## 2025 Employee Handbook Updates

## A Word About Updating the Employee Handbook

The policy updates and additions are categorized as either mandatory or non-mandatory. **Mandatory updates** must be incorporated into your Employee Handbook where applicable. **Non-mandatory updates** are considered optional, and you may choose whether to include them in your Employee Handbook. Additionally, two new optional policies are available this year.

Updates should be implemented based on your organization's location, size, industry, and any other relevant factors or thresholds outlined in the Policy Notes.

Below is a summary of changes to the Employee Handbook, along with a list of new policies available for 2025.

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| Mandatory Policy Updates |
| **Equal Employment Opportunity (New York City Employers)**This policy has been updated to reflect the addition of height and weight to the list of protected classes under New York City’s Human Rights Law (NYCHRL), effective November 26, 2023. |
| **Harassment & Discrimination Prevention (New York City Employers)**This policy has been updated to reflect the addition of height and weight to the list of protected classes under New York City’s Human Rights Law (NYCHRL), effective November 26, 2023. |
| **Lactation Accommodations (New York)**This policy has been updated to reflect New York’s Nursing Mother’s Act amendments, which require paid breaks for lactation, effective June 18, 2024. **\*****\*Note:** If you updated your policy on or after June 18, 2024, no further updates are required at this time. For employers with a federal handbook and state-specific addendums, the updated federal version should be incorporated into the handbook, while any applicable state-specific updates should be added to the corresponding addendum. |
| **Attendance**This policy has been updated to clarify attendance requirements and strengthen protections related to leave management and potential unemployment claims. |
| **Paid Prenatal Leave (New York Private Employers)**A new policy—to reflect the availability of 20 hours of paid time off for prenatal leave, effective January 1, 2025. |
| **Military Leave (New York Private Employers)**The policy has been updated to reflect an amendment that expands protections to activated National Guard members, effective September 27, 2024, and to clarify the reasons for taking leave and outline additional compensation options available during leave. |
| **Business Equipment and Information Systems (formerly Electronic Resources)**The policy title has been updated, and the policy statements have been updated to address changes to the types of electronic and other resources made available to employees and the legal risks that may arise.  |
| **Personnel Files (New York Public Employers)**The policy has been updated to include a provision regarding requests for disciplinary records from outside third parties. If such a request is made, the employee will be notified by the entity. |
| **Non-Mandatory (Optional) Policy Updates** |
| **Pregnancy Accommodations & the Pregnant Workers Fairness Act (PWFA) (Federal – 15 or more employees)**This policy has been updated to provide examples of pregnancy accommodations under the federal Pregnant Workers Fairness Act (PWFA) that do not require medical documentation.**\*****\*Note:** NY employers incorporating the New York Pregnancy Accommodation policy in their employee handbook do not need to include the federal version. For employers with a federal handbook and state-specific addendums, the federal version should be included in the main handbook, while the state-specific version should be added to the appropriate addendum, if applicable. |
| **Military Leave (Federal)**Both versions of these policies have been updated to clarify the reasons for taking leave and to outline additional compensation options available during leave. |
| **Infectious Disease**This policy has been updated to reflect following CDC guidance in the event of infectious disease and clarification on notice regarding furloughs, layoffs and closings. |
| **Using Your Own Device**This policy has been updated to improve the comprehensiveness, organization and scope of coverage. |
| **Protection of Employee Personal Information**This policy has been updated to improve the comprehensiveness, organization and scope of coverage. |
| **Policy on the Rights of Employees to Express Breast Milk in the Workplace (New York) –** This state-issued model notice has been updated to include information on paid lactation breaks. It may be included in the Employee Handbook or your NY Handbook Addendum to comply with the notice requirements, which mandate providing this notice at hire, annually, and whenever an employee returns to work after childbirth.**\*****Note:** This notice may also be provided as a standalone document, depending on your preference. However, including it in the employee handbook can help ensure compliance with your obligations. |
| **New Optional Policies** |
| **Allergies and Sensitivities in the Workplace**New policy statement addressing workplace accommodations for employees with allergies or other sensitivities. |

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| **Use of Artificial Intelligence**New policy addressing the use of artificial intelligence (AI) in the workplace, including guidelines on protecting sensitive information and outlining permitted and prohibited uses. |

## Instructions for Making Updates to the Employee Handbook

To update or include the new policies, you can copy and paste the updated sections directly into your existing Employee Handbook.**\***

**\*Note:** If a New York (NY) and Federal version of a policy exists, choose the version that aligns with your Employee Handbook type (i.e., combined Fed/NY or Fed w/State Addendums). Clients with a combined Fed/NY Employee Handbook should select the NY policy version. Clients with a Federal Employee Handbook and state-specific addendums should use the Federal version, adding any applicable NY-specific policies to the NY Handbook Addendum.

When incorporating the updated policies into your Handbook:

* **Review the full policy carefully** and tailor it to your company’s practices. The policies are written broadly to cover various options, so you will need to remove or adjust any content that does not apply to your company.
* **Optional policies or statements** are marked as [Optional:] and should be reviewed and customized to reflect the choices that apply to your organization.
* **Text in bold and/or [in brackets]** requires review and customization to match your company’s benefits and terminology. \*Note: In the Non-Harassment, Sexual Harassment, and Non-Harassment/Non-Discrimination policies, the following terms in the "Complaint Investigation," "Management Responsibilities," and "New York State Division of Human Rights" sections have been intentionally bolded and should remain bolded:
	+ “Harassers can be anyone in the workplace.”
	+ “All” (bolded and italicized)
	+ “required” to report (bolded)
	+ “within three years” (bolded)
	+ “1-800-HARASS3”
* After customizing the policies, **adjust the formatting as needed**, including updating policy numbers (if applicable) and revising the Table of Contents.

**Additional Information or Questions**

If you have additional questions, please contact the HR Works Virtual Helpline at 1-888-668-1271 or hrhelp@hrworks-inc.com.

# MANDATORY POLICY UPDATES

## EQUAL EMPLOYMENT OPPORTUNITY [NEW YORK]

**Company Name** is committed to a policy of Equal Employment Opportunity with respect to all employees, interns 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 **Company** prohibits discrimination against qualified employees, interns 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 or intern’s actual or perceived: race (including traits historically associated with race, such as hair texture and protective hairstyles), color, creed, religion (including wearing attire, clothing or facial hair in accordance with the tenets of religion), sex (including pregnancy, childbirth or related medical conditions and transgender status), gender identity or expression, an employee’s or dependent’s reproductive health decisions, familial status, national origin, citizenship or immigration status, physical or mental disability (including gender dysphoria and being a certified medical marijuana patient), genetic information (including predisposing genetic characteristics), age (18 and over), veteran status, military status, sexual orientation, marital status, certain arrest or conviction records, domestic violence or victim status **[include for NYC employers:** height and weight (actual or perceived), domestic partnership status, caregiver status, relationship or association with a person in one of the protected classes,**]** and any other status protected by applicable law.

**MANAGEMENT RESPONSIBILITIES**

All members of management are responsible for understanding the **Company**’s commitment to this policy and ensuring this policy is carried out. **Supervisors/Managers** are responsible for immediately reporting and responding to a discrimination complaint, even if the reporting party does not want any action taken. It is critical that any observation of, or any formal or informal reference to discrimination is taken seriously and addressed promptly.

**REASONABLE ACCOMMODATIONS**

Consistent with our **Individuals with Disabilities** and **Religious Accommodation** policies, the **Company** will work to make reasonable accommodations for a qualified applicant, intern or employee with a known disability or arising out of an individual’s sincerely held religious beliefs or practices, unless doing so would result in an undue hardship to the **Company**. Employees who require a reasonable accommodation due to a known disability or arising out of a sincerely held religious belief or practice should refer to the applicable **Company** policies.

**QUESTIONS AND COMPLAINTS**

Questions regarding the administration of this policy or a complaint regarding Equal Employment Opportunity should be directed to the employee’s or intern’s **supervisor/manager** or to **WHO**. Consistent with our policy on **Harassment & Discrimination Prevention**, the **Company** will promptly and thoroughly investigate all complaints. Confidentiality will be maintained to the greatest degree possible, consistent with the **Company**’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 their **supervisor/manager** or **WHO**.

If not satisfied with the resolution, an employee or intern may pursue an appeal. Appeals will generally follow the steps outlined in the Open Communication Policy.

**NON-RETALIATION**

It is the policy of **Company Name** that any employee, intern or applicant who makes or participates in the investigation of a discrimination complaint will not be retaliated against in any way. Employees, interns or applicants who feel they have been retaliated against for such activity should immediately contact **WHO**.

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.

## HARASSMENT & DISCRIMINATION PREVENTION [NEW YORK]

**Company Name** is committed to maintaining a workplace free from all forms of harassment and discrimination. The **Company** prohibits unlawful harassment and discrimination against anyone, for any reason, including, but not limited to an individual’s actual or perceived: race (including traits historically associated with race, such as hair texture and protective hairstyles), color, creed, religion (including wearing attire, clothing or facial hair in accordance with the tenets of religion), sex (including pregnancy, childbirth or related medical conditions and transgender status), gender identity or expression, an employee’s or dependent’s reproductive health decisions, familial status, national origin, citizenship or immigration status, physical or mental disability (including gender dysphoria and being a certified medical marijuana patient), genetic information (including predisposing genetic characteristics), age (18 and over), veteran status, military status, sexual orientation, marital status, certain arrest or conviction records, domestic violence victim status, **[include for NYC employers:** height and weight (actual or perceived), domestic partnership status, caregiver status, relationship or association with a person in one of the protected classes,**]** and any other status protected by applicable law.

The purpose of this policy is for employees and other covered individuals to recognize harassment and discrimination and to know what action to take when it occurs. This policy is one component of **Company Name**’s commitment to a harassment and discrimination-free work environment where all individuals are treated with dignity and respect.

**APPLICABILITY**

This policy applies to all employees, applicants for employment, interns, whether paid or unpaid, anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace; collectively referred to as “covered individual(s)” throughout this policy.

All covered individuals conducting business in our workplace must refrain from engaging in unlawful harassment and discrimination.

**NO TOLERANCE**

Harassment, discrimination, and retaliation of any kind is a violation of our policies, is unlawful, and may subject **Company Name** to liability for harm to targets of harassment, discrimination, and retaliation. Workplace harassment, discrimination, and retaliation will not be tolerated at **Company Name**. All covered individuals conducting business with **Company Name** are required to conduct themselves in a manner that prevents sexual or other forms of harassment and discrimination in the workplace. Any individual covered by this policy who engages in workplace harassment, discrimination or retaliation may be subject to remedial and/or disciplinary action, up to and including termination.

Harassers may also be individually subject to liability and the **Company** or **supervisors/managers** who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees of every level who engage in harassment, discrimination, or retaliation, including **supervisors/managers** who engage in harassment, discrimination, or retaliation, or who allow such behavior to continue, will be subject to disciplinary action up to and including termination.

**DEFINITION OF SEXUAL HARASSMENT**

Sexual harassment is unacceptable. Sexual harassment is a form of sex discrimination that subjects an employee to inferior conditions of employment due to their sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender and is unlawful under federal, state and (where applicable) local law.

Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature and may include any unwelcome conduct that is directed at an individual because of that individual’s sex when:

* Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
* Such conduct is made either explicitly or implicitly a term or condition of employment; or
* Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

There are two main types of sexual harassment:

* **Hostile Work Environment.** Behaviors that contribute to a hostile work environment may include but are not limited to words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.
* **Quid Pro Quo.** Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any covered individual who feels harassed should report the harassment to **WHO** so that the **Company** can promptly investigate any alleged violations of this policy. Any harassing or discriminatory conduct, even a single incident, can be addressed under this policy.

