The Heckscher Museum of Art

Personnel Policy Manual
Revised June 2010
Welcome from the Executive Director

Welcome to The Heckscher Museum of Art (the “Heckscher Museum” or “Museum”). Founded in 1920, The Heckscher Museum is accredited by the American Association of Museums (AAM) and is one of the finest museums of its size in the United States. It is recognized throughout the community and region for its exceptional Permanent Collection of more than 2,000 works, its exhibitions, its public programs, as well as its educational programs that serve more than 6,000 schoolchildren annually.

As part of the Museum staff you will be adding to the institution’s rich heritage and insuring that it continues to build upon its mission “to furthering appreciation and understanding of art by conserving, interpreting, refining and expanding its Permanent Collection, fostering scholarship, and presenting stimulating and inspiring exhibitions and educational programs for this and future generations.”

This Personnel Policy Manual (the “Manual”) is provided to answer some of the questions employees may have concerning their employment with the Museum. The policies and practices set forth in this Manual apply to employees, unless they are contrary to the terms and conditions set forth in a written employment agreement signed by the Executive Director or the Board of Directors. These policies reflect the Museum’s commitment to fair and equal treatment of employees. One of the Museum’s objectives is to provide a work environment that is conducive to both personal and professional growth. Please take the time to read this Manual thoroughly and keep it as a handy reference source. Employees will undoubtedly have other questions which are not answered here. Do not hesitate to ask them! If an employee has questions, he or she should consult with his or her immediate supervisor or the Museum’s Executive Director.

No manual can anticipate every circumstance or question about policy. As the Museum continues to change and grow, the policies described in the Manual may also change. The Museum will revise, supplement or rescind policies or portions of the manual from time to time as it deems appropriate. Moreover, the Museum reserves the right to implement policies and practices which may not appear in this Manual and to change, interpret, withdraw, or add any policies, practices or benefits of the Museum at any time and without prior notice.

Many of the practices and benefits summarized in this manual are also described in separate plan documents, which may be modified from time to time. These documents are available from the Museum’s Deputy Executive Director. The texts of official plan documents supersede any statement contrary to their content which may be made in this Manual or by any supervisor.

The provisions of this Manual are not intended to create contractual obligations with respect to any matters it covers, nor is the Manual intended to create a
contract guaranteeing that an employee will be employed for any specific time period. The Museum certainly hopes that each employee’s employment with the Museum will be a long-term relationship. HOWEVER, THE MUSEUM IS AN AT-WILL EMPLOYER. THIS MEANS THAT EITHER THE EMPLOYEE OR THE MUSEUM MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS MANUAL OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. No officer, employee or representative of the Museum is authorized to enter into an agreement with any employee for employment for a specified period of time or make any promises or commitments which are contrary to the foregoing unless those agreements are in a written contract, the terms of which have been approved by the Board of Directors and signed by the Executive Director.

We welcome you to the staff and look forward to working with you.

Judith A. Jedlicka
Interim Executive Director
The Heckscher Museum of Art

Mission Statement

The Heckscher Museum of Art is dedicated to furthering appreciation and understanding of art by conserving, interpreting, refining and expanding its permanent collection, fostering scholarship, and presenting stimulating and inspiring exhibitions and educational programs for this and future generations.

Vision Statement

The Heckscher Museum of Art strives to serve individuals of all ages by being a leading art museum on Long Island and a prestigious regional museum in the United States.

About The Heckscher Museum of Art

The Heckscher Museum of Art is located in an 18.5 acre town park in the village of Huntington on the North Shore of Suffolk County, Long Island, New York. Its doors opened on July 10, 1920 with a dedication ceremony presided over by the industrialist and philanthropist August Heckscher, the founder of the Museum. The park and the Museum were his gift to the people of Huntington, especially the children. To bring his vision to a reality, Heckscher hired the architectural firm of Maynicke & Franke to design the Beaux-Arts style structure, with the idea of creating a Fine Arts Building that would house his personal collection of approximately 185 works of art. The works dated from the Renaissance to what was then considered contemporary art. Additionally, Heckscher hired the prominent sculptress, Evelyn Beatrice Longman, to design the sculptural fountain, Youth Eternal, housed in the central lobby, which depicts Heckscher’s grandchildren – Nancy, Lionel, and Virginia.

The Heckscher Museum hit hard times in the late 1929 when the stock market crashed, resulting in the loss of the original August Heckscher Endowment of stocks and bonds, devoted to operating the Museum. For many years the Museum was opened by appointment only, and visitors were given tours by a caretaker who lived in the stone Cottage designed and built at the same time as the Museum. In the late 1940s a group of civic-minded local artists approached the Town of Huntington urging the Town to open the doors of the Museum on a regular basis. In 1957, the Museum was granted a Charter from the State of New York Education Department as a not-for-profit, educational corporation. Ownership of the Museum and Cottage, as well as the park, was taken over by the Town of Huntington, while the not-for-profit corporation and its Board of Trustees assured oversight of the daily operations of the Museum.

The Heckscher Museum has become a vital cultural institution listed on the National Register of Historic Places and has gained recognition as “one of the primary small museums in the country with an international reputation” (The New
York Times). In 1978, The Heckscher Museum became one of the first museums on Long Island to receive accreditation from the American Association of Museums (AAM) and since then has been continuously accredited.

The Permanent Collection of the Museum includes more than 2,000 works dating from the early 16th century to the present including 126 works from the original Heckscher Collection. It is best known for its emphasis on the Hudson River School and Early American Modernist art. The Museum mounts at least eight exhibitions each year, offers an array of public programs, plus educational offerings that reaches more than 6,000 schoolchildren annually.

In 1998, The Heckscher Museum acquired the Centerport home of artists Arthur Dove and Helen Torr. This property is known as Newsday’s Center for Dove/Torr Studies of The Heckscher Museum of Art. The property has been recognized by the National Historic Trust as one of 20 original designees in its Artists’ Homes and Studios Program. The Dove/Torr Cottage has also been recognized by the Save America’s Treasures program.

The not-for-profit corporation of the Museum has a Board of Trustees that guides the Museum staff in the operation of the Museum, its exhibition schedule and its educational programs and activities. Additionally, the Museum has an active Docent and Volunteer program of more than 75 individuals who assist the staff and augment various operations of the Museum. They serve as guides in the Museum and as lecturers on and off-site, as well as members of Museum committees dealing with the collection, educational offerings and fundraising.

The Heckscher Museum of Art has evolved into one of the premier regional art museums in the United States that annually serves thousands of individuals who live in and visit Huntington. By building upon its strengths and resources of its staff and the community, the Museum is fulfilling the vision of August Heckscher for this and future generations.
About This Manual

This Manual offers information that will help you to maximize your professional skills and will enable you to enrich your experiences as a staff member of The Heckscher Museum of Art. Please read the entire Manual and keep it handy as a reference. If you have any questions, please direct them to the Deputy Executive Director and/or the Executive Director.

The Heckscher Museum of Art is an “at-will” employer. In other words, either the employee or the Museum may terminate the employment relationship for any reason or no reason, with or without cause and with or without notice. The “at-will” relationship supersedes any statement in this Manual.

Government regulations, employee benefit plans and the Museum’s operations change from time to time. As changes occur, The Heckscher Museum will make all employees aware of these changes in writing. You are encouraged to retain copies of these changes with this Manual.

This edition of the Personnel Policy Manual replaces all previous editions of the Personnel Manuals and/or Manuals. It was approved by the Board of Trustees of The Heckscher Museum of Art on June 14, 2010, effective as of July 1, 2010.

General Information Policies

Equal Employment Statement

The Heckscher Museum of Art seeks to provide equal employment opportunities to all employees and applicants for employment without regard to race, color, creed, religion, gender, sexual orientation, marital status, national origin, age, disability or other protected status. The Museum fully complies with all applicable Federal, State and local anti-discrimination laws.

All employees are encouraged to report any incident of unlawful discrimination to the Museum’s Executive Director or a member of the Board of Directors. Upon receipt of the complaint, the Museum will conduct a prompt investigation, and take appropriate, corrective action as may be warranted. The Museum will endeavor to maintain confidentiality throughout the investigatory process to the extent practical and appropriate under the circumstances.

