

**RBA
STAFFING**
a division of



**GREATER
ROCHESTER**
Chamber of Commerce

Employee Handbook

WELCOME TO RBA STAFFING

For more than 30 years, RBA Staffing employees have worked in some of the best companies and organizations in the Rochester area. Our employees have earned the reputation as being reliable, skilled, and professional, and we depend on our employees to represent us in a professional manner.

At RBA Staffing, we value our employees and appreciate their efforts every day. We also value our partnership with employees and will work hard to help them to be successful in their careers. These guidelines have been established to ensure that each employee's working relationship with RBA Staffing is successful.

RBA STAFFING CONTACT INFORMATION

The RBA Staffing office is generally open Monday through Friday, from 8a.m. to 4:30p.m. Messages can be left after business hours by calling RBA Staffing at (585) 256-4666.

PLEASE NOTIFY US IMMEDIATELY:

- If you have questions or concerns related to your assignment.
- If the work you are doing is different from the type of work you were told it would be.
- If you are asked to do anything that may endanger your health, safety, or general welfare.
- If you are going to be late or absent for work. (**at least 30 minutes prior to shift start**)
- Within 24 hours of completing your assignment.
- If you are injured on the job.
- If you feel you have been harassed or discriminated against.

HR CENTER – ONBOARDING PORTAL - <https://hrcenter.tempworks.io/en/RBAStaffing>

The HR Center is used for and provides access to:

- Onboarding documents – Required forms, such as state and federal withholding tax forms, form I-9, etc.
- Assignment-specific orientation
- Update personal contact information
- Additional forms – ex. direct deposit forms

WEB CENTER – <https://webcenter.tempworks.com/RBAStaffing/>

The Web Center is used for and provides access to:

- Enter/submit/view timecards (Placement Specialist will specify if this option is available)
- View/print pay stubs as well as W-2 form
- Assignment detail information

PAYROLL PROCEDURE

An RBA Staffing representative will go over which method of timecard submittal will be used for each assignment. Payroll is processed based on the information contained on an employee's timecard. RBA Staffing employees are responsible for submitting a completed timecard no later than 4:00 p.m. on the Monday following the previous work week. If a timecard is received after that time, or is incomplete, or is not signed by the onsite supervisor, we CANNOT process a paycheck. Employees must report timecard and/or paycheck errors as soon as possible so they can be reviewed and corrected (if an error is confirmed) in a timely manner.

PAY OPTIONS

Employees are encouraged to enroll in direct deposit or rapid! PayCard, as these pay methods save cost and provide employees with faster access to their pay. The following pay options are available to RBA Staffing employees:

rapid! PayCard - The weekly paycheck will be electronically deposited onto the rapid! PayCard on payday. A pay stub will be mailed indicating the amount that was deposited into the employee's account, or it can also be viewed on Web Center. Employees may contact their Placement Specialist to enroll.

Direct Deposit - The weekly paycheck is electronically deposited into the designated checking or savings account. A pay stub will be mailed indicating the amount that was deposited into the account, or it can also be viewed on Web Center. Employees may contact their Placement Specialist to enroll.

Paper Paycheck - The weekly paycheck will be mailed to the address provided and should arrive by end of day Friday. Employees should contact their Placement Specialist if their paycheck is not received by the normal mail delivery time on the Monday following payday.

EQUAL OPPORTUNITY EMPLOYER

RBA Staffing is an Equal Opportunity Employer. It is the policy of RBA Staffing to provide equal opportunity in employment and conditions of employment to all individuals regardless of age, race, color, religious beliefs, national origin, sexual orientation, gender identity, sex, veteran or military status, disability, pregnancy-related condition, predisposing genetic characteristics, genetic information, marital status, familial status, prior arrest, domestic violence victim status, non-job related convictions, participation in lawful activities outside of our workplace, or any other status protected by law.

RBA Staffing recruits, selects, hires, and promotes individuals on the basis of their qualifications as related to the requirements of the position, satisfactory work record, and/or adherence to all other conditions of employment.

