To: See Email Distribution List

From: Mary Wheeler
Manager of Contract Administration

Date: November 28, 2016

No Pages: 2 + Exhibit A

This addendum is issued on November 28, 2016 prior to the due date to add, delete, modify, clarify and/or to respond to questions submitted by prospective proposers regarding the above referenced solicitation.

**QUESTIONS**

1. **Question:** How many locations do you have?
   **Response:** The Authority has 17 locations where employees are stationed.

2. **Question:** What involvement, if any will the board have in this engagement?
   **Response:** The Board of Directors will approve the recommended firm and will receive the final report from the selected firm.

3. **Question:** How many operating directors do you currently have?
   **Response:** 14

4. **Question:** Please confirm all current union contracts and termination dates.
   **Response:**

<table>
<thead>
<tr>
<th>Union</th>
<th>Termination Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>International Union of Painters &amp; Allied Trades, District Council 21, Local 252</td>
<td>April 30, 2017</td>
</tr>
<tr>
<td>AFSCME, District Council 33</td>
<td>August 31, 2017</td>
</tr>
<tr>
<td>AFSCME, District Council 47, Local 2186, On-Street Employees</td>
<td>August 31, 2017</td>
</tr>
<tr>
<td>AFSCME, District Council 47, Local 2186, Airport Employees</td>
<td>August 31, 2017</td>
</tr>
<tr>
<td>AFSCME, District Council 47, Local 2187</td>
<td>August 31, 2017</td>
</tr>
<tr>
<td>Transport Workers Union of America, Local 700</td>
<td>January 14, 2018</td>
</tr>
<tr>
<td>Teamsters Union, Local 115</td>
<td>May 31, 2018</td>
</tr>
</tbody>
</table>
5. **Question:** Please provide any 3rd party negotiators are involved in union support.  
   **Response:** There is no 3rd party involvement.

6. **Question:** Can you provide a copy of the Existing handbooks.  
   **Response:** Please see attached Employee Manual and revision from October 13, 2016.

7. **Question:** In the RFP there is a statement that the “List of services requested is not exhaustive” - what other items may you consider including?  
   **Response:** To be determined after consultation with the selected firm.

8. **Question:** Do you have any specific requirements related to applicants, for example do you operate under same practices as the city of Philly.  
   **Response:** The Authority does not have the same employment practices as the City of Philadelphia. Specific requirements will be discussed with the selected firm after the awarding of the project.

9. **Question:** What is expected start date for the project?  
   **Response:** The estimated start date is January 1, 2016.

10. **Question:** Who was awarded the project previously and what was the budget previously.  
    **Response:** The Authority has not contracted for these services in the past.

**Benefits administration**

11. **Question:** Who are your current providers?  
    **Response:**  
    - Independence Blue Cross  
    - CVS/Caremark  
    - COBRA  
    - Benistar/Hartford  
    - Delta Dental  
    - Vision Benefits of America  
    - Cigna – group life, short term and long term disability, retiree life and basic accidental death and dismemberment

12. **Question:** How many users are in your employee population?  
    **Response:** 1029

13. **Question:** Are you considering a change in the next 12 months?  
    **Response:** To be determined.

**END OF ADDENDUM ONE**
Exhibit A
Philadelphia Parking Authority

Employee Manual
## CONTENTS

Letter from the Chairman ............................................ 1

History of the Philadelphia Parking Authority ............... 3

Chapter 1. Employment with the Philadelphia Parking Authority  .............. 5
   Section 101. The Employee Manual .................................. 5
   Section 102. Qualification for Employment ...................... 6
   Section 103. Job Classification ................................... 6
   Section 104. RESERVED ........................................... 6
   Section 105. Personnel Records .................................. 6
   Section 106. Probationary Period ................................ 8
   Section 107. Employee Performance .............................. 8
   Section 108. Employee Development ......................... 12
   Section 109. Separation from the Authority .................. 13

Chapter 2. Compensation ............................................. 15
   Section 201. Salary Scale ........................................ 15
   Section 202. Cost of Living Adjustments (COLAs) ........... 15
   Section 203. Non-Conforming Salaries ........................ 15
   Section 204. Pay Procedures ................................... 15
   Section 205. Overtime Compensation ........................... 17
   Section 206. RESERVED ......................................... 18
   Section 207. Seniority ........................................... 19

Chapter 3. Attendance and Leave .................................... 20
   Section 301. Normal Workday .................................... 20
   Section 302. Breaks .............................................. 20
   Section 303. Daily Time Report .................................. 20
   Section 304. Absence Without Leave (AWOL) .................. 20
   Section 305. Leave Benefits .................................... 21
   Section 306. Catastrophic Leave Bank .......................... 40

Chapter 4. Standards of Conduct ................................. 41
   Section 401. Equal Employment Opportunity Policy ........ 41
   Section 402. RESERVED ........................................ 41
   Section 403. Announcement of New Positions ................. 41
   Section 404. Speaking to the Press ............................. 41
   Section 405. Interaction with the Public ..................... 42
   Section 406. Use of Authority Resources .................... 42
   Section 407. Productive Work Environment .................. 42
   Section 408. Harassment ....................................... 43

Section 409. Sexual Harassment .................................. 43
Section 410. Dress and Appearance ............................. 45
Section 411. Smoking .............................................. 45
Section 412. Electronic Media Use ................................ 45
Section 413. Vehicle Use .......................................... 48
Section 414. Parking for People with Disabilities .......... 50
Section 415. Solicitation ........................................... 50
Section 416. RESERVED .......................................... 51
Section 417. Dispute Resolution/Grievance Procedure ....... 51

Chapter 5. Employee Benefits .................................... 53
   Section 501. Eligibility ......................................... 53
   Section 502. Status Change ..................................... 54
   Section 503. Group Medical ...................................... 54
   Section 504. Health Care Continuation of Coverage .......... 54
   Section 505. Benefit Waiver Program ........................ 55
   Section 506. Group Retirement Medical, Prescription, Dental,
               and Vision Plans ......................................... 55
   Section 507. Group Life Insurance ............................. 56
   Section 508. Group Short-Term Disability Insurance ....... 57
   Section 509. Group Long-Term Disability .................... 58
   Section 510. Pension Plan ....................................... 59
   Section 511. Deferred Compensation Plan .................... 59
   Section 512. Employee Injuries ................................ 59
   Section 513. RESERVED ......................................... 61
   Section 514. Temporary Limited Duty Assignment ........... 61

Drug and Alcohol Abuse Policy .................................. 63
Appendix I. Employee Assistance Program or Mental Health
             Assistance Availability ................................... 80
Appendix II. Consent Form – Substance Abuse Testing ........ 81
Appendix III. Substance Abuse Agreement ...................... 83
Appendix IV. After Care Contract ............................... 84
Appendix V. Reasonable Suspicion Testing .................... 85
LETTER FROM THE CHAIRMAN OF THE BOARD

Welcome to the Philadelphia Parking Authority! You have joined one of the premier parking and transportation agencies in the nation. Your commitment and dedication is vital to maintaining and improving the quality of service the Authority provides. Every member of our staff fulfills a unique role and every role is essential to our success.

A consistent, coordinated transportation plan is essential to support the City’s economic vitality. Our mission is to improve the quality of life for those who live, work, do business, and visit our city by improving mobility. This is accomplished by providing comprehensive parking management services, providing competitively-priced parking facilities, improving traffic and pedestrian safety, and insuring safe and convenient taxicab and limousine service in the City.

Recognizing that we are in a constantly changing environment, we must continuously reevaluate our programs and operations to insure the highest quality of service. All our activities must be focused on delivering high quality parking and transportation services with the greatest efficiency and integrity.

This employee manual outlines the Philadelphia Parking Authority’s policies and procedures. It is not intended to be comprehensive, nor does it supersede collective bargaining agreements with the unions that represent certain groups of employees. It is also not a contract between the Authority and its employees. It is a guide for employees to understand their responsibilities and the benefits provided to them. Questions on specific policies or procedures should be directed to your supervisor who may direct you to a Human Resources official for an answer. Again, welcome to the PPA and enjoy the experience.

Sincerely,

Joseph T. Ashdale
Chairman
Chapter 1. Employment with the Philadelphia Parking Authority

Section 101. The Employee Manual

A. This Employee Manual is intended to outline and clarify the conditions of employment at the Philadelphia Parking Authority ("Authority") and to describe the responsibilities of both the Authority and its employees.

B. This manual contains a description of employment policies and procedures which apply to all employees. However, there may be certain instances in which collective bargaining agreements between the Authority and labor organizations representing Authority employees contain different provisions on certain policies. In those cases, the provisions of the collective bargaining agreement supersede the provisions of this manual. In cases where a specific subject or situation is not governed by a collective bargaining agreement, the provisions of this manual apply to all employees.

C. The manual is designed to deal with most situations that may arise during the course of employment at the Authority. However, it is not a contract between the employee and the Authority nor is it a guarantee of continued employment; it sets guidelines and is a source of information. Unless provided otherwise by collective bargaining agreements, all employees are at-will employees and the conditions of employment for these employees may be revoked, changed (including termination of employment), or supplemented at any time at the sole discretion of the Authority. Any changes will be effective upon approval of the executive director of the Authority or his or her designee. Employees will be notified of changes in writing.

D. No policy is intended as a guarantee of continuity of benefits or rights. No permanent employment or employment for any term is intended or can be implied by statements in this manual.

Section 102. Qualification for Employment

All applicants are judged on their education, training, prior experience, temperament, and other factors relevant to the job they are seeking. In some instances, applicants are required to take written tests or other devices to evaluate their aptitude for the position being filled. Most positions require a clean criminal history, a valid driver's license and a pre-employment drug screening. Additional requirements for positions will be explained during the interview or selection process.

Section 103. Job Classification

A. The Human Resources Department maintains Job Classification Specifications for each position in the Authority. They include: job title, department, position overview, principal duties, and minimum acceptable training and experience.

B. The Specifications are descriptive and not restrictive. They are intended to indicate the kinds of positions that are allocated to job classifications, as determined by their duties and responsibilities, and should not be construed as limiting to any extent, or in any way, what the duties or responsibilities of any position are. Specifications do not limit or modify the power of the Authority to assign, direct and control the work of employees. The use of a particular expression or illustration of duties may not be held to exclude others not mentioned that are related to the same classification.

Section 104. RESERVED

Section 105. Personnel Records

A. All employees are required to supply certain information at the time of hiring. Employees must supply, and update as necessary, a valid home address, home telephone number, emergency contact person, persons covered under insurance contracts, and beneficiaries
HISTORY OF THE PHILADELPHIA PARKING AUTHORITY

Following World War II, the construction of the Interstate Highway System and suburban development led to a sharp increase in the number of motor vehicles entering Philadelphia. In 1947, responding to increased traffic congestion and related public safety concerns, the Pennsylvania General Assembly passed the Parking Authority Law, which paved the way for Philadelphia City Council, in 1950, to create the Philadelphia Parking Authority. The initial functions of the PPA included the construction and operation of off-street parking facilities and data collection and analysis of parking problems.

The Authority owns and operates six Center City garages and manages nearly fifty neighborhood parking lots throughout the city. The on-site parking at the Philadelphia International Airport is also owned and operated by the Authority.

In 1983, the Authority's functions were expanded considerably when it was assigned the responsibility for administration and enforcement of the City's on-street parking functions. Today, the Authority oversees a comprehensive on-street parking management program including: developing and posting parking regulations, installation maintenance and collection of parking meters, issuing parking tickets, towing vehicles which are illegally parked, and collection of fines and penalties.

Recognizing that unregistered vehicles and those operated by unlicensed drivers pose a serious threat to traffic and pedestrian safety, the Pennsylvania General Assembly enacted a law which provides for the seizure of vehicles in those categories. The Philadelphia Parking Authority is the impoundment agent for vehicles stopped by the Philadelphia Police which are found to be in violation of the law. The law was implemented city-wide in 2002.

In another program designed to improve highway safety, the Philadelphia Parking Authority is the administrator for a system of photo red light enforcement. With the approval of City Council and the Pennsylvania Secretary of Transportation, the Authority recommends intersections for the installation of equipment and operates the enforcement program.