The Museum will not tolerate or permit any employee to suffer retaliation of any kind or suffer any adverse employment action as a result of reporting an unlawful discrimination claim. Any employee who feels he or she has been subjected to any acts of retaliation should immediately report such conduct to the Museum’s Executive Director, Deputy Executive Director or a member of the Board of Trustees. Any person who retaliates against another individual for reporting any perceived acts of harassment will be subject to disciplinary action up to and including discharge.
Harassment in the Workplace

It is the policy of the Museum to maintain a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere which prohibits discriminatory practices, including sexual harassment and harassment based on race, color, creed, religion, gender, sexual orientation, marital status, national origin, age, disability or other protected status. Harassment, whether verbal, physical or environmental, is unacceptable and will not be tolerated by the Museum.

Definition of Sexual Harassment

Sexual harassment includes unwelcome or unwanted conduct of a sexual nature when (1) an employee’s submission to or rejection of this conduct affects decisions regarding hiring, evaluation, promotion or other aspects of employment, or (2) the conduct substantially interferes with an individual’s employment or creates an intimidating, hostile or offensive work environment.

It is not easy to define exactly what actions or course of conduct will constitute sexual harassment under the circumstances of each case. Examples of behavior that violates this policy and may constitute sexual harassment include, but are not limited to:

- Coerced sexual acts;
- Express or implied demands for sexual favors in exchange for favorable reviews, assignments, promotions, continued employment or promises of continued employment;
- Unwanted sexual advances to which an employee objects;
- Staring at, touching, or assaulting an individual’s body;
- Verbal commentary about an individual’s body or sexuality;
- Repeated sexual jokes, language, epithets, gossip, comments, flirtations, advances, propositions or questions;
- Repeatedly asking an employee for a date after the employee has clearly indicated that he or she is not interested;
- Suggestive, insulting, or obscene comments or gestures;
- The display in the workplace of graphic and sexually suggestive objects, pictures or graffiti;
- Harassment consistently targeted at only one sex, even if the content of the verbal abuse is not sexual;
- Retaliation against an employee for complaining about the type of behavior described above.

The type of behavior described above is unacceptable not only in the workplace, but also in other work-related settings such as business trips or business-related social events.

**Definition of Harassment Based on Race, Color, Creed, Religion, Gender, Sexual Orientation, Marital Status, National Origin, Age, Disability or Other Protected Status**

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion towards an individual because of his or her race, color, creed, religion, gender, national origin, sexual orientation, marital status, age, disability or other protected status, or that of persons with whom the individual associates. For example, racial harassment includes, but is not limited to, harassment based on an immutable characteristic associated with race (e.g., skin color or facial features). Religious harassment includes, but is not limited to, demands that an employee alters or renounces some religious belief in exchange for job benefits. It is the policy of the Museum to prohibit behavior which: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual’s work performance; or (3) otherwise adversely affects an individual’s employment opportunities.

As in the case of sexual harassment, it is not easy to define exactly what will constitute harassment based on race, color, creed, religion, gender, sexual orientation, marital status, national origin, age, handicap, disability or other protected status. Examples of behavior that violates this policy and may constitute harassing conduct include, but are not limited to:

- Epithets, slurs, quips, or negative stereotyping that relate to race, color, creed, religion, gender, national origin, sexual orientation, marital status, age, disability or other protected status;

- Threatening, intimidating or hostile acts that relate to race, color, creed, religion, gender, national origin, sexual orientation, marital status, age, disability or other protected status;

- Written or graphic material (including graffiti) that denigrates or shows hostility or aversion toward an individual or group because of race, color, creed, religion, gender, national origin, sexual orientation, marital status, age, disability or other protected status and that is placed on walls, bulletin boards, or elsewhere on our premises, or circulated or displayed in the workplace: or

- “Jokes,” “pranks” or other forms of “humor” that are demeaning or hostile with regard to race, color, creed, religion, gender, national
origin, sexual orientation, marital status, age, disability or other protected status.

The type of behavior described above as examples of harassment based on race, color, religion, gender, national origin, sexual orientation, age, handicap, disability or other protected status is unacceptable not only in the workplace, but also in other work-related settings such as business trips or business-related social events.

**Individuals Covered by This Policy**

This policy covers all employees. Any type of harassment, whether engaged in by fellow employees, supervisors or by non-employees with whom the employees come into contact in the course of employment (e.g., patrons of the Museum, service providers or contractors), is contrary to this policy and will not be tolerated. The Museum encourages the reporting of all incidents of harassment, regardless of who the offender may be.

**Reporting a Complaint**

The Museum encourages individuals who believe they are being harassed to firmly and promptly notify the alleged offender that his or her behavior is unwelcome. However, the Museum also recognizes that perceived power and status disparities between an alleged offender and a victim may make such a confrontation difficult. Therefore, whether or not the employee discusses the incident with the alleged offender, the Museum asks that individuals who believe they have been subjected to harassment report the incident to the Museum’s Executive Director or a member of the Board of Trustees.

Should a Museum employee encounter any violation of the equal opportunity policy, he or she is required to report the incident(s) immediately to his or her supervisor or to the Deputy Executive Director (EEO Coordinator). Such incidents must be put in writing. All reported incidents will be brought immediately to the attention of the Executive Director and the Chair of the Personnel Committee of the Board of Trustees.

The Museum encourages prompt reporting of complaints so that rapid and appropriate action may be taken. The Museum will not in any way retaliate against an individual who makes a report of perceived harassment; nor will it permit any employee to do so. Retaliation is a serious violation of the harassment policy and anyone who feels that he or she has been subjected to any act of retaliation should immediately report such conduct. Any person found to have retaliated against another individual for reporting any perceived acts of harassment will be subject to disciplinary action up to and including discharge.

All allegations of harassment will be promptly investigated. The Museum will endeavor to maintain confidentiality throughout the investigatory process to the extent practical and appropriate under the circumstances.
If the Museum finds that inappropriate workplace behavior or harassment occurred, the individual responsible for such behavior will be subject to appropriate disciplinary action. Although the specific corrective disciplinary actions against the individual will be within discretion, it may include a verbal or written reprimand, suspension or termination of employment.

The Museum recognizes that false accusations of harassment can cause serious harm to innocent persons. If an investigation results in a finding that the complainant knowingly, or in a malicious manner, falsely accused another person of harassment, the complainant will be subject to disciplinary action up to and including discharge.

The Museum has developed this policy to ensure that all its employees can work in an environment free from sexual harassment and from harassment based on race, color, creed, religion, gender, sexual orientation, marital status, national origin, age, disability or other protected status.

**Staff Health and Safety**

All employees and the Museum are responsible for maintaining safe working conditions. If an employee finds a safety or work hazard of any kind, it is his or her responsibility to report it as soon as possible to his or her supervisor and the Deputy Executive Director.

**Accident Reports**

All workplace or work-related injuries must be reported to the Museum’s Executive Director or Deputy Executive Director within 24 hours, regardless of how insignificant the injury may appear. Such reports are necessary to identify potential problems, to comply with relevant law or regulation and to initiate workers’ compensation procedures.

If a serious workplace or work-related injury occurs requiring immediate emergency care, an employee should use his or her discretion in calling “911” for emergency services and should also contact his or her supervisor and/or the Deputy Executive Director and the Director of Security and Building Services or his designated representative as soon as possible. If necessary, emergency medical services are available nearby at Huntington Hospital, located in the immediate vicinity of the Museum.

**Alcohol and Drug Free Workplace**

The Museum has always maintained a strong commitment to provide a safe, efficient and productive work environment. The Museum expects that employees will perform their duties safely and efficiently in a manner that protects their interests and those of their co-workers. The Museum also desires to promote efficiency in the workplace and to provide the highest quality products and
services. In keeping with this commitment, the Museum has a strict policy regarding the use and possession of drugs and alcohol.

This policy recognizes that employee involvement with alcohol or drugs can be extremely disruptive and harmful to the workplace. It can adversely affect the quality of work and the performance of employees, pose serious safety and health risks to the user and others, and have a negative impact on professional judgment, work efficiency and productivity. Accordingly, the Museum requires all employees to report to work fit to perform their jobs and prohibits the use or possession of alcohol or illegal drugs in the workplace.