All related RBA Staffing policies such as those pertaining to compensation, benefits, and terminations will be administered without regard to age, race, color, religious beliefs, national origin, sexual orientation, gender identity, sex, veteran or military status, disability, pregnancy-related condition, predisposing genetic characteristics, genetic information, marital status, familial status, prior arrest, domestic violence victim status, non-job related convictions, participation in lawful activities outside of our workplace, or any other status protected by law.

IMMIGRATION LAW COMPLIANCE

In compliance with federal law, RBA Staffing is committed to employing individuals authorized to work in the United States. As a condition of employment, employees must complete the Form I-9 and present documentation establishing identity and employment eligibility to RBA Staffing at time of hire. If this form and verification of employment eligibility are not completed by the employee during the first three days of employment, RBA Staffing is required by law to terminate the employee's employment.

DISABILITY ACCOMMODATION

RBA Staffing prohibits discrimination against qualified individuals with disabilities in all aspects of employment including, but not limited to, recruitment, hiring, compensation, promotion, job assignments, transfers, demotions, training, leaves of absence, layoff, benefits, and termination.

RBA Staffing's commitment to this policy includes making reasonable accommodations to persons with disabilities unless doing so poses an undue hardship. A reasonable accommodation is defined as any change or adjustment to a job, the work environment, or the way things are usually done that enables a qualified individual with a disability to enjoy an equal employment opportunity.

It is the responsibility of the employee to notify the office administrator of the need for an accommodation. RBA Staffing will take such requests seriously and engage in an interactive process with the employee to determine what actions are available that can be taken by RBA Staffing to reasonably accommodate the disability. The office administrator may ask the type of accommodation being requested, or the functional limitations caused by the disability. RBA Staffing reserves the right to offer an alternative accommodation. Also, when appropriate, we may need the applicant's or the employee's permission to obtain additional information from their physician or other medical professionals. All medical information for qualified post-offer candidates and employees is maintained separately from personnel files.

RELIGIOUS ACCOMMODATION

RBA Staffing is dedicated to treating the religious diversity of all our employees equally and with respect. Employees may request an accommodation when their religious beliefs necessitate a deviation from our dress code, work schedule, basic job duties, or other aspects of employment. We will consider the request but reserve the right to offer our own accommodation to the extent permitted by state or federal law. Some, but not all, of the factors that we will consider are cost, the effect that an accommodation will have on current policies and the burden on operations, including other employees, when determining a reasonable accommodation.

ABSENTEEISM AND TARDINESS

Punctuality and reliable attendance are the key to employee success. RBA Staffing employees are expected to arrive at work on time each day. Those assigned a shift after regular business hours should ask their RBA Staffing Placement Specialist for details about start and end times.

Employees who will be absent or late **MUST** contact RBA Staffing at least one hour before your start time. Some employees may be required to contact their direct supervisor at the company they have been assigned to in addition to calling RBA Staffing. Excessive absenteeism, tardiness, or "no call/no show" situations are serious and may result in termination from both the assignment and also from employment with RBA Staffing.

Employees of RBA Staffing that need to end an assignment prior to the agreed upon end date must notify their RBA Placement Specialist immediately. RBA Staffing will contact the client company and let them know the final day of work. If an employee fails to show up for work or call in with an acceptable reason for the absence for a period of three consecutive days, he or she will be considered to have abandoned his or her job and voluntarily resigned.

NON-HARASSMENT

RBA Staffing is committed to maintaining a work environment that is free from all types of harassment, including sexual harassment and other forms of workplace harassment based upon, or related to, a person's age, race, color, religious beliefs, national origin, sexual orientation, gender identity, sex, veteran or military status, disability, pregnancy-related condition, predisposing genetic characteristics, genetic information, marital status, familial status, prior arrest, domestic violence victim status, convictions, participation in lawful activities outside of our workplace, or any other status protected by law.

RBA Staffing prohibits all forms of harassment of, or by, other RBA Staffing employees, client employees, onsite supervisors or management, vendors, customers, visitors, etc. for any reason or as prohibited by law. Violations of this policy will not be tolerated and may result in disciplinary action up to and including termination.