**EXAMPLES OF SEXUAL HARASSMENT**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

* Physical assaults of a sexual nature, such as:
* Touching, pinching, patting, grabbing, brushing against another employee’s body or poking another employee’s body;
* Rape, sexual battery, molestation or attempts to commit these assaults.
* Unwanted sexual advances or propositions, such as:
* Requests for sexual favors accompanied by implied or overt threats concerning the victim’s job performance evaluation, a promotion or other job benefits or detriments;
* Subtle or obvious pressure for unwelcome sexual activities, including repeated requests for dates or romantic gestures.
* Sexually oriented gestures, noises, remarks, jokes or comments about a person’s sexuality or sexual experience, which create a hostile work environment.
* Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
* Sexual or discriminatory displays or publications anywhere in the workplace (including visible areas of a virtual or remote workspace), such as:
* Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
* Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender, such as:
* Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
* Sabotaging an individual’s work;
* Bullying, yelling, name-calling;
* Intentional misuse of an individual’s preferred pronouns; or
* Creating different expectations for individuals based on their perceived identities.

**DEFINITION OF OTHER UNLAWFUL HARASSMENT**

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

* Physical harassment refers to pushing, hitting, crowding, cornering or unwanted physical touching;
* Verbal harassment refers to verbal comments, including but not limited to jokes or the use of slurs or other offensive language regarding, or made because of, an individual's actual or perceived membership in one of the protected categories listed above;
* Written harassment refers to derogatory or degrading written comments regarding, or made because of, an individual's membership in one of the categories listed above. Specific examples include, but are not limited to e-mail, text messages, memos, notes, graffiti, other visual depictions or pictures, cartoons, drawings, and videos;
* Inappropriate, unwelcomed behaviors, such as offensive gestures and wearing clothes, jewelry, signage, etc. known to be offensive to particular protected classifications; and
* Any other unwelcome 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 physical, verbal or visual in nature, is a form of employee misconduct that undermines the integrity of the employment relationship within our **Company**.

**WHO CAN BE A TARGET?**

**Harassers can be anyone in the workplace.** Harassment can occur between any individuals, regardless of their sex or gender. New York Law protects all covered individuals. A perpetrator of workplace harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

**WHERE CAN HARASSMENT OCCUR?**

Unlawful harassment is not limited to the physical workplace itself. It can occur while covered individuals are working remotely, traveling for business or at employer-sponsored events or parties. Calls, texts, emails, communications in virtual meeting platforms and messaging apps and social media usage by covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices (i.e., cellphones) or during non-work hours.

**REPORTING HARASSMENT AND DISCRIMINATION**

In New York, harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Any covered individual who has been subjected to behavior that may constitute unlawful harassment or discrimination is encouraged to report such behavior to their **supervisor/manager** or to **WHO**. Anyone who witnesses or becomes aware of potential instances of workplace harassment or discrimination should report such behavior to their **supervisor/manager** or to **WHO**.

Reports of workplace harassment or discrimination may be made verbally or in writing. The written complaint form is located **where**. All covered individuals are encouraged to use this complaint form. Employees who are reporting potential harassment on behalf of another covered individual should use the complaint form and note that the complaint is being made on behalf of another covered individual.

Covered individuals who believe they have been a victim of workplace harassment or discrimination may also seek assistance in other available forums, as outlined in the Legal Protections and External Remedies section of this policy.

**BYSTANDER INTERVENTION**

Any employee witnessing harassing or discriminatory behavior as a bystander is encouraged to report it. A **supervisor/manager** who is a bystander to these behaviors is **required** to report it.

To the extent to which a bystander feels safe and comfortable, they may interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior; asking a third party to help intervene in the harassment; documenting the incident; checking in with the person who has been harassed after the incident; or confronting the harassers and naming the behavior as inappropriate.

When confronting harassment, physically assaulting an individual is never an appropriate response.

**MANAGEMENT RESPONSIBILITIES**

All **supervisors/managers** who receive a complaint or information about suspected workplace harassment or discrimination, observe what may be harassing or discriminatory behavior or for any reason suspect that harassment or discrimination is occurring, are **required** to report such suspected harassment or discrimination to **WHO**.

In addition to being subject to discipline, if they engaged in harassing or discriminatory conduct themselves, **supervisors/managers** will be subject to discipline for failing to report suspected workplace harassment and discrimination or otherwise knowingly allowing workplace harassment and discrimination to continue.

**Supervisors/Managers** will also be subject to discipline for engaging in any retaliation.

**COMPLAINTS AND INVESTIGATIONS**

All complaints, information, or knowledge of suspected workplace harassment or discrimination will be investigated whether that information was reported in verbal or written form. Investigations will be thoroughly conducted in a prompt and timely manner and will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers, will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any covered individual may be required to cooperate as needed in an investigation of suspected workplace harassment or discrimination. **Company Name** will not tolerate retaliation against covered individuals who file complaints, support another’s complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations will generally be conducted in accordance with the following steps:

* Upon receipt of the complaint, **WHO** will conduct an immediate review of the allegations, assess the appropriate scope of the investigation, and take any interim actions, as appropriate. If the complaint is verbal, the individual will be encouraged to complete the “Complaint Form” in writing. If the complainant chooses not to complete the Complaint Form, **WHO** will prepare a complaint form or equivalent documentation based on the complainant’s verbal report.
* When applicable, **WHO** may request, review and preserve documents relevant to the allegations, such as emails, phone records or other electronic communications.
* **WHO** will interview all parties involved, including any relevant witnesses.
* **WHO** will prepare written documentation of the investigation (such as a letter, memo or email), which may contain the following:
* A list of all documents reviewed, along with a detailed summary of relevant documents;
* A list of names of those interviewed, along with a detailed summary of their statements;
* A timeline of events;
* A summary of prior relevant incidents, reported or unreported; and
* The basis for the decision and final resolution of the complaint, together with any corrective actions action(s).
* Written documentation and associated documents will be maintained by the **Company** in a secure and confidential location.
* Following the investigation, **WHO** will promptly notify the complainant and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document.
* **WHO** will inform the complainant of their right to file a complaint or charge externally as outlined in the Legal Protections and External Remedies section of this policy.

**CORRECTIVE ACTION**

If a report of workplace harassment or discrimination is found to be valid, immediate and appropriate corrective action will be taken. Covered individuals 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.

**NON-RETALIATION**

**Company Name** will not tolerate retaliation against anyone who, in good faith, complains or provides information about suspected harassment or discrimination.

Unlawful retaliation can be any action that could discourage an employee from coming forward to make or support a workplace harassment claim including, but not limited to being discharged, disciplined, discriminated against, or having their personnel file disclosed, except where such disclosure is permitted or required by applicable law, or otherwise being subject to adverse employment action. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Retaliation is unlawful under federal, state and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in a “protected activity.” Protected activity occurs when a person has:

* Made a complaint of harassment, either internally or with any anti-discrimination agency;
* Testified or assisted in a proceeding involving harassment under the Human Rights Law or other anti-discrimination law;
* Opposed harassment by making a verbal or informal complaint to management, or by simply informing a **supervisor/manager** of harassment;
* Reported that another employee has been harassed; or
* Encouraged a fellow employee to report potential harassment.

Even if the alleged harassment does not rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

**LEGAL PROTECTIONS AND EXTERNAL REMEDIES**

Harassment and discrimination based on a protected class are against the law. The internal process outlined in this policy is one way for covered individuals to report harassment and discrimination and the Company encourages covered individuals to report their concerns so that the Company can promptly investigate and respond. Covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, legal advice from an attorney may be sought.

**New York State Division of Human Rights (DHR)**

The Human Rights Law (HRL) codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in the New York State Supreme Court.

Complaints of harassment and discrimination may be filed with the DHR at any time within **three years** of the harassment or discrimination. If an individual does not file a complaint with the DHR, they can sue directly in state court under the HRL, **within three years** of the alleged harassment and discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court.

Complaining internally to **Company Name** does not extend the time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment or discrimination.

An attorney is not needed to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate the complaint and determine whether there is probable cause to believe that harassment or discrimination has occurred. Probable cause cases receive a public hearing before an administrative law judge. If harassment or discrimination is found at the hearing, DHR has the power to award relief, which varies but may include requiring the employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, punitive damages, attorney’s fees and civil fines.

DHR’s main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint. The website has a digital complaint process that can be completed on your computer or mobile device, in addition to, a complaint form that can be downloaded, filled out and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR’s regional offices across New York State.

The DHR also maintains a toll-free hotline that accepts complaints and provides limited assistance and counseling regarding workplace sexual harassment. This hotline can be reached at **1-800-HARASS3**.

**United States Equal Employment Opportunity Commission (EEOC)**

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days of the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

If an employee believes that they have been discriminated against at work, they can file a “Charge of Discrimination.” The EEOC has district, area and field offices where complaints can be filed. Contact the EEOC by calling (800) 669-4000 (800) 669-6820 (TTY), visiting their website at https://www.eeoc.gov/ or via email at info@eeoc.gov.

If an individual files an administrative complaint with DHR, DHR will usually file the complaint with the EEOC to preserve the right to proceed in federal court.

**Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they work to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade St, New York, NY 10007; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

**Contact the Local Police Department**

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact the local police department.

**CONCLUSION**

All covered individuals have the right to a workplace that is free from harassment and discrimination. This policy should be considered applicable to all protected classes under federal, state and local law.

Employees who have questions regarding this policy should contact **WHO**.

## LACTATION ACCOMMODATION [NEW YORK]

In accordance with New York law, all employees have the right to express milk in the workplace.

**LACTATION BREAKS**

The **Company** will provide nursing employees with up to 30 minutes of paid break time to express milk each time the employee has a reasonable need to do so for up to three years following the birth of a child.

Nursing employees can also take time to express milk during their regularly scheduled meal **[insert if rest breaks are provided:** and rest] breaks.

Employees will be allowed to take longer unpaid breaks if needed. Non-exempt employees, whose lactation break exceeds 30 minutes may be granted additional unpaid lactation break time beyond the 30 minutes of paid time. Exempt employees will receive their full salary in accordance with federal and state law.

Employees are not required to make up time taken for lactation breaks.

**[If there are no remote/hybrid employees; this statement may be excluded:** Employees who work remotely have the same rights to paid lactation breaks, as all other employees who perform their work in-person.**]**

**LACTATION ROOM**

Employees who work onsite have the right to request a lactation room for the purpose of expressing milk. **[Insert if the Company has a dedicated lactation room:** The lactation room is located **[insert location]**.**]** **[Insert if the Company does not have a dedicated lactation room:** Employees will be informed as soon as practicable when a lactation room or location has been designated.**]** The lactation room will be a well-lit, sanitary place, other than a restroom or toilet stall, that is shielded from view, free from intrusion, and in reasonable proximity to the employee's work area. The lactation room will include **[insert if the workplace has electricity:** an electrical outlet,**]** a chair, a working surface area on which to place a breast pump and other personal items, nearby access to running water **[insert if the workplace has access to refrigeration:** and access to refrigeration for the purpose of storing the expressed milk**]**. Please note that the **Company** is not responsible for ensuring the safekeeping of expressed milk stored in any refrigerator on its premises. The employee is required to store all expressed milk in closed containers, regardless of the method of storage, and should remove such milk at the end of the workday.

**REQUESTING USE OF THE LACTATION ROOM**

To request the use of a lactation room, employees **[insert appropriate submission procedure]**. The **Company** will respond to the employee's request in writing within a reasonable amount of time, not to exceed five business days. Employees should contact **WHO** with any follow-up inquiries.

A room identified for use as a lactation room may also be used for other purposes. However, an employee’s need for a room for lactation breaks will be prioritized, and during times when an employee is using the room as a lactation room, that will be its sole function. When two or more employees need to use the room for lactation purposes or in connection with other accommodations, they should contact **WHO** and work together to schedule room usage cooperatively and in a way that accommodates all affected employees. Employees who have questions or concerns related to lactation room scheduling conflicts can also contact **WHO**.

