

UTAH SYMPHONY | UTAH OPERA

*STAFF
HANDBOOK*

*September
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INTRODUCTION

This Staff Handbook has been prepared to familiarize you with our organization and to help you understand our policies, procedures and work rules under which we operate. The information contained within this handbook is only a summary to be used as reference. Should you have questions concerning interpretation of specific sections, more extensive information is available from your supervisor or by contacting human resources.

This handbook is not a contract, expressed or implied, guaranteeing employment for any specific duration. No employment agreement shall be enforceable unless in writing by authorized personnel.

This handbook may be modified or changed at any time.

WELCOME

Welcome to Utah Symphony | Utah Opera! We are pleased you have joined our organization, and we are excited you are part of our team.

We want to keep you safe, help you grow professionally, and outline our expectations of you throughout your career with Utah Symphony | Utah Opera.

This handbook was put together to give you answers to those most often asked questions. Although we cannot cover every situation or answer every question you have in this handbook, we hope it will serve as a guide to supply you with the necessary information about our work environment and benefits.

As the premier arts organization in Utah, we share a strong commitment to our success with our board members, donors, patrons, staff, musicians, guest artists and conductors, volunteers, and interns. We are excited about our future and your contributions to our continued success!

ORGANIZATION MISSION, VISION AND VALUES

Our Mission Statement

- To give great performances which engage, educate and enrich lives

Our Vision

- We are a destination organization

Our Values

- Excellence, Integrity, Trust and Communication

EMPLOYMENT AND EMPLOYMENT STANDARDS

Employment-At-Will

Your employment with Utah Symphony | Utah Opera is on an at-will basis, meaning – both you and the organization share the right to end the employment relationship at any time, for any or no reason, and with or without notice.

Equal Employment Policy (Reference Equal Employment Opportunity Policy)

Utah Symphony | Utah Opera is committed to equal opportunity in employment practices and actions, i.e. recruitment, employment, compensation, training, development, transfer, reassignment, corrective action and promotion, without regard to one or more of the following protected class: race, color, religion, sex, national origin, age, disability, family status, veteran status, sexual orientation, and political affiliation or belief.

Any questions or concerns about improper conduct or an unacceptable encounter should immediately be reported to the employee's supervisor, department head or human resources. Employees can raise concerns and make reports without fear of reprisal or retaliation. Anyone found to be engaging in any type of unlawful discrimination may be subject to corrective action.

Employment Classification

According to the Fair Labor Standards Act (FLSA), positions are classified as exempt or nonexempt, based upon job responsibility. Both classifications below are paid at least the minimum wage specified by law.

Exempt – Those employees whose positions are excluded from the overtime provisions of the FLSA. Their responsibilities meet the FLSA managerial, administrative, professional or sales exemption.

Nonexempt – Those employees whose positions are eligible for overtime pay if more than 40 hours are worked in a workweek.

Employment Status and Category

The classifications above are further categorized by FTE (full time employment) status. Additionally, for purposes of benefits, the organization has determined the following FTE status:

Full time – Employees regularly scheduled to work a minimum of 32 hours per week.

Part time – Employees regularly scheduled to work less than 32 hours per week.

Temporary – Employees scheduled to work for a defined and limited period of time.

Contract – Employees scheduled to work for a defined and limited period of time. According to the Internal Revenue Service, employees of this status are generally contracted as a 1099 and considered independent contractor not an employee of the organization.

Union – Employees governed by the collective bargaining agreement by the applicable union. (Utah Symphony | Utah Opera has union agreements with American Federation of Musicians, Local 104 and International Alliance of Theatrical Stage Employees, Local 99.)

Work Schedule and Business Hours of Operations (Reference Workweek Policy)

For purposes of payroll and recording hours worked, the organization’s workweek begins on Monday at 12:00 a.m. and ends on Sunday at 11:59 p.m.

Utah Symphony | Utah Opera’s normal office hours are 9 a.m. to 5 p.m. Monday through Friday. Employee work schedules outside these core hours are based on department and organizational need, but full-time employees are expected to work a minimum of 40 hours per week. Lunch and other breaks are not to be counted in this minimum.

Alternative Work Arrangement (Reference Alternative Work Schedule policy)

An alternative work arrangement is a privilege not an employee right, and not suitable for all job situations. It is only appropriate when beneficial to the department and organization. At no time will normal office hours be compromised. Participation will be on a case-by-case basis and with business needs as the primary consideration.

Exempt employees are eligible to be considered for an alternative work schedule. Due to the Fair Labor Standards Act, nonexempt employees are generally ineligible for consideration of an alternative work schedule.

Employees with less than 90 days of employment are not eligible to work an alternative work schedule. New employees are expected to work the standard department schedule during their introductory period to assure appropriate training is met and to develop interaction with others within the department and throughout the organization.

An employee interested in an alternative work schedule must contact human resources.

Overtime (Reference Overtime Policy)

The organization will comply with the FLSA in the compensation of overtime. Nonexempt, hourly employees are eligible for overtime pay at one and one-half times their hourly rate.