Harassment consists of unwelcome conduct whether verbal, physical, or visual, that is based upon or related to any status protected by law.

Examples of workplace harassment include, but are not limited to: (a) the use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to the above protected categories; (b) written or graphic material that insults, stereotypes or shows aversion or hostility towards an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail, or elsewhere on RBA Staffing's premises, or circulated in the workplace; and (c) a display of symbols, slogans, or items that are associated with hate or intolerance towards any select group.

Prohibited physical harassment includes but is not limited to unwelcome touching, hitting, pushing, or other unwelcome physical contact.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment (2) submission to, or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual or (3) 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.

Examples of sexual harassment include, but are not limited to: (a) unwelcome requests for sexual favors; (b) lewd or derogatory comments or jokes; (c) comments regarding sexual behavior or the body of another employee; (d) sexual innuendo and other vocal activity such as catcalls or whistles; (e) obscene letters, notes, emails, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature; (f) repeated requests for dates after being informed that interest is unwelcome; (g) retaliating against an employee for refusing a sexual advance or reporting an incident of possible sexual harassment; (h) offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; and (i) any unwanted physical touching or assaults, or blocking or impeding movements.

Procedure to Report Harassment:

Any employee who believes that she/he is a victim of harassment (sexual or otherwise), or any employee who is a witness to any kind of harassment, should report the act immediately to their RBA Staffing Placement Specialist, the RBA Staffing office administrator, the Director of Business Services, or Sr. Director of Business Services. Non-management personnel who are notified of potential harassment must immediately notify the Director of Business Services, the Sr. Director of Business Services, or Sr. Director, HR Services and should not investigate the matter themselves.

RBA Staffing will promptly and thoroughly investigate every reported incident of harassment and will take appropriate action based on the findings. RBA Staffing considers harassment to be a violation of RBA Staffing policy, and any employee or agent of RBA Staffing who has been found to have harassed an employee will be subject to disciplinary action, up to and including immediate discharge (for employees) or potential for termination of existing contracts or membership (for vendors or members).

RBA Staffing also recognizes that accusations of harassment can have serious effects on the employees involved. We trust that all employees of RBA Staffing will act in a responsible fashion and provide for a pleasant work environment that is free from all types of discrimination.

Each employee who files a harassment complaint or participates in an investigation of potential harassment will be free from coercion, intimidation, interference, discrimination or retaliation by other employees or managers of RBA Staffing. Violations of this policy will not be tolerated and may result in disciplinary action up to and including termination.

UNACCEPTABLE JOB PERFORMANCE/DISCIPLINARY ACTION

If an employee's conduct interferes with the orderly and efficient operations of a department, disciplinary measures will be taken. Grounds for discipline, up to and including immediate discharge, may include but are not limited to:

- Violation of RBA Staffing and/or customer safety policies or safety rules; please reference RBA Staffing Safety Information and/or customer specific orientation;
- Insubordination;
- Poor performance or unsatisfactory work quality;
- Theft, attempted theft, or dishonesty;
- Willful destruction of RBA Staffing and/or customer property;
- Harassment or Sexual Harassment of Employees in violation of Non-Harassment policy
- Possession, use, or sale of illicit drugs or alcohol or firearms, fireworks, explosives, or other weapons on customer property and/or RBA Staffing property;
- Abusive, threatening, violent, or coercive language or behavior;
- Misrepresentation of physical health or medical condition, or failure to provide medical evidence as necessary;
- Reporting to work under the influence of drugs or alcohol; or
- Other misconduct.

Discipline may include verbal warnings, written warnings, suspension, or termination, depending upon the circumstances involved and customer's decision. Discipline is intended to provide an opportunity for the employee to correct his or her performance or conduct. However, RBA Staffing reserves the right and the sole discretion to decide what level of discipline is appropriate based upon the specific circumstances, and does not guarantee that any particular form of discipline will precede another. Termination of employment may occur without prior warning if circumstances warrant such action.