**EMPLOYEE’S RESPONSIBILITY**

Employees are required to provide reasonable advance notice to the **Company** that they intend to take breaks to express milk upon returning to work following the birth of the child. If providing the requested lactation room will place an undue hardship on the **Company**'s operations, the **Company** will engage in reasonable efforts to provide a private room or location, other than a restroom or toilet stall, that is in close proximity to the work area where an employee can express milk in private.

**NON-RETALIATION AND NON-DISCRIMINATION**

Employees who believe the **Company** has failed to comply with the requirements of this policy and federal or state law should immediately notify **WHO**. The **Company** will not retaliate or discriminate against an employee because they exercise their rights under this policy or file a complaint or institute any proceeding under or related to New York State law or the federal Fair Labor Standards Act.

**ADDITIONAL INFORMATION**

Pursuant to New York State requirements, a [Policy on the Rights of Employees to Express Milk in the Workplace](#Policy_On_Rights_To_Express) that further explains your rights under New York State law will be provided at hire, annually after hire, and whenever an employee returns to work following the birth of a child. This Policy is available in the **Addendum of [this Employee Handbook/ the New York Policy Addendum]**. Employees are expected to review both this Lactation Accommodation policy and the New York Policy on the Rights of Employees to Express Milk in the Workplace.

Employees who have questions about either of these policies may contact **WHO**.

**Policy Notes**

This policy may be provided as a supplement to the state’s required notice **(“**[**Policy on the Rights of Employees to Express Milk in the Workplace**](#Policy_On_Rights_To_Express)**”**) as a best practice. However, employers are **not** required to provide both the Lactation Accommodation policy and the New York State “Policy on the Rights of Employees to Express Milk in the Workplace”. **If only one policy is to be provided, it must be the New York State model notice as it states, “Employers are required to provide this policy in writing.”**

Alternatively, employers may develop a custom policy that must include, at a minimum, **ALL** the information specified in the New York State model notice. Additionally, the custom policy can include further accommodations tailored to the specific needs of the workplace.

**Must I include the state’s policy in the Employee Handbook?** New York law does not require that this policy be included in the Employee Handbook. However, a Policy on the Rights of Employees to Express Milk in the Workplace must be provided at hire, annually after hire, and whenever an employee returns to work following the birth of a child. See N.Y. Lab. § 206-c(3). Nonetheless, most Employee Handbooks also include the policy, whether in the body of the Employee Handbook or as an appendix.

**Nursing Employees and Remote Only Employers.** If the client does not have any physical work locations, then the statements related to providing the use of a lactation room may be removed from the policy as it will not be applicable.

**New York City Employers.** The New York City Human Rights Law requires employers to engage in a “cooperative dialogue” with employees or applicants who may be entitled to a reasonable accommodation (including providing accommodations to employees who pump or express breast milk). Employers are required to provide the individual requesting an accommodation a written final determination identifying any accommodation granted or denied. See the NYC Addendum for Cooperative Dialogue about Accommodation Needs Policy.

## ATTENDANCE

Each employee’s position and the work that they do at **Company Name** is important. Employees are expected to be in regular attendance and at work on time. To limit the impact on business operations caused by employee absences or tardiness, the **Company** has adopted the following policy which applies to absences not previously approved by the **Company** and/or not protected under applicable law.

**ATTENDANCE AND PUNCTUALITY**

Although individual schedules may vary, employees should be at their work area on time, ready to work. Punctuality is important. Consistent, unexcused tardiness, as determined by the **Company**, is considered a performance issue and is subject to disciplinary action, up to and including termination of employment.

Excessive absenteeism or tardiness may result in disciplinary action up to and including termination of employment unless the absence or tardiness is legally protected. The following types of time off will not be considered grounds for disciplinary action under this policy:

* Approved time off, including **vacation/PTO** and other forms of employer-provided paid time off;
* Sick or safe leave provided under a mandatory sick or safe leave law;
* Approved leaves of absence including but not limited to disability leave, jury duty leave, witness leave, voting leave, military leave, leave provided as an accommodation under the Americans with Disabilities Act or similar state or local laws, leave protected under a federal or state family and/or medical leave law **[Optional - Insert covered leaves based on employer size and/or location:** such as the Federal Family and Medical Leave Act (FMLA) or New York Paid Family Leave**]** or any other leave protected by applicable federal, state or local law; and/or
* Time off due to a work-related injury covered by workers' compensation.

Each situation of absenteeism or tardiness will be evaluated on a case-by-case basis. However, the **Company** will not subject employees to disciplinary action or retaliation for an absence or for tardiness that is legally protected.

**CALL-IN PROCEDURES**

An employee who is going to be late or absent from work must **[insert applicable procedures and methods for call-ins:** personally call or may contact their **supervisor/manager** via call, text or email] at least **[how many minutes or hours]** before their scheduled start time or as soon as is practicable, before the time the employee is scheduled to begin working for that day.

Employees who are using intermittent or a reduced schedule leave under **[insert if FMLA covered employer:** FMLA and/or] an applicable state leave must report their absences in accordance with this call-in procedure.

**EARLY DEPARTURE**

Employees are also expected to **[insert if employees work onsite:** remain at work for their scheduled workday] **[insert if remote or hybrid workers:** and/or work their entire work schedule], except for meal or break periods, or when required to leave on authorized **Company** business or otherwise authorized to leave. Employees who need to **employees work onsite:** leave] **[insert if** **remote or hybrid workers:** or end their workday work] before the end of their scheduled workday must notify **WHO** immediately.

**JOB ABANDONMENT**

Absent extraordinary circumstances or a legally protected reason, if employees fail to report for work without any notification to their **supervisor/manager** and their absence continues for a period of **[insert number]** consecutively scheduled days, the **Company** will consider the employee to have abandoned and voluntarily terminated their employment.

**DISCIPLINARY ACTION**

Failure to comply with this policy may result in disciplinary action up to and including termination of employment.

**ADDITIONAL INFORMATION**

An employee who believes that their absence or tardiness to work is legally protected should notify their **supervisor/manager or WHO** of this fact at the time of the absence or tardiness. Employees will not be required to reveal to their **supervisor/manager** the nature of any underlying medical condition unless otherwise necessary to designate leave under **[insert if applicable:** the **Company**’s **Disability Leave** Policy and/or] an applicable federal, state or local leave law. If an employee believes they have been mistakenly subject to disciplinary action for an absence or for tardiness that the employee believes is legally protected, the employee should promptly discuss the matter with **WHO**.

**Policy Notes**

Effective February 19, 2023, an amendment to the Labor Law prohibits employers from issuing “points” and/or disciplinary action against employees who are absent from work for any reason including absences covered under local, state or federal law. Such absences would include employee leave under the federal Family Medical Leave Act, New York Paid Sick Leave, New York Paid Family Leave, New York Paid COVID-19 Leave, and New York Paid Vaccine Leave, etc. The amendment also includes an anti-retaliation provision.

Private-sector employers with points-based or “no-fault” attendance policies in New York will need to revisit their policies following this change to New York Labor Law.

## PAID PRENATAL LEAVE [NEW YORK – PRIVATE EMPLOYERS]

In addition to other leave, such as sick and safe leave and paid family leave, **Company Name** provides all eligible with paid prenatal leave for health care services as outlined in this policy.

**ELIGIBILITY**

All prenatal care recipients are entitled to up to 20 hours of paid prenatal leave during any 52-week calendar period.

The 52-week period begins when the employee first uses leave.

**REASONS FOR LEAVE**

Leave may be taken for the health care services related to the pregnancy including:

* Physical examinations;
* Medical procedures;
* Monitoring and testing;
* Discussions with a health care provider related to the pregnancy;
* Fertility treatments or care appointments; and
* End-of-pregnancy care appointments.

**USE OF LEAVE**

Paid leave must be taken in hourly increments.

**PAY DURING LEAVE**

Pay during leave is based on the number of hours the employee is regularly scheduled to work at the employee’s normal rate of pay or the applicable minimum wage, whichever is greater.

**[Insert for FMLA-covered employers – 50+ employees:**

**CONCURRENCE WITH OTHER LEAVE**

When an employee is unable to work for pregnancy-related reasons that may also be considered a serious health condition under the federal Family and Medical Leave Act (FMLA), this leave will run concurrently with FMLA.]

**OTHER REQUIREMENTS**

The federal Pregnant Worker Fairness Act also provides accommodations and leave for pregnancy, childbirth or related medical conditions. When applicable, the **Company** will comply with all legal requirements, including providing greater or different benefits than those indicated in this policy.

**EMPLOYEE’S RESPONSIBILITY**

Employees may provide a verbal or written request of the need for leave to **WHO**.

**CARRYOVER OR PAY OF UNUSED LEAVE**

Unused leave will not be carried over to the next leave period, and the **Company** does not offer pay instead of taking paid leave.

**CONFIDENTIALITY**

Employees are not required to disclose confidential information relating to their pregnancy or pregnancy-related health conditions.

**REINSTATEMENT**

Employees utilizing paid prenatal leave will be returned to the same position they held immediately before the use of leave with the same pay and other terms and conditions of employment.

**NON-RETALIATION**

Employees have the right to request and use prenatal leave in a manner consistent with state law. The **Company** will not discriminate or retaliate, or tolerate discrimination or retaliation, against any employee who seeks or obtains leave under this policy or who otherwise exercises their rights under this policy. Employees who feel they have been retaliated against for such activity should immediately contact **WHO**.

**MISUSE OF LEAVE**

An employee who uses leave for purposes other than those provided for under this policy, or who lies in connection with taking such leave, may be subject to disciplinary action, up to and including termination.

**PAYMENT AT SEPARATION**

Unused prenatal leave is not paid upon separation from employment.

**ADDITIONAL INFORMATION**

Employees who have questions about this policy should contact **WHO**.

**Policy Notes**

This policy applies to all private New York employers, regardless of size or annual revenue. Public employers are not subject to this policy, and it should not be included in their employee handbook.

Pregnant workers for a covered employer are eligible for paid leave regardless of the employer’s size.

Employers must provide 20 hours of paid leave but may elect to provide more than 20 hours.

Carryover or pay in lieu is not required. Unused leave is also not required to be paid out at the separation of employment. However, an employer may choose to offer carryover, pay in lieu and/or payment at separation of employment.

## MILITARY LEAVE [NEW YORK-PRIVATE EMPLOYERS]

The **Company** 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 **Company** is protected by the Uniformed Services Employment and Reemployment Rights Act of 1994 (“USERRA”) and applicable state military leave provisions.

**ELIGIBILITY FOR LEAVE**

The **Company** provides military leaves of absence to employees who serve in the “uniformed services” as required by USERRA and applicable state laws.

The uniformed services are defined as:

* The Armed Forces;
* The Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training or full-time National Guard duty;
* The commissioned corps of the Public Health Service;
* The commissioned officer corps of the National Oceanic and Atmospheric Administration;
* Members of the National Urban Search and Rescue Response System during a period of appointment into federal service under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act);
* Intermittent personnel who are appointed into Federal Emergency Management Agency (FEMA) service under the Stafford Act or to train for such service; and
* Any other category of persons designated by the President in times of war or national emergency.

**REASONS FOR LEAVE**

For purposes of this policy, "service in the uniformed services" means the following duties on a voluntary or involuntary basis:

* Active duty;
* Active duty for training;
* Initial active duty for training;
* Inactive duty training;
* Full-time National Guard duty;
* State active duty for a period of 14 days or more in response to a national emergency or major disaster declared by the President or pursuant to a call of the governor of New York or any other state;
* Time off for an examination to determine fitness to perform any such duty;
* Time off for members of the National Urban Search and Rescue Response System due to an appointment into federal service under the Stafford Act;
* Time off due to an appointment into service in FEMA as intermittent personnel under the Stafford Act;
* Funeral honors duty; and
* Time off to attend a military service academy.