Overtime is any hours worked over 40 in a single workweek.

Regular hours charged to vacation, sick time, holiday pay or any other paid leave balances will not be included in the calculation of overtime pay.

Overtime must be approved by the employee’s supervisor. Failure to receive approval for overtime worked may result in corrective action.

Attendance (Reference Job Abandonment Policy)

Employees are expected to report to work on time as scheduled.

An employee who is unable to report to work at the designated start time must notify their supervisor. Failure to report to work for three consecutive business days without notification may be considered a voluntary resignation as a result of job abandonment, and the employee will be ineligible for rehire. Additionally, failure to return to work or directly notify the supervisor of the reason for absence within three consecutive business days after any approved leave of absence or disciplinary suspension, may also result in job abandonment.

An employee who fails to contact and report to work on any scheduled workday will be considered a No Call/No Show and may be subject to corrective action.

Time Reporting

Employees are expected to accurately report their time, including vacation and sick time, to their supervisor and payroll manager each week.

Nonexempt employees are expected to complete their time card accurately. Any discrepancies must be reported to their supervisor for review, modification, and approval, and final submission to payroll manager.

Pay Period (Reference Pay Period Policy)

Pay schedule is normally Fridays on a biweekly basis. If a scheduled payday falls on an observed holiday, employees will be paid the day preceding the holiday.

Direct Deposit

With work schedules varying, it may not always be ideal for employees to pick up their paycheck on payday; therefore, the organization offers direct deposit.

Direct deposit allows employees to have their paycheck automatically deposited into the financial institution(s) of their choice. There is no cost, and direct deposit allows for the money to be available for use immediately on payday.

Meal Periods and Breaks

Utah Symphony | Utah Opera provides meals and rest periods as appropriate.

Depending on employment classification and status, breaks may be observed. Breaks will be scheduled and controlled by Department Head. Nonexempt, hourly employees are expected to punch out for meal periods and any other breaks over 20 minutes.

Compensatory Time (Reference Compensatory Time Policy)

The organization does not recognize compensatory (comp) time.

Assessment Period (Reference Introductory Assessment Period policy)

All newly hired individuals, promoted or transferred are under a 90 day introductory assessment period. Utah Symphony | Utah Opera uses this time to measure performance expectations and evaluate progress. At any time during this introductory period, the organization or employee may end the employment relationship without notice or reason. Employees promoted may be demoted if successful completion is not made by, or inadequate progress is not achieved within the 90th day.

Under special circumstances, an assessment period may be extended.

Hiring, Promotions and Transfers (Reference Hiring Policy)

The organization is committed to employing the most qualified individual for approved, open positions without discrimination.

Announcements may be posted simultaneously (internally and externally) and will have an application deadline. Internal notices will be distributed through company-wide e-mail and posted on the human resources board at both locations, Abravanel Hall and Production Studios (for those who do not have work e-mail). External notices will be posted as appropriate.

Internal and external applicants will be given fair and equal consideration for employment opportunities for which they apply and qualify. An applicant is defined as an individual who expresses specific interest in a current, open position. General interest does not qualify an individual as applicant status, and applicants submitting credentials after the application deadline may not be considered. Interest must be in writing and accompanied by a current resume.

Current employees must have completed their introductory assessment period and have a minimum rating of 3.0 on their most current evaluation (if applicable) in order to apply. Former employees in good standing are eligible to apply. However, former employees who were involuntarily terminated are ineligible for re-employment.

The organization reserves the right to fill a position without posting.

Employment of Relatives (Reference Nepotism Policy)

Utah Symphony | Utah Opera will not discriminate in its employment practices and personnel actions with respect to its employees and applicants with regard to a qualified relative.

Qualified relative is defined as the employee's immediate/extended family or employee's household.

Employees are responsible for notifying human resources of a qualified relative working for or applicant considering employment with the organization.

Outside Employment (Reference Conflict of Interest Policy)

The organization only discourages employees taking a second job if the other employment interferes with employment at Utah Symphony | Utah Opera.

Additionally, the organization does not support outside employment or business activities that may result in a conflict of interest.

Separation of Employment – Voluntary and Involuntary

Employees who voluntarily resign are expected to give written, advance notice.

The organization expects nonexempt, hourly employees to give a minimum of one week, preferably two and exempt, salaried employees to give a minimum of two weeks, ideally four weeks notice.

Upon notification, the employee's supervisor will inform human resources for preparing separation paperwork.

Failure to work the notice provided may result in the organization ending the separation earlier than anticipated and ineligibility for rehire.

Employees who are involuntarily separated from the organization will receive their final pay check within 48 hours as required by Utah law.

Reemployment (Reference Reinstatement Eligibility Policy)

Employees who have separated from the organization within one year from date of separation are eligible to be reinstated from their original date of hire.

Benefits will also be restored based on original date of hire. However, the period of time the employee was not employed by the organization, will not count toward eligibility, restoration of benefits, or toward time of credit for retirement and leave eligibility calculation.