CELL PHONE USAGE

Use of an employee's personal cell phone (including but not limited to texting, phone calls, Internet surfing, social media, instant messaging, etc.) is discouraged during working hours for some clients and prohibited by other clients. We realize use may be necessary under certain circumstances. Any personal calls should be limited and not interfere with the employee's duties and responsibilities. Care should be taken to not disturb coworkers or disrupt meetings due to personal cell phone use. If abuse is identified by the client and/or Placement Specialist, then the employee is subject to disciplinary action. If cell phone abuse continues after the employee has already been disciplined, the employee will be subject to further disciplinary action, up to and including suspension, removal from assignment, or termination from further employment with RBA Staffing.

DRESS CODE

Clothing should always be clean, neat and appropriate for the assignment. In a manufacturing or industrial environment, open-toed shoes/sandals, shorts, halter tops, bare midriffs or other inappropriate clothing are not permitted for safety reasons. On clerical and office assignments, professional business attire is suggested though casual business wear may be acceptable. Denim jeans are not usually permitted. Check with the onsite supervisor for specifics.

SUBSTANCE ABUSE AND DRUG TESTING

All employees and clients of RBA Staffing are entitled to a workplace that is free from the dangers of drug and alcohol abuse. It is the goal of RBA Staffing to help provide a drug and alcohol free workplace. RBA Staffing prohibits the possession of and/or use of illegal drugs or controlled substances (not prescribed by a doctor) and/or alcohol during work hours, on work property, or while using work equipment. Violation of this policy may result in disciplinary action, up to and including termination of employment.

The following are examples of prohibited conduct on RBA Staffing or client premises, or while performing an assignment, and are not meant to be a complete list of prohibited conduct:

- Consuming, possessing, selling, distributing, manufacturing, using, or bringing onto RBA Staffing/client property illegal or controlled substances, or related paraphernalia.
- Reporting to work or working under the influence of alcohol or a controlled substance.
- Operating a vehicle on RBA Staffing/client business when under the influence of alcohol or drugs.

RBA Staffing may elect to drug test under the following circumstances:

Pre-Employment: As required by the client. All applicants of clients that require pre-employment testing must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification for further employment consideration at the client company and possible removal from consideration for further employment with RBA Staffing.

Reasonable Suspicion and Post Accident: When there is reasonable belief that an RBA Staffing employee is in violation of this policy, including but not limited to evidence of drugs, accidents or injuries in the workplace, fights or other behavioral symptoms of drug abuse, negative performance patterns, excessive absenteeism or tardiness, testing will be required.

When a client notifies RBA Staffing that there is a possibility that an RBA Staffing employee has violated this policy, a representative of RBA Staffing will meet with the client to discuss. If RBA finds enough evidence is present, the employee will be notified and a test will be scheduled immediately to confirm whether drugs or alcohol are present in the system in violation of policy.

Depending on the client, the test will be either conducted onsite, or the employee will be transported to the testing facility. Under no circumstances will the employee be allowed to drive him or herself to the testing facility, and will not be allowed to drive home.

Employees will be paid for time spent in alcohol or drug testing and then suspended pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled with RBA Staffing to discuss the results of the test. Should the results prove to be negative; the employee will receive back pay for the times/days of suspension.

Employees of RBA Staffing who refuse to submit to drug testing will be subject to disciplinary action, up to and including termination from the current assignment and possible removal from consideration for further employment with RBA Staffing.

Employees of RBA Staffing who test positive, admit to substance abuse during work hours, or otherwise violate this policy, may be referred to local public agencies that provide rehabilitation and counseling services, but will be still be subject to disciplinary action, up to and including termination from the current assignment and possible removal from consideration for further employment with RBA Staffing.

All desks, file cabinets, lockers, handbags, briefcases, vehicles and other personal property on RBA Staffing or client premises are subject to inspection by RBA Staffing and/or the client at any time. Refusal to submit to, or otherwise impede any inspection or search will result in disciplinary action, up to and including termination, or in the case of an applicant, removal from consideration for further employment with RBA Staffing. Any suspected or known illegal substance activity will be reported to appropriate law enforcement agencies and RBA Staffing will cooperate in the course of any investigation and prosecution of any illegal conduct. All confiscated illegal substances will be given to the proper authorities.