An employee may not use, possess, distribute or sell alcohol or any illegal drug while on Museum property or while working on Museum business, although the responsible consumption of alcohol at Museum-sponsored functions where alcohol may be served is permissible. In such event, employees are expected to use common sense and to conduct themselves with decorum and professionalism. In addition, an employee may not work while under the influence of, or while impaired by, any illegal drug or alcohol.

For purposes of this policy, a drug will be considered illegal if its use is prohibited or restricted by law and an employee improperly uses or possesses the drug, regardless of whether such conduct constitutes an illegal act or whether the employee is criminally prosecuted and/or convicted for such conduct.

Employees are also prohibited from misusing or abusing prescription and over-the-counter (“OTC”) drugs. Employees who are using prescribed or OTC drugs for existing medical conditions must inform the Museum’s Executive Director of such treatment if the drugs (1) may have possible side effects that could affect job performance or (2) may alter an employee’s physical or mental abilities. Such information will be kept strictly confidential, and will not be disclosed to any other parties except as necessary to provide an employee with a reasonable accommodation of a disability.

It is essential that all employees comply fully with this policy. Employees who violate this policy are subject to disciplinary action up to and including discharge.

Please be advised that the Museum receives local, state and federal grants and may, as a requirement of these grants, be obligated to notify local, state and federal agencies regarding an employee’s violation of the Museum’s Alcohol and Drug Free Workplace Policy.

Violence in the Workplace

The Museum prohibits workplace violence. Physical assaults, threatening behavior and/or verbal abuse will not be tolerated. It is not possible to list all of the forms of behavior which may constitute workplace violence; however, the following are examples of prohibited conduct which may result in disciplinary action, up to and including termination of employment:
• Shoving, pushing, harassing, intimidating or coercing another person;
• Causing physical injury to another person;
• Making threatening remarks;
• Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing another or waving hands and fists);
• Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
• Intentionally damaging employer property or property of another employee;
• Unauthorized possession of a weapon while in the Museum’s offices or while on Museum-business; and
• Committing acts motivated by, or related to, sexual harassment or domestic violence.

This policy applies to conduct on or off Museum property, at Museum events, or under other circumstances that may negatively affect the Museum’s ability to conduct safe and efficient business.

Smoking

Smoking is banned in all areas of the Museum and the Cottage. An employee may smoke outside these buildings in designated areas during a break or lunch. Disregarding this policy is sufficient cause for disciplinary action, up to and including termination. This policy applies equally to all staff members and visitors.

Security

Emergency Procedures

An employee is required to practice safe work habits in order to help maintain a safe workplace. In case of an emergency, the Museum has an evacuation plan in effect for the staff and public. A copy of the plan is available from Security and Building Services. Please ask for a copy and familiarize yourself with it and the location of alarm boxes and fire extinguishers in the Museum and the Cottage. Should an emergency occur, remember to stay calm, use common sense and follow the instructions given by the designated security officer. Evacuated employees should assemble by the Band Shell in the Park.
Security Regulations

The Museum maintains a security system to protect the premises from unlawful entry and theft. Employees are encouraged to help management ensure that the security system is not compromised in any way. Tampering with the security system, violating procedures or revealing the operation of the security system to others may result in immediate termination. If an employee finds property missing or damaged, report it to Security and Building Services staff and Executive Director immediately and file a security incident report.

During the hours the Museum is not open to the public to view exhibitions and attend events and programs, only authorized personnel are permitted entry to the Museum.

Employment Guidelines

Work Eligibility/Immigration Law Compliance

The Immigration Reform and Control Act of 1986 requires the Museum to certify to the federal government that all employees are legally eligible to work in the United States. To comply with this law, employees must provide, and the Museum is required to examine, and is permitted to copy, all original documents verifying an employee’s right to work in the United States, including, but not limited to, United States Passport, Certificate of Citizenship, Social Security Card, Alien Registration Card, Birth Certificate, and/or Driver License.

Upon being hired, all employees must complete the federal- and state-required forms for employment, including, but not limited to, income tax withholding and the federal Form I-9 Employment Eligibility Verification Form. Form I-9 verifies an employee’s identity and eligibility to work in the United States and generally must be completed within three (3) business days from date of hire.

Employment Categories

**FULL-TIME** employees are those who are regularly scheduled to work at least thirty-five (35) hours per week and are not temporary. Generally, full-time employees are eligible for the Museum’s benefit package, subject to the terms, conditions, and limitations of each benefit program.

**PART-TIME** employees are those who are regularly scheduled to work at least one thousand (1000) hours per year. Part-time employees may be eligible for certain Museum benefits on a prorated basis, subject to the terms, conditions, and limitations of each benefit program.

**TEMPORARY or REPLACEMENT** employees are those who are hired on either a full-time or part-time basis for a specific interim period of time usually anticipated to be less than twelve (12) months or those who work “on call” as needed. Temporary employees may, for instance, be seasonal employees
and/or replacement employees who work in place of an employee who is on leave. Temporary employees are not entitled to fringe benefits except as required by law.

In addition to the above classifications, employees are classified as either non-exempt or exempt under federal and state wage and hour laws, based on job responsibilities. Non-exempt employees are eligible for overtime pay. Exempt employees are not eligible for overtime pay.

It is the Museum’s policy that EXEMPT employees’ pay will not be “docked,” or subject to deductions, in violation of salary pay rules issued by the United States Department of Labor and state government, as applicable; however, the Museum may make deductions from employees’ salaries in a way that is permitted under federal and state wage and hour rules. Employees will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law. Except as listed below, the following are considered improper deductions:

- Deductions for variations in the quality of work;
- Deductions for variations in the quantity of work;
- Deductions for absences created or caused by the Museum or by the operating requirements of the Museum; or
- Deductions for partial-day absences (except for FMLA leave and penalties or suspensions for violations of written safety rules of major significance).

Employees may be subject to salary deductions, but only for the following reasons:

- Absences of one or more full days for personal reasons, other than sickness or disability;
- Absences of one or more full days due to sickness or disability, if there is a plan, policy, or practice providing replacement compensation for such absences;
- Absences of one or more full days before eligibility under such a plan, policy, or practice begins, or after replacement compensation for such absences is exhausted;
- Suspensions of one or more full days for violations of written workplace conduct rules, such as rules against sexual harassment and workplace violence;
• Payment of actual time worked in the first and last weeks of employment, resulting in a proportional share of an employee's full weekly salary;

• Negative paid-time-off balances, in whole-day increments only;

• Whole workweeks in which an employee performs no work; or

• Offsets to salary limited to fees or pay for jury duty, witness service or military service.

If concerns about any salary pay deductions arise, exempt employees may discuss and resolve them with the Deputy Executive Director. The Fair Labor Standards Act, similar state law and the Museum's policy prohibit retaliation against an employee for making a truthful complaint with respect to improper pay deductions.

Non-exempt employees may discuss and resolve any wage pay and overtime concerns they may have with the Deputy Executive Director, as well. The Fair Labor Standards Act, similar state law and the Museum's policy prohibit retaliation against an employee for making a truthful complaint regarding wage pay, overtime or related matters.

**Work Week**

*For payroll purposes, the regular work week begins at 12:00 am on Saturday and ends at 11:59 pm on Friday.* The majority of full-time employees work between the hours of 9:00 am to 5:00 pm, Monday through Friday. The usual workday is seven (7) hours, plus one (1) hour unpaid meal break. Evening and weekend work hours may be required. Full- and part-time employee schedules may vary depending upon the needs of each department. Work schedules will be determined in consultation with each employee's supervisor.

**Additional Hours and Overtime**

Employment with the Museum is undertaken with the knowledge that additional hours may be necessary to accomplish organizational priorities and the Museum's mission of public service. Thus, from time to time, the Museum's needs may require employees to work more than their regularly scheduled hours. The Museum understands that your personal time is important to you; therefore, the Museum will endeavor to limit overtime work to activities that cannot otherwise be performed during regular work schedules. The Museum will make every effort to provide advance notice of overtime requirements. Regardless, however, employees are expected to work overtime when business demands require.