In 2005, the Authority assumed responsibility for the regulation and enforcement of taxicabs and limousines in Philadelphia. This expanded mission is consistent with our understanding that a comprehensive, integrated transportation system is essential to the region's economic vitality.

The Authority is also at the forefront in the application of technology to parking operations. A1 parking meters accept smart cards and that payment method is expanding to garages, taxicabs and other transportation services. Through the web-based Parking Locator, motorists are able to get up to date information on off-street parking facilities such as hours of operation, rates, locations, etc.

The Authority is governed by a board appointed by the governor of the Commonwealth of Pennsylvania.
of pension or insurance coverage. The Authority is not responsible for any loss which may arise out of the employee’s failure to provide this information.

B. Employees are entitled to review the contents of their personnel files by making a written request in advance to the director of Human Resources. Inspection of personnel files must be made on the employee’s time, during the regular business hours of the Human Resources Department. Employees may take notes, but will not be permitted to remove any documents. The Authority may withhold documents concerning ongoing criminal investigations, documents prepared for civil, criminal or grievance procedures, or letters of reference. An employee may place in the file a written response to any negative document contained therein.

C. No employee may review the personnel files of another employee, except as necessary to perform the requirements of his or her own job.

D. Documentation of disciplinary action that resulted in discipline less than a three day suspension, and which is more than three years old, will not be considered in making employment, promotion, or disciplinary decisions, provided that the same or similar action has not been recorded during the three-year period.

E. Information contained in an employee's personnel, medical, attendance, workers' compensation, or payroll file is personal and private to the employee and Authority employees or agents who have a business need for the information. Such information will not be made available to other Authority employees or to any inquiry from outside the Authority except with written authorization from the employee, a court subpoena or order, or through applicable public records inquiries.

Section 106. Probationary Period

New employees, and employees promoted to a new position, will serve a probationary period of not less than six months. During that period, the employee's performance, conduct, and development will be closely monitored. The employee will receive interim performance evaluation reports during the probationary period in which the strengths and weaknesses of the employee's performance will be brought to the employee's attention. Employees who receive an overall rating of satisfactory or above in the final probationary period performance report will be removed from probationary status in the position. An employee who receives an overall rating of less than satisfactory will be terminated from the position, in the case of newly hired employees, or returned to the former position, in the case of promoted employees. In extraordinary circumstances, an employee who receives an overall rating of less than satisfactory may have the probationary period extended to demonstrate his or her ability to perform the requirements of the position.

Section 107. Employee Performance

A. Performance Evaluation

All full-time employees will receive an annual performance evaluation. The employee's performance will be evaluated by his or her immediate supervisor and approved by a reviewing officer. Performance evaluations will provide feedback to the employee concerning his or her performance during the preceding year and will indicate areas of strength as well as areas for improvement. An employee who receives ratings of unsatisfactory or lower in three or more performance factors will receive an overall rating of unsatisfactory. An employee who receives an overall unsatisfactory rating will be reevaluated in three months. If his or her performance still does not merit an overall satisfactory rating the employee will be subject to disciplinary action up to and including termination.
B. Disciplinary Action

Authority supervisors and managers continually monitor employee performance and make suggestions for improvement. Feedback from supervisors is intended to be instructive, but may also serve as notice of disciplinary action. Disciplinary action is sometimes used to remedy deficient employee performance.

1. Written Warning

The written warning defines the problem and how it may be corrected. The seriousness of the problem is emphasized, and the written warning will indicate that additional disciplinary action up to and including termination may result if improvement is not observed. Written counseling becomes part of the employee’s personnel file.

2. Suspension Without Pay

If the problem has not been resolved through a written warning the employee will be suspended without pay for periods of one day, three days and ten days if the employee continues to violate Authority policy.

3. Termination

If, after serving the ten-day suspension, the employee continues to violate Authority policy, he or she will be terminated.

C. The disciplinary progression just described is illustrative only. Steps in the progression may be omitted if the violations are serious and represent conduct unbecoming an Authority employee in that they jeopardize the safety of employees or the public, undermine the credibility or reputation of the Authority, or create a disruption in the workplace. Employees are expected to conduct themselves at all times while on duty, including during lunch and breaks and while on Authority premises, in a manner that reflects positively on the Authority. Some violations are so serious they require immediate suspension with intent to terminate the employee.

The following serious violations may lead to immediate termination:

1. Fighting, threatening, intimidating or coercing any Authority employee or any member of the public while representing the Authority, or while on Authority premises.
2. Any act which might endanger the safety or lives of others.
3. Departing Authority premises during working hours (excluding authorized breaks) for personal reasons without the permission of the supervisor or manager.
4. Bringing firearms or weapons onto Authority premises.
5. Reporting to work under the influence of alcohol or illegal drugs.
6. Possession of alcohol in open containers, or of illegal drugs, on Authority property or while representing the Authority.
7. Selling or attempting to sell alcohol or drugs to Authority employees or to other persons.
8. Gambling while on Authority property, or with Authority monies, or with the monies of Authority employees.
9. Failure to wear clothing appropriate to employee’s position.
10. Sleeping on duty.
11. Stealing, destroying, abusing, or damaging Authority property, tools, or equipment or the property of another employee, visitor, or member of the public.
12. Defacing bulletin boards, walls, equipment, or other Authority property, or removing or altering properly posted notices.
13. Posting materials on, or writing on, bulletin boards, walls, or other Authority property without authorization.
15. Disregarding Authority policies or procedures.
16. Falsifying any Authority record, report, or information of any nature.
17. Destroying Authority files or records without authorization.
18. Signing in or out for another employee, or punching in or out on another employee's time card.
19. Failure to sign in or out, or punch time card in or out, as required.
20. Loafing or failing to carry out work assignment.
21. Performing personal work on Authority time or with Authority equipment or material.
22. Insubordination.
23. Smoking where prohibited by Authority policy.
24. Creating or contributing to unsanitary or poor housekeeping conditions on Authority property or in Authority vehicles.
25. Operating an Authority vehicle without a valid driver's license.
26. Reckless or careless driving of PPA vehicles.
27. Improper parking on PPA property, or in other areas where such parking may result in a traffic problem.
28. Fraud, misappropriation, embezzlement, theft, or the like against the Authority.
30. Unsatisfactory work performance.
31. Interfering with the performance of duties by Authority employees by talking or creating a distraction.
32. Using employee's position at the Authority to interfere with or distort the enforcement of parking regulations or the collection of revenue.
33. Performance of any reckless act which damages the reputation of the Authority.
34. Sexual harassment in any form towards employees of the Authority, anyone affiliated with the Authority, or a member of the public while representing the Authority.
35. Discourtesy to the public or to fellow employees.
36. Excessive absence or tardiness.
37. Failure to cooperate with an Authority investigation.
38. Failure to observe executive orders, directives, or other work rules.

Section 108. Employee Development

A. Tuition Reimbursement

Upon expiration of probationary status, full time employees are eligible to apply in advance for reimbursement of tuition, provided that the courses are taken at an accredited institution and are relevant to the employee's professional development with the Authority.

1. Applications for tuition reimbursement are available from the Human Resources Department. Completed applications should be submitted to the Human Resources Department for review and approval by the manager of compensation, the director of Human Resources, the employee's manager or director, the director of Finance, and the executive director.

2. Tuition reimbursement is limited to $1,800 per year with a lifetime maximum of $7,500. Special requests for review of the annual or lifetime maximum will be considered by the executive
director. Within the limits set forth, if an employee receives a grade of A he or she will be reimbursed the full tuition amount available for that course. If an employee receives a passing grade below A, the reimbursement will be 90% of the tuition amount available for that course. No reimbursement will be made if an employee fails or withdraws from the course. Courses which grade on a schedule other than A, B, C, etc. (e.g., Pass/Fail or Complete/Incomplete) must be specifically stated in the request for reimbursement.

Tuition reimbursements will be taxed as required by law.

B. In Service Training

1. Full-time employees may apply for permission to attend professional, educational or technical seminars or workshops to enhance their professional development directly related to their duties with the Authority, with pay, provided such attendance will not adversely affect the performance of their regular duties. Such training must be approved in advance by the employee’s department director and the appropriate deputy executive director. Any approval will indicate if any expenses associated with the training will be reimbursed by the Authority.

2. Eligible employees may attend retirement seminars offered by the City of Philadelphia Board of Pensions and Retirement as part of their in-service training, with the prior approval of their supervisor.

Section 109. Separation from the Authority

A. An employee who intends to resign or retire from the Authority should notify his or her supervisor in writing at least two weeks prior to the anticipated last day of work.

B. Full-time employees who are separated from Authority employment, whether because of termination, resignation, layoff, retirement, or death, are entitled to full payment for all time worked prior to separation, and to payment for earned vacation leave accrued by the employee. Vacation leave will be accrued to the date of separation. Payment will also be made for accumulated compensatory time off, and for unused administrative leave days.

C. A full-time employee who has attained, or is within five years of, the normal retirement age requirement of the pension plan in which he or she is enrolled, and who has twenty years of service with the Authority, will also receive 30% of his or her accrued sick leave, in addition to payments described above. Sick leave will be accrued to the date of separation.

D. A full-time employee who has either 1) attained the normal retirement age requirement of the pension plan in which he or she is enrolled and has ten years of service with the Authority, or 2) is within five years of the normal retirement age requirement of the pension plan in which he or she is enrolled and has twenty years of service with the Authority, is entitled to continue to receive health benefits from the Authority for a period of five years after such separation from service, under the same terms as when the employee was actively at work.

E. A full-time employee who retires while receiving Authority-provided disability benefits will be treated the same as other retirees with regard to the continuation of medical coverage. Such an employee, to be eligible, must have completed ten years of active service before the start of the most recent disability period.

F. Upon the death of an active employee, the Authority will pay to the employee's spouse, if no living spouse then the employee's duly raised estate, all monies due.
Chapter 2. Compensation

Section 201. Salary Scale

The pay ranges for positions covered by collective bargaining agreements are set according to the wage scales in those agreements. Pay ranges for non-represented positions are set according to administrative scales. Each pay range shows the starting salary and the salary for each step of the range. An employee moves to the next higher step on the pay range for the job classification on his or her anniversary date, if the employee receives an overall rating of satisfactory or above on the annual performance evaluation.

Section 202. Cost of Living Adjustments (COLAs)

From time to time, cost of living adjustments may be granted. COLAs are applied to the wage scales so that each step of the scale is adjusted based on the COLA. COLAs are not subject to performance evaluations.

Section 203. Non-Conforming Salaries

Occasionally, an employee may be reclassified to a position that is classified at a lower pay range than that currently being paid to the employee. Employees in that situation will be “red circled” at their current salary, and will not receive increments or COLAs until the pay salary for that position reaches the red circled salary of the employee.

Section 204. Pay Procedures

A. Payday is determined by the division to which an employee is assigned. In the event a payday falls on a holiday, paychecks will be distributed at the end of an employee’s shift on the previous day.

B. In the event an employee believes there has been a mistake in his or her paycheck, the employee should report the information to his or her supervisor. No employee below the rank of manager may contact the Payroll Department directly without the permission of his or her supervisor.

1. Direct Deposit

Employees may choose to have all or part of their paycheck deposited directly to the bank or banks of their choice. Contact the Payroll & Time Control Department for additional information.

2. Pay Advances

No employee will receive pay in advance of its being earned.

3. Payroll Deductions

a. Each employee must fill out and sign a federal withholding allowance certificate, IRS Form W-4, before starting work. The employee may fill out a new W-4 at any time when circumstances change. Employees are expected to comply with the Instructions on Form W-4. Questions regarding the propriety of claimed deductions may be referred to the IRS in certain circumstances.

b. The following mandatory deductions will be made from every employee’s gross wages: federal income tax, Social Security FICA tax, applicable state and local taxes, pension contribution, and union dues, if applicable, and any court-mandated payments such as child support.

c. Other optional or voluntary deductions include: health insurance, deferred compensation contributions, Combined Campaign charitable contributions, etc.

d. Every employee will receive a statement of deductions with each pay check as well as an annual Wage and Tax Statement, IRS Form W-2, for the preceding year on or
before January 31. An employee, who believes that his or her deductions are incorrect for any pay period, or on Form W-2, should request a meeting with the Payroll & Time Control Department through his or her supervisor. A fee of $10 will be assessed for a replacement Form W-2.