COMMUNICATION

Communication (Reference Open Door Policy)

Communication is an on-going process and essential to the success of the day-to-day operations of the organization.

Utah Symphony | Utah Opera is committed to creating the best work environment – a place where everyone's voice is heard, where issues are promptly raised and resolved, and where communication flows across all levels of the organization.

In order to maintain an atmosphere of trust and mutual respect, employees are encouraged to engage in open communication, feedback and discussion. The organization recommends employees communicate to their supervisor first and department head second and head of human resources third. However, it is understandable certain circumstances may not allow for the normal chain of command.

Utah Symphony | Utah Opera will do its best to resolve communication issues as quickly as possible.

Electronic Communication (Reference Electronic Communication and Internet Usage Policy)

Utah Symphony | Utah Opera understands the necessity for and advancement of technological resources, such as accessing the internet to conduct business and managing business transactions, e.g. electronic mail (e-mail), instant messaging (IM), faxing, text messaging (Texting), and phone/computer usage. Additionally, the organization understands the use of social networking sites, such as Facebook, Twitter, YouTube, etc. The organization expects employees to be responsible when using these electronic means and avoid accessing unauthorized site or using

them inappropriately. Employees are also expected to be prudent when sending and receiving information electronically.

Management reserves the right to limit, restrict or extend computer and network privileges and the right to test and monitor security, and copy or examine any files or information resident on organization systems. Management also reserves the right to administer corrective action for offensive, obscene, defamatory or threatening comments, infringement on intellectual property rights of the organization, invasion of the privacy of anyone, containing illegal content, being illegal or injurious to another person or to the organization, or creating a conflict of interest between the employee and the organization.

All electronic information used on business equipment is considered legal records of the organization.

Security Access

Depending on the position, an employee may be assigned one or more codes for accessing email, retrieving voice mail and entering the workplace. Additionally, the organization may assign key(s) for assigned office(s).

Employees are prohibited from unauthorized use of the access code(s) of others. At no time should an employee share their code or key with another employee.

All requests, changes or replacement must be made through human resources.

PERFORMANCE, DEVELOPMENT AND COMPENSATION

Performance Review

Utah Symphony | Utah Opera evaluates employees performance at least annually. The review process is concurrent with the organization's fiscal year which is September 1st through August 31st.

The evaluation tool focuses on a mutual understanding of expectations between the supervisor and employee. It allows for creativity, feedback and open dialogue in setting goals to achieve the critical results agreed upon for the year. Regular follow-up is essential to review progress and make adjustments as necessary. An overall evaluation of goals is done at the end of the review year.

Education and Training Assistance

Utah Symphony | Utah Opera does not reimburse employees for education and training expenses unless specifically requested or approved by management.

Salary Increases

The organization determines annual pay increases based on available funds, performance standards and the cost-of-living standard.

Additional Pay and Bonuses

The organization may offer additional pay to employees who are temporarily assigned to a job of higher stature in the organization.

The organization may offer a stipend or bonus to employees who assume a substantial portion of responsibilities of another position for a limited time.

Business Expenses (Reference to the Business Travel & Expense Reimbursement Policy)

The organization will reimburse for business related expenses, i.e. travel/lodging, meals, incidentals, assignments/workshops, seminars/conferences, credentials (certification/recertification), and membership/subscription relative to the position and organization need with approval.

Nonexempt employees needing reimbursement for business travel must contact the Director of Human Resources for additional guidelines as defined under the Fair Labor Standards Act (FLSA) and Portal-to-Portal Act. (Reference Nonexempt Travel Pay Policy)

Employees will be reimbursed for expenses, upon completing a Travel & Expense Reimbursement form and remitting with all required receipts for approval. Receipts are required for all reimbursements. Employees needing reimbursement may contact human resources or payroll manager for the Reimbursement forms.

Equipment Expenses (Reference Cellular Phone Policy)

The organization recognizes the need for certain job functions to maintain accessibility while performing work away from the office or outside the regular scheduled workday. Simple convenience is not a criterion for need or use. An employee needing business equipment outside of regular business hours should contact Director of Human Resources.

Any property assigned to an employee for use outside regular business hours must be returned upon separation of employment or when no longer deemed necessary for use.

Any misappropriation, concerning the care, custody and control of equipment may result in corrective action and repayment for damaged or misused items or property.

BENEFITS

Summary of Benefits

Utah Symphony | Utah Opera offers the following to full time employees effective on date of hire.

- Health Insurance or Health Reimbursement Plan
- 125 Cafeteria Plan
- Life and Dependent Life Insurance
- Accidental Death and Dismemberment Insurance
- Long Term Disability Coverage
- Participation in Retirement Savings
- Complimentary Tickets to performances (includes part time)

TIME OFF BENEFITS

Holidays (Reference Holiday Pay Policy)

Utah Symphony | Utah Opera observes up to 12 holidays including Christmas Holiday and four floating holidays each year. Management reviews the schedule annually and makes adjustments as necessary. The Staff Holiday schedule will be distributed to all employees prior to the first Holiday (Labor Day) of the fiscal year and posted on the HR board at both locations, Abravanel Hall and Production Studios.

