long Term Leave is due to a serious health condition or disability, a health care provider's statement must be submitted verifying the need for medical leave and its beginning and expected ending dates. Any changes in this information should be promptly reported to [the](#) NYSWYSA. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work. The employee must indicate a return date. The employee would not lose credit for term of service during this time, but benefit accruals such as holiday pay and PTO will be suspended during the leave and will resume upon return to active employment. Except for Long Term Leave related to pregnancy or an employee's temporary total disability due to a work-related injury, there is not a guarantee of the same, similar, or any job should [the](#) NYSWYSA need to fill the position due to need. Should an employee not return on the date specified originally, the employee will be considered to have resigned from his or her employment. An extension may be granted [at](#) the President's sole discretion if the request is made in writing at least five days prior to the return.

### GARNISHMENTS, ATTACHMENTS, AND JUDGMENTS

Normally, [the](#) NYSWYSA will not help creditors in the collection of personal debts from its employees. However, under certain legal procedures known as garnishments, levies, judgments, etc., [the](#) NYSWYSA is compelled by law to take action. If your wages are attached, [the NYSWYSA is we are](#) required by law to withhold from your earnings and pay to your creditor a specified amount each payday until the debt is settled.

If you have any creditor problems or anticipate legal action resulting from indebtedness, it is [a good idea recommended](#) to talk it over with your supervisor without delay. Involvement by [the](#) NYSWYSA in the collection of more than one of



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your personal financial debts during a 12 month period could lead to disciplinary action, up to and including discharge.

### MAINTENANCE OF WORK AREAS

It is the policy of the NYSWYSA that work areas shall be kept clean and orderly at all times. At the end of each day, all work areas, including desks, shall be cleaned up and cleared to be left ready for the start of work on the next day. The NYSWYSA maintains a strict no smoking policy.

### PERSONAL PROPERTY

The NYSWYSA cannot assume responsibility for the loss or theft of personal belongings. Employees are advised not to carry large sums of cash or other valuables with them when they come to work.

### ATTENDANCE AND PUNCTUALITY

The NYSWYSA encourages habits of good attendance and punctuality on the part of its employees. The NYSWYSA recognizes that circumstances beyond an employee's control may occasionally cause him or her to be absent from work for all or part of a day. However, unauthorized absence or tardiness will not be tolerated, and may result in disciplinary action. Employees are expected to call the office at least one-half hour before their starting time to record their absence, the reason for their absence, and the estimated date of their return. Failure to notify the Office Manager Executive Director or President of any anticipated absence may be grounds for disciplinary action. Employees who are absent from work for three consecutive days, without giving proper notice to the Company, shall be considered as having quit.

Excessive absenteeism or tardiness, as determined by management, may result in disciplinary action or dismissal.

### EMPLOYEE CONDUCT AND BEHAVIOR

Employees may, at the sole discretion of the President or Office Manager Executive Director, be disciplined for unsatisfactory performance of their job or other misconduct. In determining the penalty to be assessed, the President may, at his/her sole discretion, consider the seriousness of the offense and the employee's past record. The penalties may include reprimand, a temporary suspension from work without pay, or termination of employment.



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Unsatisfactory performance and, misconduct includes, but is not limited to, such activities as:

- The use or consumption of alcoholic beverages on company property or reporting for work while under the influence of alcoholic beverages
- Insubordination and/or refusal by the employee to follow the Office Manager, Executive Director's, President's or any member of the Board of Director's instruction concerning a job related matter
- Assault on, or intimidation or harassment of a fellow employee or association member
- Violation of the policy to provide services without regard to age, race, religion, color, national origin, sex or physical impairment
- Violation of the Company Privacy Policy
- Theft or misuse of company property, or of another employee's property
- Falsifying any company record or report such as a application for employment, or incorrectly recording of time sheets for hourly employees,
- The possession, sale or use of a controlled substance, other than a drug prescribed by a physician
- Deliberate or reckless destruction or damage to the NYSWYSA's property
- Absence without proper notification, excessive absenteeism or tardiness, or insufficient reasons for absenteeism or tardiness
- Commission of unlawful or immoral acts either on or off duty which may, in the judgment of the NYSWYSA, injure its reputation, even if such acts do not lead to a criminal conviction
- Improper personal use of the NYSWYSA's computers, internet, or telephones
- Personal use of the NYSWYSA's property, supplies, or equipment without proper approval
- Abuse of break times and/or lunch period or unauthorized absence from work area
- Making malicious, false or derogatory statements that may damage the integrity or reputation of the NYSWYSA, its employees, or members.