Section 205. Overtime Compensation

A. Overtime may only be worked when assigned and approved in advance by an authorized supervisor. The overtime compensation policy in this section applies only to those employees not covered by collective bargaining agreements. Represented employees should consult their collective bargaining agreement for overtime rules.

1. Employees at or below the A15 pay range will be paid:
   a. Time and one half for all hours worked over 7.5 in one day or over 37.5 hours in one week.
   b. Time and one half for hours worked on first regular day off.
   c. Double time worked for second regular day off.
   d. Time and one half in addition to holiday pay for hours worked on a day that is observed by the Authority as a paid holiday.

2. Employees between pay ranges A16 and A21 inclusive will be paid:
   a. Time and one half for all hours worked over 7.5 in one day or over 37.5 hours in one week.
   b. Time and one half for hours worked on any regular day off.
   c. Time and one half in addition to holiday pay for hours worked on a day that is observed by the Authority as a paid holiday.

3. Employees at pay range A22 and above typically will not be compensated for additional hours worked. However, in extraordinary circumstances, one hour compensatory time will be awarded for each hour worked when approved by the executive director or a deputy executive director.

4. No employee will be permitted to work overtime if he or she was in an unpaid status during the normal workweek.

5. In lieu of overtime pay, eligible employees may elect to receive compensatory time off at the same rate at which they would receive overtime pay. Employees may carry over no more than 240 compensatory hours in a calendar year.

B. Overtime work is not mandatory except in emergency situations affecting public health or safety, as declared by the City of Philadelphia, the Commonwealth of Pennsylvania, or the Authority's executive director. In emergency situations, essential personnel are required to report for duty during their regularly scheduled hours of work. In those situations where essential employees are required to work when other employees are not required to report, compensatory time will be awarded for work performed by the essential employees during their regularly scheduled hours of work. Any work performed either before or after their regularly scheduled hours of work will be compensated on an overtime basis. If no or an insufficient number of employees accept an opportunity to work in emergency situations, the Authority will require attendance on the basis of reverse seniority within the appropriate job classification(s). Essential job classifications shall be defined by the executive director as appropriate to each emergency situation for non-represented employees.

Section 206. RESERVED
Section 207. Seniority

Seniority is defined as including all periods of paid continuous service of an employee since his or her last date of hire with the Authority, and all periods of approved leave of absence without pay, suspension without pay, or layoff which do not exceed 15 calendar days. If an employee has a break in service of more than 15 calendar days for any reason other than an approved leave of absence without pay or a suspension without pay, he or she shall, upon re-employment, earn seniority as a new employee.

A. Temporary or part-time employees of the Authority who worked more than 20 hours per week but less than 35 hours per week in their part-time or temporary position, and later become full-time employees, will receive, for the purpose of calculating vacation time and longevity pay, credit for pre-full-time employment. This credit will be applied to the employee’s start date as a full-time employee, and will give the employee seniority credit for half of the time spent as a part-time employee.

B. Temporary or part-time employees of the Authority who worked more than 35 hours per week in their part-time or temporary position, and who later become full-time employees, will receive for the purpose of calculating vacation time and longevity pay, credit for pre-full-time employment. This credit will be applied to the employee’s start date as a full-time employee, and will give the employee seniority credit for all of the time he or she spent as a part-time or temporary employee.

C. These credits toward seniority are available only if less than one year has elapsed between the end of the employee’s previous service and the beginning of the employee’s full-time employment. An adjusted seniority date consistent with Subsection 207.A will be calculated at the time of full-time employment of each such employee. Seniority credit for temporary or part-time employment does not apply to seniority in a position for the purpose of shift bid or other position-specific issues for which seniority is a consideration.

D. Seniority for departmental operations matters (shift assignment, overtime, etc.) shall be determined by seniority in that job classification. The method for determining an employee’s departmental seniority date is the same as that used in determining Authority seniority as described in this section. However, the start date will be the first day of employment in the current job classification, if different from the employee’s hire date.

Chapter 3. Attendance and Leave

Section 301. Normal Workday

The regular workday for non-represented employees is 8.5 hours including a one-hour, unpaid meal period and two fifteen-minute breaks. A workweek is Monday through Sunday. The hours and days of the week assigned to each employee is determined by departmental needs and will be established by each with the approval of the department director.

Section 302. Breaks

Meal periods may not be taken before three hours after the start or after three hours before the end of a shift. Meal periods may not be used to leave before the end of an employee’s workday. Breaks may not be extended to extend the meal period or to report to work after the start or leave before the end of an employee’s assigned hours of work. The requirements for hours of work for represented employees are specified in their collective bargaining agreements.

Section 303. Daily Time Report

Hours of work are currently recorded by signing the precise time of arrival and departure on the Daily Time Report (“time sheet”). If an employee must conduct non-Authority business during the workday, the employee must secure leave from his or her supervisor by submitting a leave request. Falsification of time sheets is a serious violation and will result in disciplinary action up to and including termination.

Section 304. Absence Without Leave (AWOL)

An employee who fails to report for duty in accordance with his or her work assignment, and fails to contact the Authority, at least one hour before the start of the shift will be considered Absent.
Without Leave (AWOL), and will be subject to disciplinary action up to and including termination. An employee who is Absent Without Leave for three consecutive workdays will be considered to have abandoned his or her position.

**Section 305. Leave Benefits**

The rules governing the use of each type of leave are outlined below. The only absences which may be reported the day of the leave are sick leave and administrative leave. All other leave types must be requested and approved in advance. When calling out for sick or administrative leave all employees must call 215 683-9777 at least one hour before the start of their shift.

**A. Administrative Leave**

1. Full-time employees are awarded six administrative leave days on July 1 of each year, which must be used by June 30 of the following calendar year or they will be forfeited.

2. Employees who begin employment with the Authority during the course of the year shall receive Administrative Leave as follows:
   a. July 1 and August 15 are awarded six days.
   b. August 16 and September 30 are awarded five days.
   c. October 1 and November 15 are awarded four days.
   d. November 16 and December 31 are awarded three days.
   e. January 1 and February 15 are awarded two days.
   f. February 16 and March 15 are awarded one day.

3. Administrative leave days must be taken in full day increments, and may not be used during the first 90 days of employment.

**B. Vacation**

1. All vacation leave must be approved in advance by the employee's supervisor/manager. Requests for vacation leave of two or more days must be submitted at least fifteen days in advance. Requests for vacation leave of less than two days must be submitted at least 24 hours in advance. The Authority reserves the right to deny vacation leave requests based on the operational needs of the Authority.

2. Full-time employees are eligible for annual vacation leave according to the following schedule:
   a. Zero to five years 10 days per year
   b. More than 5 years to 10 years 15 days per year
   c. More than 10 years to 20 years 20 days per year
   d. More than 20 years 25 days per year

3. For the purpose of computing vacation leave credits, continuous service means all paid Authority service (and City service for those employees who transferred from the City in 1983) of an employee between the date of appointment and date of separation, provided however, that periods not exceeding 15 consecutive working days during which an employee:
   a. Is separated or laid off from Authority service immediately prior to reinstatement or reappointment thereto;
   b. Is on a leave of absence without pay; or
   c. Is suspended without pay,
shall also be included in computing length of continuous service.

d. An approved leave of absence without pay, suspension without pay, or layoff, for a period exceeding 15 consecutive working days is not to be included in computing length of continuous service. However, service immediately following such an interlude shall be considered a continuation of the service immediately preceding it to maintain continuous service toward vacation benefits. Periods covered by such leaves shall not be counted toward credited vacation service.

4. Vacation leave shall be earned on a pro-rata basis each pay period, except that newly hired employees and employees reinstated from resignation or retirement who are serving their six-month probationary period shall not be entitled to use any vacation leave and shall not be entitled to payment for any unused vacation leave if terminated during the probationary period. In no event may vacation leave be used before it is earned and in no event may leave without pay be substituted for vacation leave if such leave is exhausted.

5. At the end of each calendar year, an employee may carry forward up to 75 accrued vacation days for represented employees and 125 accrued vacation days for non-represented employees.

6. Once each year, between January 1 and March 31, an administrative employee or an employee represented by District Council 47 may sell back to the Authority up to five days of vacation leave, so long as the employee maintains a balance of at least ten accrued vacation days after the sell back.

7. Changing position within the Authority does not affect an employee's accrued leave balance.

8. Emergency vacation leave is not permitted. Employees who have exhausted their accrued vacation leave but take leave none the less, or take vacation leave without the required approval, will be carried AWOL and disciplined accordingly.

C. Holidays

1. Full-time employees receive 11 paid holidays per year as follows:
   - New Year's Day
   - Martin Luther King, Jr. Day
   - Presidents' Day
   - Good Friday
   - Memorial Day
   - Independence Day
   - Labor Day
   - Columbus Day
   - Veterans Day
   - Thanksgiving Day
   - Christmas Day

2. When a holiday falls on Saturday, a holiday comp day will be awarded. If a holiday falls on Sunday, the holiday will be observed on the following Monday.

3. If a designated holiday falls within an employee's vacation period, the holiday is not considered a vacation day.

4. An employee whose regularly scheduled day off falls on a holiday or its observance, will be credited with a holiday comp day. Holiday comp days may be taken in full-day increments only. There is no time limit on the use of holiday comp days.
D. Sick Leave

1. Employees hired after December 20, 2004 shall accrue 12 sick leave days per year. Employees hired between March 21, 1996 and December 20, 2004 shall accrue 15 sick leave days per year. Employees hired before March 21, 1996, shall accrue 20 sick days per year. All sick days shall be accrued but may not be used during the first 30 days of employment.

2. Sick leave is a benefit that the Authority provides to protect employees from loss of wages due to bona fide illness or injury. Proper use of sick leave will protect employees from income loss while assuring continued program accomplishments.
   a. An employee who is unable to report to work due to bona fide illness or injury must contact the Authority at 215 683-9777 no later than one hour prior to the start of his or her shift.
   b. An employee on sick leave is required to call in only on the first day of any absence, indicating the expected date of return, the reason for the absence, and the address and telephone number where confined, if different from that on file in the department. Employees must inform the Department of Human Resources of any changes to home address or telephone number. Failure to provide valid contact information may result in disciplinary action. If unable to return to work on the date originally indicated, the employee must call again to indicate the new expected date of return.
   c. On the day when an employee is on sick leave he or she must remain at home except for needs related to the illness or injury. If an employee must leave for needs related to the illness or injury he or she must notify the Authority at 215 683-9777 when leaving home and upon return. No absence from home may exceed three hours unless certified by a doctor. If the employee is going to exceed the three hours, he or she must again notify the Authority with the information regarding the doctor who will certify the need for the absence to exceed three hours.
   d. While on sick leave an employee may be called or visited by a sick leave Investigator unless the employee has 150 or more days of accumulated sick leave.
   e. Unpaid sick leave (T-Time) shall not exceed ten days in any calendar year. Each day used beyond ten days is a separate violation, whether they are used in single day or multiple day occurrences. Entitlement to unpaid sick leave resets each January 1 whether the employee is on the Excessive Use of Sick Leave List or not. However, when an employee is in the progressive discipline chain for violations of the limitation on the use of unpaid sick leave, the discipline chain will carry over until the employee is violation free for one year. Discipline for the excessive use of unpaid sick leave is carried out separately from other sick leave violations.
   f. Nothing in this provision, however, shall prevent an employee from exercising his or her rights under the Family Medical Leave Act or from applying for a Medical Leave of Absence. Contact the Human Resources Department for information on FMLA or leaves of absence.
   g. An employee who uses any unscheduled sick leave during the workweek (Monday through Thursday) will not be permitted to work overtime during the balance of that week (Friday, Saturday, and Sunday). An employee who uses unscheduled sick time on Friday, Saturday or Sunday will not be permitted to work overtime during the following week (Monday through Sunday).
h. A medical certificate is required for all absences of more than two consecutive workdays. An employee who must be absent on unpaid sick leave as permitted in Paragraph 2.e above, must present a medical certificate for each absence. Notwithstanding the foregoing, an employee who has been placed on the Excessive Use of Sick Leave List is required to submit a medical certificate for all use of sick leave until such time as he or she is removed from the list. Medical certificates required under this section must be submitted upon the employee’s return to work but in no case more than three days after the employee’s return to work. An employee who must be absent for ten or more consecutive workdays must submit a medical certificate for each pay period. A medical certificate must contain the following information:
- The date, time, and place the employee was treated;
- The date(s) the employee was unable to work due to illness or injury;
- Any work limitations, if the employee is available and willing to work in a diminished capacity
- If appropriate the date of expected return to work; and
- The doctor’s name, address, telephone number, signature, and date.