**LEAVE AND REEMPLOYMENT**

**Company Name** is committed to preserving the job rights of employees absent on military leave in accordance with law.

Employees who serve on active or reserve duty will be granted a leave of absence up to the maximum time required by law, not to exceed five years, with some exceptions (certain categories of service are exempt from the five-year limitation).

**PAY DURING LEAVE**

Subject to any applicable and more generous state law, an employee's period of military leave **[Insert one of the following, as applicable:**

**[Option 1:** is unpaid. Employees on unpaid military leave may choose to apply **PTO/vacation, sick leave or personal leave** benefits to their absence.**]**

**OR**

**[OPTION 2:** is paid at 100% of their base pay for up to **[insert time period]** from the date that military leave begins], after which time leave will be unpaid.]

**OR**

**[Option 3:** is paid as the difference between an employee's base pay and military pay for a period of up to **[insert time period]** from the date that military leave begins, after which time leave will be unpaid. For any period during which the **Company** pays the difference between base pay and military pay, an employee must provide copies of their military paystubs.] **]**

Exempt employees will not incur any reduction in pay for a partial week's absence for leave under this policy.

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 their health coverage in accordance with USERRA and COBRA. For additional information on health care continuation contact **WHO**.

**[Include this paragraph for employers with 20 or more employees:**

**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.]

Where applicable, this leave may run concurrently with any available New York State Paid Family Leave, **[for employers with 50 or more employees:** theFamily and Medical Leave Act (FMLA)**]** or any other leave benefit that may be required by state law.

Employees should also refer to the New York State Paid Family Leave policy **[for employers with 50 or more employees:** and the Family and Medical Leave Act policy**]** to determine if they are also eligible for benefits under **[that policy/either of those policies**.**]**

EMPLOYEE’S RESPONSIBILITY

Employees are expected to inform their **supervisor/manager** of their need for military or spousal leave as far in advance as possible unless giving notice is impossible, unreasonable, or precluded by military necessity. Employees also must submit a copy of the military orders to **WHO**.

Employees must also notify **WHO** before returning to work. For service of less than 31 days, the service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight-hour rest period. If this is impossible or unreasonable, then as soon as possible. For service of more than 30 days but less than 181 days, the service member must submit an application for reemployment within 14 days of release from service. If this is impossible or unreasonable through no fault of the employee, then as soon as possible. For service of more than 180 days, an application for reemployment must be submitted within 90 days of release from service. Reporting or application deadlines are extended for up to two years for persons who are hospitalized or convalescing.

**REEMPLOYMENT RIGHTS**

Unless an exception applies (e.g., initial enlistments lasting more than five years, periodic National Guard and Reserve training duty, and involuntary active duty extensions and recalls), if the military leave is less than five (5) years, returning service members are reemployed in the job that they would have attained had they not been absent for military service (the "escalator" principle), with the same seniority, status and pay, as well as other rights and benefits determined by seniority. The **Company** will make reasonable efforts (such as training or retraining) to enable returning service members to refresh or upgrade their skills to help them qualify for reemployment. The **Company** will explore alternative reemployment positions if the service member cannot qualify for the "escalator" position.

**NON-DISCRIMINATION AND NON-RETALIATION**

Any employee who believes they have been discriminated against, harassed or retaliated against based on their past, present, or future participation in the uniformed services, request for military leave, complaint or participation in any investigation of a complaint of discrimination or retaliation based on a military leave request or service participation, or any other situation protected under this policy or applicable law should notify **WHO** immediately.

**Policy Notes**

**Pay During Leave.** USERRA requires employers to provide employees on military leave with the same benefits it offers to employees on comparable non-military leaves of absence and furloughs. Employers who offer paid time for non-military leaves such as jury duty and bereavement should consider offering comparable paid leave or seek guidance from their legal counsel before stating leave is unpaid due to developing case law.

**State National Guard.** New York also provides employment protections for employees who have been away from work on state active duty with the National Guard pursuant to a call of the governor of New York or any other state. This law took effect immediately upon signing on September 27, 2024, and applies to employers of all sizes.

**NYS Public Employers.** [Section 242](https://www.nysenate.gov/legislation/laws/MIL/242) of the Military Law for New York does provide benefits for public employees who are absent due to military duty which would run concurrently with federal [USERRA](https://webapps.dol.gov/elaws/vets/userra/).

Every public officer or employee shall be paid their salary or other compensation as such public officer or employee for any periods of absence while engaged in the performance of ordered military duty, and while going to and returning from such duty, not exceeding a total of thirty days or twenty-two working days, whichever is greater, in any one calendar year and not exceeding thirty days or twenty-two working days, whichever is greater, in any one continuous period of such absence.

## BUSINESS EQUIPMENT AND INFORMATION SYSTEMS USAGE

The **Company** has significantly invested in **[telephone services, copiers, computers, laptops, tablets, mobile phones, messaging systems, hardware, internet access, email, software, networks, computer accounts, data storage, voicemail]** and all other types of business equipment and Business Equipment and Information Systems provided by the **Company** (collectively "Business Equipment and Information Systems"). The **Company**'s Business Equipment and Information Systems are vital to keeping our operations flowing smoothly and effectively.

**MONITORING OF BUSINESS EQUIPMENT AND INFORMATION SYSTEMS; NO EXPECTATION OF PRIVACY**

The Business Equipment and Information Systems provided by the **Company**, and all information and electronic communications transmitted through, received by or stored on the Business Equipment or Information Systems, are the exclusive property of the **Company**.

The **Company** (and/or through its authorized representatives) has the right, without notice, in its sole discretion, to monitor, review, retain, disclose and/or take any other appropriate actions regarding (collectively, "Monitor") any information and electronic communications transmitted through, received by or stored on its Business Equipment and Information Systems. This includes emails and messages sent or received (whether such emails and messages are related to personal or business matters and/or whether they are sent or received using a **Company** mail account; a non-**company** internet-based account, such as yahoo.com, hotmail.com or gmail.com; or a social networking website); faxes; voicemails; internet and intranet communications; access and usage; and documents, files or programs stored on the **Company**'s Business Equipment and Information Systems to the fullest extent permitted by law. The **Company**'s rights regarding monitoring its employees' use of the Business Equipment and Information Systems exist whenever an employee uses the **Company**'s Business Equipment and Information Systems, regardless of whether they are working in the office, at home, or at another location, and whether or not such use is during official business hours or relates to the **Company**'s business. Thus, at no time should employees believe that they have any expectation of privacy while using any of the **Company**'s Business Equipment and Information Systems.

Employees' use of the **Company**'s Business Equipment and Information Systems constitutes their consent to monitoring by the **Company** (and/or its authorized representatives). Therefore, employees should not expect privacy or confidentiality in anything they create, download, display, store, send or receive on the **Company**'s Business Equipment or Information Systems, even if it has been deleted, password-protected, encrypted or is marked "confidential," "private," "personal," "privileged" or other words or phrases intended to convey it is private. In addition, the use of passwords to gain access to the **Company**'s Business Equipment and Information Systems is intended solely to protect the security of the **Company**'s business and does not confer an expectation of privacy for individual employees. If an employee wishes to avoid the **Company** potentially accessing and reviewing their personal communications, documents, files or data, then they should not use the **Company**'s Business Equipment and Information Systems for personal purposes and should not save personal material on the **Company**'s Business Equipment and Information Systems.

**ACCEPTABLE USE**

This policy describes the **Company**'s general guidelines for using its Business Equipment and Information Systems.

Employees should use the **Company**'s Business Equipment and Information Systems with the understanding that these resources are provided for the benefit of the **Company**'s business. Employees may use **Company** email for personal use, during nonworking time, as long as such use complies with **Company** rules and policies and applicable laws. Employees should never use the **Company**'s Business Equipment and Information Systems for personal use in a manner that degrades the functionality of those systems or interferes with their work duties or responsibilities to **customers/clients**.

The following guidelines, which are not all-inclusive, have been established to ensure that employees understand expectations concerning the use of the **Company**'s Business Equipment and Information Systems:

* Employees must comply with the password and other security provisions of the **Company**'s Business Equipment and Information Systems. Employees must not use codes or passwords to gain unauthorized access to other employees' files or **Company** files. Employees must not provide access to the **Company**'s Business Equipment and Information Systems to anyone other than employees of the **Company** who are authorized users and other authorized users.
* Sending, saving, accessing or viewing obscene or vulgar material on the **Company**'s Business Equipment and Information Systems is prohibited. Messages stored and/or transmitted by the **Company**'s Business Equipment and Information Systems must not contain content that may reasonably be considered to be a violation of the **Company**’s **Harassment and Discrimination Prevention** Policy. Prohibited material includes but is not limited to, sexual comments, jokes or images; racial slurs; gender-specific comments; or any comments, jokes or images that would discriminate against or harass someone based on their race, color, sex, age, national origin or ancestry, disability or any other category protected by federal, state or local law. Any use of the **Company**'s Business Equipment and Information Systems to engage in harassment or discrimination prohibited by **Company** policies is unlawful and strictly prohibited.
* The **Company**'s policies apply fully to the use of the **Company**'s Business Equipment and Information Systems. Any use of the **Company**'s Business Equipment and Information Systems that violates a **Company** policy is prohibited.
* The **Company**'s Business Equipment and Information Systems must not be used for solicitation purposes during working time. The **Company**'s no-solicitation rule applies to the use of the **Company**'s Business Equipment and Information Systems.
* Employees may use software on local area networks or multiple machines only in accordance with applicable license agreements.
* Employees may not download software and install it on **Company** Business Equipment and Information Systems. The **Company** reserves the right to audit any **Company** computer or equipment to determine what software is installed on the local drive(s).

**COMPUTER AND SYSTEMS SECURITY**

All **Company** Business Equipment and Information Systems and the data stored on them are, and remain at all times, the property of the **Company**. As such, all messages created, sent or retrieved over the internet or the **Company**'s Business Equipment and Information Systems are the property of the **Company** and should be considered **Company** information. The **Company** reserves the right to retrieve and read any message composed, sent or received using the **Company**'s Business Equipment and Information Systems for any business reason, including but not limited to, ensuring compliance with this policy, applicable law and all **Company** policies.

Employees should be aware that even when a message is deleted or erased, it is still possible to re-create the message; therefore, the ultimate privacy of a message cannot be ensured to anyone. Accordingly, internet, email and other messages are not private. Furthermore, all communications, including but not limited to, text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

Employees should also be aware that duplicates of email or other messages transmitted through a personal, web-based email account using **Company** equipment could be stored on the **Company**'s Business Equipment and Information Systems; likewise, information regarding internet sites that an employee has accessed may also be stored.

**EMAIL AND MESSAGE CONTENT SCREENING**

The **Company** maintains the right to screen all inbound and outbound email and other message content (e.g., instant messages) sent or received on the **Company's** Business Equipment and Information Systems. Messages or attachments that contain obscene or vulgar material may be quarantined and held from transmission or receipt until the sender or recipient can verify the message or attached document is work-related.

If an employee wants to communicate with an attorney or send an otherwise confidential piece of communication that they do not want the **Company** to monitor, the employee should consider using a personal email address and personal computer equipment. If an employee does use **Company** business equipment or information systems, the employee consents to any monitoring by the **Company** and should understand that there is no right to privacy for such communications, to the extent permissible under applicable law.

**[Insert for NY employers, who conduct electronic monitoring:**

**ELECTRONIC MONITORING**

Employees should also refer to **Company Name**’s Notice of Electronic Monitoring for additional monitoring practices that may be conducted by the **Company**.

Employees will be required to **[sign an acknowledgment/provide an electronic acknowledgment]** of having received the Notice of Electronic Monitoring **[if a signed acknowledgment is obtained:** and provide it to **WHO]**. A copy of the **[signed acknowledgment/electronic acknowledgment]** will be kept in the employee’s personnel **file/record**.]