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour requirements. Overtime pay is based on actual
hours worked. Time off for sick leave or any leave of absence, holiday, vacation or other hours not worked but paid will not be considered hours worked for the purpose of computing overtime.

Any and all overtime performed by employees must be pre-authorized by the employee’s supervisor. An employee is not permitted to decide whether it is necessary to work overtime. If the employee has any questions as to whether they are required to perform overtime, he or she should confirm with his or her supervisor before engaging in overtime. The failure to obtain authorization to work overtime may result in disciplinary action, up to and including discharge.

Overtime is paid at straight time up to 40 hours and then at time-and-one-half. Part-time staff members who work beyond their regularly scheduled hours in any work week are paid at the straight-time rate up to 40 hours and then at time-and-one-half. Overtime is calculated in 15-minute increments.

**Position Openings**

The Executive Director is responsible for formulating each new job description, establishing the desired qualifications and assigning the classifications (exempt/non-exempt) for each position prior to employment, with the approval of the Personnel Committee of the Board of Trustees.

All position openings and new positions will be posted on the Museum’s Website. Qualified employees may apply for these positions.

The Executive Director hires all personnel and discusses hires, as appropriate, with the Personnel Committee of the Board of Trustees.

**Transfers within the Organization**

An employee must notify his or her supervisor, in writing, upon accepting a new position within the organization. At least ten (10) working days notice must be given to the supervisor.

**Evaluation Period**

The initial six (6)-month period of employment from date of hire, or from date of promotion or transfer, for all Regular Full-time and Regular Part-time employees is an evaluation period. Employees whose performance is satisfactory during the evaluation period will gain full-status as full-time or part-time employees. At all times, the employee’s status is “at-will;” an employee may be terminated, or may resign, for any reason or no reason, with or without cause or notice, at any time during the evaluation period, and thereafter. The evaluation period may be extended (or shortened) at the discretion of the Museum.

Subject to the terms, conditions, and limitations of each benefit program, employees are not eligible for Museum benefits during their orientation period.
While the Museum does not recognize an evaluation period for Temporary employees, such employees must meet acceptable performance standards.

**Time Reporting and Pay Periods**

The Museum must keep accurate records of time worked in order to calculate pay and benefits. Non-exempt employees are expected to record their time on the time sheets distributed by the Museum or by logging into the computer-based time keeping system. Time sheets must be submitted to the Deputy Executive Director at the end of each week. Regardless of the method, non-exempt employees are expected to sign in at the start of their work day, sign in and out for lunch and sign out at the end of the work day. Work time is calculated in fifteen (15) minute increments.

Moreover, participants in grant projects must document the hours spent on grant-funded activities on time sheets distributed by the Museum and submitted to the Deputy Executive Director at the end of each week.

Failure to submit time sheets in a timely manner may result in a delay in payment for hours worked.

**Paydays**

Employees are paid every other Friday through the end of the previous week. For non-exempt employees, each paycheck includes compensation for all hours worked during said pay period. In the event that a regularly scheduled payday falls on a holiday, staff members are paid on the preceding business day.

Paychecks will be disbursed to the employees only, if specific written authorization has been provided. The Deputy Executive Director must be notified immediately of a lost paycheck in order for the payment to be stopped and a new check issued.

**Direct Deposit**

Employees may have their pay deposited directly into their bank accounts. Direct deposit authorization forms are available from the Deputy Executive Director. Each payday employees will receive an itemized statement of earnings, deductions and the amount deposited for that pay period.

**Payroll Deductions**

The Museum is required to withhold certain items from every employee’s paycheck. Among these are applicable federal, state and local withholding taxes, Social Security and Medicare deductions.
In addition, certain benefits require employee contributions. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. The Deputy Executive Director can answer any questions concerning paychecks.

**Administrative Pay Corrections**

The Museum takes all reasonable steps to ensure that staff members receive the correct amount of pay in each paycheck and that staff members are paid promptly on the scheduled payday. In the unlikely event that there is an error in a paycheck, staff members should immediately bring the discrepancy to the attention of the Deputy Executive Director so that the necessary corrections can be made.

**Severance Benefits**

Full-time employees who voluntarily leave the Museum’s employment in good standing, and sign a Separation Agreement and General Release, will be offered severance pay based on their length of service. Specifically, employees with:

- 2-4 years of service will be offered two (2) weeks pay based on the employee’s base salary during his or her last year of employment;

- 5-9 years of service will be offered three (3) weeks pay based on the employee’s base salary during his or her last year of employment; and

- 10 or more years of service will be offered four (4) weeks pay based on the employee’s base salary during his or her last year of employment.

**Personnel Records**

Information in an employee’s personnel file is confidential, and must be kept up-to-date. Employees should inform the Deputy Executive Director whenever there are changes in personal data, such as address, telephone number and person(s) to notify in case of emergency. In addition, updated information regarding marital status and/or dependents must be provided immediately if such information will affect employee benefits.

All employee records containing health and medical information will be kept in separate, confidential files maintained by the Deputy Executive Director. Access to these files will be restricted and information from these files will not be released except as necessary.
Performance Evaluation

The Museum has a formal employee performance evaluation process. The purpose of this process is to review an employee’s performance, appraise strengths and weaknesses, suggest ways to enhance performance and to identify appropriate models of conduct. Performance evaluations also provide an opportunity for employees and supervisors to work together to establish short- and long-term goals for each position.

The annual performance evaluation includes a self-evaluation and a written performance evaluation from an immediate supervisor. Newly hired employees, as well as employees who have been transferred or promoted, will also undergo performance evaluation at the conclusion of their evaluation period (see page 15).

Code of Ethics

All employees of the Museum are expected to meet the standards of conduct outlined in the Museum’s Code of Ethics (based on the American Association of Museums Code of Ethics 2000) approved by the Board of Trustees of The Heckscher Museum (June 14, 2010). Failure of an employee to meet these professional standards, or any of the responsibilities or requirements of his or her position, may result in disciplinary action or termination. The Heckscher Museum’s Code of Ethics is attached as an Appendix to this Manual.

Conduct of Conduct

An employee is expected to comply with the Museum’s Code of Ethics and to conduct him or herself in a manner that shows respect for fellow employees, volunteers, visitors and the mission of The Heckscher Museum of Art. Conduct that is disruptive, unproductive, immoral, unethical or illegal will not be tolerated. Inappropriate conduct that breaches the Code of Ethics will lead to disciplinary action which, based on the circumstances of the individual case, may result in corrective action or termination.

To provide the best possible work environment and ensure orderly operations, the Museum expects employees to conduct themselves in a way that will protect the safety of all employees and the interests of the organization. It is not possible to list all of the forms of behavior that are considered unacceptable in the workplace however, the following are examples of unacceptable conduct that will result in disciplinary action, up to and including termination of employment:

- Recording the work time of another employee or allowing any other employee to record his or her work time, or allowing falsification of any time record, either his or her own or another’s;
- Deliberate or careless damage, or theft of any Museum property or the property of any employee or congregant;
• Provoking a fight or fighting during working hours or on Museum property;

• Carrying firearms or any other dangerous weapons on Museum premises at any time;

• Consuming, possessing, or being under the influence of alcohol and/or drugs during working hours or at any time on Museum property;

• Insubordination, including, but not limited to, failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management;

• Unreported absence of three scheduled workdays;

• Unauthorized use of the Museum’s equipment, time, materials, facilities, or the Museum’s name;

• Failure to observe working schedules, including meal periods;

• Engaging in criminal conduct whether or not related to job performance;

• Causing, creating or participating in a disruption of any kind during working hours or on Museum property;

• Abuse of paid sick leave;

• Removing or borrowing Museum property without prior authorization;

• Making derogatory racial, ethnic, religious or sexual remarks or gestures; any violation of the Prohibited Harassment policy; or using profane or abusive language at any time on Museum premises;

• Working overtime without authorization or refusing to work assigned overtime;

• Committing a fraudulent act or a breach of trust under any circumstances; or

• Threatening, committing or encouraging any act of violence in the workplace or against any employee or patron of the Museum.
Workplace violence is not a joking matter; all statements will be taken seriously.