i. Excessive and Undocumented Use of Sick Leave

i. An employee, who in any calendar year uses a total of six occurrences of sick leave without a medical certificate shall be placed on the Excessive Use of Sick Leave List. The employee shall be notified after reaching three uncertified sick occurrences within a calendar year that three more occurrences will result in his or her placement on the Excessive Use of Sick Leave List.

ii. An employee will be warned by the Authority after three uncertified occurrences of pattern abuse. This includes the use of uncertified sick leave in conjunction with scheduled days off, holidays, payday, or overtime shifts. Any two additional occurrences of uncertified pattern abuse will result in the employee’s placement on the Excessive Use of Sick Leave List.

iii. An employee will be warned by the Authority after five certified occurrences of pattern abuse or after five occurrences of pattern abuse which is either certified or uncertified. This includes the use of certified sick leave in conjunction with scheduled days off, holidays, payday, or overtime shifts. Any two additional occurrences of pattern abuse will result in the employee’s placement on the Excessive Use of Sick Leave List with the exception of any employee who has presented, and the Authority has approved, documentation that requires regular or scheduled medical absence.

iv. An employee will remain on the Excessive Use of Sick Leave List until twelve months have elapsed from the date of placement on the list, provided that no additional violations of the policy or uncertified sick leave usages occur. Further violations of the policy or uncertified usages will cause the reckoning date for the removal of the employee from the Excessive Use of Sick Leave List to extend twelve months from the date of such violation or uncertified usage.

v. In addition to the procedures for placement and removal from the List, and the requirement of
certification for all sick leave usage, an employee on the List will be disciplined in accordance with the progressive penalties detailed below.

vi. In addition to other penalties provided for in this section, an employee who is placed on the Excessive Use of Sick Leave List will not be paid for the first day of any certified sick leave for the first four occurrences of sick leave usage during the twelve months following the employee’s placement on the Excessive Use of Sick Leave List. If the employee’s time on the Excessive Use of Sick Leave List is extended due to a violation or uncertified usage, the employee will not be paid for the first day of certified sick leave for the next four occurrences during the next twelve months.

vii. In the event that the employee is in an unpaid status for any reason for a period exceeding fifteen days, the reckoning date for removal from the List will be recalculated to extend the date by the number of days equal to the unpaid status.

viii. No employee on the Excessive Use of Sick Leave List is eligible to apply for any posted position. No employee who is on the Excessive Use of Sick Leave List will be promoted to any position.

ix. An employee placed on the Excessive Use of Sick Leave List who violates any of the provisions of this section will not be paid for the day(s) not worked, and will be disciplined in accordance with the following procedure:

<table>
<thead>
<tr>
<th>First Occurrence</th>
<th>Written Warning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second Occurrence</td>
<td>One-day suspension</td>
</tr>
<tr>
<td>Third Occurrence</td>
<td>Three-day suspension</td>
</tr>
</tbody>
</table>

Fourth Occurrence  | Ten-day suspension
Fifth Occurrence   | Subject to Discharge

j. Exemplary Attendance

i. An employee who uses no sick time in the course of a year (January 1 to December 31) will receive two additional administrative leave days, pursuant to Section 305.A – Administrative Leave, during the next year (January 1 to December 31). An employee who uses less than five sick days in the course of a year (January 1 to December 31) will receive one administrative leave day, pursuant to Section 305.A – Administrative Leave, during the next year (January 1 to December 31).

ii. A full time employee with a good attendance record may sell back to the Authority up to five sick days in each calendar year according to the following schedule:

(a.) Employees who have used no sick days in a calendar year may sell back five days.

(b.) Employees who have used one sick day in a calendar year may sell back four days.

(c.) Employees who have used two sick days in a calendar year may sell back three days.

(d.) Employees who have used three sick days in a calendar year may sell back two days.

(e.) Employees who have used four sick days in a calendar year may sell back one day.

(f.) An employee must be continuously employed for a full calendar year in order to be eligible for this benefit. The Authority will notify eligible employees of
their eligibility by February 15 of each year. No later than March 15 of each year, employees may elect to sell back sick leave. An employee may not substitute unpaid leave for the purpose of qualifying for this program. For the purpose of this program, absences without pay of 15 days or fewer will not be considered an interruption of service. Absences without pay for any reason of more than fifteen days, including periods during which an employee is receiving workers’ compensation benefits, will be considered an interruption of service and the employee will be ineligible for this program.

iii. Each full-time employee may convert two accumulated sick days to one vacation day provided the employee maintains a balance of at least 80 accumulated sick days. Such conversion shall be permitted up to a maximum of ten vacation days each calendar year and must be converted in full vacation days. Employees shall submit the request to convert in writing or by e-mail to the Payroll and Time Control Department between January 1 and March 31 each year. Conversion of sick leave to vacation leave may only be accomplished during the above period of time. The scheduling of such vacation leave shall be in accordance with the provisions of the Vacation Leave policy.

iv. Employees may accrue and carry over an unlimited number of sick hours.

E. Medical Appointments

When necessary, an employee may, up to ten times per calendar year, take a two-hour leave for a doctor’s visit, provided that:

1. The employee gives notice of the appointment two business days prior to the date of the scheduled medical appointment; and

2. The employee furnishes his or her supervisor with a medical certificate verifying the visit. An employee who fails to provide a medical certificate upon return from a medical visit within 48 hours will be carried AWOL and be subject to progressive disciplinary action.

F. Leaves of Absence

1. The Authority may grant a leave of absence without pay for a period not exceeding one year to an employee upon the employee’s written request. Such leave, however, may, for meritorious reasons, be extended for additional periods with the approval of the Authority. The employee’s written request shall be made upon forms prescribed by the Authority and shall state the duration of the requested leave and the reason for the request.

2. Full time employees shall be granted a medical leave of absence without pay for up to one year, provided that the employee submits to the Human Resources Department an application with appropriate medical documentation demonstrating the need for the absence. Additional time with a specific termination date may be granted by the Authority upon proper submission of an additional request and appropriate medical documentation. Medical documentation must be submitted to the Human Resources Department: each pay period during which an employee is on Medical Leave of Absence. Should the condition for which the leave was granted no longer exist the employee is expected to return to work.

a. If, on the day following the expiration of a leave, the employee has not returned to work and the leave has not been extended, the employee shall be considered to have resigned from his or her position, unless the employee proves within ten days that such absence was excusable.

32 revised May 2007
b. No leave of absence shall be granted to an employee, who has not completed his or her probationary period, except:

1. In cases of serious illness where the Authority, after examination of the facts of each case, shall find that such leave of absence be granted; or
2. In an extraordinary situation when it is determined to be in the best interest of the Authority.

3. At the expiration of a leave of absence without pay an employee shall return to the position filled by him or her when such leave was granted. An employee may return to duty before the expiration of his or her leave, provided said employee furnishes the Authority with medical documentation of his or her fitness to return to duty when the employee is returning early from a medical leave of absence.

4. An employee who is absent without a valid leave of absence for three consecutive workdays shall be deemed to have abandoned his or her position and to have resigned from the Authority, unless he or she can, within a period of ten calendar days following the absence, prove to the satisfaction of the Authority that such failure was excusable; provided, however, that nothing herein contained shall be construed as preventing the Authority from suspending or discharging an employee on account of unauthorized absence.

5. An employee shall be granted a maternity leave of absence or a parental leave of absence without pay:
   a. For maternity reasons; or
   b. When an employee who is a biological father requests a parental leave of absence commencing with the birth of his baby for primary care purposes. An employee shall be granted a parental leave of absence for primary care purposes when the employee adopts a child. The leave of absence may commence on the day the employee assumes custody of the child.

6. An employee on a maternity/parental leave of absence shall retain his or her same position if such leave of absence does not exceed six months. Beyond six months, in the event of medical necessity, the maternity/parental leave shall be extended as necessary. Maternity leave provisions in this article shall exist in addition to other benefits available by reason of disability.

G. Family and Medical Leave Benefits

The Family and Medical Leave Act (FMLA) of 1993 entitles eligible employees to take up to twelve weeks of unpaid, job-protected leave in a twelve-month period for specified family and medical reasons. During this covered period, the Authority must continue the employee's health coverage under the same terms as if the employee were at work.

1. Eligible employees are those who have worked for the Authority for at least twelve months, and who have worked at least 1,250 hours in the twelve months immediately preceding the start of the leave.

2. Family and Medical Leave is available to eligible employees for one or more of the following reasons:
a. For the birth and care of the newborn child of the employee;
b. For placement with the employee of a son or daughter for adoption or foster care;
c. To care for an immediate family member (spouse, spouse equivalent, child or parent) with a serious health condition; or
d. To take medical leave when the employee is unable to work because of a serious health condition.

3. Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

4. Employees wishing to apply for FMLA benefits must complete a written application and submit it with appropriate medical documentation. Proof of an office visit for medical certification is mandatory. No FMLA benefits will be granted until written approval is given to the employee. If medical certification is not received, leave will be denied. The Authority requires recertification of medical conditions every 30 days. In accordance with 29 U.S.C. §2613, the Authority reserves the right to request a second opinion if it has reason to doubt the validity of the certification.

5. FMLA leave may be taken intermittently or on a reduced leave schedule (a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee) only as permitted by law and when medically necessary as defined above. Recertification is required every 30 days for FMLA leave taken on an intermittent or reduced schedule. If leave is not used within a 30-day period, the employee must reapply before using it again.

6. When intermittent or reduced leave is granted based upon foreseeable planned medical treatment, the Authority may transfer the employee temporarily to an available alternative position with equivalent pay or benefits that better accommodates recurring periods of leave than the regular position of the employee.

7. The Authority requires that the employee use his or her sick leave as part of the FMLA entitlement if the reason for the absence is the employee's serious illness. While on FMLA leave for the employee's illness, the employee must abide by all provisions of the Authority's sick leave policy, including the provision that subjects the employee to sick investigations.

8. For absences to care for a seriously ill family member or for the birth or adoption of a child, the Authority requires that the employee use administrative leave days, accumulated compensatory time off, and holiday compensatory days as part of the FMLA entitlement. The Authority does not require that employees use accumulated vacation time as part of the FMLA entitlement, but employees may elect to do so in order to remain in pay status, only after the above-mentioned leave is exhausted.

9. If a husband and wife, or both members of a domestic partnership, are employed by the Authority, the total number of workweeks of leave during any twelve-month period for both employees is twelve weeks for the birth, adoption, and foster care placement of a child or to care for a sick parent. Each
individual is entitled to twelve workweeks of FMLA leave for his or her own serious health condition and to care for a spouse, spouse equivalent, or child with a serious health condition.

10. There is no accrual of seniority or of sick and vacation leave during the unpaid portion of an FMLA leave, nor are any contributions made toward the employee’s pension plan. However, the period of FMLA leave, whether paid or unpaid, is counted as service time in calculating pension vesting and years of service credit.

11. During the period of FMLA leave, whether paid or unpaid, the Authority will continue to pay its normal portion of premiums for health care coverage for the employee at the same level and conditions as if the employee was at work. Employees who normally have payroll deductions for health coverage must continue to make co-payments during the leave. If any co-payment is more than 30 days past due, the employee’s health insurance may be terminated, after fifteen days notice to the employee.