**[OPTIONAL:**

**VIRUS PROTECTION**

To prevent computer viruses from being transmitted through the system, employees are not authorized to download any software from the internet onto any **Company** Business Equipment or Information Systems.

The **Company** maintains virus protection software on all network servers and filters all inbound and outbound emails for virus attachments. Email containing a virus will be quarantined and both the sender and recipient will be informed. If the virus can be removed, the message will be forwarded to the recipient.]

**DISCIPLINARY ACTION**

Violations of this policy may result in disciplinary action, up to and including termination of employment.

**[Include for covered employers:**

**NATIONAL LABOR RELATIONS ACT DISCLAIMER**

As more fully described in the **Company**’s Statement of Rights Under the NLRA, the **Company** will not monitor employees for any unlawful purpose including monitoring, or giving the impression of monitoring, employee union activity and protected concerted activity under Section 7 of the National Labor Relations Act (NLRA).]

**Policy Notes**

**National Labor Relations Act.** The [NLRA](https://www.nlrb.gov/resources/faq/nlrb#t38n3208) does not apply to federal, state or local governments including public schools, libraries, and parks, Federal Reserve banks, and wholly-owned government corporations. See this [Jurisdictional Standards page](https://www.nlrb.gov/rights-we-protect/law/jurisdictional-standards) for more information.

## PERSONNEL FILES [NEW YORK - PUBLIC EMPLOYERS]

The **Town/Village/Fire District/Library** maintains an official personnel file for each employee that contains necessary job-related and personal information. These files are confidential, and guidelines exist to safeguard against improper disclosure.

**ACCESS TO PERSONNEL FILE**

Current employees may see information kept in their personnel file upon written request, except for confidential materials such as job references or information relating to other employees. Employees may make arrangements with **WHO** 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 are 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 **Town/Village/Fire District/Library** should be referred to **WHO**. 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 **Company Name** would ordinarily keep such information confidential. **Company Name** will comply with all laws that require disclosure of employee information upon receipt of a properly authorized request.

**DISCIPLINARY RECORDS REQUEST**

Employees will be promptly notified by **Company Name** if an individual or outside entity requests their disciplinary records as part of the Freedom of Information Law (FOIL).

**PROTECTION AND DISPOSAL OF PERSONAL RECORDS**

**Company Name** 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.

**Policy Notes**

Effective September 4, 2024, public employers are required to notify employees if their disciplinary records are requested as part of a Freedom of Information Law (FOIL) request. This legislation applies to all entities covered by FOIL.

# NON-MANDATORY POLICY UPDATES

## PREGNANCY ACCOMMODATIONS & THE PREGNANT WORKERS FAIRNESS ACT [FEDERAL 15+ EMPLOYEES]

In accordance with the federal Pregnant Workers Fairness Act ("PWFA"), **Company Name** will make reasonable accommodations for known physical or mental limitations related to the pregnancy, childbirth or related medical conditions of a qualified applicant or employee, unless the accommodation would impose an undue hardship on the operation of the **Company**.

**KNOWN PHYSICAL OR MENTAL LIMITATIONS**

“Known physical or mental limitations” are those that the applicant, employee or their representative has communicated to the **Company**. Employees or applicants who wish to inform the **Company** of such a limitation and/or request a reasonable accommodation under this policy should contact **WHO**, preferably specifying in writing what barriers or limitations prompted the request.

**[Optional:** The following accommodations are typically provided upon request:

* Allowing an employee to carry or keep water in or near their work area and to drink water as needed;
* Additional restroom breaks, as needed;
* Allowing an employee whose work requires standing to sit, as needed;
* Allowing an employee whose work requires sitting to stand, as needed; and
* Allowing an employee to take breaks, as needed, to eat and drink.

For other accommodations,] **WHO** will evaluate the information provided regarding any reported or apparent barriers or limitations and will then communicate with the applicant or employee and engage in an interactive process to determine the nature of the limitation and what, if any, reasonable accommodation(s) may be appropriate. If, through this interactive process, the **Company** identifies a reasonable accommodation that does not impose an undue hardship on the operation of the **Company**'s business, the **Company** will make that accommodation.

**LEAVE AS AN ACCOMMODATION**

Employees who wish to request time away from work to accommodate a limitation related to pregnancy, childbirth or a related medical condition should contact **WHO**. However, the **Company** will not require a qualified employee to take leave if another reasonable accommodation can be provided.

**NON-DISCRIMINATION AND NON-RETALIATION**

The **Company** prohibits discrimination on the basis of pregnancy, childbirth or related medical conditions. The **Company** also will not interfere with any individual's rights under the PWFA or take any adverse action against a qualified applicant or employee because they request or use reasonable accommodations in accordance with this policy, report or oppose discrimination under the PWFA, or participate in a proceeding involving an alleged violation of the PWFA. Individuals who believe they have been subjected to, or believe that another individual has been subjected to, prohibited discrimination or retaliation should report it immediately to **WHO**.

**OTHER REQUIREMENTS**

Several states and localities have laws that apply to employees affected by pregnancy, childbirth or related medical conditions. For individuals working in a jurisdiction that has a mandatory pregnancy accommodation law, the **Company** will comply with all legal requirements, including providing greater or different benefits than those indicated here. Additional information on state-specific requirements is available in **[this Employee Handbook/the Handbook Addendum]**, if applicable.

**Policy Notes**

**PWFA Applicability.** The PWFA applies to private and public sector employers with at least 15 employees, including Congress, federal agencies, employment agencies, and labor organizations.

**PWFA and State Law.** The PWFA does not replace federal, state, or local laws that are more protective of workers affected by pregnancy, childbirth, or related medical conditions. More than 30 states and cities have laws that provide accommodations for pregnant workers.

## MILITARY LEAVE [FEDERAL]

The **Company** 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 **Company** is protected by the Uniformed Services Employment and Reemployment Rights Act of 1994 (“USERRA”).

Employees should also refer to any applicable state policies in the applicable state-specific Handbook Addendum to determine if they are also eligible for benefits under those policies.

**ELIGIBILITY FOR LEAVE**

The **Company** provides military leaves of absence to employees who serve in the “uniformed services” as required by USERRA and applicable state laws.

The uniformed services are defined as:

* The Armed Forces;
* The Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training or full-time National Guard duty;
* The commissioned corps of the Public Health Service;
* The commissioned officer corps of the National Oceanic and Atmospheric Administration;
* Members of the National Urban Search and Rescue Response System during a period of appointment into federal service under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act);
* Intermittent personnel who are appointed into Federal Emergency Management Agency (FEMA) service under the Stafford Act or to train for such service; and
* Any other category of persons designated by the President in times of war or national emergency.

**REASONS FOR LEAVE**

For purposes of this policy, "service in the uniformed services" means the following duties on a voluntary or involuntary basis:

* Active duty;
* Active duty for training;
* Initial active duty for training;
* Inactive duty training;
* Full-time National Guard duty;
* State active duty for a period of 14 days or more in response to a national emergency or major disaster declared by the President;
* Time off for an examination to determine fitness to perform any such duty;
* Time off for members of the National Urban Search and Rescue Response System due to an appointment into federal service under the Stafford Act;
* Time off due to an appointment into service in FEMA as intermittent personnel under the Stafford Act;
* Funeral honors duty; and
* Time off to attend a military service academy.

**LEAVE AND REEMPLOYMENT**

**Company Name** is committed to preserving the job rights of employees absent on military leave in accordance with law. Employees who serve on active or reserve duty will be granted a leave of absence up to the maximum time required by law, not to exceed five years, with some exceptions (certain categories of service are exempt from the five-year limitation).

**PAY DURING LEAVE**

**[Insert one of the following, as applicable:** Subject to any applicable and more generous state law, an employee's period of military leave

**[Option 1:** is unpaid.]

**OR**

**[OPTION 2:** is paid at 100% of their base pay for up to **[insert time period]** from the date that military leave begins], after which time leave will be unpaid.]

**OR**

**[Option 3:** is paid as the difference between an employee's base pay and military pay for a period of up to **[insert time period]** from the date that military leave begins, after which time leave will be unpaid. For any period during which we pay the difference between base pay and military pay, an employee must provide copies of their military paystubs.]

Employees may choose to apply **PTO/vacation, sick leave or personal leave** benefits during periods of unpaid military leave.

Exempt employees will not incur any reduction in pay for partial week absences for leave under this policy.

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 leave of more than 30 days, an employee may elect to continue their health coverage in accordance with USERRA and COBRA. For additional information on health care continuation contact **WHO**.

EMPLOYEE’S RESPONSIBILITY

Employees are expected to inform their **supervisor/manager** of their need for military leave as far in advance as possible unless giving notice is impossible, unreasonable, or precluded by military necessity. Employees also must submit a copy of the military orders to **WHO**.

Employees must also notify **WHO** before returning to work. For service of less than 31 days, the service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight-hour rest period. If this is impossible or unreasonable, then as soon as possible. For service of more than 30 days but less than 181 days, the service member must submit an application for reemployment within 14 days of release from service. If this is impossible or unreasonable through no fault of the employee, then as soon as possible. For service of more than 180 days, an application for reemployment must be submitted within 90 days of release from service. Reporting or application deadlines are extended for up to two years for persons who are hospitalized or convalescing.

**REEMPLOYMENT RIGHTS**

Unless an exception applies (e.g., initial enlistments lasting more than five years, periodic National Guard and Reserve training duty, and involuntary active duty extensions and recalls), if the military leave is less than five (5) years, returning service members are reemployed in the job that they would have attained had they not been absent for military service (the "escalator" principle), with the same seniority, status and pay, as well as other rights and benefits determined by seniority. The **Company** will make reasonable efforts (such as training or retraining) to enable returning service members to refresh or upgrade their skills to help them qualify for reemployment. The **Company** will explore alternative reemployment positions if the service member cannot qualify for the "escalator" position.

**OTHER LEAVES**

This leave may run concurrently with any available state-required leave, where applicable.

**NON-DISCRIMINATION AND NON-RETALIATION**

Any employee who believes they have been discriminated against, harassed or retaliated against based on their past, present, or future participation in the uniformed services, request for military leave, complaint or participation in any investigation of a complaint of discrimination or retaliation based on a military leave request or service participation, or any other situation protected under this policy or applicable law should notify **WHO** immediately.

**ADDITIONAL INFORMATION**

If the employee works in a state that provides rights in addition to those provided under USERRA, the **Company** will provide those rights. Additional information can be found in the state-specific Handbook Addendum, if applicable.

**Policy Notes**

**Pay During Leave.** USERRA requires employers to provide employees on military leave with the same benefits it offers to employees on comparable non-military leaves of absence and furloughs. Employers who offer paid time for non-military leaves such as jury duty and bereavement should consider offering comparable paid leave or seek guidance from their legal counsel before stating leave is unpaid due to developing case law.

## INFECTIOUS DISEASE

It is the goal of **Company Name** during a period of an infectious disease outbreak or pandemic to maintain essential functions and services and provide a safe and healthy work environment for employees, **customers/clients**, vendors and the public. **Company Name** is committed to establishing methods for monitoring the severity and duration of an outbreak or pandemic, implementing measures to minimize exposure in the workplace and sustaining essential functions until the organization can resume normal operations.

**COMMUNICATION**

**WHO** will oversee the implementation of this policy and coordinate communications from management to employees and other stakeholders. Duties include:

* Monitoring and coordinating training and communications regarding an infectious disease outbreak or pandemic; and
* Creating work rules that could be implemented to promote safety through infection control.

Oversight includes the maintenance of a current list of contacts including:

* Government agencies;
* Emergency response and healthcare facilities and services; and
* Equipment suppliers and service contractors who can or have agreed to assist during and after an outbreak or pandemic.