Full time employees receive a full day's pay.

An employee or department expected to work on an observed holiday will be scheduled for an alternate holiday within 30 days of the observed holiday. No individual or department may substitute a holiday for their own personal reasons. Substitution must be for business needs only.

Employees needing time off to observe a religious holiday may use vacation with approval from their supervisor.

Employees will not be paid for any holidays while on a leave of absence.

Vacation (Reference Vacation Policy)

Utah Symphony | Utah Opera provides vacation to full time employees and encourages employees to take vacation on a regular and timely basis.

Employees begin accruing vacation from date of hire, biweekly; however, new employees must complete their introductory assessment period prior to utilizing vacation. Vacation may not be used prior to accrual.

Exempt employees may take vacation in full or half day increments. Hourly employees may take vacation in hour increments.

Employees may carry over a maximum of 30 days (240 hrs.) of vacation each fiscal year.

Whenever possible, employees are expected to request time off at least one month in advance. Exceptions may be granted with the approval of the supervisor. Employees must request time off from their supervisor.

The accrual schedule is:

Service Period	Accrual Biweekly Rate	Amount of Vacation
Day One – Year One (12 months)	.385 hours	10 days
After Year One (13 months) – Year Five	.577 hours	15 days
After Year Five (61 months) – Year Ten (120 months)/ Director Level	.77 hours	20 days

Unused vacation time will be paid out upon termination of employment.

Sick Time (Reference Sick Time Policy)

Utah Symphony | Utah Opera provides limited sick time to full time employees for their immediate family member's illness, injury or well care.

Employees begin accruing sick time upon their date of hire, biweekly and may accrue up to a maximum of 90 days (720 hrs.) Sick time may not be used prior to accrual. Employees exhausting sick time may use vacation. Employees who have exhausted both sick time and vacation will not be paid for time missed.

Employees who take sick time in excess of three or more consecutive days may be asked to provide medical documentation upon returning to work. Employees missing more than three continuous days may be eligible for medical leave as defined under the Family and Medical Leave of Absence Policy.

Exempt employees must take sick time in full or half day increments. Hourly employees may take sick time in hour increments.

Employees are not paid for unused sick time upon termination of employment.

Bereavement (Reference Bereavement Pay Policy)

Full time employees upon request are granted up to a maximum of five consecutive days paid time off to mourn the loss of immediate family members. Additional time off may be granted on a case-by-case basis and taken as vacation or sick time. Depending on the circumstances, unpaid time off may also be approved.

Employees may be asked to provide verification of the bereavement e.g. obituary, death certificate, etc., upon returning from leave.

Civic Duty (Reference Civic Duty Policy)

Full time employees are granted up to a maximum of 20 days paid time off to serve as a juror or subpoenaed court appearance. Additional time off will be unpaid and reviewed on a case-by-case basis. Civic duty exceeding the maximum will be reviewed by management and based on the position and level of responsibility, determined if replacement is necessary. Should replacement be necessary the Director of Human Resources will notify the employee.

Employees in need of time away from work for non-subpoenaed court appearance(s) will not receive paid time off. Vacation will be used for these instances.

Employees must provide documentation in order to be allowed time off for civic duty.

Voting

The organization encourages employees to fulfill their civic responsibility by participating in elections.

Generally, employees are able to find time to vote either before or after work. Employees who do not have three hours from the time the polls open to the start of their standard shift or three hours from the end of their standard shift until the polls close, may, with advance approval from their supervisor, take paid time off to vote.

Personal Leave (Reference Personal Leave Policy)

The organization does not grant unpaid time off for personal reasons. However, employees needing time off for extraordinary circumstances may be considered on a case-by-case basis.

Military Leave (Reference Military Leave of Absence)

Utah Symphony | Utah Opera provides employees who are uniformed service members of the of the Armed Forces, National Guard and Public Health Service commissioned corps with employment and reemployment rights in compliance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

According to the USERRA, returning service members will be reemployed in the job they would have attained had they not been absent for military service, with the same seniority, status, and pay, as well as other rights and benefits determined by seniority.

The basic provisions for reemploying a returning service member from a period of service in the uniformed services must meet five criteria:

1. The employee must have held the job prior to the call for active duty;
2. The employee must have given notice to the organization that they were leaving the job for service in the uniformed services, unless giving notice was precluded by military necessity or otherwise impossible or unreasonable;
3. The cumulative period of service must not have exceeded five years;
 - USERRA establishes a five-year cumulative total on military service with a single employer, with certain exceptions allowed for situations such as call-ups during emergencies, reserve drills, and annually scheduled active duty for training
 - USERRA also allows an employee to complete an initial period of active duty that exceeds five years (e.g., enlistees in the Navy's nuclear power program are required to serve six years)
4. The employee must not have been released from service under dishonorable or other punitive conditions; and
5. The person must have reported back to the civilian job in a timely manner or have submitted a timely application for reemployment.