No statement in this list or elsewhere in this Manual is intended to or should be taken to affect the at-will employment relationship between the Museum and its employees.

**Museum Practices and Procedures**

**Professional** The Heckscher Museum of Art exists to serve the public. Staff should make every effort to be exceptionally welcoming, courteous and friendly to visitors at all times. A pleasant and productive working atmosphere is also important. The established code of conduct is based on consideration for the rights of all individuals. Inappropriate behavior or discourtesy to a visitor or a staff member may result in a disciplinary action up to and including discharge.

**Attendance and Punctuality**

The effective operation of the Museum depends upon its employees. Employee behavior including attendance and punctuality, affects Museum operations. An employee is expected to be present and ready to work each day at the designated start time. Attendance and punctuality are factors that will be considered as part of an employee’s evaluation.

Staff members are expected to communicate promptly with their immediate supervisor if they will be absent from work or expect to arrive late to work. If an employee expects to be more than 30 minutes late, he or she must notify his or her supervisor as soon as he or she is capable of doing so. If his or her supervisor cannot be reached, leave a message on the main number 631 351.3250. Indicate the reason for being late or absent, the time expected to arrive or the probable duration of the absence. Excessive unexcused lateness or absences may lead to disciplinary action, including termination of employment.

If an employee is absent for more than three (3) consecutive days without contacting the Museum, management will assume the employee has voluntarily resigned his or her employment, unless there are extenuating circumstances beyond the employee’s control.

**Meal Periods**

Employees working shifts of six (6) hours, or more, will be scheduled for an unpaid meal period of at least thirty (30) minutes. While the Museum will try to schedule meal periods in the middle of an employee’s shift, break schedules must be flexible to ensure coverage.
Personal Appearance

An employee’s appearance reflects the Museum’s public image. Proper dress, cleanliness and neatness are essential. Appearance must be suitable in a professional business environment and appropriate to the employee’s activities. The Museum’s policy with regard to dress is business attire. Please keep in mind that we work in a professional environment and extreme styles and sloppy appearance (regardless of the latest fashion) are to be avoided. Clothing that qualifies as casual for weekend relaxation does not qualify as business attire for the office. Any of the following are unacceptable: shorts, tank tops, inappropriately tight or otherwise revealing clothing, warm-up or sweat suits, spandex, athletic or beach apparel.

Please note that if you are not dressed appropriately, you may be asked to return home to change. If an employee has questions about appropriate dress, he or she should talk with his or her supervisor. Reasonable exceptions to the Museum’s appearance standards may be made for medical or religious reasons. Employees must see their supervisor(s) for prior authorization.

Parking

To give visitors greater access to the Museum, employees are not to park in the Heckscher Park parking lot adjacent to the Museum. All employees are asked to park along Prime Avenue or on side streets during working hours. Exceptions are days when there are no programs scheduled, installation weeks, and/or in the event of an injury, illness, or disability (with permission from the Executive Director).

Inclement Weather/Emergency Closings

From time to time, the Museum will be adversely affected by severe weather conditions. The Museum’s official response will be determined by the severity and duration of the severe weather conditions, the safety of the staff and visitors, the safety of the Permanent Collection and all other art, and the protection of the Museum building.

The Museum will contact employees regarding a closure or delayed opening prior to the start of the workday, whenever possible. Staff members will be notified about closings and/or delayed openings through a telephone call list and a message left on the Museum’s main telephone number 631.351.3250. Employees scheduled to report to work on a day when the office is closed will be paid for their regular work day. Employees not scheduled to work or who have scheduled other paid or unpaid time out of the office will not be paid for the day.

In the event of a storm or emergency after the work day has begun, the Executive Director or designated representative will make the decision to close and/or release the staff before the scheduled closing time. When operations are required to close after the work day has begun, eligible employees will be paid
until the end of their scheduled work day.]

When a closing has not been authorized, an employee who chooses not to report to work will not be paid for the time off, however, he or she may request that the day be considered a personal or vacation day.

Certain staff positions are considered “essential.” The employees in this category must report to work under all weather conditions to safeguard the Permanent Collection, all other art, and property of the Museum.

**Employee Vehicle Operation Criteria**

Some positions require an employee to operate vehicles for Museum business. An employee operating a vehicle must provide a copy of his/her valid driver’s license and must notify the Deputy Director of any violations and/or change on his/her license.

**Job-related Travel Expense Reimbursement**

An employee who is authorized in advance to travel on Museum-related business, to the extent possible, will be reimbursed for expenses legitimately incurred to conduct such business. Expenses, when documented by proper receipts and submitted to the Deputy Executive Director, will be reimbursed. If a personal vehicle is used for Museum business, an employee will be reimbursed at the per mile rate set by The Heckscher Museum for reimbursement.

**Work for Hire**

The Heckscher Museum values the professional, intellectual, business and artistic accomplishment of each employee. These accomplishments are recognized in performance evaluations. All work performed or products created by an employee in the context of his or her employment at the Museum is considered “work-for-hire” and, therefore, is the property of The Heckscher Museum of Art. The employee agrees to cooperate fully to secure the Museum’s copyright protection and ownership rights with respect to such work product, including, but not limited to, executing all documents that may be necessary to secure the Museum’s copyright protection and ownership rights in such work-for-hire. Such work or products include, but are not limited to: exhibition and graphic design, written and edited text materials, catalogue essays, audio, visual and Web-based productions, and computer software programs.

**Outside Employment**

The Museum does not prohibit an employee from accepting outside employment, as long as she or he can perform successfully her or his duties at the Museum. It is expected that a full-time employee’s primary employment obligation is to the Museum. The acceptance of any other employment may not conflict with an
employee’s schedule at the Museum and may not violate the Heckscher’s *Code of Ethics*.

Employees shall not engage in any activities that are, or could be, construed by the Museum as being unethical, illegal, a conflict of interest with, or detrimental to, the activities or interests of the Museum. Employees should disclose any known or potential conflict of interest to the Executive Director or designee immediately upon such conflict or potential conflict becomes known or is suspected.

**Overview of Benefit Programs**

Employee benefits are designed to protect staff members and their families against the serious financial consequences of ill health or disability and to provide financial security upon retirement. The Museum provides a wide range of benefits to full-time staff members and certain part-time staff members who meet the plan eligibility requirements.

**Medical Insurance** Qualified employees are eligible for coverage after ninety (90) days of service. Detailed information concerning this benefit, eligibility criteria, and employee costs is available from the Deputy Executive Director.

**Retirement Plan** Qualified employees are eligible to participate after one (1) continuous year of employment in which an employee has completed a minimum of 1,000 hours of service. Detailed information concerning this benefit, including eligibility criteria, is available from the Deputy Executive Director.

**Supplemental Retirement Annuity** Qualified employees are eligible to participate from date of hire. Detailed information concerning this benefit, eligibility criteria, and employee costs is available from the Deputy Executive Director.

**Short-Term Disability** The Museum maintains disability insurance approved by the State of New York.

**Workers’ Compensation** If an employee is injured on the job or becomes ill as a result of work, he or she may be eligible to receive Workers’ Compensation Insurance benefits. The insurance is paid for by the Museum for an employee’s protection. In addition, all authorized medical expenses incurred as a result of a workplace injury or occupational illness will be paid for by the Workers’ Compensation Insurance Plan. It is required that every work injury, no matter how minor it may seem, be reported to an employee’s supervisor within 24 hours of incurring the injury.

**Continuation of Benefits** The Museum provides the opportunity for eligible staff members who are on unpaid leave or who terminate their employment with the Museum for reasons other than misconduct to continue group medical coverage
after their status changes. Dependents may also continue coverage, if enrolled
in the plan(s) prior to the leave or employment termination.

Employees have (60) days from the date benefits are terminated or the
notification date that benefits will cease, whichever is later, to make a
continuation election. Depending on the circumstances, individuals may be
responsible for paying a portion or all of the costs plus any administration fees, in
accordance with COBRA. Upon termination of employment or change to leave
status the options and responsibilities will be explained to the staff member by
the Deputy Executive Director or designee.