**SAFETY AND HEALTH MEASURES**

**Company Name** will implement disease mitigation and protective measures for employees working onsite and offsite and for interactions with **customers/clients**, vendors and the public during the outbreak or pandemic. **Company Name** is committed to providing the most current and credible information about the disease, including the way it spreads, symptoms and preventive measures.

**Reducing Transmission**

To ensure a clean and safe workplace, **Company Name** will conduct regular cleaning of frequently used objects and areas, including:

* Conference rooms;
* Bathrooms;
* Cafeterias and break rooms;
* Door handles;
* Shared electronics, such as computers, tablets, touch screens, controls and keyboards;
* Telephones; and
* Hand railings.

Employees and other individuals who enter the workplace are advised to follow personal hygiene practices to prevent infection (e.g., hand washing with soap and water or the use of hand sanitizer with at least 60% alcohol, avoid touching the face) and are provided access to basic hygiene supplies (e.g., soap, water, hand sanitizer, etc.).

**Exposure Risk Assessment**

Specific measures to minimize the spread of infection at each work location may be based on the risk level of exposure to employees. **Company Name** may install protective devices or adopt other interventions to prevent or mitigate exposure to an infectious disease when and where feasible. Controls may include:

* Physical barriers to control the spread of the disease (e.g., plastic sneeze guards);
* Administrative controls, such as staggered work schedules to minimize the number of individuals at the workplace or allow for thorough cleaning and disinfection between work shifts; and
	+ Recommended or required personal protective equipment (PPE) depending on the nature of the infectious disease.

**Health Monitoring**

**Supervisors/Managers** or other designated personnel are trained to identify persons with signs and symptoms of infectious disease as described in the guidance provided by the Centers for Disease Control and Prevention (CDC) (e.g., fever, cough shortness of breath, rash) and to determine the appropriate course of action. This may include separating the person or persons from others or removing them from the workplace (e.g., sending them home). Such personnel are also trained in other techniques to minimize disease exposure and direct person-to-person contact, including physical distancing (i.e., avoiding large gatherings and maintaining distance from others when possible (e.g., breakrooms and cafeterias)).

All employees will be notified on how to self-monitor for symptoms and report to a **supervisor/manager** or management when they are ill or experience infectious disease symptoms.

**Stay Home When Sick**

Employees are urged not to report to work when they are feeling ill or are experiencing symptoms of an infectious disease. An employee who appears to exhibit infectious disease symptoms upon arrival at work or who becomes sick during their time at work will be separated from others and sent home.

If an employee is confirmed to have contracted an infectious disease and was present in the workplace, **Company Name** will inform other employees of their possible exposure in the workplace, but the confidentiality of the infected employee will be maintained as required by federal or state law. The employee's co-workers will be instructed to self-monitor for symptoms and be provided with guidelines for doing so.

**Remote Work**

Employees who normally work on-site and are also capable of performing work from home or remotely may be encouraged or told to do so during an infectious disease outbreak or pandemic. The arrangement may be temporary or long-term depending on pandemic-related/contagion-related conditions such as public shelter-in-place orders, quarantines, childcare service disruptions or school closings and other related factors.

All remote or telework arrangements or requests are determined on a case-by-case basis, taking into account various factors including:

* Appropriateness of the job for remote work;
* Tenure;
* Seniority;
* Employee performance;
* Flexibility;
* The reason(s) for remote work; and
* The ability to work independently.

**Company Name** will determine what equipment, if any, to provide to the employee to facilitate the remote work arrangement.

The employee may designate a workspace or off-site work area for installing any equipment to be used while working remotely. The employee will be expected to maintain the workspace in a safe condition, free from hazards to people and equipment.

**[**See the **Company’s Remote Work** Policy for additional information.**]**

**Physical Distancing**

**Company Name** may implement physical distancing guidelines to reduce the spread of infectious diseases in the workplace based on applicable public health guidance.

In accordance with CDC recommendations, employees and other individuals who enter the workplace based on applicable public health guidance may be encouraged to maintain a minimum distance from any other person during an infectious disease outbreak or pandemic. All business meetings may be held via phone or video conference. Employees and others may be prohibited from congregating in meeting rooms, common areas and all other onsite locations.

**Cleaning and Disinfection**

If an employee or any other person at the workplace tests positive for an infectious disease, cleaning and disinfection protocols will be implemented in accordance with CDC recommendations, which may include instructions and supplies for employees to disinfect their personal work areas. Employees should make efforts to avoid using other employees' phones, desks, offices or other work tools and equipment, when possible. If necessary, employees should clean and disinfect them before and after use.

**Company Name** will take steps to clean and disinfect all facility areas that have been used or may have been used by a person with a confirmed positive test result for the disease or who exhibited disease symptoms.

**Business Travel Restrictions**

**Company Name** will evaluate the risk of employee exposure to the infectious disease from business travel and may restrict, cancel or ban business travel as necessary to minimize or prevent risk of infection. In making such determinations, consideration will be given to any travel bans or advisories issued by government agencies, including the U.S. Department of State and the CDC.

**Non-Essential Activities**

During an infectious disease outbreak or pandemic, **Company Name** may postpone or cancel all nonessential activities, including meetings, gatherings and training sessions. Affected employees will be notified as soon as practicable.

**Relocation of Essential Activities**

**Company Name** will notify all affected employees if essential onsite facilities or activities must be relocated and will provide instructions to continue or resume essential functions.

**ATTENDANCE AND LEAVE**

**Attendance**

**Company Name’s** attendance policies will remain in place during an infectious disease outbreak or pandemic unless otherwise notified. If an employee has a challenge (e.g., childcare issues in the event of a school closure), they should speak to their **supervisor/manager** to determine an alternative plan.

Employees will be notified of any work schedule changes caused by an infectious disease outbreak or pandemic. Requests to adjust individual work schedules will be addressed on a case-by-case basis.

**Leave**

If an employee is out of work because of exposure to an infectious disease, or other illness or condition recognized by federal, state or local law, the employee may be required to submit additional information for the absence. See the [**Individuals with Disabilities** Policy] for more information.

**[Insert if the employer offers or is required to offer sick, family or other leave:** To the extent permissible by law, **Company Name** may modify its normal leave policies to reflect conditions during a declared infectious disease outbreak or pandemic.]

**RETURN TO WORK**

Employees who have tested positive for an infectious disease and who have been isolated or quarantined with symptoms of infection may return to work when they meet the criteria outlined by applicable public health guidance.

**Company Name** understands that doctors and other health care professionals may be too busy during and immediately after an outbreak to provide fitness-for-duty documentation. **Company Name** may rely on other credible sources such as local clinics to provide a form, a stamp or an email to certify that an individual does not have an infectious disease.

**COMPENSATION**

Employees will be paid for all hours worked during an infectious outbreak or pandemic.

Employees will be notified of any changes in pay rates for non-exempt employees' hourly rate of pay or exempt employee salary as a result of long-term business needs caused by significant business disruption or economic shutdown due to an infectious disease outbreak or pandemic.

**FURLOUGHS/LAYOFFS AND CLOSINGS**

Employees will be provided with as much notice as practicable concerning a layoff or business closing due to unforeseen business circumstances related to the infectious disease outbreak or pandemic, including an explanation of why the notice was not provided if the layoff is implemented without advance notice.

Employees subject to a furlough/layoff under this policy will be notified about available benefits and where to obtain additional information and guidance.

**ONSITE WORK PROHIBITED**

**Company Name** reserves the right to prohibit an employee or another individual with a confirmed positive test for an infectious disease from entering onsite facilities, programs and functions if a determination is made that the entry introduces a recognized hazard to the workplace and the restriction protects the safety and health of employees, **customers/clients** and others. **[Optional:** Every effort will be made to accommodate employees prohibited from onsite work with remote work, or other alternative work.**]**

**CONFIDENTIALITY**

Infectious disease-related diagnostic information about employees will be treated as confidential, privileged information. All information about an employee's illness will be treated as a confidential medical record in compliance with federal, state or local laws. The **Company** will adhere to all federal, state and local public health reporting requirements.

**NON-RETALIATION**

Employees who raise a concern or make a complaint regarding any aspect of this policy in good faith will not be retaliated against or penalized in any manner. Any employee who believes they have been retaliated against in violation of this policy should notify **WHO** immediately.

**ADDITIONAL INFORMATION**

Employees may contact **WHO** with questions regarding this policy.

## USING YOUR OWN DEVICE

Employees are permitted to use personal electronic devices such as cell phones and smartphones, wearable technology devices (i.e., smart watches, fitness trackers) and personal computers and tablets for business purposes and access to the **Company**’s email/network/applications, provided employees follow the procedures detailed below.

The **Company** reserves the right to terminate the use of personal devices for business purposes if the employee violates any provision of this policy.

**ACCEPTABLE BUSINESS USE**

The **Company** considers acceptable business use as activities that directly or indirectly relate to, concern or support **Company Name**'s operations.

**Company Name** reserves the right to terminate the use of personal mobile devices for business purposes if the employee violates any provision of this or any other **Company** policy.

**PERSONAL USE**

Employees should aim to keep personal conversations and communications on personal devices to a minimum during working hours. The use of personal devices should not interfere with job duties and responsibilities or impact workplace safety and health. Excessive personal phone calls and communications can lead to interference with employee productivity and distract other employees. For this reason, excessive personal phone calls and communications may result in disciplinary action, up to and including termination of employment.

Employees should primarily engage in personal phone calls and communications during non-working time including breaks and meals. Employees should not engage in personal conversation on personal devices during meetings, training sessions, presentations, or at any time when **customers/clients** are present **[on the shop/retail floor or insert any prohibited locations]** unless advised otherwise by the **Company**. **[Insert for covered employers:** This policy does not prohibit employees from exercising their rights to use their personal devices or to have personal conversations in order to engage in protected concerted activity or union organizing under Section 7 of the National Labor Relations Act (NLRA).]

**RINGERS**

Ring tones from personal electronic devices may create a disruption in the work environment. For this reason, employees are **[encouraged/required]** to silence personal electronic devices when at work or keep them on vibrate.

**PROHIBITED USE**

Personal electronic devices used for business purposes may not be used to store or transmit pornographic, obscene, harassing or offensive material and content; to store or transfer confidential and proprietary information belonging to **Company Name** or another individual or company; or to engage in outside business activities unrelated to the employer. In aiming to limit improper use of personal devices, such prohibitions do not apply to communications related to protected concerted activity under Section 7 of the NLRA.

**[OPTIONAL:**

**APPROVAL PROCESS**

To use a personal electronic device for business purposes, it must be explicitly approved by **WHO**. If an employee has a question regarding whether a device is permissible, the employee should contact **WHO**.]

**PERMISSIBLE ACCESS**

Employees may use **company**-provided devices and/or personal devices for business use and to access **Company Name**’s networks, services, data and applications. Employees are prohibited from accessing the following websites, services and/or applications: **[insert names and/or addresses of websites and applications]]**., during working hours and while connected to the **Company**'s network

**PASSWORD PROTECTED**

To guard against unauthorized access and use, all personal devices used by employees for business purposes must be password-protected.

**CONFIDENTIAL DATA**

**Company Name**’s confidential and proprietary information and trade secrets must not be stored on an employee's personal device. If the employee must store or transmit data from the device, such information should be encrypted so as to protect the confidential information. This provision does not apply to information regarding employees or employee terms and conditions of employment related to employee rights under Section 7 of the NLRA.

**[OPTIONAL:**

**IT SUPPORT**

Employees should contact **WHO** for IT support including connectivity issues or for assistance in loading the proper applications on a personal device for business use.**]**

**COST**

The **Company[insert one of the following phrases as applicable:** **will/will not]** contribute monies to employees to cover the cost of one personal electronic device **[OPTIONAL:** by **[insert description of the process for contributing monies, e.g. stipend]]**. The **Company [insert one of the following phrases as applicable:** **will/will not]** reimburse the employee for the cost of the plan **[insert one of the following words as applicable:** and/or**]** all applicable charges.