Medical Leave (Reference Family and Medical Leave of Absence Policy)

Utah Symphony | Utah Opera provides employees with 12 weeks of job protected leave during a 12-month period for personal and family medical reasons, and military caregiver leave in compliance with the Family and Medical Leave Act of 1993 (FMLA), revised January 16, 2009. FMLA leave may be paid, unpaid or a combination of both, depending on the circumstances of the leave, and available sick time and vacation.

FMLA leave may be taken concurrently or intermittently.

Employees must provide timely notice for requesting, extending and returning from leave.

Human resources will notify the employee of their rights, responsibilities, and approval or denial of FMLA leave.

The organization, i.e. Director of Human Resources may directly contact the employee's health care provider for verification or clarification purposes. The organization will not use the employee's direct supervisor for contact. Before the organization makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the organization will obtain the employee's permission for clarification of individually identifiable health information.

The organization has the right to ask for a second opinion if it has reason to doubt the certification. The organization will pay for the employee to get a certification from a second doctor, which the organization will select. The organization may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the organization will require the opinion of a third doctor. The organization and the employee will mutually select the third doctor, and the organization will pay for the opinion. The third opinion will be considered final and binding. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second/third opinion.

FMLA leave may be extended up to 26 weeks in a 12-month period for an employee to care for a spouse/domestic partner, son, daughter, parent or next of kin of the covered service member with a serious illness or injury incurred in the line of duty on active duty.

Spouses/domestic partners employed by the organization are jointly entitled to a combined total of 12 work-weeks of FMLA leave.

Employees on FMLA leave must use any accrued and unused sick time and may elect to use available vacation once sick time is exhausted. Employees must notify human resources, if they decide to use vacation. Employees in a non-pay status will not accrue sick time or vacation until they return to a pay status.

FMLA does not affect Workers' Compensation regulations and both Workers' Compensation and FMLA run concurrently.

Employees on intermittent FMLA must provide certification, at least annually, i.e. at the beginning of each 12-month FMLA period.

An eligible employee is defined as:

- ⇒ Worked for the organization for 12 months or 52 weeks, which need not be consecutive. Separate periods of employment will be counted, provided that the break in service does not

exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.

- ⇒ Worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- ⇒ Work in a worksite where 50 or more employees are employed by the organization within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

A reason for taking FMLA leave is one or more of the following conditions:

- ⇒ The birth, adoption or foster care of a child. A child is defined as a son or daughter, either biological, adopted, under foster care, a stepchild, a legal ward, or any child that the employee is assuming parenting responsibility. The child must be under the age of 18 or over age 18, if a mental or physical handicap is present.
- ⇒ A serious health condition of the employee. A serious health condition is defined as a condition requiring inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition which requires continuing care by a licensed health care provider. This applies to the condition of the spouse/domestic partner, child or parent.
- ⇒ To care for a spouse/domestic partner, child or parent with a serious health condition. A parent is defined as either the biological parent or the person who acted as the parent when the employee was a child. A spouse is defined as recognized under State law for purposes of marriage in the State where the employee resides, including common law marriage in States where it is recognized. A domestic partner is defined as two single individuals as being equivalent to marriage as defined under state law where the employee resides for the purpose of extending certain legal rights and employee benefits.
- ⇒ Qualifying exigency leave for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation. A qualifying exigency is defined as one or more of the following:
 - Short-notice deployment
 - Military events and activities
 - Child care and school activities

- Financial and legal arrangements
- Counseling
- Rest and recuperation
- Post-deployment activities
- Additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave

⇒ Military caregiver leave (also known as covered service member leave) to care for an ill or injured service member.

BENEFITS ADMINISTRATION

Privacy (Reference Privacy and HIPAA Policies)

The organization is committed to protecting employee records including health information. The organization will take utmost care, at all times, to safeguard any personnel information. Only necessary information will be disclosed on a need-to-know basis.

COBRA (Reference COBRA Policy)

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), amended in 2004 requires the organization to providing timely COBRA notice and allow for the continuation of health insurance to eligible employees and their covered dependents.

Continuation of coverage defined under COBRA generally ends when the employee or covered dependent fails to pay premiums, becomes eligible for health insurance from a new employer, gains Medicare coverage, or terminates its health care plan, e.g. the insurance goes out of business.

Employees terminated for gross misconduct forfeit their rights under COBRA for continuation of coverage.

Workers Compensation (Reference Workers' Compensation Policy)

The organization provides Workers' Compensation benefits to employees.

Employees out on Workers' Compensation may be charged leave under Family and Medical Leave of Absence of 1993 (FMLA).

An employee who experiences an injury or illness or witnesses an injury, no matter how minor, must report it immediately to their supervisor. Delay in reporting may result in denial of coverage. Information on clinics is posted on the HR board at both locations. Additional information may be found by contacting human resources.

Expenses will only be covered if care for the injury or illness is authorized by the insurance carrier's contracted clinic, hospital or health care provider.

