

**INC. VILLAGE OF HEMPSTEAD  
COMMUNITY DEVELOPMENT AGENCY  
POLICIES AND PROCEDURES MANUAL**

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## **SECTION I: PURPOSE**

The Board of Directors of the Incorporated Village of Hempstead Community Development Agency (CDA) has enacted these policies and procedures for the effective operation of the CDA. The day-to-day implementation of these policies and procedures is the responsibility of the Commissioner of Community Development. These policies and procedures shall serve as a reference tool in making decisions involving the management and operation of the CDA, and acquaint employees with their general employment rights, benefits and responsibilities.

## **SECTION II: PERSONNEL POLICIES**

### **I. Non-Exempt Employees**

In addition to the policies and procedures set forth herein, non-exempt employees shall be governed by the applicable provisions of the Incorporated Village of Hempstead's current Collective Bargaining Agreement. Executive staff are deemed "exempt employees."

### **II. Affirmative Action**

The CDA will not discriminate on the basis of age, sex, race, color, religion, national origin, sexual orientation, sexual identity, or disability, except as lawfully permitted and reasonably required in connection with a bona fide occupational qualification for the job to be performed.

### **III. Hiring and Termination of Employees**

The Chairman shall appoint and terminate the Commissioner, subject to confirmation by the Board of Directors. The Commissioner shall appoint and terminate all other staff, subject to the advice and consent of the Board of Directors.

#### **A. Employment Status: Employment at Will**

All employees whether full time, or part time shall serve "at-will", unless otherwise provided by law.

### **IV. Work Schedule and Pay Periods**

#### **A. Work Schedule**

All full-time employees shall work a minimum of 33.75 hours per week. Meal breaks are not included in this time. The regular office hours of the CDA shall be Monday through Friday, 9:00 a.m. to 4:45 P.M. Subject to advance approval by their respective supervisor, employees may receive compensatory time, for hours worked in excess of 33.75 hours per week. All compensatory time shall be used within the same pay period. Any unused may not be carried to a subsequent pay period. There shall be no monetary compensation for unused compensatory time.

#### **B. Time Sheets**

All employees shall sign a bi-weekly time sheet.

## **V. Benefits**

### **A. Insurance –Retirement**

Full-time employees shall receive the following benefits:

- i.** Individual or Family Health Insurance
- ii.** Dental and Optical Benefits through the Civil Service Employees Association, if applicable
- iii.** Membership in the New York State Employees Retirement System, if applicable
- iv.** The Commissioner and Deputy Commissioner shall receive the compensation and benefits as approved by the Community Development Agency Board of Directors on June 2, 2015. The specific provisions of the same shall be as set forth in the resolution and supporting documentation which is incorporated here by reference.

### **B. Sick and Personal Leave**

Employees shall be granted one day per month as sick leave, earned at the end of each month. For an employee to be eligible to receive a sick day, he or she must have worked at least half the month or, if absent, he or she must have had an accrual to charge such absence against. All time shall be accrued on a pro rata basis from the respective employee's start date.

Employees on sick leave for three (3) or more consecutive working days may be required to submit a doctor's certificate confirming that the employee is unable to work due to illness and estimating the date of return to work, if known.

Employees shall be permitted to accumulate up to a maximum of One Hundred (100) sick days. Upon separation of service, all accumulated sick leave shall be paid to the employee at the then current rate of pay.

Exempt employees shall receive five (5) days of personal leave per year, earned at the end of each year. All personal leave shall be used during the year following accrual. Any unused personal leave may not be carried to a subsequent year. There shall be no monetary compensation for unused personal leave.

### **C. Bereavement**

Three (3) working days of paid bereavement leave will be granted to employees who have a death in the immediate family. The immediate family is defined as grandparents, parents, children, spouses, domestic partner, sibling, child or in-law of the employee.

### **D. Leave of Absence**

In addition to any unpaid leave of absence that may be required by the Family Medical Leave Act or other applicable law, the Commissioner of the Agency may, in his/her discretion, upon written request, grant unpaid leaves of absence.

**E. Vacation**

Unless otherwise approved by the CDA Board of Directors, employees shall accrue vacation days on a pro-rata basis, as follows:

Year 1-4: 10 vacation days

Year 5-9: 15 vacation days

Year 10+: 20 vacation days

All employee vacations shall be subject to the approval of the Commissioner of the Agency.

During the first year of employment, vacation time may be taken only after six months of employment. Thereafter, vacation time shall be earned on the anniversary date of the employee's respective start date. Employees are encouraged to use all vacation days in a timely manner. Employees may carry over no more than seven (7) vacation days annually unless approved by the Commissioner and the Board of Directors. Employees may carryover up to a maximum of 100 unused vacation days.

Upon separation of service, all unused vacation time shall be paid to the employee at the then current rate of pay.