**BACK UP**

By using a personal device for business purposes, employees implicitly agree to have information backed up by the **Company**'s server or cloud-based storage.

**MONITORING**

If an employee chooses to use a personal device for business purposes, the employee should understand that by doing so, they implicitly agree to permit **Company Name** to monitor all communication occurring on the personal device and that the employee is on notice that the expectation of privacy is limited under these circumstances. **Company Name** will not monitor employees for any unlawful purpose including monitoring, or giving the impression of monitoring, employee union activity and protected concerted activity under Section 7 of the NLRA.

**[Include for NY employers, who conduct electronic monitoring:** Employees should also refer to **Company Name**’s **Notice of Electronic** **Monitoring** for additional monitoring practices that may be conducted by the **Company**.

**LOSS OF DEVICE OR UNAUTHORIZED ACCESS**

If a personal device used for business purposes is lost, stolen or misplaced, or accessed without authorization by a third party, the employee should notify **WHO** immediately. The **Company** retains the right to remotely wipe the device in order to protect the **Company Name**'s systems and to prevent compromising the **Company**’s network.

**VIRUS/SECURITY THREAT**

Employees are required to have all devices contain approved virus detection and prevention software as well as personal firewall protection to separate personal information from business information. In the event of a virus or threat to **Company data**, information or computer networks, the **Company** retains the right to remotely wipe the device in order to protect  **Company** systems.

**SAFE DRIVING**

**[Insert if Operations of Vehicles for Company Business is also included:** Consistent with the guidelines in the Operations of Vehicles for Company Business policy,**]** **[employees/Employees]** are expected to follow all laws regarding the use of cellular phones and personal mobile devices while driving a **Company Name** vehicle or while conducting employer-related business on a personal mobile device. This includes the use of a personal mobile device to send or receive text messages or emails or to engage with social media. Employees are not permitted to use a personal mobile device while driving unless using a hands-free feature and must engage in the safe operation of all vehicles.

**APPLICABILITY OF ALL OTHER POLICIES**

Employees must abide by all policies of the employer including those policies regarding discrimination, harassment, confidentiality, and protection of **Company** trade secrets and proprietary information. The provisions regarding the protection of confidential information does not apply to information regarding employees or employee terms and conditions of employment related to employee rights under Section 7 of the NLRA.

**EMPLOYEE TERMINATION**

If the employee separates from the **Company**, the **Company** retains the right to remotely wipe the device in order to protect **Company** systems and networks.

**DISCIPLINARY ACTION**

**Company Name** reserves the right to take appropriate disciplinary measures, up to and including termination, if an employee fails to comply with the provisions of this policy.

**NATIONAL LABOR RELATIONS ACT DISCLAIMER**

As more fully described in the **Company**’s Statement of Rights concerted activity covered by the NLRA **[**or the particular collective bargaining agreement**]** is not prohibited by this policy. This policy in no way prohibits employee communications that are protected under applicable state and federal laws, including, but not limited to, any activity that is protected under Section 7 of the NLRA, which includes the right of employees to speak with others about their terms and conditions of employment.

**DEFEND TRADE SECRETS ACT**

Under the Defend Trade Secrets Act of 2016 (DTSA), **Company Name** gives notice to employees that an employee will have immunity for the disclosure of a trade secret when reporting a suspected violation of law and/or in an anti-retaliation lawsuit. An employee will not be held criminally or civilly liable under federal or state trade secret law for the disclosure of a trade secret that is made: (i) in confidence to a federal, state or local government official either directly or indirectly, or to an attorney solely for the purpose of reporting or investigating a suspected violation of law; or (ii) in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal. In addition, if an employee files a retaliation lawsuit against an employer for reporting a suspected violation of law, an employee may disclose the trade secret to their attorney and use the trade secret information in the court proceeding, if (i) the employee files any document containing the trade secret under seal; and (ii) does not disclose the trade secret, except pursuant to court order.

**Policy Notes**

**National Labor Relations Act.** The [NLRA](https://www.nlrb.gov/resources/faq/nlrb#t38n3208) does not apply to federal, state or local governments including public schools, libraries, and parks, Federal Reserve banks, and wholly owned government corporations. See this [Jurisdictional Standards page](https://www.nlrb.gov/rights-we-protect/law/jurisdictional-standards) for more information.

**Defend Trade Secrets Act.** The remedies for companies suing former employees for trade-secret misappropriation under the DTSA include punitive damages and attorney fees. In order to take advantage of these remedies, however, a company must advise its employees of the existence of whistleblower immunity.

## PROTECTION OF EMPLOYEE PERSONAL INFORMATION

**Company Name** recognizes the importance of maintaining employment-related data in a confidential and secure manner. This policy describes our general practices regarding the privacy and security of employment-related data.

**COLLECTION OF PERSONAL INFORMATION**

We collect and maintain personal information from applicants and employees, and a limited amount of information about employees' family members, for employment-related purposes. We collect and use this information responsibly and maintain it lawfully. **[OPTIONAL:** To the extent practicable, we limit requests for information to that which is minimally necessary.**]**

**USE OF PERSONAL INFORMATION**

When practicable, the **Company** informs employees about the reason for requesting personal information, the intended purpose of that information, whether providing the information is mandatory, and any consequences of not providing the requested information. Examples include:

* The **Company** collects and uses certain employee personal information to process payroll, administer benefits, meet legal obligations, and for disaster recovery and business continuity efforts.
* The **Company** may share certain employee personal information with its service providers, including in connection with legal proceedings or investigations, as required by law, or in the event of a potential sale, transfer or joint venture.

The **Company** does not otherwise share employee personal information with third parties except with employee consent or as required by law.

**RETENTION AND DESTRUCTION OF PERSONAL INFORMATION**

**Company Name**’s data retention and destruction policies and processes are intended to ensure that the **Company** does not maintain employee personal information for longer than necessary for the purposes for which it is collected and used.

**[OPTIONAL:** To the extent practicable, the **Company** uses appropriate technical and organizational security measures to protect employee personal information against accidental or unlawful destruction, loss, alteration, disclosure or access.]

**ADDITIONAL INFORMATION**

Privacy and data protection laws vary based on jurisdiction and other factors, and **Company Name** follows all applicable laws. This policy describes general practices only. It is not intended to meet specific notice requirements of any state-specific data protection law.

Employees should contact **WHO** with any questions or concerns related to this policy.



POLICY ON THE RIGHTS OF EMPLOYEES TO EXPRESS BREAST MILK IN THE WORKPLACE

**INTRODUCTION AND PURPOSE**

New York State Labor Law Section 206-c gives all employees in New York the right to express breast milk in the workplace. This law applies to all public and private employers in New York State, regardless of size or the nature of their business.

The New York State Department of Labor has developed the official policy on breast milk expression in the workplace as required by the law, ensuring that all employees know their rights and all employers understand their responsibilities. This policy is the minimum required standard, but employers are encouraged to include additional accommodations tailored to their workplace.

With the information provided below, employees will learn how much time they are allowed for breast milk expression, the kind of space employers are required to provide for breast milk expression, how to notify employers about the need to express breast milk in the workplace, and how to notify the Department of Labor if these rights are not honored.

Employers are required to provide this policy in writing to all employees when they are hired and again every year after. Employers are also required to provide the policy to employees as soon as they return to work following the birth of a child.

**USING BREAK TIME FOR BREAST MILK EXPRESSION**

Employers must provide thirty (30) minutes of paid break time for their employees to express breast milk when the employee has a reasonable need to express breast milk. Employees must be permitted to use existing paid break or meal time if they need additional time for breast milk expression beyond the paid 30 minutes. This time must be provided for up to three years following childbirth. Employers must provide paid break time as often as an employee reasonably needs to express breast milk. The number of paid breaks an employee will need to express breast milk is unique to each employee and employers must provide reasonable break times based on the individual. Employers are prohibited from discriminating in any way against an employee who chooses to express breast milk in the workplace.

An employer is prohibited from requiring an employee to work before or after their normal shift to make up for any time used as paid break time to express breast milk. All employers must continue to follow existing federal and state laws, regulations, and guidance regarding mealtimes and paid break time regardless of whether the employee uses such time to express breast milk. For additional information regarding what constitutes a meal period or a break period under state and federal law, please see the following resources:

* NY Department of Labor Website on Day of Rest, Break Time, and Meal Periods:

**dol.ny.gov/day-rest-and-meal-periods**

* NY Department of Labor FAQs on Meal and Rest Periods: **dol.ny.gov/system/files/documents/2021/03/mealand-rest-periods-frequently-asked-questions.pdf**
* U.S. Department of Labor FLSA FAQ on Meal and Rest Periods:

**dol.gov/agencies/whd/fact-sheets/22-flsa-hoursworked**

* U.S. Department of Labor FLSA Fact Sheet on Compensation for Break Time to Pump Breast Milk: **dol.gov/agencies/whd/fact-sheets/73-flsa-break-timenursing-mothers**

While an employer cannot require that an employee works while expressing breast milk, Labor Law 206-c does not otherwise prevent an employee from voluntarily choosing to do so if they want to. Paid breaks provided for the expression of breast milk must be 30 minutes. An employee must be allowed to use regular break or meal time to take a longer paid break if needed. Employees may also opt to take shorter paid breaks.

Employees who work remotely have the same rights to paid time off for the purpose of expressing breast milk, as all other employees who perform their work in-person.

**MAKING A REQUEST TO EXPRESS BREAST MILK AT WORK**

If an employee wants to express breast milk at work, they must give the employer reasonable advance notice, generally before returning to the workplace if the employee is on leave. This advance notice is to allow the employer time to find an appropriate location and adjust schedules if needed. Employees wishing to request a room or other location to express breast milk in the workplace should do so by submitting a written request to their direct supervisor or individual designated by their employer for processing requests. Employers must respond to this request for a room or other location to express breast milk in writing within five days.

Employers must notify all employees in writing through email or printed memo when a room or other location has been designated for breast milk expression.

**LACTATION ROOM REQUIREMENTS**

In addition to providing the necessary time during the workday, employers must provide a private room or alternative location for the purpose of breast milk expression. The space provided for breast milk expression cannot be a restroom or toilet stall.

The room or other location must:

* Be close to an employee’s work area
* Provide good natural or artificial light
* Be private – both shielded from view and free from intrusion
* Have accessible, clean running water nearby
* Have an electrical outlet (if the workplace is supplied with electricity)
* Include a chair
* Provide a desk, small table, desk, counter or other flat surface

There does not need to be a separate space for every nursing employee. An employer may dedicate a single room or other location for breast milk expression. Should there be more than one employee at a time needing access to a lactation room, an employer may dedicate a centralized location to be used by all employees.

Any space provided for breast milk expression must be close to the work area of the employee(s) using the space. The space must be in walking distance, and the distance to the location should not significantly extend an employee’s needed break time.

Employers located in shared work areas, such as office buildings, malls and similar spaces may work together to establish and maintain a dedicated lactation room, as long as such space(s) are a reasonable distance from the employees using the room. Each employer utilizing this common space is individually responsible for making sure the room meets the needs of their employees.

If there is not a separate room or space available for lactation, an employer may use a vacant office or other available room on a temporary basis. This room must not be accessible to the public or other employees while an employee is using it for breast milk expression.

As a last resort, an available cubicle may be used for breast milk expression. A cubicle can only be used if it is fully enclosed with a partition and is not otherwise accessible to the public or other employees while being used for breast milk expression. The cubicle walls must be at least seven feet tall to insure the employee’s privacy.

To ensure privacy, if the lactation room has a window, it must be covered with a curtain, blind or other covering.

