



SKiCNY EMPLOYEE HANDBOOK

Skiing is a dance....Song and Labrador always lead!

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Safety Message and Policy

SkiCNY prides itself on maintaining safety and health programs conforming to State and Federal mandates. These programs require your cooperation in all safety and health matters, not only between our supervisors and employees, but also between employees and their co-workers. It is SkiCNY's objective to provide and promote a workplace free from hazards, to maintain all equipment, and promote safe practices for all employees.

Employees are expected to perform work in accordance with safe standards, practices, training, and standard operating guidelines. Workplace safety practices must take precedence over short cuts while performing tasks and all attempts must be made to reduce the possibility of injury. All Staff members are required to report all unsafe conditions or accidents to their supervisor.

- **Personal Protective Equipment:** Before you perform any job, make sure that you are aware of the appropriate PPE for the job assigned. Ensure it is in proper repair, fits properly and appropriate for the work to be performed. Proper footwear and clothing is essential for working at SkiCNY.
- **Equipment:** Never use any equipment without permission. Always complete the safety training necessary before using any equipment. Please be sure to maintain all equipment used in a proper manner.

Failure to comply with our safety standards may result in disciplinary actions. Everyone must use good judgment and common sense.

The Policy Statement Outline

The policy outlined is a guideline and may require change from time to time. SkiCNY reserves the right to make any decisions involving employment on a case by case need in order to conduct its daily operations. The policies set forth summarize the benefits of SkiCNY employment.

General Rules and Standards of Conduct

- All company rules, regulations, signs and instructions must be adhered to. If you do not understand something, please ask.
- Falsifying any information on forms, records or reports is unacceptable.
- Frequent Absence or Tardiness will be addressed.
- Good Housekeeping in your department should be a standard practice.
- Smoking is allowed in designated areas outside. Smoking is not permitted inside garages or around petroleum tanks. Be aware of fire hazards and the principles of the fire triangle (oxygen+fuel+ignition = fire). Know where fire extinguishers are kept and how to use.
- If you are involved in an accident or incident, please report to your supervisor. Get first aid if needed.
- The use of cell phones is prohibited while working unless it is an emergency or a work related call.
- Full training procedures must be followed for Lift Operations. You will be given a handbook and written test and all rules and regulations must be followed throughout the ski season.
- The use of drugs and/or alcohol is prohibited at SkiCNY during working hours. Employees reporting under the influence of alcohol or a controlled substance will not be allowed to work. We

reserve the right to Drug/Alcohol test due to Credible Suspicion, and reserve the right to dismiss an employee upon these grounds.

- Employee benefits are a privilege. If misused, we reserve the right to take necessary action.
- Sexual Harassment/Harassment of anyone is prohibited at SkiCNY.
- Firearms are not permitted on SkiCNY property.

Responsibility Code on the Mountain

Please observe the National Ski Area Association officially endorsed code when on the mountains and share with other skiers/riders.

1. Always stay in control, and be able to stop or avoid other people or objects.
2. People ahead of you have the right of way. It is your responsibility to avoid them.
3. You must not stop where you obstruct a trail, look up hill and yield to others.
4. Whenever starting downhill or merging into a trail, look uphill and yield to others.
5. Always use devices to help prevent runaway equipment.
6. Observe all posted signs and warnings. Keep off closed trails and out of closed areas.
7. Prior to using any lift, you must have the knowledge and ability to load, ride and unload safely.

Responsibility to SkiCNY Customers

Customer Service is our number one priority at SkiCNY. You are a part of a team and this should not be taken lightly. Commitment to your co-workers, yourself, and our customers = family! Treat your team members and your customers as you would want to be treated; fairly, with compassion and respect. Our goal is to exceed all expectations of our skiing and riding customers. Talk to your customer, get to know them, and try to create a family friendly atmosphere while also maintaining excellent customer service. Work with your team to ensure these goals are met in any way possible.

EMPLOYMENT

- Employment at Will: SkiCNY is an at will employer. Notwithstanding any statements contained in this handbook or in any other document or statement issued by SkiCNY, or any of its representatives, you have the right to terminate your employment at any time, with or without cause and with or without notice, and the company retains a similar right to terminate, with or without cause, and with or without notice.
- Equal Employment Opportunities, ADA & NYHRL: The policy of SkiCNY is to provide equal opportunity and employment to all staff and applicants. Ski CNY bases its employment upon personal capabilities and qualifications without discrimination because of ancestry, race, religion, national origin, color gender, sexual orientation, pregnancy, childbirth, other sex-specific conditions, age, disability, family status, marital status, military or veteran status, predisposing genetic characteristics, victims of domestic violence and witnesses in court proceedings or activity recognized by Federal, State and Local Law. Employees are chosen due to their competence, ability and willingness to do the job.

Our company complies with the provisions applicable of the Americans with Disabilities Act (“ADA”) and the New York Human Rights Law (“NYHRL”). It is our policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual’s disability. Employees with a disability who believe they need a reasonable accommodation to perform their job in a reasonable manner should contact the Human Resources Department. SkiCNY will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the request is denied, that decision is final.

The ADA and NYHRL do not require SkiCNY to make the best possible accommodations, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs etc).

- **Background Investigation Policy:** SkiCNY recognizes the importance of a safe and honest workplace. We reserve the right to investigate an individual’s prior employment history, personal references and educational background, as well as other relevant information that is reasonably available to SkiCNY.