The foregoing examples of an employee's misconduct and unsatisfactory performance are illustrative of the type of behavior that will not be permitted, but are not intended to be all-inclusive.

If an employee breaches acceptable practice in any respect of employment, he/she will be informed by the following procedure:

1. The employee's Supervisor will give the employee a confidential informal written warning.





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2. If the condition persists, the Supervisor and a member of the Executive Committee will meet with the employee in a formal disciplinary interview, with a transcript of the proceedings entered into the employee's personnel file.
3. Failure to correct the problem(s) outlined in the disciplinary interview within the time period specified will result in a final warning. The Board of Directors will approve any final warnings to be given and will treat such action as confidential. The Supervisor and a member of the Executive Committee will conduct the final warning interview and make clear the conditions of continued employment, specifying a time period for the next evaluation. Provided conditions are correct, the three parties will meet at the conclusion of the warning period to affirm successful completion.
4. A termination will result from an employee's failure to correct problem(s) identified during the progressive disciplinary procedure through the final warning.

All employees, as a condition of employment will be required to fully complete the Employee/Volunteer Disclosure Statement, also called the "KidSafe Form."

### CONFLICTS OF INTEREST

The NYSWYSA prohibits its employees from engaging in any activity, practice, or act that conflict with the interests of the NYSWYSA and its players. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in personal gain for that employee or a relative, as a result of the NYSWYSA's business dealings. If an employee has any influence on transactions involving purchases, contracts or leases, it is imperative that he or she immediately disclose the actual or potential conflict to the President so that the proper safeguards can be established. A conflict may also result when an employee or relative has a significant ownership in a firm with which the NYSWYSA does business or when an employee or relative receives any gift or special consideration as a result of any transaction or business dealings involving the NYSWYSA. Situations which display an actual conflict of loyalty or interest, or even the appearance of such a conflict, must be scrupulously avoided unless approved in advance by the President. It would be impossible to describe all the situations that may arise involving conflicts of interest. So, therefore, when an employee has a question concerning a possible conflict of interest, it is expected that he or she will inform the President of the possible conflict.

### PERSONNEL RECORDS



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The NYSWYSA maintains a personnel file for each employee. Each employee's personnel file will normally contain Application Forms, Payroll information, Performance Appraisals, and disciplinary records. When a change of dependents or marital status occurs, the employee should ~~submit report~~ to the Treasurer a complete a new W-4 Form for income tax withholding purposes. Employees' medical information will be kept in a separate file to maintain confidentiality.

### PERSONAL COMPUTERS AND E-MAIL

Only software approved by the President may be installed or run on a PC connected to the NYSWYSA network. Only commercial programs in their original form and properly licensed will be permitted. Employees are prohibited from copying or downloading programs from any source. Prior to connection with a Company PC, the President or Treasurer must approve all Internet providers.

Internet services provided by the NYSWYSA are for the employees' business use. Incidental use of Internet services for personal, non-business purposes is acceptable. However, personal use must be infrequent and must not involve any prohibited activity, interfere with the employee's productivity, consume system resources or storage capacity, or deplete system resources available for business purposes. Employees are strictly prohibited from using Internet services in connection with any of the following activities:

- Engaging in illegal, defamatory, fraudulent or malicious conduct;
- Working on behalf of other organizations;
- Sending or receiving offensive, obscene or defamatory material;
- Annoying or harassing other individuals or sending uninvited e-mail of a personal nature;
- Monitoring or intercepting the files or electronic communications of employees or third parties;
- Obtaining unauthorized access to any computer system; or
- Attempting to test, circumvent, or defeat security or auditing systems of the NYSWYSA or any other organization without prior authorization.