12. It is the employee’s sole responsibility to insure that all requests for leave, certification, medical documentation and other forms are submitted to the appropriate person in a timely manner and completed in their entirety. Any forms not filled out completely will be returned to the employee for completion. Failure to do so may result in disciplinary action up to and including discharge.

13. At the conclusion of FMLA leave for an employee’s own serious health condition, the employee must provide a fitness-for-duty certification from a health care provider before he or she may return to work.

H. Military Leave

1. Any employee who is a member of the Reserve Corps or the National Guard and is required to be on active duty or on active duty training shall receive military leave, as required by the Uniformed Services Employment and Reemployment Rights Act (USERRA). Up to 15 workdays per calendar year of military leave will be paid leave, as required by Pennsylvania law. Health insurance and other benefits will be continued for the first 30 days of military leave.

2. A copy of the employee’s military orders must be submitted to the immediate supervisor before the military leave is granted.

3. Employees who are absent from work due to paid or unpaid military leave continue to earn seniority credit for the period of their absence.

4. This section refers to provisions of the Uniformed Services Employment and Reemployment Rights Act, but does not provide all the detail of that Act. Questions about USERRA should be directed to the Human Resources Department.

I. Disaster Relief Volunteers

1. Permanent employees, while performing fire fighting duties, emergency medical technician duties, civil air patrol activities, or emergency management rescue work during a disaster declared by the federal or a state government, shall be granted up to two weeks leave with pay to perform or train for disaster relief work for the Red Cross during a declared state of emergency.

2. Volunteer participation in fire fighting activities, emergency medical technician activities, civil air patrol activities, emergency management rescue work, or disaster relief work for the Red Cross shall require the prior approval of the executive director, and the executive director may also limit the length of the approved leave. Employees absent from work for reasons under Paragraph 1 of this subsection shall be required to obtain a written statement from the fire company, forest unit, emergency management agency, or other authorized
organization with which they served, certifying their activities during the period of absence.

3. It is understood and agreed that the Authority holds no liability for injuries incurred by an employee during the course of such voluntary activities.

4. Normal volunteerfirefighter assignments will not be covered by this provision.

J. Jury Duty

1. Employees are encouraged to fulfill their obligations with regard to jury duty service and will be granted leave with pay in order to serve. To be paid by the Authority for the time spent on jury duty, the employee must provide the Time Control Department with a copy of the jury summons and must remit to the Authority any checks received for jury service.

2. An employee will not be paid for jury duty unless the employee is in pay status on both the day before and the day after jury duty.

K. Funeral/Bereavement Leave

1. An employee is entitled to four days paid funeral/bereavement leave for the death of a member of the employee’s immediate family, whether residing with the employee or not, and for the death of the employee’s relative residing in the employee’s home.

2. An employee is entitled to one day paid funeral/bereavement leave for the death of a relative not living with the employee, provided that sufficient proof of the relationship and the death is presented.

3. An employee will not be paid for funeral/bereavement leave unless the employee is in pay status on both the day before and the day after the funeral/bereavement leave.

4. Immediate family is defined as the employee’s spouse or spouse equivalent, parents, children, brother, sister, mother-in-law, father-in-law, grandparent, or grandchild.

5. Relative is defined as the employee’s aunt, uncle, niece, nephew, cousin, or the immediate family member or relative of the employee’s spouse or spouse equivalent.

Section 306. Catastrophic Leave Bank

The Authority will establish a program to permit employees to donate accrued vacation leave to a leave bank. The program will be subject to the following rules:

A. Each year during the period of January 1 to March 31, employees may contribute accrued vacation leave to the bank.

B. Employees may only donate earned vacation leave and must indicate such voluntary, irrevocable transfer in writing. Employees may contribute from one to five days in whole day increments.

C. Eligibility for a transfer of vacation leave shall be limited to employees who have donated a vacation day to the leave bank in the last contribution period. Only employees who can demonstrate a catastrophic medical condition and who are approaching exhaustion of all paid leave are eligible for a grant of leave time from the transfer of leave bank.

D. Grants of leave shall be limited to a maximum of thirty (30) leave days. Employees may apply for a maximum of two grants during a calendar year.

E. If an employee who has received transferred leave separates from Authority service for any reason, there shall be no payment for unused transferred leave. Unused transferred leave shall be returned to the leave bank.

revised May 2007
Chapter 4. Standards of Conduct

Section 401. Equal Employment Opportunity Policy
A. It is the policy of the Philadelphia Parking Authority to provide equal opportunity in employment to all employees and applicants for employment. No person will be discriminated against in employment because of race, color, religion, gender, sexual orientation, marital status, age, national origin, or disability. It is the policy of the Authority to comply with all applicable local, state and federal laws and regulations regarding equal employment opportunity.

B. This policy applies to all terms, conditions, and privileges of employment, including but not limited to hiring, probationary period, training, orientation, promotion, transfer, compensation, benefits, educational assistance, layoff and recall, employee facilities, termination, and retirement.

Section 402. RESERVED

Section 403. Announcement of New Positions
Some job openings are announced within the Authority as promotional opportunities for current employees. The Authority reserves the right to determine which jobs are posted beyond those required by collective bargaining agreements. To apply for posted positions, employees must have completed six months in their current position, have an overall rating of satisfactory or better on their last performance evaluation, not be on the Excessive Use of Sick Leave List, and pass a drug and alcohol screening. The evaluation criteria for each position will be on the vacancy announcement.

Section 404. Speaking to the Press
A. The director of Public Affairs is responsible for issuing public communications about the Authority to the media including reporters and broadcasters. A representative of the news media, with the approval of the executive director or the appropriate deputy executive director, may interview employees about their duties.

B. Employees are hired to perform specific duties for the Authority, and may not act as spokespersons for the Authority unless specifically designated as such by the executive director or appropriate deputy executive director. Employees should refer any news inquiry to the director of Public Affairs and may not comment on Authority matters except as stated above. An employee who disregards this rule may be subject to disciplinary action.

Section 405. Interaction with the Public
Authority employees are required to treat the public with respect and courtesy. Any reported behavior of unnecessary rudeness will not be tolerated and the offending employee may be subject to disciplinary action.

Section 406. Use of Authority Resources
Work hours are to be devoted to the business of the Authority. Employees are not to conduct non-Authority business while at work or at any Authority facility. The use of Authority equipment, vehicles, postage, personnel or other resources for non-Authority purposes is not permitted, and may lead to disciplinary action up to and including termination.

Section 407. Productive Work Environment
It is the policy of the Philadelphia Parking Authority to promote a productive work environment and not to tolerate verbal or physical conduct by any employee that interferes with another employee's work performance or that creates an intimidating, offensive or hostile work environment. Conduct by an employee while in uniform, driving an Authority vehicle, or while conducting official business that demonstrates an intimidating, offensive or hostile attitude toward
members of the public or other government employees is prohibited and may lead to disciplinary action up to and including termination.

Section 408. Harassment

A. Unlawful harassment on the basis of race, color, religion, gender, sexual orientation, marital status, age, national origin, or disability and will lead to severe disciplinary action up to and including termination.

1. As a guideline, unlawful harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, sexual orientation, marital status, age, national origin, or disability or any other factor, or that of his or her relatives, friends or associates, and that:

   a. has the purpose or effect of creating an intimidating, hostile or offensive work environment;

   b. has the purpose or effect of unreasonably interfering with an individual’s work performance, or;

   c. Otherwise adversely affects an individual’s employment opportunities.

2. Harassing conduct includes, but is not limited to: insults, derogatory statements, negative stereotypes, and threatening, intimidating acts that are related to race, color, religion, gender, sexual orientation, marital status, age, national origin, or disability, or any other factor. This includes “jokes” or “pranks” that are hostile or demeaning. This is not meant to be an exhaustive list of the conduct that may constitute harassment.

Section 409. Sexual Harassment

A. Sexual harassment includes unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature toward another employee or member of the public, regardless of gender, when:

1. submission to such conduct is made either explicitly or implicitly as a term or condition of an individual’s employment;

2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

B. The following are illustrations of conduct that may constitute sexual harassment:

1. threatening adverse employment action if sexual favors are not granted;

2. promising preferential treatment or advancement in return for sexual favors;

3. unwanted and unnecessary physical contact;

4. sexually offensive remarks, including inappropriate remarks about appearance, obscene jokes or other inappropriate use of sexually explicit or offensive language;

5. the display in the workplace of sexually suggestive objects, pictures, posters, or reading materials;

6. demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages;

7. unwelcome sexual propositions or advances.

This is not meant to be an exhaustive list of prohibited conduct that may constitute sexual harassment. Violations of this section may lead to disciplinary action up to and including termination.
Section 410. Dress and Appearance

A. Uniformed employees are required to be in uniform, as designated in their department's Standard Operating Procedures, at the start of their shift. Uniforms must be clean and neat. Authority uniforms may not be worn off-duty except while commuting to and from work.

B. Non-uniformed employees must dress in a neat, professional manner appropriate to the employee's job responsibilities. Employees who are inappropriately attired will be informed, in private, by a supervisory employee, and will be given the opportunity to correct the problem. Repeated instances of inappropriate dress will be subject to disciplinary action.

Section 411. Smoking

No smoking is permitted in any Authority facility or vehicle. Smoking is permitted only in designated areas outside of buildings. Violations of this section may lead to disciplinary action.

Section 412. Electronic Media Use

A. The Authority provides electronic media services (including computers, e-mail, telephones, voice mail, fax machines, Intranet, Internet, and the World Wide Web) because they can make communication more efficient, and because they provide access to valuable sources of information. However, employees should remember that those electronic media services are the sole property of the Authority, and their purpose is to facilitate and support Authority business. All electronic media users have the responsibility to use these resources in a professional, ethical, and lawful manner.

B. Prohibited Communications

Electronic media may not be used for knowingly transmitting, retrieving, or storing any communication that is:

1. Discriminatory or harassing.
2. Derogatory to any individual or group.
3. Obscene, sexually explicit, or pornographic.
4. Defamatory or threatening.
5. In violation of any license governing the use of software.
6. Engaged in for any purpose that is illegal or contrary to the Authority's policies or interest.
7. Confidential information of the Authority, when the recipient is not authorized to review such information.

C. Personal Use

1. The electronic media and services provided by the Authority are for business use. Limited, occasional, or incidental use of electronic media for personal, non-business purposes is acceptable; however, all such use should be done in a manner that does not interfere with or conflict with business use, and that strictly adheres to this policy.

2. Employees are expected to demonstrate a sense of responsibility and not abuse this privilege, and to understand that despite security precautions, there is no absolutely fail-safe way to prevent an unauthorized user from accessing stored files.

D. Privacy of Communications

Employee communications by way of the Authority's electronic media are not private. While the Authority desires to provide a reasonable level of privacy, users should be aware that the data they create on the Authority's computer system remains the property of the Authority, and can usually be recovered, even after deleted by the user.
E. Software

To prevent computer viruses from being transmitted through the Authority’s computer system, unauthorized downloading of software is strictly prohibited. Only software approved by the Authority may be downloaded.

F. Security and Appropriate Use

1. Employees must respect the confidentiality of other individuals’ electronic communications. Except in cases where explicit authorization has been granted by management, employees are prohibited from engaging in, or attempting to engage in:
   a. Monitoring or intercepting the files or electronic data of other employees or third parties.
   b. Hacking or obtaining access to systems or accounts to which they are not authorized.
   c. Breaching computer or network security measures.

2. No e-mail or electronic communications may be sent that attempt to hide the identity of the sender or represent the sender as someone else.

3. Electronic media and services should not be used in a manner that is likely to create network congestion, or significantly hamper the ability of other people to access and use the system.

4. Anyone obtaining electronic access to other companies’ or individuals’ materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except as permitted by the copyright owner.

G. Violations

Any employee who abuses the privilege of his or her access to the Authority’s electronic media in violation of this policy will be subject to disciplinary action, including possible termination of employment, legal action, and criminal liability.

Section 413. Vehicle Use

A. Employees whose work assignments include the use of an Authority vehicle must adhere to the regulations listed below. An employee who does not adhere to these regulations will be subject to disciplinary action up to, and including, termination. The list is not intended to be exhaustive. Other actions, not listed, may also result in discipline or discharge based on a finding that the action is serious misconduct with regard to vehicle use.