**Time-Off Policies**

**Holidays**

The Museum observes the following holidays with pay for all full-time employees.
Full-time employees may substitute the two “Flex Holidays” for two other days
during the calendar year, such as the day after Thanksgiving.

- New Year’s Day
- Martin Luther King Day
- Lincoln’s Birthday *(Flex Holiday)*
- President’s Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Election Day *(Flex Holiday)*
- Veteran’s Day
- Thanksgiving Day
- Christmas Eve *(½ Day)*
- Christmas Day
- New Year’s Eve *(½ Day)*

The Executive Director may designate holiday options to assure coverage of
necessary Museum operations. In this regard, in the event a Non-Exempt
employee is required to work on a Holiday, he or she will be paid at time-and-
one-half for all hours worked that day.

**Vacation**

Vacations are intended to provide time for staff members to rest, relax and enjoy
themselves or take care of personal obligations away from the responsibilities of
their jobs. Vacation must be approved in advance by an employee’s immediate
supervisor and the Deputy Executive Director. Vacation days are accrued on a
monthly basis during the calendar year based on the following:
<table>
<thead>
<tr>
<th>Length of Service</th>
<th>Vacation Entitlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>During 1st year</td>
<td>Pro-rated based on date of hire</td>
</tr>
<tr>
<td>After 1 year of service</td>
<td>10 working days</td>
</tr>
<tr>
<td>After 3 years of service</td>
<td>11 working days</td>
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<tr>
<td>After 4 years of service</td>
<td>12 working days</td>
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<tr>
<td>After 5 years of service</td>
<td>15 working days</td>
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<td>After 6 years of service</td>
<td>16 working days</td>
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<td>19 working days</td>
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<tr>
<td>After 10 years of service</td>
<td>20 working days</td>
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Part-time staff members scheduled to work more than 1,000 hours/year accrue vacation on a pro-rated basis. Part-time staff scheduled to work less than 1,000 hours/year do not accrue any vacation.

Employees may not use paid vacation time during the first six (6) months of employment.

Employees must request vacation at least one (1) month in advance by submitting a Request for Vacation to the Deputy Executive Director. Requests will be granted based on the activities of the Museum, the employee’s job responsibilities, and seniority. Generally, employees may not take more than two (2) weeks of vacation at one time. Vacations of more than two (2) weeks may be taken only upon written approval of the Executive Director.

Except with prior permission, all accrued vacation time must be used by December 31. Employees who fail to use their accrued vacation time prior to December 31 will not be paid for accrued time and will forfeit any such accrued time.

Employees will not be paid for accrued, unused vacation time upon termination of employment unless the employee voluntarily resigns and provides no less than two (2) weeks’ notice.

**Personal/Sick Days**

Employees accrue a total of twelve (12) personal/sick days per year (pro-rated during the initial year of employment). Part-time staff members scheduled to
work more than 1,000 hours/year accrue personal/sick days on a pro-rated basis. Part-time staff scheduled to work less than 1,000 hours/year do not accrue personal/sick days. Temporary employees are not eligible for paid personal/sick days.

Employees may not use paid personal/sick days during the first six (6) months of employment.

Employees are permitted to carry accrued, unused personal/sick days over from year to year up to a total of one hundred (100) days. These days will be placed in a lock box and may be used only for extended sick leave or for injuries. Employees will not be paid for accrued, unused personal/sick days upon termination of employment.

Requests for personal/sick days should be made at least forty-eight (48) hours in advance of the date(s) requested in writing to the Deputy Executive Director. No more than two (2) personal/sick days may be requested at one time and personal/sick days may not be used to extend a scheduled vacation, except upon written permission of the Deputy Executive Director. All personal/sick days must be approved in advance of the employee’s scheduled start time.

If an employee is unable to report to work due to illness or injury, he or she is expected to notify the Museum of his or her condition at least thirty (30) minutes prior to the start of his or her work day. Failure to do so may result in the delay or denial of paid personal/sick time. If an employee is unable to work for more than five (5) days because of illness or injury, the Museum may require a doctor’s note indicating the reasons for the employee’s absence. In such event, reinstatement to employment may also be delayed or denied in the interim until such a doctor’s note is provided.

**Bereavement Leave**

Employees may take up to four (4) days off with pay upon the death of an immediate family member, defined as a spouse/partner, parent, sibling, grandparent, child, step-child, grandchild, and a spouse/partner’s relatives of the same degree of kinship. If additional time is needed, an employee should discuss accommodation with his or her supervisor and the Executive Director. Unused personal/sick days may also be used for this purpose.

**Religious Observance**

The Museum will make reasonable accommodations for a staff member’s religious observances. Subject to the approval of his or her supervisor and the Deputy Executive Director, an employee can generally use a vacation or personal/sick day to observe religious holidays.
Parental Leave

A full-time employee of the Museum who has completed six (6) months of continuous service is eligible for unpaid leave to care for his or her newborn or newly adopted child. Eligible employees are entitled to up to six (6) weeks of unpaid leave to care for his or her newly adopted child or to care for his or her newborn. In the event of a delivery by cesarean section, an employee is eligible for up to eight (8) weeks of unpaid leave.

Employees may substitute paid vacation time or personal/sick days for unpaid leave but will not be permitted to extend the total time away from work without prior approval from the Deputy Executive Director.

Employees should submit a request for parental leave as soon as possible, but in no event less than thirty (30) days prior to the commencement of leave.

While an employee is on an approved parental leave, the Museum will maintain his or her medical insurance coverage under the same terms and conditions which applied prior to the leave. While on parental leave, the employee will remain responsible for paying whatever portion of his or her health insurance premium he or she paid when actively at work. If the employee fails to return to work at the conclusion of his or her approved leave, his or her employment may be terminated and he or she may be eligible for continuation of medical benefits at his or her own expense pursuant to COBRA. The employee will also be required to reimburse the Museum for the health insurance premiums it paid during his or her leave.

At the conclusion of his or her leave, the Employee may be required to submit a statement from his or her health care provider certifying fitness to return to work.

Part-time and temporary employees are not eligible for this benefit.

Jury Duty/Witness Service

Time off for jury duty or witness service will be granted to full- and part-time employees and will not be deducted from accrued vacation or personal/sick time.

If an employee receives a notice of being called to jury duty or receives a subpoena to testify as a witness at trial, he or she must notify his or her supervisor immediately. The Museum will pay full-time employees and part-time employees for their regularly scheduled work hours for a maximum of thirty (30) calendar days.

Upon completion of jury duty and returning to work, an employee must present to the Deputy Executive Director a copy of the Certificate of Jury Service from the Clerk of the Court stating days and hours of service to be eligible for jury duty pay.
Military Leave

The Museum provides military leave consistent with applicable federal and state law. In the event military leave becomes necessary, for reasons including voluntary and involuntary active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, and absence for an examination to determine fitness for duty, an employee should notify the Deputy Executive Director so that benefits and pay procedures may be explained. Upon return from military service leave, an employee must promptly notify the Deputy Executive Director and apply for re-employment. Failure to promptly apply for re-employment may jeopardize an employee’s eligibility to be re-hired after he or she has completed his or her military service.

Museum Privileges

Museum Events

An employee is encouraged to attend programs and events in or sponsored by the Museum. An employee may participate in all Museum programs without charge provided it is not fully booked by paying participants. Free admission is not extended to an employee’s family members and friends. If there are direct costs associated with a program, such as transportation or ticket to another institution, an employee is expected to pay for such costs. Employees asked to work at the Museum’s special and fundraising events may not bring spouses, partners, significant others or guests.

Volunteer, Unpaid and Paid Intern Policy

Acceptance of Volunteers and Interns

Supervisors who wish to engage volunteers or interns must outline the qualifications and responsibilities for each position, have each applicant complete the appropriate application form(s), and conduct the screening interview. The supervisor is also responsible for evaluating the performance of each volunteer and intern under his or her charge and for notifying the Executive Director or designee in advance of the termination of a volunteer or intern’s tenure.

All volunteers and interns are subject to the same procedures and expectations as an employee including signing the Code of Ethics, timeliness, productivity, appropriate dress, courtesy, security regulations and parking restrictions.