SkiCNY may review the applicants or employee’s credit report and record of criminal conviction. In the event that a background check is completed, SkiCNY will comply with the Federal Fair Credit Reporting Act and applicable state laws, including providing the applicant with the required notices and forms. Consistent with this practice, job applicants or employees may be asked to sign certain authorization and release forms. SkiCNY reserves the right to require job applicants or employees to sign the forms as a condition of employment, and an applicant’s refusal to sign the required forms may result in denial of employment.

- **Employee Information:** All written records of employment are held at SkiCNY/Song Mountain. All information submitted on the application is subject to verification. SkiCNY reserves the right to dismiss any employee upon the finding of false information or upon discovery of unfavorable information as a result of investigation.

As an active employee, we will need you to report any changes in address, phone number, emergency contact, marital status, number of dependents, etc. You have the right to review your file. Information in your file will not be released or disclosed to anyone other than the Human Resources Department or your supervisor. We will not release information to anyone not listed without written consent from you. We reserve the sole right to grant or refuse these requests. We reserve the right to disclose employee information in defense of any personnel related complaints and cooperate with law enforcement, public safety or medical officials who have a valid need to know specific information from your file.

- **Job Sharing:** SkiCNY is extremely positive with regard to job sharing. You may be asked to perform other duties throughout our ski areas and two resorts. This is extremely vital to the continued success of SkiCNY.
- **Staffing less than 18 years of Age:** Staff under the age of 18 years is restricted in certain areas of SkiCNY. Youths 16/17 may perform non-hazardous jobs for up to a maximum of: 4 hours on a Monday, Tuesday, Wednesday or Thursday and 8 hours on a Friday, Saturday, Sunday and holiday, up

to a maximum of 28 hours per week. Youths 16/17 may not work before 6:00am or after 10:00pm when school is in session. Youths 14/15 may perform certain jobs for up to a maximum of: 3 hours on a school day; 8 hours on a Saturday, Sunday or holiday; up to a maximum of 18 hours per week. Youths 14/15 years of age may not work before 7:00am or after 7:00pm when school is in session.

**** Please contact the Human Resources Department at Song Mountain for more information.**

- **Employment End:**

1. **Termination:** The employee has been terminated either by choice of the individual or company. The return to work is not guaranteed and all benefits cease on the last day of work.
2. **Lay-off:** The employee has been terminated for an indefinite period of time. This status does not guarantee that the employee will be called back to SkiCNY. Some benefits may continue depending on employee's status. If an employee is called back from a temporary layoff and fails to return, temporary layoff status is changed to permanent termination of employment.

All SkiCNY property must be returned and employees may attend an exit review and performance review (if necessary) with your supervisor or Human Resources. A final paycheck will be issued following termination. If someone other than the employee is sent to pick up the final check, that person must present a note signed by the employee authorizing the pickup. Checks not picked up in person within two weeks will be mailed to the employees mailing address on file.

COMPENSATION

New Employee Orientation

Upon joining SkiCNY, you will be given a copy of our policy statement and asked to complete personnel and payroll forms. An employee ID will be given upon completion of your payroll form.

- **Time Clock:** Prior to reporting to your first day of work, you will need to obtain your personal employee time clock punch/finger print code. This is specific to only you. You are required to maintain a personal record of all time worked. You are responsible for punching in and out, and when you enter and leave the building or area for personal reasons. It is a federal offense to punch in and out for another employee. Some departments may also require a sign in/sign out log (lift operations) to maintain an accurate record of our employee's. It is your responsibility to make sure that you punch in and out for every shift your work. If you do not punch in or out we cannot prove your hours, therefore you will not be paid.
- **Workday Expectancy:**
 1. Please be punctual for your shift. If you are going to be late for work or absent, you must notify your supervisor as soon as possible. If you are absent for 2 days without notifying SkiCNY, we will assume you have left your position, are no longer with the company, and your employment will be terminated.

2. Check the Web Site Daily: Severe Weather is a given in Central NY during the winter months. If you are uncertain if the mountain is open, please check the web site or call your supervisor. Time taken off due to poor weather conditions is unpaid.
 3. Be aware - employees of the seasonal industry's hours are subject to fluctuations. The time of your shift may vary depending on conditions beyond our control.
- Pay Period: Our pay week starts on Monday 12:00am and runs through 11:59pm Sunday night. You are paid only for hours worked.
 - Pay Day: Pay-Day is Friday, **after 3pm**. Paychecks will be available at the Main Office. Your check will not be given to anyone except you unless you identify in writing another person who will retrieve your check. If you have any issues with your pay, please contact either Rachel at Labrador, or Lisa at Song in our Human Resources Department. Please be sure to cash your checks regularly. SkiCNY has a 60 day cashing policy. If you do not cash after 60 days, your check is null/void.
 - Hours and Wages: SkiCNY operates 7 days a week. You must be prepared to work a schedule which may include, Saturday, Sunday and holiday. Wages vary based on experience and years worked for SkiCNY. Hourly employees will be paid straight time for all hours worked up to 40 hours. After 40 hours will be paid in compliance with the seasonal employer overtime standards; which is time and half of minimum wage, unless your regular hourly rate exceeds that calculation. At the end of the workday, it is the employee's responsibility to clock out. SkiCNY assumes NO responsibility for any employee who fails to utilize the time clock at the beginning or the end of his/her work shift.