In addition, the lactation space should have a door equipped with a functional lock. If this is not possible (such as in the case of a fully enclosed cubicle), as a last resort, an employer must utilize a sign advising the space is in use and not accessible to other employees or the public.

If the workplace has a refrigerator, employers must allow employees to use it to store breast milk. However, employers are not responsible for ensuring the safekeeping of expressed milk stored in any refrigerator in the workplace. Employees are required to store all expressed milk in closed containers and bring milk home each evening.

The space designated for expressing breast milk must be maintained and clean at all times.

If an employer can demonstrate undue hardship in providing a space with the above requirements, the employer must still provide a room or other location - other than a restroom or toilet stall - that is in close proximity to the work area where an employee can express breast milk in privacy, that meets as many of the requirements as possible.

Undue hardship is defined in the statute as “causing significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer’s business.” **However, an employer may not deny an employee the right to express breast milk in the workplace due to difficulty in finding a location.**

**NEW YORK STATE DEPARTMENT OF LABOR RESOURCES**

If an employee believes that they are experiencing retaliation for expressing breast milk in the workplace, or that their employer is in violation of this policy, should contact the New York State Department of Labor’s Division of Labor Standards. Call us at **1-888-52-LABOR**, email us at LSAsk@labor.ny.gov, or visit our website at **dol.ny.gov/breast-milk- expression-workplace to file a complaint**.

A list of our offices is available at [dol.ny.gov/location/contact-division-labor-standards.](https://dol.ny.gov/location/contact-division-labor-standards) Complaints are confidential.

*Complaints are confidential.*

**FEDERAL RESOURCES**

The federal PUMP Act went into effect in 2023, expanding protections for almost all employees expressing breast milk at work. Under the PUMP Act, any covered workers not provided with breaks and adequate space for up to a year after the birth of a child are able to file a complaint with the U.S. Department of Labor or file a lawsuit against their employers. For more information, please visit [**dol.gov/agencies/whd/pump-at-work.**](https://www.dol.gov/agencies/whd/pump-at-work)

# NEW OPTIONAL POLICIES

## ALLERGIES AND SENSITIVITIES IN THE WORKPLACE

The **Company** acknowledges that individuals may have allergies, which may range from mild to life-threatening, and/or sensitivities to a variety of substances and/or fragrances.

**ALLERGIES**

An employee with allergies that may be triggered in the workplace should notify **Human Resources and/or WHO** to discuss and document any first-aid, safety or medical needs. The **Company** will use any information disclosed only with the employee's permission and only for health and safety purposes.

In the event that an allergy rises to the level of a disability as defined by **[insert if 15 or more employees:** the Americans with Disabilities Act (ADA) or**]** an applicable state or local law, **Company Name** will make reasonable accommodations as required by law. To request a reasonable accommodation, an employee should contact **Human Resources and/or WHO**.

An employee who brings in a food item intended for co-workers to consume should identify whether it contains common food allergens such as peanuts, tree nuts, dairy, eggs, wheat, soybeans or shellfish.

**[OPTIONAL:** For the safety of employees with severe food allergies, employees should avoid bringing food items **[**to the workplace **OR** intended for consumption by co-workers**]** containing **[insert specific allergen(s)]**.**]**

**FRAGRANCE SENSITIVITIES**

To be considerate of individuals with fragrance sensitivities, all employees should:

* Refrain from using or applying strongly scented products in the workplace, including perfume, lotions, cologne, air fresheners, cleaning products and similar items. This includes the use of such products in restrooms and changing facilities; and
* Avoid wearing strongly scented cosmetics, perfumes and other products while at work.

An employee who is experiencing symptoms of fragrance sensitivity in their work area should contact **WHO**. Possible solutions may include reducing or eliminating the irritant, relocating the employee to a different area or other appropriate measures.

**[OPTIONAL:**

**PREVENTIVE MEASURES**

To minimize the presence of allergens in the workplace, the **Company** may periodically assess the workplace to identify allergy triggers such as mold, pests, dust and chemicals. Measures to reduce or avoid exposures based on this assessment will be implemented as appropriate. Employees who notice signs of dust mites, mold or pests should notify **WHO**.]

**RESPONSE PROCEDURES**

If an employee experiences a serious allergic reaction at work, emergency medical services may be contacted, and employees designated and trained as first-aid responders may provide appropriate assistance, including following any specific instructions the employee has provided. The employee's emergency contact will also be notified.

**Policy Notes**

For employers with an HR Works Employee Handbook, it is recommended that this policy be included in Section 2: Employment Practices of the Employee Handbook.

## USE OF ARTIFICIAL INTELLIGENCE (AI)

This policy outlines guidelines for our **Company**'s responsible and ethical use of Artificial Intelligence (AI) technologies. The purpose is to protect the **Company**’s confidential information, trade secrets, intellectual property, and sensitive information, including client data and Personally Identifiable Information (PII), while leveraging AI for relevant business operations.

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**SCOPE**

This policy applies to all employees, **[insert if applicable:** interns, whether paid or unpaid, anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace**]** who has access to AI technologies or who utilizes AI in any capacity while working for **Company Name**.

**GUIDELINES FOR THE USE OF AI**

Employees must utilize AI technologies in a manner that adheres to the following guidelines:

* **Appropriate Use**: Use of AI technologies must align with **Company Name**’s **Code of Ethics, Equal Employment Opportunity, Harassment and Discrimination Prevention, Standards of Conduct, and Business Equipment and Information Systems** policies.

Employees are prohibited from using AI: **[Insert any applicable prohibitions; customize as needed:**

* + To make final decisions related to the terms and conditions of employment with **Company Name**;
	+ To make disability-related inquiries;
	+ As a final work product or without properly citing or disclosing when AI has been used as a resource for a final work product;
	+ To surveil or gather information regarding employees and other individuals covered by this policy; or
	+ To submit **Company** or **client/customer** contact information or data in any AI chatbot or an AI search engine**]**.

Employees must also refrain from using AI tools in a manner that may violate any copyright or intellectual property laws.

* **Data Privacy and Protection:** All employees must ensure that their utilization of AI technologies aligns with applicable federal, state, and local privacy laws including the collection, storage, and sharing of confidential information. Employees should refrain from entering private or personal information into any Generative AI (GenAI) platform.

Employees are prohibited from entering any client data, sensitive information, or PII into AI systems or platforms unless the system or platform has been authorized for use by **Company Name** for this purpose. Sensitive information and PII may include but are not limited to, passwords and other credentials, names, dates of birth, social security numbers, addresses, banking information, protected health information, or any other non-public **Company** information that might be of use to competitors or harmful to the C**ompany** if disclosed.

* **Access Control:** Access to AI systems containing sensitive information or PII will be restricted to the scope of the employee’s job functions or as authorized by **Company Name**, and appropriate access controls will be implemented to safeguard data integrity and confidentiality.
* **Confidentiality:** Employees and others covered by this policy must maintain the confidentiality of any data processed by AI systems and refrain from disclosing it to unauthorized individuals or third parties. Disclosure of **Company Name**’s confidential and other proprietary information is prohibited.
* **Data Minimization:** Only the minimum necessary amount of data required for AI processing shall be utilized, and unnecessary data collection or storage must be avoided.

Employees must also exercise caution when providing data inputs to ensure the responsible use of GenAI. Employees should avoid using any data the **Company** would not publicly disclose, as doing so could lead to public disclosure of confidential information and violate our obligations to **clients/customers**, employees, and third-party vendors to maintain the confidentiality and security of sensitive information.

* **Security Measures:** Employees must adhere to the **Company**’s security protocols and guidelines to prevent unauthorized access, data breaches, or other security incidents related to AI systems.
* **Compliance:** Employees are expected to comply with this policy, as well as other relevant **Company** policies; procedures; federal, state, or local laws; and regulatory guidance related to data privacy and protection and acceptable AI usage.
* **[Insert if applicable: Training and Awareness:** Regular training and awareness programs will be conducted to educate employees about the responsible use of AI technologies and the importance of data protection.**]**
* **Reporting Obligations:** Any concerns, incidents, or violations of the use of AI technologies under this policy must be reported immediately to **WHO** for investigation and resolution.

**[Include for covered employers:**

**DISCLAIMER**

In monitoring the acceptable use of AI, nothing in this policy is intended to interfere with employees’ exercise of their rights under Section 7 of the National Labor Relations Act (NLRA).]

**POLICY REVIEW AND UPDATES**

This policy may be reviewed periodically to ensure its effectiveness and relevance to the evolving landscape of AI technologies and data protection regulations. Updates may be made to reflect changes in technology, business practices, or regulatory requirements.

**ADDITIONAL INFORMATION**

In accordance with **Company** policies and applicable federal, state, or local laws, violation of this policy may result in disciplinary action, up to and including termination of employment.

Employees should contact **WHO** if they have questions about **Company Name**’s AI usage guidelines.

**Policy Notes**

For employers with an HR Works Employee Handbook, it is recommended that this policy be included in Section 6: Employee Programs & Procedures of the Employee Handbook.

**National Labor Relations Act.** The [NLRA](https://www.nlrb.gov/resources/faq/nlrb#t38n3208) does not apply to federal, state or local governments including public schools, libraries and parks, Federal Reserve banks, and wholly-owned government corporations. See this [Jurisdictional Standards page](https://www.nlrb.gov/rights-we-protect/law/jurisdictional-standards) for more information.

**Customizing this policy.** Employers are encouraged to work with their legal counsel to customize this policy to ensure it aligns with their operational needs and any potential use cases for AI. When developing a customized AI use policy, employers should define the scope and purpose of AI within their organization, ensuring alignment with business objectives and ethical standards. The policy should emphasize data privacy and security, detailing how AI systems will handle personal and sensitive information in compliance with regulations. Addressing potential biases and implementing measures to minimize discriminatory outcomes are crucial for maintaining ethical AI use.

# POLICY UPDATES ACKNOWLEDGMENTS

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| EMPLOYEE HANDBOOK RECEIPT2025 POLICY UPDATES |

**The following policies have been revised or updated:**

* Policy **[insert policy number and/or title, description of change based on client preference]**
* Policy **[insert policy number and/or title, description of change based on client preference]**

**The following policies have been added to the Employee Handbook:**

* Policy **[insert policy number and/or title, description of change based on client preference]**
* Policy **[insert policy number and/or title, description of change based on client preference]**

**The following policies have been removed from the Employee Handbook:**

* Policy **[insert policy number and/or title, description of change based on client preference]**
* Policy **[insert policy number and/or title, description of change based on client preference]**

I acknowledge receipt of the updated **Company Name** Employee Handbook. I understand that these policies, as well as the policies contained in the **Company**’s Employee Handbook, are not intended to create a contract of employment nor is any other communication by a management representative, either expressed or implied, intended to be a contract, unless explicitly stated otherwise in a written agreement signed by the **WHO** of the **Company**.

I understand that neither these policies nor other Employee Handbook policies are a guarantee of employment for any set period and that either the **Company** or I may terminate my employment at any time, with or without cause. Furthermore, I understand that the policies and benefits described in the Employee Handbook may be added to, revised or deleted at any time.

I further understand that the benefit information found in this **Handbook** is intended to provide an overview of the benefit plans. The actual benefits may be controlled by the terms of the applicable plan documents and insurance policies. Questions regarding the interpretation of those 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 **WHO**.

**[Insert for NLRA-covered employers:** I also understand and acknowledge that nothing about the policies and procedures set forth in this Manual should be construed to interfere with any employee rights provided under federal, or local state law, including Section 7 of the National Labor Relations Act (NLRA), as more fully described in the **Company**’s Statement of Rights Under the NLRA.]

**I have read, understand and agree to comply with** **these policies**.

If I have any questions about the information contained in this Handbook, I will discuss them with my **supervisor/manager** and/or **WHO**.

Employee's Name (Printed)

Employee's Signature

Date