1. An employee who uses an Authority vehicle must have a valid driver’s license. Employees required to maintain a license for their job classification must notify their department manager immediately if their license is suspended, revoked or not valid for any reason. Failure to report the loss of driving privileges is cause for termination.

2. Employees whose work regularly involves the use of an Authority vehicle must have a certificate of completion of a safe driver education course administered by the Risk Management Department.

3. Unauthorized persons are not permitted to drive any Authority vehicle.

4. If damage to an Authority vehicle is sustained while the vehicle is the responsibility of an individual employee, such damage must be reported immediately. If the damage is not reported immediately, the employee in possession of the vehicle at the time it is damaged may be held personally responsible for the damage and disciplined up to and including termination.

5. An employee involved in an accident involving an Authority vehicle must report the accident immediately to his or her
supervisor regardless of whether there was damage to the
vehicle. The employee may be required to attend a safe driving
course before being permitted to continue to use an Authority
vehicle.

6. An employee involved in two or more accidents involving
an Authority vehicle within a twelve-month period will not be
permitted to drive an Authority vehicle unless an appropriate
Investigation has found that the employee was not at fault in
one or both.

7. Employees may not drive an Authority vehicle if they have
consumed alcohol, illegal drugs, or prescribed or over-the-
counter medications which may induce drowsiness.

8. All occupants of the front seat of an Authority vehicle must
wear seat belts.

9. Employees must obey all traffic and parking regulations.
Any traffic or parking violations an employee receives while
operating an Authority vehicle are the responsibility of the
employee driving. Failure to satisfy traffic or parking violations
received while driving an Authority vehicle may result in
disciplinary action.

10. Employees must complete the Vehicle Log sheet in the
vehicle as instructed by the employee’s supervisor.

B. Employees whose work assignments require that they take a
regularly assigned vehicle home overnight are required to turn in the
vehicle at the start of a vacation period. Internal Revenue Service
regulations provide that an employee who is regularly permitted to
use an Authority vehicle to commute to and from work be taxed on
the value of that benefit.

C. An employee who is required to use his or her personal vehicle
for Authority business must have prior written authorization from the
appropriate director in order to be reimbursed for the expenses
related to such use.

Section 414. Parking for People with Disabilities

A. No employee may use credentials for people with disabilities,
whether issued to the employee or another person, for the purpose
of obtaining free parking during work hours.

B. If any employee, due to the extent of his or her disability,
wishes to seek exemption from this prohibition, the employee must
submit a written request for such exemption. The request must
include specific medical documentation of the nature and extent of
the disability. The request will be reviewed, and the employee will be
notified of the outcome in writing.

Section 415. Solicitation

A. Except for the annual Combined Campaign, or other charitable
events approved in advance and in writing by the executive director,
no employee of the Authority may solicit other employees during
their working time, and at no time on Authority property. No
employee may accept any solicitation prohibited by this policy.

B. Employees may not distribute any written material on Authority
property that is not related to their job duties, without prior written
approval of the executive director. Non-employees may not distribute
materials or solicit employees on Authority property without the prior
written approval of the executive director.

C. Employees may engage in outside employment, charitable
works, or political activity that does not interfere or conflict with their
employment with the Authority, but in no event shall an employee be
made to believe that his or her continued or advanced employment
with the Authority is contingent upon participation in charitable or
political activities or fund raising.
D. Violation of this policy may result in disciplinary action up to and including termination from employment with the Authority.

Section 416. RESERVED

Section 417. Dispute Resolution/Grievance Procedure

A. The Authority recognizes the importance of having a process by which employees may present their work related complaints and appeal management decisions through a dispute resolution process. The Authority will attempt to resolve all disputes appropriately presented under this process in a timely manner. The types of issues that are appropriate for handling by this procedure include:

1. A belief that Authority policies, practices, rules, regulations, or procedures have been applied inconsistently and inappropriately to the employee.

2. Treatment alleged to be unfair by the employee, such as coercion, reprisal, harassment, or intimidation.

3. Alleged inappropriate administration of employee benefits or conditions of employment, such as scheduling of vacations, fringe benefits, retirement, performance reviews, salary, or seniority.

B. An employee who feels that he or she has an appropriate dispute should proceed as follows:

1. Step 1 - The employee may bring the matter to the attention of the immediate supervisor within ten workdays of its occurrence. The supervisor will investigate the matter and will give a response to the employee as soon as practicable. If the matter involves the employee's immediate supervisor, the employee may proceed directly to the next step.

2. Step 2 - If the employee is not satisfied with the outcome of the first step, the employee may appeal, in writing, to his or her manager or director within five days of receiving the response to Step 1. The manager or director, or his or her designee, will investigate the matter and give a written decision to the employee as soon as practicable.

3. Step 3 - If the employee is still dissatisfied with the outcome, he or she may appeal the decision, in writing, to the appropriate deputy executive director (or to the executive director when necessary) within five days of receiving the response to Step 2. The deputy executive director or executive director, or his or her designee, will investigate the matter and will give a written, final, binding decision to all parties as soon as practicable.

a. Employees will not be penalized for the proper use of the dispute resolution procedure. However, it is not considered proper use if an employee raises complaints in bad faith or solely for the purpose of delay or harassment, or repeatedly raises meritless disputes.

b. Implementation of the dispute resolution procedure by an employee does not limit the right of the Authority to proceed with any disciplinary action that is not in retaliation for the good faith use of the dispute resolution procedure. In addition, employees and supervisors are prohibited from retaliating against an employee who properly uses the dispute resolution procedure.

c. The Authority may, at its sole discretion, refuse to proceed with any dispute it determines is not appropriate under this policy. Employees may not use Authority equipment to compose or prepare written disputes nor should such activity be conducted on Authority time. Further, this policy does not alter the employment-at-will relationship in any way.
Chapter 5. Employee Benefits

Section 501. Eligibility.

All full-time employees who are not represented by a collective bargaining agreement or those employees who may elect not to join the union, are eligible for enrollment in the group medical, prescription, dental and vision insurance plans offered by the Philadelphia Parking Authority.

A. A full-time employee is defined as an Individual whose job requires a minimum of a 37.5 hour workweek. Group benefits will take effect on the first day of the next full calendar month that follows the date of enrollment. The date of enrollment is typically the date of hire.

B. An employee must be in an active paid status in order to maintain eligibility for group benefits. Any unpaid absence due to any reason that lasts 15 consecutive workdays or more will result in the termination of all group benefits. The only exception is for an employee who has applied for a continuation of group benefits under the provisions of the Family and Medical Leave Act. Information regarding the Family and Medical Leave Act may be found in Section 305 – Leave Benefits of this manual. Group benefits will be terminated on the first day of the first full month following the date that an employee resigns or an employee is terminated.

C. Group benefits are also available to spouses, domestic partners, and dependent children. An individual in one of those categories is eligible for enrollment in the group medical, prescription, dental, and vision insurance plans offered by the Philadelphia Parking Authority as long as he or she is not already enrolled as a non-represented employee. If both individuals are employed by the Philadelphia Parking Authority, they must be enrolled separately. If they have a dependent child or dependent children, the younger spouse will also have responsibility to enroll any dependent child or dependent children. Consult the Human Resources Department for specific documentation requirements for adding or deleting an individual from group benefits.

Section 502. Status Change.

An employee may only make changes in enrollment status under the following circumstances:

- A change in family status, such as marriage, divorce, or death of a spouse;
- The birth or adoption of a child;
- Open enrollment periods.

Section 503. Group Medical.

The Philadelphia Parking Authority offers group medical, prescription, dental, and vision insurance plans. The Authority reserves the right to change benefit plan designs including the amounts for coinsurance, co-payment, deductible, and payroll deduction. Each employee will receive summary plan descriptions that contain the benefit plan designs and the employee out-of-pocket costs for each type of service provided under the group plans.

Section 504. Health Care Continuation of Coverage.

Federal regulations require all employers who provide group medical, prescription, vision and dental insurance plans to their employees to provide a written notice to their employees of their right to continue their group plan benefits under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Each employee will receive a notification of his or her Continuation Coverage Rights under COBRA on the date of enrollment.
Section 505. Benefit Waiver Program.

All full-time employees who are not represented by a collective bargaining agreement are eligible for participation in the benefit waiver program offered by the Philadelphia Parking Authority. An employee may elect to waive the group medical, prescription, dental, and vision insurance plans. Employees who participate in the benefit waiver program will receive taxable quarterly payments in place of receiving group benefits.

In order to participate in the benefit waiver program, an employee must prove that he or she is a dependent on the group plan in which their spouse or domestic partner is enrolled. An employee must then sign a waiver form provided by the Human Resources Department that contains the required terms and conditions for the program and the schedule of benefit waiver payments.

Section 506. Group Retirement Medical, Prescription, Dental, and Vision Plans
A. An employee who has attained the normal retirement age requirement of the pension plan in which he or she is enrolled and has ten years service with the Philadelphia Parking Authority, or who is within five years of the normal retirement age requirement of the pension plan in which he or she is enrolled and has twenty years of service with the Authority, will receive sixty months of group benefits upon retirement from the Authority.
B. Group benefits for a retired employee will take effect on the first day of the next full calendar month that follows the date of retirement. Employees may enroll eligible dependents based on the same terms and conditions listed in Section 501 – Eligibility of the manual. If a retired employee dies while receiving group benefits, any eligible dependent or dependents will remain enrolled in the group plans until the unused time period for group benefits expires.
C. An employee who meets the requirements for retirement benefits as defined in Section 506.A is eligible to convert his or her accumulated sick leave for additional group retirement medical, vision and dental benefits. The conversion factor is 2½ sick leave days for each additional month of group benefits. There is no limit on the amount of sick leave that may be converted for additional months of group benefits.
D. If an employee who meets the criteria requirements for retirement benefits as defined in Section 506.A dies while in active duty, the Authority will make the retirement health insurance contribution for five years following the employee’s death to provide coverage to the surviving eligible spouse, spouse equivalent and/or eligible dependents of the deceased employee, provided that such survivors were receiving health coverage through the Authority’s contribution prior to the employee’s death. Further, such survivor(s) must continue to meet eligibility requirements that existed prior to the employee’s death.
E. Employees who separate from Authority service after the effective date of this amendment to the Employee Manual and who are otherwise eligible for the five-year period of retirement health and medical contribution as defined in this section, may elect to defer receipt of the coverage for a period of up to five years.
F. The Authority reserves the right to change the benefit plan design including co-insurance, co-payment, deductible, and employee contribution amounts for the group retirement medical, prescription, vision, and dental plans.

Section 507. Group Life Insurance
A. The Philadelphia Parking Authority offers a group life insurance plan. The Authority reserves the right to change the benefit plan design for the group life insurance plan. Each employee will receive a summary plan description that contains the benefit plan design and the required terms and conditions for the group life insurance plan.
B. The provisions of the Internal Revenue Code require that any employee who receives group life insurance in excess of $50,000 must pay taxes on the imputed value of the premiums paid by the Authority. The Authority will withhold additional federal income taxes, social security taxes and Medicare taxes from the first paycheck the employee receives every month. The amount of imputed value that is taxed is based upon a table provided by the Internal Revenue Service. The table is based upon the age of the employee and the amount of group life insurance in excess of $50,000.
C. Each employee must designate at least one primary beneficiary on the enrollment form for the group life insurance plan. Employees may designate more than one primary beneficiary and may also designate one or more contingent beneficiaries. Each employee may change his or her primary beneficiary or beneficiaries and/or contingent beneficiary or beneficiaries on the enrollment form for the group life insurance plan at anytime.

revised May 2007
Section 508. Group Short-Term Disability Insurance

A. The Philadelphia Parking Authority offers a group short-term disability insurance plan. The group short-term disability insurance plan provides income continuation for an employee who is unable to work due to a non-work related accident, disease, illness, or injury. Disability caused by pregnancy and related conditions is treated the same as non-pregnancy related disability under the provisions of the Pregnancy Discrimination Act. The length of disability is determined by the physician through whom the employee has sought medical/psychological treatment.