Information and records relating to drug tests will be kept confidential to the extent required by law. Such records and information may be disclosed on a need-to-know basis or when relevant to a charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

SAFETY IN THE WORKPLACE

RBA Staffing knows that the most important part of our business is our employees so we are committed to ensuring a safe work environment for employees. RBA Staffing employees are expected to conduct themselves in a safe manner at all times and to follow all safety policies and procedures at the location to which they are assigned. Employees must contact their Placement Specialist immediately if asked to do anything that may endanger their health, safety, or welfare. We work with our customers to ensure a safe work environment as well.

ON THE JOB INJURIES

To simplify the treatment of on-the-job injuries, we developed a relationship with Riverfront Medical and Rochester Regional Health Occupational Medicine to help handle many of these situations. Employees should make arrangements for evaluation/treatment at Riverfront Medical, Rochester Regional Health Occupational Medicine, or their own workers' compensation certified physician, within **24 hours** after the incident.

Employees in need of medical treatment for an on-the-job incident that IS NOT life threatening can seek treatment at Riverfront Medical or Rochester Regional Health Occupational Medicine, without an appointment, during regular business hours, Monday through Friday, 8am-4pm.

Below is the procedure to follow for on-the-job injuries:

- Tell your onsite supervisor IMMEDIATELY and fill out an accident report.
- An accident report must be filled out whether the injury requires basic first aid in the workplace, or a visit to Riverfront Medical/Rochester Regional Health Occupational Medicine or other qualified medical practice.
- If an injury requires medical treatment, contact Riverfront Medical at (585) 325-3002, Rochester Regional Health Occupational Medicine at (585) 922-4173 and tell them that you are coming in for treatment for a work-related injury. If you are unable to drive yourself or unable to secure other transportation arrangements to Riverfront Medical/Rochester Regional Health Occupational Medicine for a non-life threatening injury, reach out to a taxi service in which you will be reimbursed for by RBA Staffing.
- When you arrive, please inform them that you are an employee of RBA Staffing (not the client company you came from).
- If you are injured outside regular business hours, please inform the alternate medical facility that you are an RBA Staffing employee.
- Notify the office administrator at (585) 256-4630 the same day of the accident when possible, otherwise, the next day, that you have had an on-the-job injury, that you have notified your supervisor, and that you have made arrangements with Riverfront Medical (or mention the name of the other medical facility).
- Continue to stay in touch with the office administrator regarding your medical situation, especially if further medical attention is needed after the initial treatment.

Workers' compensation provides benefits for employees injured on the job. Medical expenses and compensation for lost time are determined by NYS law. Employees must report all on-the-

job injuries immediately to their onsite supervisor and the office administrator to ensure that the necessary documentation is completed and submitted. Failure to report an injury within a reasonable time period may jeopardize a benefits claim.

WORKPLACE VIOLENCE AND WEAPONS

Prohibited Conduct:

Violence by an RBA Staffing employee or anyone else against an employee will not be tolerated. The list of behaviors below, while not inclusive, provides examples of conduct that is prohibited.

- Causing physical injury to another person;
- Aggressive, threatening, or hostile remarks or behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Unauthorized possession, use or sale of knives, firearms, pepper spray or other gases, explosives, ammunition, and electric weapons (i.e. Tasers and stun guns) on client or RBA Staffing premises.
- Concealed carry permit is not considered authorized possession;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Reporting Procedures:

Any RBA Staffing employee who receives or overhears any threatening communications from an employee or a client's employee must report it to their onsite supervisor and their Placement Specialist, unless the onsite supervisor is the one engaging in prohibited conduct. Do not engage in either physical or verbal confrontation with a potentially violent individual. If an employee encounters an individual who is threatening immediate harm to them or a client's employee on work premises, they should contact 911 immediately.