If you receive cash tips in excess of \$20 a month, it is your responsibility to report your tips to Human Resources if they are not automatically accounted for.

- Lunch Breaks/Mealtime: Employees working more than a 6 hour shift must receive a 30 minute, unpaid lunch break. Ski Instructors working more than a 5 hour shift must receive a 30 minute, unpaid lunch break.

Electronic Activity

- **Required Notice:**
 - Electronic activity may be monitored at any time and by any lawful means.

TIME OFF WORK

Personal Absence

When you are aware that you will not be able to work due to personal business which must be conducted during the normal workday, make arrangements in advance with your supervisor. You should notify your supervisor of the reason and length of time you will need. Your supervisor, at his or her discretion has the right to determine whether you will be eligible or not. Hourly Staff will not be paid for time taken off during the regular work day to attend personal business.

Unexcused Absence

If you are absent for one day without notifying your supervisor or manager, you will be subject to discipline. If you are absent two or more scheduled work days without notifying your supervisor or manager, it will be assumed that you have resigned your position and your employment will automatically cease.

Request for Medical Information

If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your health care provider. We may request medical information to confirm your need to be absent; to show whether and how an absence relates to the infection; and to know that it is appropriate for your return. As always we expect and appreciate your cooperation.

Confidentiality of Medical Information

Our policy is to treat any medical information as a confidential medical record. Any disclosure of medical information is limited to individuals on a need to know basis only. Disclosure will be made by the Human Resources staff only with managers, first aid and safety personnel as required by law.

New York State Paid Family Leave (PFL)

Becoming Eligible

Most employees who work in New York State for private employers are eligible to take Paid Family Leave.

However, under the Paid Family Leave law, some categories of workers are excluded from the definition of “employee” and “employment.” Examples include licensed ministers, priests or rabbis; persons engaged in a professional or teaching capacity for a not-for-profit; and those who work in service as a golf caddy. Although some categories of workers are not automatically covered for Paid Family Leave, such as those listed here, employers can choose to voluntarily cover them. If you’re not sure if you are covered for Paid Family Leave, you can speak to your employer. If you believe you are eligible, you can apply for Paid Family Leave and the insurance carrier will make the determination.

Covered employees become eligible to take Paid Family Leave for a qualifying event once they have met the minimum time-worked requirements:

- Full-time employees: Employees who work a regular schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment.
- Part-time employees: Employees who work a regular schedule of less than 20 hours per week are eligible after working 175 days, which do not need to be consecutive. Employees with irregular schedules should look at their average schedule to determine if they work, on average, fewer than 20 hours per week.

The use of scheduled vacation time; the use of personal, sick or other time away from work that has been approved by the employer; or other periods where the employee is away from work but is still considered to be an employee by the employer, shall be counted as consecutive weeks or consecutive work weeks, or days worked, as long as the contributions to the cost of family leave benefits have been paid for such periods of time.

Once employees meet the eligibility requirements, they remain eligible for that employer until employment is terminated. If employees start a new job, they must work long enough with their new employer to meet the eligibility requirement.

Citizenship and/or immigration status is not a factor in employee eligibility.

Part-time employees may be eligible for Paid Family Leave.

Part-time employees who work a regular schedule of less than 20 hours per week for a covered employer are eligible to take Paid Family Leave after working 175 days for their employer, which do not need to be consecutive, unless they qualify for and have executed a waiver. It is not necessary to reach the 175-day threshold in a single year; accumulation can occur over several years.

Part-time employees, who work a regular schedule of 20 or more hours a week, are eligible after 26 consecutive weeks of employment for their employer.

Some part-time employees may be able to opt out of Paid Family Leave coverage. Employees are eligible for a waiver if they:

- Work a regular schedule of less than 20 hours per week, and will not work 175 days in a year; or
- Work a regular schedule of 20 or more hours per week, but won't be in employment for 26 consecutive weeks.

See below for additional information about opting out.

Seasonal

Many seasonal workers are not eligible for Paid Family Leave benefits because they will not meet the requirements for time worked. In order to be eligible for Paid Family Leave, a worker must remain in

employment for 26 consecutive weeks if they regularly work 20 or more hours per week, or 175 days if they regularly work less than 20 hours per week.

Some seasonal workers may be terminated at the end of a season and re-hired by the same employer at a later date (for example, a pool lifeguard who returns each summer). These workers would not be eligible as the days or weeks worked for an employer restart each time the employee is rehired.

Seasonable employees may be eligible to opt out of Paid Family Leave coverage. Employees are eligible for a waiver if they:

- Work a regular schedule of less than 20 hours per week, and will not work 175 days in a year; or
- Work a regular schedule of 20 or more hours per week, but won't be in employment for 26 consecutive weeks.

Jury Duty

Employees that are summoned for jury duty will be paid \$72.00 per day for the first three days. Thereafter, you will be granted an unpaid leave of absence in order to serve.

Military Leave

Employees who are required to serve in any branch of the Armed Forces of the United States will be given the necessary time off without pay.