B. An employee must exhaust his or her entire balance of sick leave before receiving short-term disability benefits. An employee may use his or her partial or entire balance of administrative leave days, vacation leave and compensatory leave before receiving short-term disability benefits. The employee must elect this option when application is made for short-term disability benefits.

C. Employees may apply for a continuation of their group benefits offered by the Philadelphia Parking Authority under the Family and Medical Leave Act. Information regarding the Family and Medical Leave Act may be found in Section 305 - Leave Benefits. Employees who receive short-term disability benefits are not entitled to receive group benefits offered by the Philadelphia Parking Authority after they have exhausted their benefits continuation entitlement under the Family and Medical Leave Act.

D. Employees who are absent from work under the provisions of both the group short-term disability and group long-term disability plans have a career entitlement limit of no more than 18 months of benefits under both the group short-term disability and group long-term disability plans. Employees who exceed the total limit of 18 months will be terminated from employment by the Philadelphia Parking Authority. The termination will have no impact on the continuation of short-term disability benefits for the absence in effect at the time of termination.

E. The Authority reserves the right to change the benefit plan design for the group short-term disability plan. Each employee will receive a summary plan description that contains the benefit plan design and the required terms and conditions for the group short-term disability plan.

Section 509. Group Long-Term Disability

A. The Philadelphia Parking Authority offers a group long-term disability insurance plan. The group long-term disability insurance plan provides income continuation payments for an eligible employee who is unable to work due to a non-work related accident, disease, illness or injury and has received group short-term disability benefits for a period of 52 consecutive weeks. Disability caused by pregnancy and related conditions is treated the same as non-pregnancy related disability under the provisions of the Pregnancy Discrimination Act. The length of disability is determined by the physician through whom the eligible employee has sought medical/psychological treatment.

B. Employees who are absent from work under the provisions of both the group short-term disability and group long-term disability plans have a career entitlement limit of no more than 18 months of benefits under both the group short-term disability and group long-term disability plans. Employees who exceed the total limit of 18 months will be terminated from employment by the Philadelphia Parking Authority. The termination will have no impact on the continuation of long-term disability benefits for the absence in effect at the time of termination.

C. The Authority reserves the right to change the benefit plan design for the group long-term disability plan. Each employee will receive a summary plan description that contains the benefit plan
design and the required terms and conditions for the group long-
term disability plan.

Section 510. Pension Plan

Participation in the City of Philadelphia Municipal Retirement System (Pension Plan) is mandatory for all full-time employees of the Philadelphia Parking Authority unless there is a collective bargaining agreement in effect that does not require their participation in the Pension Plan.

Section 511. Deferred Compensation Plan

The Philadelphia Parking Authority offers a Section 457 Plan (deferred compensation plan). Enrollment in the deferred compensation plan is optional for each employee who is also a participant in the Pension Plan. Each employee will receive upon request a summary plan description that contains the benefit plan design and the required terms and the conditions for the deferred compensation plan.

Section 512. Employee Injuries

A. Accidents that occur while on duty must be reported within 24 hours of their occurrence. All non-emergency treatment must be with one of the posted panel physicians.

B. Employees who are injured at work are covered by the Pennsylvania Workers' Compensation law. All accidents and injuries are reported to the Authority's Workers' Compensation Insurance carrier. The report will be reviewed by the insurance carrier, and a determination will be made as to whether the employee is eligible to receive Workers' Compensation benefits. Injuries which result in fewer than seven days lost from work are not eligible for Workers' Compensation wage loss benefits.

C. Any employee who is found to have submitted a fraudulent injury report will be terminated from his or her position with the Authority.

D. Employees who are not represented by District Council 33 must use accrued sick leave time while awaiting a determination of eligibility for Workers' Compensation benefits. If the employee uses all of his or her accrued sick leave time, he or she may elect to use other types of accrued leave time or be carried in Medical Leave of Absence status until the determination of eligibility is made.

E. If the determination is made that the employee is not eligible for Workers' Compensation benefits, the employee has the right to file an appeal.

F. If the determination is made that the non-represented employee is eligible for Workers' Compensation benefits, an initial payment will be made pursuant to the act. The employee receiving this initial payment is required to reimburse the Authority for paid leave time used while awaiting the determination. When that reimbursement is made, two-thirds (2/3) of the employee's leave time used will be restored. Failure to reimburse the Authority will result in disciplinary action which may result in a money judgment or dismissal or both.

G. Employees on Workers' Compensation, for whom no pension contribution is made by the Authority, may make arrangement to pay into the pension plan during this period by contacting the Payroll and Time Control Department.

H. Employees on Workers' Compensation who are not represented by District Council 33 will not accrue sick or vacation leave, will not be entitled to any employee benefits, including health insurance coverage, nor will they receive pay increments or COLAs.

I. The Authority will not retain an employee on Workers' Compensation's position in excess of eighteen (18) months. After
18 months the employee will be terminated from employment with the Authority. This termination will have no impact on the continuation of entitlement to Workers' Compensation benefits so long as the disability continues. The 18 months is a lifetime limit unless the employee has no Workers' Compensation claims for a period of two years, in which case the eighteen-month clock will be reset.

J. If independent medical evaluation finds that an employee is able to return to work without restrictions and the employee fails to return to work, the employee will be terminated for abandonment of his or her position.

Section 513. RESERVED

Section 514. Temporary Limited Duty Assignment

If an employee who has sustained an injury for which Workers' Compensation benefits may be awarded, is found to be able to return to work in a limited capacity, he or she will be assigned to a temporary alternate limited duty position.

A. Temporary, alternate limited duty shall be a means to provide useful work for an employee when, because of a work-related injury, he or she is unable to perform the requirements of his or her regular position, and to assist the employee to transition back to his or her regular duties.

B. Injured employees on leave resulting from a work-related injury are expected to return to work as early as medically feasible.

C. When an injured employee is able to perform alternate limited duty work, the Authority will provide an assignment consistent with any medical restrictions imposed by the Authority's Workers' Compensation medical provider.

D. Alternate limited duty assignments may be in any department or shift, with appropriate notification, as determined by the needs of the Authority and within the medical restrictions of the employee.

E. While working in an alternate limited duty assignment, the employee will be compensated at his or her pre-injury wages.

F. An employee who refuses an alternate limited duty assignment will be terminated from employment and may forfeit eligibility for Workers' Compensation benefits.
DRUG AND ALCOHOL ABUSE POLICY

Introduction

Alcohol and drug abuse has become a very serious social, medical and economic problem in America pervading every area of life. More specifically, substance abuse can have an adverse effect on work performance, the quality and quantity of services provided to the citizens of Philadelphia, and the health and welfare of employees. Further, substance abuse contributes to increasing the cost of medical benefits.

Therefore, in accordance with the Drug-Free Workplace Act, and pursuant to negotiations with applicable bargaining units, the Philadelphia Parking Authority (the "Authority") adopts the following Drug and Alcohol Abuse Policy (the "Policy"), which shall apply to all Authority employees.

I. PURPOSE

- To ensure that all of the premises and motor vehicles used by the Philadelphia Parking Authority, whether owned or leased, for any program or activity of the Authority shall be maintained as drug and alcohol free workplaces
- To provide a framework that will enable departments in the Authority to establish and maintain a safe, drug-free work environment
- To provide consistent and relevant guidelines for all Authority employees covered by this policy regarding alcohol and drug use situations
- To encourage employees with substance abuse problems to attend rehabilitation, and to give those employees the opportunity to remain employed.

II. POLICY

The possession, manufacture, transfer, distribution, dispensing, sale, or use of prohibited substances or alcoholic beverages is strictly prohibited while on Authority premises; or during any working hours; or while driving Authority-owned or leased motor vehicles; or while driving personal motor vehicles, owned or leased, while conducting Authority business. This includes during lunch and break periods.

Reporting to work under the influence of alcohol or drugs is prohibited. All employees have the responsibility to report to work in a fit condition to perform their jobs without unnecessary risk to themselves or other individuals. Employees reporting or returning to work whose behavior reflects the consumption of alcoholic beverages or other drugs will be referred for reasonable suspicion drug and alcohol screening.

Employees who believe supervisors are in violation of this policy may report the violation to a DAEPF-trained supervisor, or to the ADA Office, who will take further action consistent with the applicable drug and alcohol policy. The identity of the employee who made the report will not be disclosed and will be kept confidential. The employee who makes the report will not be discriminated against or retaliated against in any way for making the report.

For purposes of this policy, a blood alcohol level equal to that established by the Pennsylvania Legislature to determine when an individual is under the influence of alcohol for purposes of the Motor Vehicle Code, currently .08 or greater, constitutes being under the influence of alcohol. Unacceptable levels of drugs are defined at § 40.87 of Title 49 of the federal regulations. An alcohol level of more than .04, while not considered a positive test result, shall be considered a "prohibited alcohol level" for performing safety-sensitive functions.
The Philadelphia Parking Authority encourages the earliest possible diagnosis and treatment for alcohol or drug abuse. The Philadelphia Parking Authority supports sound treatment efforts. Whenever feasible, the Philadelphia Parking Authority will assist and reasonably accommodate employees who are actively involved in overcoming a drug or alcohol abuse problem, and who are forthcoming with Management. The intent of this policy is to treat alcohol and drug dependency problems as other types of health problems. However, employees whose job performance, attendance and behavior continue to deteriorate as a result of ongoing alcohol and drug dependence problems may be subject to disciplinary action up to and including dismissal consistent with applicable bargaining unit agreements. The Policy shall only act to enhance, and not to replace or to diminish, the Authority's Drug and Alcohol Testing Policy for operators of commercial vehicles.

The use of drugs prescribed by a medical practitioner for an employee or the use of over-the-counter drugs are permissible at the workplace provided they are used in strict accordance with medical and/or label directives. Employees who operate machinery or a motor vehicle must not take prescribed or the over-the-counter drugs that will impair their functioning and/or psychomotor skills. It is incumbent on the employee to notify his or her ADA/Personnel Officer of medications that may affect one's performance and behavior adversely. The employee is not required to disclose the medical reason for which the drug has been prescribed.

The ADA/Personnel Officer will notify the employee's supervisor only of the limitations placed on the employee's work assignment, but not the nature of the employee's condition or the types of medications. If the ADA/Personnel Officer determines that the safety of the employee or others may be affected, a medical evaluation by the Third-Party Administrator may be required. A trained medical professional will make the determination of the employee’s ability to function in his or her position. The Third-Party Administrator will advise the Authority ADA/Personnel Officer of the outcome of the evaluation. If the employee is unable to function in his or her position as a result of taking prescribed medications, the employee may be temporarily transferred to a different position or shift, if one is available in the sole discretion of the Authority, until able to resume his or her regular job duties.

III. DEFINITIONS

For the purposes of this policy, the following definitions shall apply:

A. “Accident.” Any occurrence involving the operation of a motor vehicle, which results in the loss of human life or bodily injury requiring hospitalization for medical treatment or observation, or which results in lost work time attributable to a personal injury, or requires the towing of the subject vehicle, or resulting in property damage of more that $500.00. The term shall also mean any occurrence involving the operation of a motor vehicle that results in an employee's citation for driving under the influence. An accident may occur on duty (including lunch or other breaks), but may also occur off-duty if an Authority vehicle is involved.

B. “ADA Officer.” A person in the Authority designated to handle Americans with Disabilities Act Issues. A list of the ADA Officers will be provided to the union each year. The ADA Officer should be identified each year by notice to the employees.

C. “Alternative assignment.” Assignment to a non-safety-sensitive position of an employee who has been appointed to a safety-sensitive position, when he or she has been removed from that position as a result of a positive drug or alcohol test and has not been cleared by the SAP to return to the safety-sensitive position.
D. "Being under the influence" and "having work performance impaired" shall mean having a positive test result on any drug or alcohol test administered under the terms of this policy.

E. "DAEP: Drug and Alcohol Education Prevention Program." A program to educate employees about the effects and consequences of drug and alcohol abuse. Designated supervisors and union representatives are required to attend this training.

F. "Drug-free workplace." The absence of alcoholic beverages, illegal drugs, and prescription drugs which impair an employee's ability to perform duties.