Internal and External Communication

Non-Solicitation

In order to maintain a proper business environment and prevent interference with work and inconvenience to employees, employees may not distribute literature or
printed material of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during work time or on Museum premises.

Non-employees are prohibited from distributing literature or printed material or soliciting employees on Museum premises at any time.

**Proprietary Information/Confidentiality**

By virtue of employment with the Museum, each employee may receive and have access to personal and confidential information concerning the Museum, its programs and philanthropic activities (hereinafter “Confidential Information”).

“Confidential Information” means information, regardless of form or characteristic, which: (a) the Museum does not make available to the public or third parties; and (b) relates to the Museum’s employees, activities, finances, operations, processes, plans, purchasing, suppliers, or service providers. “Confidential Information” includes, but is not limited to, the following: (a) information pertaining to personnel and compensation; (b) the names, lists, contact information, and practices of vendors; and (c) all other confidential information of, about, or concerning the Museum, the manner of operation, or other confidential materials of any kind, nature or description relating to the Museum.

The Heckscher Museum relies on its employees to protect Confidential Information. Employees are prohibited from divulging the Museum’s Confidential Information and from using such Confidential Information for any unauthorized purpose. To secure information and to protect art, the Museum also restricts employee and visitor access to designated areas and documents. An employee who violates this policy will be subject to disciplinary action, up to and including termination.

**Internet, Voice-Mail and E-mail Policies**

The Heckscher Museum takes full advantage of technology that increases productivity and effectiveness in all program and operating areas. The Museum maintains an electronic communications system that includes telephones, computers, e-mail and access to the Internet and the World Wide Web.

**Personal Use of the Internet, E-mail and Telephones**

Certain e-mail and internet sites may contain viruses that may pose a risk to the network and computer systems. Use caution when opening e-mails and unknown Websites.

The Museum provides voice-mail and e-mail systems for Museum business purposes. Employee voice-mail and e-mail are the property of the Museum and therefore, are not private. All voice-mail and e-mail may be subject to review by the Museum for legitimate business purposes.
The following guidelines provide an employee with acceptable use of the Museum's telephones, computer system and technology.

**Electronic Resources**

Computer, telephone, voicemail, e-mail, facsimile, photocopy, Internet and Intranet access, collectively referred to as “electronic resources” have been provided to Museum employees for the benefit of the Museum and its patrons.

Employees should use the Museum's electronic resources with the understanding that those resources are provided for the benefit of the Museum's operation. Accordingly, employees should use those electronic resources to further the Museum's ability to conduct its business and in a manner that is consistent with performance of their duties and responsibilities. Employees should never use the Museum's electronic resources for personal use in a manner that interferes with work or any responsibilities to all those associated with the Museum (members, visitors, donors, etc.) or colleagues. Additionally, employees are responsible for ensuring that they use the Museum's electronic resources in an effective, ethical and lawful manner.

Sending, saving, accessing or viewing offensive material is prohibited. Messages stored and/or transmitted by the Museum's electronic resources, including the computer, voicemail, e-mail, or the telephone system, must not contain content that may reasonably be considered offensive to any employee. Offensive material includes, but is not limited to, sexual comments, jokes or images, racial slurs, gender-specific comments or any comments, jokes or images that would offend someone on the basis of his or her race, color, creed, sex, age, national origin or ancestry, physical or mental disability, as well as any other category protected by federal, state or local law. Likewise, any use of the Internet, e-mail or any other electronic resource to harass or discriminate is strictly prohibited by the Museum. Employees who violate this policy will be subject to discipline, up to and including discharge.

Employees must not transmit or place Museum material (copyrighted software, internal correspondence, patient information, financial information, etc.) via e-mail or on any publicly accessible Internet computer without prior permission.

Alternate Internet Service Provider (ISP) connections and personal modem connections to the Museum's internal network are not permitted.

Unless otherwise noted all software on the Internet should be considered copyrighted work. Therefore, employees are prohibited from downloading software and/or modifying any such files.

**No Solicitation**

The Museum's electronic resources may not be used for personal gain or advancement of individual views. Utilization of e-mail for purposes of non-
business solicitation or any use of the Internet for personal gain and/or the promotion of events or causes is likewise prohibited.

Copyrighted materials belonging to entities other than the Museum may not be transmitted by employees on the Internet. One copy of copyrighted material may be downloaded for an employee’s personal use in research, if pre-approved by the employee’s manager. Employees are not permitted to copy, transfer, add or delete information or programs belonging to other users unless given express permission to do so by the owner of such information or programs. Failure to observe copyright or license agreements may result in disciplinary action from the Museum or legal action by the copyright owner.

Software Code of Ethics

The Museum purchases or licenses copies of computer software from a variety of outside companies. In general, the Museum does not own the copyright to this software or its related documentation and unless authorized in the software license does not have the right to reproduce it for use on more than one computer. Employees may not duplicate any licenses, software or related documentation for use either on the Museum’s premises or elsewhere unless the Museum is expressly authorized to do so by agreement with the licensor. Unauthorized duplication of software may subject users and/or the Museum to both civil and criminal penalties under the United States Copyright Act. Employees may not give software to any outsiders including members, donors, contractors, and/or others. Employees may use software on local area networks or on multiple machines only in accordance with applicable license agreements. Employees may not download software from the Internet and install it on their PCs.

According to U.S. Copyright Law, illegal reproduction of software can result in civil damages of as much as $100,000 per work copied and criminal penalties including fines and imprisonment. Employees who make, acquire or use unauthorized copies of computer software or related documentation will be subject to discipline as appropriate under the circumstances, including termination of employment.

The Museum prohibits the illegal duplication of software. The illegal duplication of software is in direct violation of the Museum’s licensing agreements and will not be tolerated. Employees may not copy software to diskette or to their local hard drives for any reason.

The Museum reserves the right to audit any PC or laptop to determine what software is installed on the local drive(s).

Installation Of Software On The Network

The computer network is easily subject to failure if software is improperly installed or if diskettes with viruses are introduced into the system. In order to
protect the integrity of the network users may not install any software on a PC or laptop, including games, screen savers or shareware. This policy also applies to any software downloaded from the Internet.

**Employee Passwords**

Employees may be given a login ID and a password to be granted access to the Museum's computer network. Employees are prohibited from disclosing their passwords to anyone other than persons authorized to monitor and maintain the Museum's computer systems.

**Employee Responsibility**

Each employee is responsible for the content of all text, audio and images that they place or send using the Museum's electronic resources. The same standards should be utilized for the creation of e-mail messages as would be utilized for other Museum correspondence or memoranda. All messages communicated should identify the employee as the sender. Messages should not be transmitted under an assumed name. Employees or other users may not attempt to obscure the origin of any message. Employees who wish to express personal opinions on the Internet should use personal e-mail accounts and addresses from external systems.

The Museum maintains the right to screen all inbound and outbound e-mail content.

**Computer and Systems Security**

All computers and the data stored on them are and remain at all times the property of the Museum. As such, all messages created, sent or retrieved over the Internet or the Museum's electronic mail systems are the property of the Museum, and should be considered Museum information. The Museum reserves the right to retrieve and read any message composed, sent or received using the Museum's electronic resources, including all computer equipment and the electronic mail system.

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

**E-mail Content Screening**

The Museum maintains the right to screen all inbound and outbound e-mail content.
Virus Protection

To prevent computer viruses from being transmitted through the system, employees are not authorized to download any software from the Internet onto their computers or any drive in that computer.

Data Security Guidelines

The individual responsible for technology maintains a list of e-mail passwords so that management may access an employee’s e-mail in an emergency. Should a supervisor need access to password-protected software or applications, the individual responsible for technology will provide information and/or reset a password.

When accessing the Internet minimize the chance of importing a virus to the Museum network by carefully screening any information being downloaded. Only download data from reputable organizations.

When a disk is installed with information from a non-Museum source the Museum’s virus-scanning program on the server and on each employee’s workstation will scan for viruses. Should a virus be detected in any application, please notify the individual responsible for technology immediately. Any violation of this policy may subject the abuser to disciplinary action.