The employee is responsible for providing documentation for care, treatment and work authorization to the immediate supervisor and human resources. Failure to provide documentation may result in loss of benefits or corrective action.

GENERAL POLICIES

Personnel Information (Reference Employment Records Policy)

Personal employee information is strictly confidential. Only authorized information will be released by human resources.

Employees are responsible for informing human resources of any changes to personnel information, i.e. name, address, contact number, marital status, beneficiary information, etc.

The organization retains certain records and documents relative to an individual's employment with the organization on file. All information contained within the Personnel File is the property of the organization. Employees who need to access personnel information must contact human resources.

References (Reference Employment Verification and Employment Reference Check Policies)

Equal practices in employment will be maintained when disclosing and attaining employment related information.

Any individual providing or requesting a reference from anyone other than human resources or authorized personnel is doing so at their own risk. The organization recommends, any individual contacted for employment verification or reference check, refer the request to human resources.

Information provided on reference checks will be general, such as: job title, dates of employment, employment status and compensation.

Employees other than human resources or authorized personnel disclosing or obtaining information may be subject to corrective action.

Personal Belongings

Employees are responsible for their personal items. Employees are encouraged to lock their personal belongings while away from their desk and lock their offices when not in use.

Solicitation (Reference No Solicitation and Distribution Policy)

Utah Symphony | Utah Opera prohibits solicitation or distribution during work time and on work premises. Premises means, owned, leased or managed property. Exception is charitable and community activities supported and approved by the organization.

Visitors

To continue maintaining a safe and secure work environment, Utah Symphony | Utah Opera requests that employees expecting visitors, notify front office personnel.

Visitors in the workplace, other than for conducting business, should be a seldom occurrence.

Pets and Children

To avoid accidents, interruptions and distractions, pets and children are not allowed in the workplace, except under unusual and special circumstances. All exceptions must be approved by a Department Head in advance.

Salary or Wage Claims

The organization will comply with Federal, state or local government requirements with respect to garnishments, attachments, writs of executions or notices of levy against an employee's wage or salary. Payroll services will inform the employee immediately upon receipt of the claim.

The maximum amount of pay deducted from the employee's paycheck may vary according to state law.

Emergency

The organization will comply with local and state law for delays or closures due to an emergency, catastrophic or natural disaster, i.e. earthquake, and will refer to the instructions for Salt Lake County set forth in the Center for the Arts Emergency Procedures Manual.

In the event of an evacuation, the organization will follow the Emergency Evacuation Plan.

Eligible employees may be paid for time not worked when business operations close due to circumstances beyond the organization's control.

In the event the organization is open for business during these conditions, employees may choose to arrive to work late, leave early or call out. Vacation will be used for time missed. Employees are discouraged from using unpaid time off; however, during extreme conditions, an employee with no available vacation may take unpaid time off with the approval of their supervisor.

Grievance (Reference Alternative Dispute Resolution Policy)

The organization is committed to providing fair and balance treatment to all employees. An employee in disagreement with a corrective action received, including termination may appeal the decision within a reasonable time.

Employees terminated will remain separated until the disagreement is resolved and favors reinstatement.

A corrective action issued will remain regardless if the employee is in disagreement. Objection to a corrective action is not reason to withdraw a corrective action.

An employee interested in appealing an infraction must contact the Director of Human Resources or COO.

Reasonable Accommodations

(Reference Reasonable Accommodation – Disability and Reasonable Accommodation – Religious Policies)

The organization is committed to reasonably accommodating individuals with a disability as defined under The Americans with a Disability Act of 1990 and the ADA Amendments Act of 2008 and reasonable accommodating individuals or situations for religious reasons without creating an

undue hardship. This applies to employment practices and actions as defined under the EEO Policy.

An employee needing a reasonable accommodation should contact Human Resources.

EXPECTATIONS

Personal Calls

The organization expects employees to use prudent judgment when making and receiving personal calls at work.

Work Area

Good housekeeping is a safety measure and is everyone's responsibility.

The organization expects each employee to maintain a clean and orderly work area, at all times.

There are designated break (dining) areas at both locations, Abravanel Hall and Production Studios for employees to eat.

Security

Utah Symphony | Utah Opera maintains a safe and secure work environment and expects employees' commitment to safety and security in the work place.

The organization has security measures in place at both facilities owned or operated by Utah Symphony | Utah Opera. Any employee with questions or concerns regarding operating procedures should contact human resources.

Property

The organization expects employees to treat any items furnished by the organization used by employees with the utmost care. Any misappropriation, concerning the care, custody and control of property may result in corrective action and repayment for damaged or misused items or property.

Cell Phone (Reference Cellular Phone Policy)

The organization recognizes the need for certain job functions to maintain accessibility while performing work away from the office or outside the regular scheduled workday. Simple convenience is not a criterion for cell phone need or use.

It is the responsibility of the Department Head to determine whether a business cell phone or use of a personal cell phone for business is warranted. In either instance, the Department Head shall discuss the recommendation with COO. Recommendations must be approved by COO, and if needed the CEO.