**F. Disability Leave**

Employees shall receive unpaid disability leave, not to exceed six months, upon written request accompanied by a doctor's certificate confirming that the employee is unable to work due to a disability and estimating the date of return to work, if known. The Commissioner of the Agency may require that employees on disability leave provide periodic, updated doctor's certificates.

The period of disability leave shall not constitute a break in tenure for purposes of calculating length of service; however, no additional sick leave, personal time or vacation time will be accumulated during the absence.

**G. Holidays**

The CDA offices shall be closed in observance of the following holidays:

- |                            |                  |
|----------------------------|------------------|
| New Year's Day             | Labor Day        |
| Martin Luther King Jr, Day | Columbus Day     |
| Presidents Day             | Election Day     |
| Memorial Day               | Veterans Day     |
| Juneteenth Day             | Thanksgiving Day |
| Independence Day           | Christmas Day    |

## **VI. Supervision and Evaluation**

### **A. Initial Evaluation**

All new employees shall be evaluated in writing by the Commissioner of Community Development after six (6) months of employment.

### **B. Annual Evaluation**

All employees will be evaluated in writing annually by the Commissioner of Community Development. The employee shall acknowledge in writing that he or she has read and discussed the evaluation with the Commissioner. The employee shall be provided with a copy of the evaluation, which shall also be placed in the employee's personnel file.

## **VII. Travel and Other Expenses**

Employees will be reimbursed for work-related travel expenses provided the trip is approved in advance by the Commissioner of Community Development and approved by the CDA Board of Directors. Employees using automobiles for travel will be reimbursed at the current IRS approved rate.<sup>1</sup> All requests for mileage reimbursement will be documented on an approved mileage reimbursement form.

## **VIII. Code of Ethics**

All employees will abide by the Code of Ethics adopted by the CDA Board of Directors.

## **IX. Policy Prohibiting Unlawful Harassment, Including Sexual Harassment**

All employees shall refrain from verbal or physical conduct that can reasonably be expected to harass, sexually harass, disrupt or interfere with another employee's work performance, or that can reasonably be expected to create an intimidating, offensive or hostile environment.

Any employee who believes that he or she (or another employee) has been the object of such conduct is strongly encouraged to report the incident for investigation by the CDA. An employee may initiate the complaint procedure without fear of reprisal, by reporting such incident to the Commissioner of the Agency, or a member of the CDA Board of Directors. No employee will be retaliated against for having reported such conduct to the CDA or other government agency having jurisdiction over such matters, or for having filed a complaint or otherwise participated in an investigation concerning complaint.

Sexual relationship between executive staff and staff members is prohibited.

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<sup>1</sup> The IRS approved mileage reimbursement rate for use of a non-government issued vehicle, as of January 1, 2021, is \$0.56 per mile. This number may be subject to adjustment in as of January 1<sup>st</sup> of each calendar year.

### **SECTION III: PROCUREMENT POLICIES**

The CDA shall fully comply with all applicable federal, state and local laws in the procurement of goods and services, as well as in the processes of procurement, accounting, auditing, financial management and the maintenance of personnel files. Policies with respect to the same are set forth in separate policy manuals which are incorporated here by reference.

When procurement of Commodities, Equipment, Goods and/or Services are subject to a competitive process as set forth in the Village's Purchasing Policy as revised on January 25, 2021, two members of the CDA Board of Directors shall serve on the committee to review responses to solicitations and thereafter make recommendations to the CDA Board of Directors.

### **SECTION IV: RECORDS MANAGEMENT POLICY**

The CDA shall fully comply with all applicable laws, rules and regulations with respect to records management. A separate policy manual with respect to the same is incorporated here by reference.

### **SECTION V: DRUG FREE WORKPLACE POLICY**

The CDA is a drug free work place required by 41 U.S.C Chapter 81, specifically section 8103.

- I.** The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace and employees are reminded that they may be terminated for violations of the prohibition;
- II.** A drug-free awareness program shall be in place to inform employees about:
  - a.** the dangers of drug abuse in the workplace;
  - b.** the Agency's policy of maintaining a drug-free workplace;
  - c.** available drug counseling, rehabilitation, and employee assistance programs; and
  - d.** the penalties that may be imposed on employees for drug abuse violations;
- III.** Each employee is to be given a copy of the statement required by subparagraph **(I)**, by which the employee is notified that; as a condition of employment, the employee will:
  - a.** abide by the terms of the statement; and
  - b.** notify the agency of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after the conviction;
- IV.** The agency shall notify an agency from which a grant is received within 10 days after receiving notice under subparagraph **(III)(b)** from an employee or otherwise receiving actual notice of a conviction;
- V.** The agency shall impose a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted, as required by section 8104 of this title; and
- VI.** The agency shall make a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs **(I)** to **(VI)**.

**ACKNOWLEDGEMENT FORMS**

I, \_\_\_\_\_ acknowledge that I have read the **Inc. Village of Hempstead CDA Policies and Procedures Manual**, and I agree to comply with the terms and provisions contained in this manual.

Name of Employee: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_