Telephone Usage and Text Messaging

Personal use of the telephone is discouraged. If a personal call is necessary, it should be brief and limited to unusual circumstances and emergencies. Employees who use personal cell phones for personal calls, should keep such use to a minimum. The same policy applies to text messaging. It should be kept to a minimum and may not take place during Museum meetings and events.

Social Media Participation Guidelines

The Museum encourages communication among its employees, customers, partners, and others. These Guidelines set forth the Museum’s policies and procedures for employees participating in social media of various kinds (Museum hosted and external), including, without limitation, Web logs (“blogs”), social networks, discussion forums, wikis, video, and other social media such as Twitter. These Guidelines should be read in conjunction with any existing Museum workplace policies and procedures as may be in effect from time to time, including, without limitation, any and all codes of conduct, disciplinary guidelines, or IT protocols.

General Application

These Guidelines apply to:

- Blogs, wikis, forums, and social networks hosted or sponsored by the Museum;
- Personal blogs that contain postings about the Museum’s business, products, employees, customers, partners, or competitors;

- Employee postings about the Museum’s business, products, employees, customers, partners, or competitors on external blogs, wikis, discussion forums, or social networking sites such as Twitter;

- Employee participation in any video related to the Museum’s business, products, employees, customers, partners, or competitors, whether an employee creates a video to post or link to on his/her blog, an employee contributes content for a video, or an employee appears in a video created either by another Museum employee or by a third party.

Even if an employee’s social media activities take place completely outside of work, what an employee says can have an influence on his or her ability to conduct his or her job responsibilities, coworkers’ abilities to do their jobs, and the Museum’s business interests.

**Blogging**

**Definition** - The word “blog” is a contraction of the words “web” (as in “World Wide Web”), and “log,” as in “diary” or “written account.” Blogging consists of the posting of writings or other content on a publicly available Internet site by an individual. The information posted is usually written comments, but can also be or include photographs, drawings, videos or any other graphic or audio information.

**Use of Museum Resources** - Museum property, including but not limited to Internet access, computer hardware and software, may not be used by an employee for blogging without the express prior written consent of the Museum’s Executive Director. All computers and the data stored on them are and remain at all times the property of the Museum. As such, all messages created, sent or retrieved over the Internet or the Museum’s electronic systems generally are the property of the Museum, and should be considered Museum information. The Museum reserves the right to retrieve and read any message composed, sent or received using the Museum’s electronic resources, including all computer equipment and the electronic mail system. Employees should be aware that, even when a message is deleted or erased, it is still possible to recreate the message; therefore, ultimate privacy of a message cannot be ensured to anyone. Accordingly, Internet and electronic mail content are not private. Furthermore, all communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

**“Off-hours,” “Off-campus” Blogging** - Except as permitted by law, no Museum employee may post by blogging, whether during working hours and in the office or elsewhere at any other time, comments that:
• Unlawfully discriminate or harass;
• Unlawfully defame or disparage the Museum’s business, work product, or management;
• Contain confidential or proprietary information;
• Reflects a lack of professionalism as an Museum employee;
• Are, or could be, construed by the Museum as being unethical, illegal, a conflict of interest with, in competition with, or detrimental to, the activities or interests of the Museum and its affiliates;
• Violate federal, state or local law.

If an employee is dissatisfied with any aspect of the Museum’s operation, he or she is encouraged to bring those concerns to the Museum’s Executive Director, so that the concerns may be addressed.

Confidential Information

An employee may not use his or her blog or other social media to disclose the Museum’s Confidential Information. Protecting the Confidential Information of our employees, patrons, donors, benefactors, customers, partners, and suppliers is important. Do not mention them, including the Museum executives, in social media without their permission, and make sure you do not disclose items such as sensitive personal information about others or details related to the Museum’s business with its members, Trustees and donors. Third party social media services use servers that are outside of the Museum’s control and may pose a security risk. Do not use these services to conduct internal Museum business.

In addition, an employee may not publish the Museum’s competitors’ proprietary or confidential information. An employee may make observations about competitors’ products and activities if these observations are accurate and based on publicly available information. An employee must take care not to disparage, denigrate or defame competitors.

Objectionable or Inflammatory Content

An employee may not post anything that is false, misleading, obscene, defamatory, profane, discriminatory, libelous, threatening, harassing, abusive, hateful, or embarrassing to another person or entity. Make sure to respect others’ privacy. Third party Websites and blogs that link to the Museum must meet the Museum’s standards of propriety. Be aware that false or defamatory statements or the publication of an individual’s private details may result in legal liability for the Museum and an employee.
Opinions

You are not an official spokesperson for the Museum. Make it clear that your opinions are your own and do not necessarily reflect the views of the Museum. For this reason, Museum employees with personal blogs that discuss the Museum’s business, products, employees, customers, partners, or competitors should include the following disclaimer in a visually prominent place on their blog:

“The views expressed on this [blog; Web site] are my own and do not necessarily reflect the views of the Museum.”

Similarly, if an employee appears in a video, an employee must preface his or her comments by making it clear that he or she is not a Museum spokesperson and his or her opinion does not necessarily reflect those of the Museum.

Anonymous Posts

While an employee is not an official spokesperson, his or her status as a Museum employee may still be relevant to the subject matter. An employee must identify him or herself as an employee if failing to do so could be misleading to readers or viewers. Whenever an employee bloggs about Museum-related topics or providing feedback relevant to the Museum to other blogs or forums, an employee must identify him or herself as a Museum employee.

Copyrights

An employee must recognize and respect others’ intellectual property rights, including copyrights. While certain limited use of third-party materials may not always require approval from the copyright owner, it is still advisable to get the owner’s permission whenever third-party materials are used. Never use more than a short excerpt from someone else’s work and make sure to credit, and if possible, the original source.

Video

Remember an employee may be viewed as endorsing any Web video (whether hosted by YouTube or elsewhere) or other content link associated with an employee’s blog or posting, whether created by the employee or another Museum employee, or by third parties. These guidelines apply to this content. Also, recognize that video is an area in which the employee needs to be particularly sensitive to others’ copyright rights generally third party content such as film clips or songs in your video cannot be included without obtaining the owner’s permission.

Museum-Sponsored Blogs

Blogs that are hosted or run by the Museum should focus on topics that are related to the Museum’s business. Employees must avoid subject areas that are likely to be controversial, such as politics and religion.
Misuse of Museum Resources

Personal social media activities must not interfere with an employee’s work or productivity at the Museum. An employee must not use Museum resources to set-up his or her blogging environment, even if blogging about matters related to the Museum. Museum resources, including servers, must be used solely in connection with formally authorized blogging environments that have been established following consultation with the Museum’s External Affairs Department.

If you have any questions regarding these Guidelines, please direct your questions to the Museum’s Executive Director]
EMPLOYEE ACKNOWLEDGMENT FORM

I, ______________________________________, hereby acknowledge receipt of the Heckscher Museum of Art (the “Museum”) Personnel Policy Manual (the “Manual”), which provides guidelines on the policies, procedures, and programs affecting my employment with the Museum.

I understand and agree that the Museum reserves the right to implement policies and practices which may not appear in this Manual and to change, interpret, withdraw, or add any policies, practices or benefits of the Museum at any time and without prior notice. With respect to the employee benefits summarized in this manual, I understand that the benefits are more fully described in separate plan documents, which may be modified from time to time and are available from the Museum’s Executive Director. I understand that the texts of official plan documents supersede any statement contrary to their content which may be made in the Manual or by any supervisor.

I understand and agree that the provisions of this Manual are not intended to create contractual obligations with respect to any matters it covers. Nor is the Manual intended to create a contract guaranteeing that I will be employed for any specific time period.

Further, I understand and acknowledge that the Museum is an at-will employer. THIS MEANS THAT EITHER THE MUSEUM OR I MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THE PERSONNEL POLICY MANUAL OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. No officer, employee or representative of the Museum is authorized to enter into an agreement with me for employment for a specified period of time or make any promises or commitments which are contrary to the foregoing unless those agreements have been approved by the Board of Trustees and signed by the Executive Director.

________________________________________  ____________________
Employee Signature                  Date
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