Dress Code (Reference Dress Code Policy)

The organization expects employees to maintain a clean, neat and appropriate appearance at all times. Reasonable accommodations may be made for an employee's medical condition or religious

belief(s) consistent and appropriate for business. Employees needing an accommodation should contact human resources.

Employees should present a favorable personal appearance and adhere to personal grooming and hygiene standards while performing their respective responsibilities. All employees should avoid wearing clothing and accessories that would detract from the professional image of the organization.

Employees dressed inappropriately may be subject to disciplinary action.

All outer garments shall fit properly. Clothing shall be of appropriate size and properly laundered. Accessories must be worn in good taste. Good hygiene is to be maintained at all times. No clothing or accessories deemed offensive, e.g. obscene language, strong and inappropriate representation of personal beliefs, body piercing is allowed.

Clothing must cover tattoos, if possible. Employees working with the public are required to cover tattoos, e.g. a ticket office attendant.

Modifications or relaxed dress code is allowed for the job performed, inclement weather, Casual Fridays or Mondays (as determined by the department head or management), and in special circumstances, i.e. organization picnic.

Management reserves the right to determine the appropriateness/inappropriateness of the employee's dress.

Harassment (Reference Unlawful Harassment and Discrimination Policy)

Utah Symphony | Utah Opera will not tolerate harassment or discrimination. The organization prohibits harassment or discrimination on the basis of one or more of the following protected class: race, color, religion, sex, national origin, age, disability, family status, veteran status, sexual orientation, political affiliation or belief.

The organization also prohibits retaliation of any kind against any person who brings forth a complaint of harassment or discrimination, or aides in the investigation of such.

Harassment is a form of discrimination that may be verbal, nonverbal, sexual, nonsexual, *quid pro quo* (this for that) or hostile work environment. Harassment is defined as continued, unwelcome actions, including threats or demands of a single party or group towards another or others. Harassment does not refer to an occasional compliment of a socially acceptable nature or simple teasing, offhand comments and isolated incidents that are not extremely serious.

Sexual harassment, includes, but is not limited to:

- Repeated making of unsolicited, inappropriate gestures or comments; or
- Display of offensive sexually graphic materials not necessary or appropriate for the workplace

Hostile work harassment, includes, but is not limited to:

- Unwelcome comments, remarks or conduct interfering with an employee's work performance; or
- Creates an intimidating, hostile or offensive work environment (Anyone in the workplace may commit this harassment – management, co-worker or non-employee, i.e. a contractor, vendor or guest. The victim may be anyone affected by the conduct, not solely the individual at whom the offensive conduct is directed.)

Discrimination is defined as a prejudice or prejudicial outlook, action or treatment against another person or group on the basis of a protected class.

Discrimination occurs, when:

- Complaining party must be a member of a statutorily protected class;
- They were subjected to unwelcome verbal or physical conduct related to their membership in that protected class;
- The unwelcome conduct complained of, was based on their membership in that protected class;
- The unwelcome conduct affected a term or condition of employment and/or had the purpose or effect of unreasonably interfering with their work performance and/or creating an intimidating, hostile or offensive work environment

Any person who believes they are being harassed or discriminated against, or becomes aware of harassment or discrimination should report the incident immediately. Notification should be made to the Director of Human Resources. Any report or complaint of harassment or discrimination will be kept as confidential as possible. Management is obligated to investigate any complaint or report of harassment or discrimination brought forth. Management will maintain, at all times, from the initial report or complaint throughout the investigation, up to final determination and beyond, all information sensitive.

Drug-Free Workplace (Reference Drug Free Workplace Policy)

The organization is committed to a drug-free work environment and will not tolerate the unlawful manufacture, use, abuse, possession, sale or distribution of prohibited substances in the workplace. Prohibited substances include illegal drugs, alcohol abuse or prescription medication not taken in accordance with a prescription given to the employee.

The organization may conduct random testing on employees who regularly drive a business owned vehicle and may conduct pre-hire screening on candidates offered employment. The organization will conduct drug testing for cause and post-accident.

Violence Free Workplace (Reference Violence Free Workplace Policy)

The organization is committed to a workplace free from violence and threats and will not tolerate any threats or acts of violence, including harassment, damage to property or harm to any person(s).

Any potentially dangerous situation(s) should be immediately reported to management. Management will make every effort to preserve the anonymity of the referent. Serious situations should also be immediately reported to local law enforcement.

Conflict of Interest (Reference Conflict of Interest Policy)

Employees are responsible for preserving the organization's values by exemplifying the highest standards of ethical behavior when representing the organization in business dealings or personal circumstance.

Conflict of interest is defined as a situation which would cast doubt on the ability of an employee to act or react with complete objectivity to the organization's best interest. No employee should use their position or knowledge gained from their position, in a manner that creates a conflict between the interest of the organization and that of the employee.

Employees faced with an actual or a possible conflict of interest should contact COO or human resources immediately.