All reports of work-related threats will be investigated and documented. Employees are expected to participate in an investigation of any suspected or actual cases of workplace violence. All parties involved in a situation will be counseled and the results of investigations will be discussed with them.

Individual Situations:

While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their onsite supervisor and RBA Staffing Placement Specialist if any employee exhibits behavior which could be a sign of potentially dangerous situations. Such behavior includes:

- Discussing weapons or bringing them to the workplace;
- Displaying overt signs of extreme stress, resentment, hostility, or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance;

Dangerous/Emergency Situations:

RBA Staffing employees who encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

Enforcement:

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Client employees or client visitors engaged in violent acts on the client's premises will be reported to the proper authorities.

Violations of this policy, including failure to report or fully cooperate in RBA Staffing's investigation, may result in disciplinary action, up to and including immediate termination.

HEALTH INSURANCE

Under the Affordable Care Act, RBA Staffing offers health insurance to qualified, eligible employees. Eligibility is calculated based on a full time employee working an average of 30 hours or more per week in a 90 day period, or for variable hour, part time, or seasonal employees working an average of 30 hours or more per week in a 12 month look back period. Employees are notified once they become eligible to enroll and are provided with plan information and rates.

PAID FAMILY LEAVE (PFL)

Effective January 1, 2018, RBA Staffing offers Paid Family Leave (PFL) to eligible employees pursuant to the New York Paid Family Leave Benefits Law.

Eligible employees may take PFL in full day increments for the following purposes:

- to bond with a child within the first 12 months of the child's birth, adoption, or placement with the family;
- to care for a spouse, domestic partner, child, parent, parent-in-law, grandparent, or grandchild with a serious health condition; or
- to assist loved ones when a family member is deployed abroad on active military duty.

An employee may not take PFL to address his or her own serious health condition. However, the employee may be eligible for FMLA or NYS disability for this purpose.

Eligibility:

Employees with a regular work schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment. Employees with a regular work schedule of less than 20 hours per week are eligible after working 175 days since their most recent hire date. Citizenship and immigration status do not impact eligibility.

Notice and Claims Process:

An employee must provide notice, apply for, and be approved in order to receive PFL benefits. After receiving notice, the office administrator will provide the required PFL forms to the employee. The employee must complete the forms, obtain supporting documentation, and then submit PFL forms and supporting documentation to the insurance carrier. An employee's claim for PFL will be paid or denied by the carrier within 18 days of receipt of the completed claim forms. Failure to provide required notice or complete required paperwork may result in the delay or denial of the request for PFL.

Generally, employees must give 30-days’ advance notice to the office administrator of the need for PFL. If 30 days’ advance notice is not possible, an employee must notify the office administrator as soon as possible and, generally, must follow RBA Staffing’s normal absence reporting requirements. The failure to do so, absent unusual circumstances justifying the failure, may result in disciplinary action under applicable RBA Staffing policies.

Rights and Benefits:

Eligible employees may request PFL beginning January 1, 2018. No more than one employee at a time can take PFL to care for the same family leave recipient or to bond with the same child. If approved, the employee will be eligible for, and compensated during, PFL per the schedule below (subject to modification by the New York State Department of Financial Services (“DFS”)). All PFL will run concurrently with FMLA leave, depending on employee eligibility, to the maximum extent permitted by law.

Effective Date	Maximum Leave Amount In A Rolling 12-Month Period	Employee Benefit Amount	Maximum Employee Benefit Amount
January 1, 2018	8 weeks or 40 days	50% of avg. weekly wage (AWW)	50% of statewide avg. weekly wage (NYAWW)
January 1, 2019	10 weeks or 50 days	55% of AWW	55% of NYAWW
January 1, 2020	10 weeks or 50 days	60% of AWW	60% of NYAWW
January 1, 2021	12 weeks or 60 days	67% of AWW	67% of NYAWW

Notwithstanding the foregoing, an employee’s combined total disability leave and PFL in any rolling 52-week period may not exceed 26 weeks.

Employees shall be returned to their same or comparable positions upon their return from PFL, and may be extended by FMLA or other approved leave program.