Bone Marrow and Donor Leave:

In accordance with New York State law, employees who work an average of 20 or more hours per week and who undergo medical procedures to donate bone marrow or serve as an organ donor are eligible for paid leave. Employees may take up to seven (7) days of paid leave for bone marrow donation and up to thirty (30) days of paid leave for organ donation. This leave is in addition to any other leave time available to the employee. Employees are required to provide at least fourteen (14) days' written notice to their supervisor prior to the leave, unless a medical emergency, as documented by a physician, necessitates a shorter notice period. The employer may require verification from a physician regarding the purpose and length of the requested leave. The company will not retaliate against any employee who requests or takes leave for bone marrow or organ donation.

Voting

The Election Law provides for up to two hours of paid time off to enable an employee time to vote when added to their voting time outside their working hours. While two hours is the maximum paid time off allowed under the law, the amount of paid time off required for an employee to vote must be determined on a case-by-case basis as waiting times at polling places, traffic conditions, and other factors may vary wildly.

Required Notice

An employee must notify an employer at least two working days prior to their intention to take paid time off to vote, but not more than ten working days.

Blood Donation Leave

SkiCNY will grant all eligible employees (1) one unpaid leave of absence (up to three hours) in any calendar year to donate blood. If an eligible employee wishes to donate blood at an off premise location, we require at least three working days notice. Proof of blood donation in the form of a notice of blood donation is required.

***Definition of Eligible Dependent – Spouse and children of an employee that works over 40 hours. To be considered a child dependent – they must be age 21 and under. A domestic partner will be considered eligible dependent upon approval of the General Manager or his representative.**

Volunteer Emergency Responders Leave:

New York State law protects volunteer emergency responders by requiring employers to grant a leave of absence when a state of emergency is declared and the volunteer is actively performing duties, though this leave can be denied if it causes an undue hardship. Employers can request documentation, and employees can use paid leave if they choose.

Key Provisions

- Eligibility

The law applies to volunteer firefighters and members of volunteer ambulance services who are engaged in duties related to a declared state of emergency.

- Leave Duration

Leave is granted for the period the volunteer is actively performing their duties during the emergency.

- Prior Notification

To be eligible for the leave, the employee's employer must have previously received written documentation from the volunteer's department or service, confirming their status as a volunteer.

- Undue Hardship

Employers are not required to grant the leave if it would cause an "undue hardship" on their business operations, as defined by law.

- Compensation

The leave may be unpaid, or the employee can choose to use any available paid time off, such as vacation or sick leave.

- Post-Leave Certification

After the volunteer's return, the employer may request a notarized statement from the head of the fire department or ambulance service to certify the time the employee was on duty during the emergency.

Lactation Space Policy

SkiCNY is committed to supporting employees who are expressing breast milk for their nursing child. We comply with all New York State laws regarding lactation accommodations, including providing reasonable break time and a private space.

Lactation Space:

- We will provide a room or other location, other than a bathroom, that is well-lit, shielded from view, and free from intrusion by coworkers and the public.
- This space will be located near the employee's work area and will be equipped with a chair and a working surface.
- If the workplace has refrigeration, employees will be allowed to store pumped milk there.
- We will post signage to indicate when the space is in use for lactation.

Cell Phone Policy

SkiCNY has a zero tolerance cell phone policy. If you do not follow SkiCNY policy, your employment will be terminated. This policy is in effect from the time that you clock in and the time that you clock out. Cell phones are NOT permitted unless you are authorized by your supervisor or manager to use.

Company Phone Policy

SkiCNY phones are strictly for company use. We realize that there may be an occasional phone call necessary; please use good judgment regarding this rule. Please make sure that you always answer the phone in a friendly manner. As we hope to keep getting new customers daily during our season, it is extremely important to create a great first impression.

Cell Phone Policy Specific to Lift Operators

The use of personal cell phones is strictly prohibited during all working hours. Your phone belongs in your pocket, preferably in your vehicle, TURNED OFF. There are NO exceptions to this rule. Whether you are stationed at the bottom or the top of the lift, it is your duty to watch EVERY chair either load or unload safely. This is an IMPOSSIBLE task if you are looking at your phone. Anyone found using a personal cell phone while on duty will be TERMINATED. We appreciate your understanding and cooperation.

Keys

If you are issued keys for your position, you are responsible for them and should NOT loan or duplicate them. If, during the course of your employment you do not need a key any longer, please return it to you manager or supervisor. When you leave SkiCNY you must return all of your keys to your supervisor or manager. A fee will be charged for any lost or unreturned keys.

Computers/Ticketing and Pass Systems

SkiCNY computers and software are to be used as a business tool only and are provided to all for the sole purpose of the company and job performance. You may not use for your personal benefit at anytime throughout the workday or after. Employees are prohibited from downloading or installing software. The reproduction of company licensed software applications is prohibited. Violations or misuse of these policies will lead to the restriction or removal of these resources, disciplinary action and possible termination.

Travel and Expenses

SkiCNY will reimburse employees for reasonable expenses incurred. The following business expenses will be reimbursed after completion and approval of the Employee Expense Reimbursement form accompanied with the appropriate receipts:

- Travel
- Auto/Mileage
- Lodging
- Tips
- Business Meals

Please see your Manager or General Manager prior to incurring any travel expenses.

INFECTIOUS DISEASE PRECAUTIONS

Policy Statement

Intermountain Management will take proactive steps to protect the workplace in the event of an infectious disease outbreak or declared pandemic. It is the goal of the Company during any such time period to strive to operate effectively and ensure that all essential services are continuously provided and that employees are safe.