Gifts, Bribes, Rewards, Gratuities, Kickbacks, etc. (Reference Acceptance of Gifts Policy)

Employees shall err on the side of caution when accepting gifts. Any gift from those who have, or are likely to have, business with organization may be considered a conflict. In determining whether someone is likely to have business with the organization, employees are encouraged to discuss with Department Head or CFO.

Extremely expensive/valuable gifts such as art, jewelry or automobiles may not be accepted. Upon being offered or receiving a gift, an individual must notify the gift giver of this policy and graciously decline or return the gift. If the gift is intended for the use of the company the CFO must be notified immediately.

Employees may accept gifts including edible gifts of nominal value (less than \$25.00) that are shared with a wide range of staff at the organization. Employees placed in an awkward position and accept a gift other than what is acceptable, must immediately notify the CFO.

Trade

Trade is acquired and used for the benefit of the organization to carry out business activities, help reduce expenses for guest artist hotel and travel and to assist development in fundraising opportunities. Trade at restaurants may not ever be used for personal reasons. It may also not be used for staff birthday parties or company celebrations unless approved in advance.

Disciplinary (Reference Standard of Conduct Policy)

The organization expects employees, at a minimum to perform satisfactorily. Employees who engage in unacceptable behavior may be subject to corrective action, up to, and including dismissal.

Corrective action can take one or more of the following:

- Verbal Warning
- Written Warning
- Suspension (with or without pay)
- Termination

Although corrective action typically follows the preceding progression, there is no set number of times a less-severe action must be taken before the corrective action progresses to a more serious measure. Depending on the severity, management may skip a step at any time, as deemed necessary and appropriate. In most serious cases, termination may be the first and only action taken.

At each step, the employee will be warned of the consequence(s) should they continue or repeat the offense. If no further problems persist, no additional corrective action will be taken.

An employee in disagreement with a corrective action may appeal the charge to the Director of Human Resources or if need be the COO.

The following infractions are examples of Misconduct/Unacceptable Behavior:

- ⇒ Excessive Tardiness
- ⇒ Attendance
- ⇒ Job Abandonment
- ⇒ Theft
- ⇒ Gross Misconduct i.e. intentional, wanton, willful, deliberate, reckless or in deliberate indifference to an employer's interest
- ⇒ Dishonesty (Lying)
- ⇒ Bribery
- ⇒ Abuse/Misuse of any Discount/Comp program
- ⇒ Profanity or Obscene Language
- ⇒ Destruction of Property
- ⇒ Verbal Aggression, i.e. threatening, intimidating, coercing, yelling, harassing or engaging in any act of potential or direct violence toward fellow employees, supervisors, patrons, vendors, guests, board members, etc.
- ⇒ Insubordination
- ⇒ Sexual Harassment
- ⇒ Sleeping while on duty or on the clock
- ⇒ Possessing, using or being under the influence of alcohol or an illegal substance
- ⇒ Misuse of prescribed medication on or around organization property or in a manner that impairs the ability to work
- ⇒ Being intoxicated at work or at work-related functions
- ⇒ Damaging reputation of the organization to the community at-large
- ⇒ Time Card fraud
- ⇒ Violation of an Organization Policy, Procedure or Work Rule
- ⇒ Fraternalization

This list is not all inclusive.

Smoking

Utah Symphony | Utah Opera is a nonsmoking organization. Smoking or use of any tobacco products is prohibited in all work locations owned or used by the organization. Smoking is also prohibited in organization-owned vehicles and at organization sponsored events.

Additionally, in accordance with the Utah Clean Air Act, smoking is prohibited within 25 feet of buildings.

Parking

The organization provides parking for full and part time employees.

For employees whose primary place of business is located at Abravanel Hall, the organization will allow the option of a parking pass or UTA TRAX pass. This option is only allowable due to the limited parking Utah Symphony | Utah Opera has under contract. Employees must inform human resources of a parking or TRAX pass request. Human resources will issue the parking pass at time of request or purchase the TRAX pass monthly. Employees using TRAX will be charged for any cost over the monthly cost of a parking pass which will be deducted incrementally from the employee's monthly paycheck.

ACKNOWLEDGEMENT AND RECEIPT OF STAFF HANDBOOK

I, hereby, acknowledge receipt of my personal copy of Utah Symphony | Utah Opera Staff Handbook. I understand it is my responsibility to read this document in its entirety, and abide by the standards, policies, and procedures defined or referenced within.

I also understand the information in this handbook is subject to change. I understand that changes in policies, procedures or work rules may supersede, modify or eliminate the information summarized in this handbook. As the organization provides updated information, I accept responsibility for reading and abiding by the changes.

I understand that no modification to contractual relationships or alterations of at-will relationships is intended in this handbook.

I understand that I have an obligation to inform human resources of any changes in personal information, such as phone number, address, etc. I also accept responsibility for contacting my supervisor, department head or human resources if I have questions or concerns or need further explanation.

Employee's Signature

Date

Employee's Name - Printed

Human Resources' Signature

Date