While employees are on PFL, health insurance coverage, if applicable, will continue as if the employee was not on leave. An employee must continue to pay his or her portion of any health insurance premiums during leave. It is the employee’s responsibility to send payment for his or her portion of the insurance premium(s) to the attention of the office administrator by the first day of the month for that monthly premium (i.e., the payment for the month of July is due by July 1.) Note: RBA Staffing may terminate an employee’s health insurance coverage if an employee’s premium payment is more than 30 days late.

Other Information:

PFL benefits are generally funded by employee contributions, which are made through automatic after-tax payroll deductions from employees' paychecks. Employees on PFL must continue to make contributions during any PFL.

Employee contributions are calculated on a weekly basis at the rate set, and adjusted annually, by the DFS. The maximum employee contribution in 2018 shall be 0.126% of an employee's weekly wage up to the annualized New York State Average Weekly Wage.

During leave, employees should maintain contact with the office administrator on a monthly basis and give at least one week (7 calendar days) of notice prior to the date they expect to return to work.

RBA Staffing will not discriminate or retaliate against employees who take or request PFL. Any questions regarding this benefit should be directed to the office administrator.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

To be eligible for FMLA leave, the employee must:

- Have worked for RBA Staffing for at least 12 months; and
- Have at least 1,250 hours of service in the 12 months before taking leave.

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in any rolling 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered service member's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the service member with a serious injury or illness.

An employee is not required to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or RBA Staffing may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with RBA Staffing's normal paid leave policies set forth below in Section 6 Benefits.

While employees are on FMLA leave, health insurance coverage, if applicable, will continue as if the employee was not on leave. An employee must continue to pay his or her portion of any health insurance premiums during leave. It is the employee's responsibility to send payment for his or her portion of the insurance premium(s) to the attention of the office administrator by the first day of the month for that monthly premium (i.e., the payment for the month of July is due by July 1.) Note: RBA Staffing may terminate an employee's health insurance coverage if an employee's premium payment is more than 30 days late.

Upon return from FMLA leave, employees will be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions. RBA Staffing will not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If 30 days' advance notice is not possible, an employee must notify the office administrator as soon as possible and, generally, follow RBA Staffing's usual procedures.

Employees must inform RBA Staffing if the need for leave is for a reason for which FMLA leave was previously taken or certified. RBA Staffing may require a certification or periodic recertification supporting the need for leave.

To request leave, an employee should obtain leave forms from the office administrator. The form(s) will need to be completed and returned within the stated timeframe. If the reason for leave involves a serious health condition, the employee may need to provide additional information on a medical certification form completed by the attending health care provider.

During the leave, employees should maintain contact with the office administrator on a monthly basis and give at least one week (7 calendar days) of notice prior to the date they expect to return to work.

DISABILITY LEAVE

RBA Staffing provides for continuation of part of an employee's salary when absence from work is required for more than seven calendar days due to non-work-related illness, injury or pregnancy-related disability, after applicable eligibility and waiting periods have been met.

If an employee is totally disabled in excess of one week, benefits will be provided in accordance with the New York State Disability Benefits Law. Generally, the benefit is 50% of an employee's average salary up to a statutory maximum of \$170.00 each week for up to 26 weeks.

Employees must contact the office administrator if they are out of work, or expect to be out of work, for more than seven consecutive days due to non-work-related illness, injury, or pregnancy-related disability to determine eligibility for state disability benefits. Employees will be required to submit proper medical forms in order for the insurance company to determine eligibility. FMLA leave paperwork will also be provided and if the employee is eligible, will run concurrently with the disability leave for up to 12 weeks in a 12 month period.

While employees are on disability leave, health insurance coverage, if applicable, will continue as if the employee was not on leave. An employee must continue to pay his or her portion of any health insurance premiums during leave. It is the employee's responsibility to send payment for his or her portion of the insurance premium(s) to the attention of the office administrator by the first day of the month for that monthly premium (i.e., the payment for the month of July is due by July 1.) Note: RBA Staffing may terminate an employee's health insurance coverage if an employee's premium payment is more than 30 days late.