Prevention in the Workplace

With the support of each employee, you are required to help provide a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, lodges, customer service centers, door handles and railings, as well as shared tools and equipment within my department.

Best Practices

Frequent hand washing with warm soapy water, covering your mouth whenever you sneeze or cough; and discarding used tissues in wastebaskets. You will help make all alcohol based hand sanitizers readily available.

Hand-washing

Employees are expected to wash and/or sanitize their hands after using shared equipment. Please wash for a minimum of 30 seconds with hot water. When traveling to other areas of the workplace, sanitation stations have been set up for your convenience and use.

Using Shared Facilities & Equipment

When using the bathrooms, and other shared areas of work, employees are expected to sanitize (wipe) the surfaces they have used before leaving and must wash/clean their hands upon exiting.

POLICIES AND PROCEDURES

Employee Conduct and Work Rules

SkiCNY expects that each employee will follow rules of conduct that will protect the interests and safety of all employees and the organization. The following is a list of non-exhaustive infractions of rules of conduct that may result in disciplinary action, up to and including immediate termination of employment;

- Fighting and threatening violence in the workplace
- Theft or inappropriate removal of possession of property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment.
- Boisterous or disruptive activity in the workplace
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- Insubordination influencing but not limited to, failure or refusal to obey the orders or instructions of SkiCNY management, or the use of abusive or threatening language toward any member of management or other disrespectful conduct.
- Violation of safety and health rules
- Smoking in prohibited areas
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Inappropriate language
- Excessive absenteeism or any absence without notice
- Misuse of Employee Benefits
- Unauthorized use of telephones, mail system, or other employer-owned equipment
- Violation of personnel policies
- Unsatisfactory performance or conduct
- Use of Drones without consent
- Rude Behavior to guests or other employees
- GUM chewing at SkiCNY is forbidden during working hours.
- No Pets.
- No firearms.

Identification Card (Employee ID)

You will be issued a Staff ID card which will identify your benefits to SkiCNY. Please make sure that once you have been hired, completed your complete application, you go to the Main Office to obtain the correct form of ID given. This card is NOT transferable. If your ID card is lost, stolen, broken, please contact your supervisor immediately.

Uniforms

Uniforms will vary between departments. You must wear the proper uniform for your department as outlined by your supervisor while you are working. No alterations or changes to your uniform are permitted.

For the outdoor staff: You may purchase a SkiCNY Coat to be worn at the Lifts and Ski School. You will be asked to pay for the coat and SkiCNY will embroider with our logo at no cost to you. Please see your supervisor for requirements.

Personal Appearance/Dress Code

Dress for Success: Step it up a notch. First impressions are the key to successful relationships. How you dress is how you feel about yourself. Your appearance to the customers reflects how you feel about SkiCNY and your job! It is critical that all staff present themselves in a professional manner. SkiCNY feels that the following criteria are good standards to follow:

- Good personal hygiene. Clean clothing on a daily basis
- No ripped jeans
- No promotional clothing from other businesses.
- Hair must be neat and clean. Hair below your shoulders may need to be confined, so as not to fall forward over the face or be danger or health hazard. Extreme or distracting hairstyles and colors will not be allowed. Unnatural colors are unacceptable.
- Men with facial hair should keep beard or mustache neat and trimmed.
- SkiCNY reserves the right to ask an employee to cover an offensive tattoo and/or remove facial hardware during working hours. SkiCNY Management reserves the right to define “offensive”.
- No T-shirts or tank tops may be worn while SkiCNY is open, unless this is part of the authorized uniform.
- No nostril bars, hoops or septum rings.

Lost and Found

Any property that is found and/or delivered to you must be brought the Lost and Found/Customer Service area immediately. Employees should not remove items found at the mountains. SkiCNY is not liable for the loss of personal property of an employee or guest.

SEXUAL HARRASSMENT AND DISCRIMINATION

Purpose and Goals

SkiCNY is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but SkiCNY recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of SkiCNY's commitment to a discrimination-free work environment.

Goals of this Policy:

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with SkiCNY. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

Sexual Harassment and Discrimination Prevention Policy:

1. SkiCNY's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with SkiCNY. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the company.

2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of SkiCNY who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, or manager and they will follow protocol. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject SkiCNY to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. SkiCNY will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. SkiCNY will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, SkiCNY will act as required. In addition to any required discipline, SkiCNY will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.
6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of to the Operations Managers.

7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. 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. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of SkiCNY's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;

- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a hostile work environment 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, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- 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 employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by 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. This list is just a sample of behaviors and should not be considered exhaustive. Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

Physical acts of a sexual nature, such as:

1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
2. Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
 - a. Unwanted sexual comments, advances, or propositions, such as:
3. Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
4. This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
5. Subtle or obvious pressure for unwelcome sexual activities; or
6. Repeated requests for dates or romantic gestures, including gift-giving.
 - a. Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This

is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.