Employees violating this policy are subject to discipline, up to and including termination of employment. Further, employees using the computer system for defamatory, illegal or fraudulent purposes also may be subject to civil liability and criminal prosecution.

Any e-mail or faxes originating on or received by a computer attached to the NYSWYSA's network will be the property of the NYSWYSA. The President or the NYSWYSA Board of Directors reserves the right to read any and all such electronic



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mail or faxes. Employees will have no expectation of privacy for such documents or with respect to any of their activities using the NYSWYSA provided Internet access or services. Employees are expected to utilize Company computers in a professional manner. Abuses of this privilege may result in disciplinary action up to and including discharge.

### **PROHIBITION FROM CARRYING WEAPONS**

It is the policy of the NYSWYSA to prohibit the presence of firearms on its premises, rented or owned, and at any of its activities. The prohibition includes deadly weapons or dangerous ordnances, including but not limited to handguns, knives, and explosive devices.

- A) Employees are prohibited from carrying a concealed weapon while operating any motor vehicle owned or leased by the NYSWYSA, including concealing a firearm in their own motor vehicle parked on the NYSWYSA premises, owned or leased, or at any of its activities.
- B) Employees are prohibited from carrying a concealed weapon while on any leased or owned property of the NYSWYSA or at any activity of the NYSWYSA, whether in or out of regular working hours.
- C) Violation of this section will be cause for dismissal, a charge of criminal trespass, and reporting to police authority.

### **GRIEVANCE PROCEDURE**

- A) Any person who believes she or he has been subjected to discrimination or harassment, in contradiction of the NYSWYSA's Equal Employment Opportunity policy stated above, may file a grievance under this procedure.
- B) Grievances must be submitted to the President or First Vice President within 30 days of the date that the person filing the grievance becomes aware of the alleged discriminatory action.
- C) A complaint should be in writing, containing the name and address of the person filing it ("the grievant"). The complaint must state the problem or action alleged to be discriminatory or harassing. The grievant shall have the right to present evidence through witnesses, documents, and exhibits.
- D) The President or his/her designee shall conduct an investigation of the complaint to determine its validity. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The President will maintain the files and records of the NYSWYSA relating to such grievances.



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- E) The President will issue a written decision on the grievance no later than 30 days after its filing.
- F) The grievant may appeal the decision of the President by filing an appeal in writing, within 15 days of receiving the decision, to: President, NYSWYSA, PO Box 1247 ~~41 Riverside Dr.~~ Corning NY 14830.
- G) The President shall issue a written decision in response to the appeal no later than 30 days from the receipt of the appeal.

UNOFFICIAL



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New York State West Youth Soccer Association  
Personnel Policy Handbook

The undersigned acknowledges receipt of a copy of the personnel policies of the NYSWYSA. I understand that this is a listing of policies in effect at the time of distribution and these policies may be modified, deleted or added to at the sole discretion of the NYSWYSA with or without notice. I further recognize that this policy book is in no way to be construed as a contract of employment either expressed or implied. I acknowledge that only the Board of Directors can enter into a written employment contract, and no oral statements will modify the employment at-will relationship.

I have been informed and understand that all employment at the NYSWYSA is “employment at will.” This means that I may resign my position at any time and that the NYSWYSA may discharge me at any time either with or without cause. I agree that should I ever leave my employment with the NYSWYSA, I will return all Company property in my possession, and that the value of any property which I fail to return may be reduced from any pay due and owing to me. My signature below attests that I understand this policy and have been afforded an opportunity to obtain any clarification necessary.

I agree, as a condition of employment, to be bound by this and all other policies of the NYSWYSA.

Print Name \_\_\_\_\_

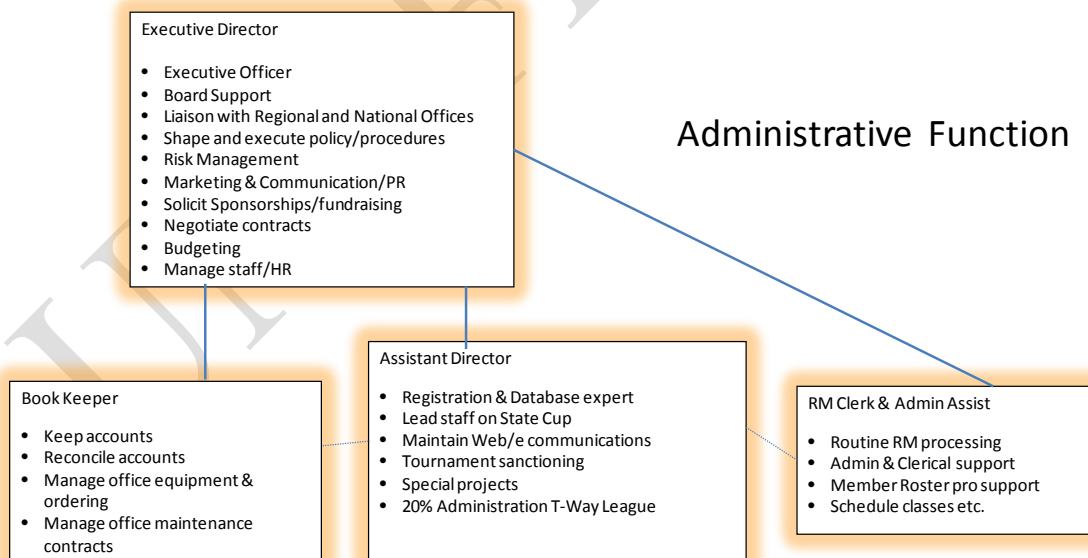
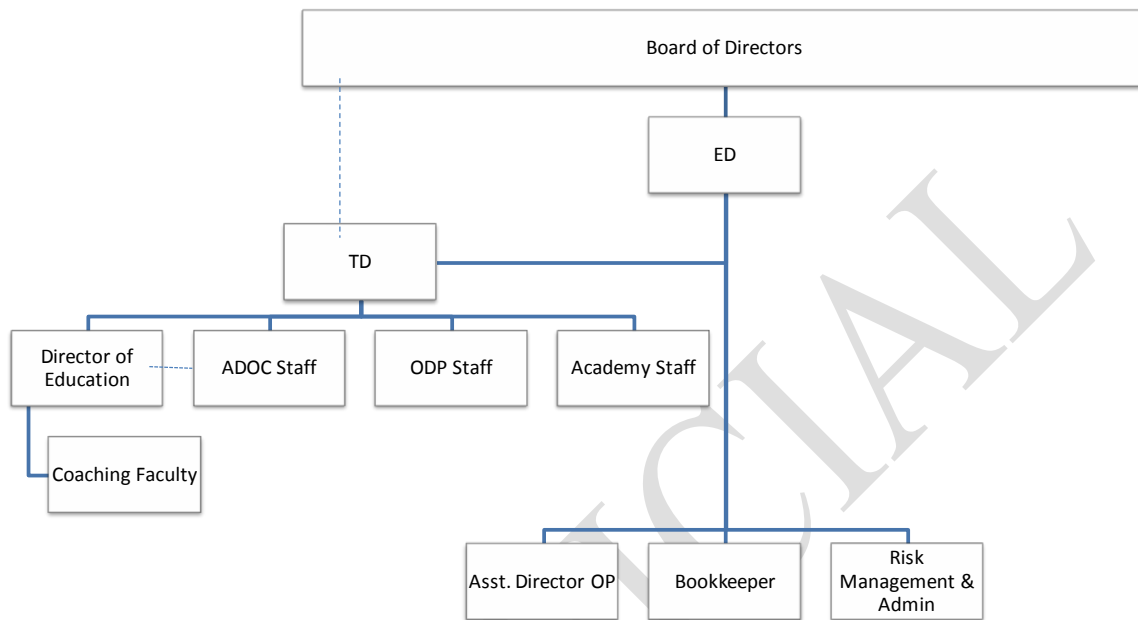
SS # \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_



## NYSW Organizational Structure





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## Coaching and Education