- b. Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
7. Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
8. Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
 - a. Sexual or discriminatory displays or publications anywhere in the workplace, such as:
9. 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;
10. This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
 - a. Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
11. Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
12. Sabotaging an individual's work;
13. Bullying, yelling, or name-calling;
14. Intentional misuse of an individual's preferred pronouns; or
15. Creating different expectations for individuals based on their perceived identities;
16. Dress codes that place more emphasis on women's attire;
17. Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. Harassers can be anyone in the workplace. A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, or manager or email HRskiCNY@gmail.com. They will then let the Inside Operations Manager know. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, or manager. They will then follow proper procedure and let the Inside Operations Manager know.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is available, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

Whistleblower Protection:

This policy reflects the organization's commitment to maintaining a workplace free from illegal, unethical, or improper conduct. Employees are encouraged to report concerns about such activities without fear of retaliation, in accordance with applicable New York and federal whistleblower protection laws.

Scope of coverage

This policy applies to all employees and, in certain circumstances, may extend to volunteers, contractors, and other stakeholders. It covers reports of activities, policies, or practices that an employee reasonably believes to be in violation of law, rule, or regulation, or that pose a substantial and specific danger to public health or safety. This can include, but is not limited to, fraud, corruption, workplace safety violations, and discrimination.

Reporting procedures

Employees are encouraged to report concerns internally through designated channels, such as a supervisor, the Inside Operations Manager, or by email at HRSkiCNY@gmail.com.

If an employee suspects wrongdoing by their Manager, they may report the issue to HRSkiCNY@gmail.com.

Reports can be made confidentially or anonymously, although providing detailed and verifiable information is crucial for effective investigation of anonymous reports.

- Employees should make a good faith effort to notify the employer of the wrongdoing and allow a reasonable opportunity for the organization to address the issue before reporting to a governmental body, except in cases of imminent threat to public health or safety where immediate action may be necessary.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama”;
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

Such 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 “protected activity.” Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;

- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to 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.

Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to the Inside Operations Manager. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;

3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. SkiCNY will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

SkiCNY recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, Human Resources:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, Human Resources will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. Human Resources will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;
4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:

- a. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - b. A list of names of those interviewed, along with a detailed summary of their statements;
 - c. A timeline of events;
 - d. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
-
5. Will keep the written documentation and associated documents in a secure and confidential location;
 6. Will promptly notify the individual(s) who reported the harassment 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; and
 7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by SkiCNY, but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and 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, you may also seek the legal advice of an attorney.

New York State Division of Human Rights:

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 et seq., applies to all 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 the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time within three years of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

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

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of 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. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has 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.

Call the DHR sexual harassment hotline at 1(800) HARASS3 for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission:

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e et seq. An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of 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. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, 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.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically 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 live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment or discrimination 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 Street, 1st Floor, New York, New York; 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 unwanted 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 their local police department.

Conclusion

The policy outlined above is aimed at providing employees at SkiCNY and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

WORK RELATED ISSUES CUSTOMER SERVICE ITEMS/MISC

We are a TEAM

YOU are the MOST IMPORTANT ASSET to SkiCNY! We all need to work together to achieve company goals and make every pass holders/customer's visit a wonderful skiing and riding experience. Your conduct reflects on SkiCNY and the team you are surrounded by.

Guest Complaints

Do not argue with the customer.....ever. If you encounter a guest with a problem, listen to them, thank them for bringing the issue to your attention, empathize with them, and refer them to your Manager if you cannot help them with their issue. Your ability to help a customer correctly and quickly can make the difference in a mediocre visit and an excellent visit.

Check Cashing

We DO NOT cash checks at SkiCNY. You must have an account at any of our local branches to have your check cashed for free.

Privileged/Confidential Information

Depending on your position or course of work, you may have access to confidential information regarding the company, its suppliers, our guests or fellow employees. One of your most important responsibilities is that you never reveal or disclose any such information, and that you use it only in the performance of your duties. At no time should any employee converse with the media regarding the company, our employees, or guests without approval from the General Manager. Employees are prohibited from making copies of any company, guest, or employee information for any purpose, other than the express directive from a supervisor or manager. Employees may not possess on a cell phone, flash drive, or any other device or send to a home network or computer any private company, guests or fellow employee information. Violation of this policy will result in immediate disciplinary action up to and including termination.

Staff Accident Reporting

Please be aware of your surroundings at all times. It is up to you to know safety and procedure for your department. Your accident, big or small must be reported to your supervisor on the day of the injury. Even if the accident does not require medical attention, notify your supervisor of its occurrence in case medical attention is required at a later date. Refer to Human Resources for Worker's Compensation.

Customer Accident Reporting

If you witness a skiing or snowboarding related accident, please stay at the scene and have another guest notify ski patrol or a lift operator. There may be an incident where you will be asked to fill out an incident or witness report. This is required as part of your job and must be completed as soon as possible.

Under no circumstances should you give anyone any information regarding any incident or accident, payment of medical bills, damage to clothing, promises to pay or admittance of any type of responsibility. If people approach you asking questions about any incident, please refer them to the General Manager. Please do not provide any information about any incident to anyone.

Skiing/Snowboarding Discounts at Other Mountains

A letter of Employment Verification is available through SkiCNY's Customer Service. We will be happy to provide you with this letter. Please request your letter a few days prior to your departure.

Employment of Relatives and Unmarried Partners

Close relatives, unmarried partners and members of the same household cannot be employed in positions where one has supervisory responsibility for the other or makes employment decisions pertaining to the other. Close relatives are defined as the employee's spouse, parents, parents-in-law, grandparents, brothers, sisters, brothers or sisters-in-law, sons or daughters-in-law, uncles, aunts, nieces, nephews, children, or grandchildren.

Requests for exceptions to this policy must be approved by the General Manager and submitted with written justification to Human Resources.

Company Communications

Any SkiCNY memos and flyers must be pre-approved by Management prior to distribution.

Workers Compensation

SkiCNY's staff is covered by Workers' Compensation Insurance which is governed by New York State Law. This type of Insurance covers **ONLY** those injuries, which arise out of and in the course of your employment. In the case of an on-the-job injury, notify your supervisor immediately and, if possible, please seek any medical treatment. If your immediate supervisor cannot be reached, contact the supervisor at the next highest level. An employee should never delay emergency medical attention because your supervisor is not readily available. A staff incident report must be completed within 24 hours and submitted to the Workers' Compensation Administrator.

If you are injured on your own time, during lunch breaks, days off, free skiing/boarding time, etc., you **WILL NOT** be covered by Workers' Compensation.

When and if you return to work: Following your injury, we will work with you and your physician in placing you in "transitional" work situations until you are ready to return to your former position of "full-time/duty" work.

NOTE: It is a violation of New York Law and dischargeable offense for any staff person to make a false claim, or to supply false information, or knowingly to supply incorrect information in support of a claim for workers-compensation benefits.

Outside Employment

If you employed with another business outside of SkiCNY, you must let your supervisor know this. This employment should not conflict with your responsibilities and duties at SkiCNY in any way. You may **NOT** work for competitors.

Layoffs

Circumstances may require unforeseen layoffs by SkiCNY; changes in weather conditions, end of the season, economic conditions, or a reduction caused by work shortage. At the end of the season, all seasonal employees will be laid off.

Emergency Action Plan

General Emergency Guidelines

- Stay calm and think through your actions.
- Know the emergency numbers: Song 315-696-5711 / Labrador 607-842-6204
 - Fire/police/ambulance: 911
 - Customer Service: **108(Song), 208(Lab)**
 - Ski Patrol: **150(Song), 250 or 251(Lab)**
- Know where the exits are located.
- In the event of any emergency; use the stairs.
- Do not hesitate to call or alert others if you believe that an emergency is occurring.
- First-aid supplies and emergency equipment are available for use by those who are authorized and properly trained.

Evacuation

- Employees will be notified of a fire alarm either by the fire alarm system or a manager.
- Upon becoming aware of a fire alarm, employees should immediately evacuate the building. Do not delay evacuation to get personal belongings or to wait for co-workers. Also, all doors should be closed as the last person passes through.
- Managers should be last to leave the area. Check the building to be sure that all personnel have evacuated.
- Any employee with difficulty in mobility, visual, hearing, or other condition that may hinder them from becoming aware of an emergency or evacuating should request special assistance through their manager.
- Upon exiting the building, all personnel should report to the nearest parking lot for a headcount.
- If any employee is missing, an immediate report should be made to the manager who will in turn report to the first available fire department officer.
- Employees should stay together in a group so that periodic updates on the situation can be issued.
- The order to reoccupy a building will be issued by the manager on duty.
- In the event of inclement weather, the manager will make arrangements for all personnel to move to shelter.

Fire Safety

- Alert individuals in the immediate hazard area.
- Activate a fire alarm or call customer service to page an emergency announcement.
- If you have been trained, you can use a fire extinguisher following these instructions:
- P = Pull the safety pin
- A = Aim the nozzle at the base of the fire
- S = Squeeze the operating lever
- S = Sweep side-to-side to cover the base of the fire

**When using a fire extinguisher, always stay between the fire and an exit; stay low and back away when the fire is extinguished.*

**Never feel that using a fire extinguisher is required. If the fire is too hot, too smoky or you are frightened, evacuate.*

Medical Emergency

Upon discovering a medical emergency, call **Ski Patrol 150(Song), 250 or 251(Lab)**.

- Notify the supervisor and report the nature of the medical emergency and location.
- Stay with the person involved, being careful not to come in contact with any bodily fluids.
- Send two people to the entrance to await the fire department. Sometimes two fire department units will arrive, so the second person should wait at the entrance to receive the second unit while the first person escorts the fire department personnel to the scene.
- Employees in the immediate vicinity of the emergency, but not directly involved, should leave the area.
- Human resources will make any necessary notifications to family members of the person suffering the medical emergency.

Severe Weather

- The supervisor will monitor for weather alerts. If a severe weather report is issued, he or she will immediately make an announcement.
- Employees will shut down all equipment and will be instructed where to go for safety. When the severe weather warning is cancelled, the supervisor will send runners to advise that it is safe to return to work areas. A general announcement will also be made.

Hazardous Chemical Spill or Release

Hazardous chemical spills or releases can be recognized visually by seeing evidence of a chemical escaping from its' normal containment or by detecting an unusual odor. If a chemical spill is suspected all personnel will do the following:

- Alert others in the area who are at risk and notify a member of management who will initiate the 911 Notification System.
- Turn off equipment (if safe to do so).
- Walk in an orderly and quiet manner to the exit closest to you *not blocked by the chemical release*.
- Report to designated fire Evacuation Location (nearest parking lot) for head count.
- The supervisor or another member of management will observe the wind direction if applicable and determine the best shelter area for evacuated personnel.
- Stay together with their assigned group until further instructions are given.
- The facility will not be reoccupied until approved by the fire department.

No employee will take any action other than defensive actions to attempt to control a hazardous chemical spill or release unless s/he has been trained and equipped to respond.

Electrical Utility Failure

In the event of an electrical failure the following procedure will be followed:

- If the failure is in a partial area of the facility notify a supervisor or member of management.
- Turn off equipment using normal controls.
- Expect sudden equipment restart-stay away from the point of operation and other moving surfaces.
- Do not attempt to move around dark areas-supervisors will use flashlights to guide employees to a safe area to wait for power restoration.
- After power is restored follow supervisor's directions for equipment restart.

Workplace Violence:

- Any employee who feels that he or she has been threatened should immediately report the incident to his or her supervisor and human resources.
- If you observe anyone exhibiting threatening behavior or making threatening statements, warn others in the area and immediately notify human resources—stay away from the person exhibiting the threatening behavior.
- Depending upon the level of concern, 911 may be called immediately.
- Never attempt to confront any person exhibiting threatening behavior.
- If you have reason to believe that events in your personal life could result in acts of violence occurring at work, you are strongly urged to confidentially discuss the issue with human resources so that a prevention plan can be developed.

OSHA Related Materials

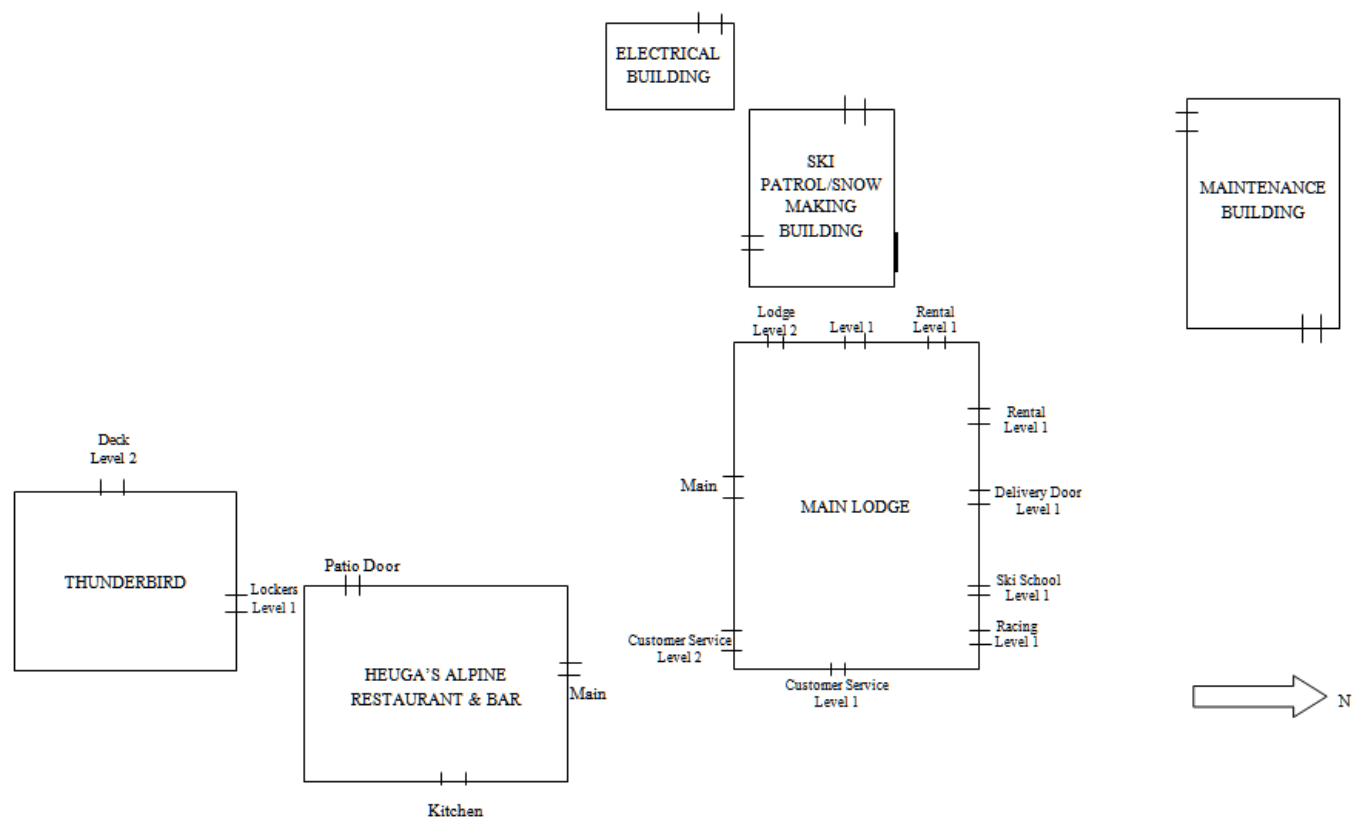
<https://www.nationaloshafoundation.com/blood-borne-pathogen/>

<https://www.osha.gov/video/shipyard-accidents/lockout-tagout-failure>

Any Further Questions?

Please contact Sheila Larkin - Labrador 607.842.6204 or Lisa Morgan - Song 315.696.5711

Song Mountain Evacuation Map



Labrador Mountain Evacuation Map