G. "Employee." Any person employed by the Philadelphia Parking Authority.

H. "FMLA." The federal Family and Medical Leave Act.

I. "Medical Review Officer" (MRO). A licensed physician (M.D. or D.O.) who is an expert in drug and alcohol testing and the application of federal regulations to the process. When called upon, the MRO also serves as a consultant to the Authority on issues relating to prevention, detection and control of drug or alcohol abuse in the workplace. The Authority will require MRO certification for those physicians who perform MRO duties for this program. Any MRO shall re-certify every three years and need not be an employee of the Authority.

J. "Normal work hours." Monday through Friday, 8:30 a.m. to 5:00 p.m. "After normal work hours" shall mean Monday through Friday, 5:00 p.m. to 8:30 a.m., weekends, and holidays.

K. "Operation of motor vehicle." The operation of a PPA-owned or leased vehicle or the operation of a personal vehicle being used while performing job duties.

L. "Positive." When used in connection with the drug test means that based on a Gas Chromatography/Mass Spectrometry (GC/MS) analysis, the test specimen contains drug metabolites at or above the levels established by the Federal Department of Transportation's Testing Guidelines. When used in connection with an alcohol test administered to safety-sensitive employees, the term means a blood alcohol level as measured in breath alcohol concentration at or above .04. When used in connection with an alcohol test as measured in breath alcohol administered to non-safety-sensitive employees, the term shall mean a breath alcohol concentration at or above .08.

M. "Prohibited substance." Marijuana, cocaine, and opiates such as morphine and codeine, phencyclidine, amphetamines and methamphetamine and barbiturates. Please see definitions of a controlled substance as contained within Schedules I, II and III of the "Controlled Substance, Drug, Device and Cosmetic Act."

N. "Reasonable suspicion." An articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of, or impaired to any degree by drugs and/or alcohol.

O. "Refused to submit." The employee is engaging in conduct that clearly obstructs the testing process, including but not limited to efforts to adulterate a testing sample, refusal to sign any consent or waiver required by this policy, or refusal to make oneself available for testing.

P. "Self-referral." An employee who has achieved permanent employee status voluntarily identifies himself or herself (including through his or her applicable union representative, if represented) as requiring assistance in dealing with alcohol or drug dependency.

Q. "Substance Abuse Professional" (SAP). A licensed professional (M.D. or D.O.) or a licensed or certified psychologist, licensed clinical social worker, employee assistance professional, or certified addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.
R. "Third-Party Administrator" (TPA). The duly qualified third party contracted by the Authority to administer the random testing component of this policy, collect specimen, and provide other services as set forth in the policy.

IV. DRUG & ALCOHOL EDUCATION PREVENTION PROGRAM: IDENTIFYING TROUBLED EMPLOYEES

A. The Supervisor's/Trained DAEPP Employee's Role

Supervisors are required to attend the Drug and Alcohol Education Prevention Program (DAEPP). DAEPP-trained employees shall receive at least four hours of training on alcohol misuse and use of controlled substances. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances along with a review of the policy and reasonable suspicion training.

B. The Union Representative's Role

Represented employees may consult with and obtain the assistance of a union representative concerning reasonable suspicion testing provided such consultation or assistance does not prevent the employee from being administered the drug and/or alcohol test within a timely fashion. Any union representative participating in the consultation process must be certified through the DAEPP training course. Management should consult the employee's union representative when attempting to determine whether the employee may have a substance abuse problem.

C. Drug and Alcohol Abuse Education for Employees

The Drug and Alcohol Policy Committee described in Section V.B below shall discuss the creation of an employee education program aimed at making employees aware of the negative effects of drug and alcohol abuse and the availability of treatment options.

V. TYPES OF REQUIRED DRUG & ALCOHOL TESTS

For all types of tests listed below, the employee is requested to complete and sign the consent form in Appendix II.

A. Reasonable Suspicion

There are certain circumstances which constitute a basis for determining "reasonable suspicion." Only those trained in identifying the possible use of drugs and/or alcohol will make the determination to send an employee for reasonable suspicion testing. If a DAEPP-trained employee is not available on site, one will be contacted to make the determination (see Appendix V for Reasonable Suspicion Testing form).

The reasonable suspicion testing procedure is as follows:

1. A DAEPP-trained supervisor may require an employee to submit to a drug and/or alcohol test when there is reasonable suspicion to believe that the employee has violated this policy.

2. Before the testing is done, a written record of the observations leading to a reasonable suspicion test shall be made and signed by the DAEPP-trained supervisor who made the observations and corroborated by a DAEPP-trained supervisor or DAEPP-trained employee who is not a member of the employee's bargaining unit.

3. If requested by the employee, the appropriate DAEPP-trained union representative will be notified.

4. A DAEPP-trained supervisor's determination that reasonable suspicion exists to require the employee to undergo a drug and/or alcohol test must be based on specific, observable, detailed observations concerning the appearance, behavior, and speech of the employee and must be documented. The observations may include indications of the chronic and withdrawal effects of controlled substances (see Appendix V).
5. Reasonable suspicion testing will performed only if the required observations are made while on Authority property, or while the employee is actively engaged in Authority business, or during the period of the workday, or if the employee is on Authority property and ready to perform or immediately available to perform work.

6. Reasonable suspicion alcohol testing should be conducted within two hours of the supervisor's initial referral for testing and must be conducted within four hours of the initial referral. If a test cannot be administered within four hours, attempts to administer the test shall cease, and the reasons for not administering the test will be recorded and maintained by the Authority only as part of the employee's confidential medical file.

7. DAEPF-trained supervisors will not permit any employee demonstrating impairment to perform or continue to perform safety-sensitive functions if there is reasonable suspicion. If any employee's physical condition permits, the employee may be reassigned to non-safety-sensitive functions pending receipt of the final test results. Employees will remain in pay status until such is fully confirmed by testing procedures completed as outlined in this policy.

8. During normal working hours—Monday through Friday between the hours of 8:30 a.m. and 5:00 p.m.—screening will be performed at the TPA. The employee will be transported to the TPA.

9. Between the hours of 5:00 p.m. and 8:30 a.m. and on weekends and holidays, screening will be performed by an independent on-site testing company to be designated by the Authority. The supervisor or DAEPF-trained employee will notify the after-hours on-site testing company to report to the facility to collect a sample from the employee. All necessary precautions will be taken to protect the privacy and confidentiality of the employee during this process. When possible, a private bathroom will be provided for the collection of the sample.

B. Random Testing

1. Safety-sensitive positions based on job classifications identified in the collective bargaining agreements with AFSCME District Council 33, Locals 2186 and 2187 of AFSCME District Council 47, as well as those non-represented positions identified by the executive director, shall be subject to random alcohol/drug screening.

2. Employees in safety-sensitive positions at the time this policy is adopted shall be provided with notice of the status of their positions. Such notice will indicate that the employee will be subject to a program of random testing.

3. An employee who is transferred into a safety-sensitive position will be provided with notice of the status of the position. Such notice will indicate that the employee will be subject to random testing.

4. Each employee hired into a safety-sensitive position will be advised of such designation prior to appointment. He or she shall be tested prior to employment and will not be appointed if the presence of drugs or alcohol is indicated. He or she will be notified that he or she is subject to random testing.

5. The Third-Party Administrator (TPA) shall administer the random testing program by assigning numbers to positions designated as safety-sensitive. The TPA will use the random program to test a minimum of 10% and a maximum of 30% of the employees assigned to positions designated as safety-sensitive each year. The number of employees who are subject to random testing and the number of employees who have been tested will be forwarded to the union annually.
6. **Selection of Safety-Sensitive Positions.** The Philadelphia Parking Authority may propose additional safety-sensitive positions for inclusion in the Random Testing Program. A Drug and Alcohol Policy Committee, consisting of two members appointed by the union and two members appointed by the Authority, will discuss these proposed positions and, if no agreement is reached, the positions will be presented to a neutral arbitrator for an expedited determination of whether the designation is appropriate. The arbitrator shall review such designation based solely on the duties of the position.

**C. Post-Accident Drug and Alcohol Screening**

1. An employee who is involved in an accident as defined in Section III.A while operating an Authority motor vehicle or a personally-owned vehicle operated while conducting Authority business shall inform his or her supervisor of the accident as soon as practicable and shall remain readily available for drug and alcohol testing, if required by the appointing authority or designee. Failure to notify a supervisor of an accident may result in discipline.

2. All post-accident alcohol testing should be administered within four hours following the accident and must be administered within eight hours following the accident. All post-accident testing for controlled substances must be administered within 32 hours following the accident.

3. No tested employee shall be permitted to return to work in a safety-sensitive function until the post-accident test results are finalized. If the post-accident test results are negative, the employee will remain in pay status. If the test result is positive, time will be administratively charged to the employee’s accrued leave time or a non-pay approved leave status.

4. Nothing in this section shall:

   a. Require the delay of necessary medical attention for injured people following an accident; or

   b. Prohibit an employee from leaving the scene of an accident for the period necessary to obtain necessary emergency assistance or medical care; or

   c. Require an IOD care provider to administer an alcohol or drug test merely because the employee has an accident.

**D. Treatment Options/After Care**

1. Medical Leave of Absence

   a. An employee seeking treatment for substance abuse may take leave under the FMLA, if eligible, or may request a medical leave of absence according to the provisions of the controlling collective bargaining agreement or Authority policy, or may use accrued paid leave.

   b. Employees who are eligible for FMLA leave will have their absence charged against their FMLA leave entitlement.

   c. Leave requests made by employees not eligible for FMLA leave, or who have exhausted that leave, will be approved on a case by case basis. Except in exceptional circumstances, the request will be approved the first time an employee requests leave for treatment.

   d. Employees who comply with this policy will not be penalized for voluntarily seeking treatment.

2. Employees seeking treatment under this policy must sign a Substance Abuse Agreement (Appendix III) agreeing to seek treatment and to undergo periodic drug tests, including drug testing upon return to work. Completion of this form and compliance with its terms shall be a prerequisite to consideration for reinstatement by the Authority.
E. Return to Work.

1. An employee returning to work following a leave, or to full duty following an alternate duty assignment, pursuant to this policy must successfully pass a drug and alcohol test.

2. An employee returning to work after he or she is approved by the SAP to return to duty will be required to sign an After Care Contract (see Appendix IV). In signing the After Care Contract, the employee agrees to attend counseling meetings and submit to a program of follow-up testing that, at the Authority's option, may include random testing for up to one year. Refusal to sign the After Care Contract or to adhere to its requirements may result in the employee being placed on non-pay status until the contract is signed. If the employee has not signed the After Care Contract 30 days following his or her test results report, he or she will be separated from employment with the Authority. The Authority will attempt to accommodate an employee during rehabilitation following his or her return to work, as necessary, within the operational requirements of the Authority and in accordance with ADA and FMLA. Such accommodations may include paid or unpaid leave for rehabilitation, flextime, revised hrs, etc., and shall be determined on a case-by-case basis.

F. Confidentiality

1. All information regarding an employee's treatment shall be strictly confidential in accordance with applicable laws.

2. All records related to an employee's use of an Employee Assistance Program or use of mental health benefits will be maintained with the strictest confidentiality in accordance with medical, legal, and ethical standards. All such records will be located at the Employee Assistance office or the mental health provider's office.

3. A request for employee assistance will be directed to the Employee Assistance Program office. (See Appendix I the Employee Assistance Program offered to Authority employees).

VI. ROLE OF THE THIRD-PARTY ADMINISTRATOR (TPA)

A. Third-Party Administrator's Responsibilities

1. The Third-Party Administrator provides evaluations of employees and applicants for employment to determine their ability to perform the essential functions of a position. The TPA is responsible for the collection of the specimen for drug and alcohol testing during normal work hours. The TPA will maintain the safety-sensitive position roster and randomly select employees for random testing.

2. All urine specimens will be sent to a drug analysis laboratory to be tested. The Authority expects to receive the results within 72 hours.

3. A Medical Review Officer (MRO) designated by the TPA will review the positive results of all drug tests in conjunction with the employee's medical disclosure to determine if the results are "true positives" for controlled substances. The ADA Officer will monitor an employee's compliance with the EAP/Counseling program selected by the employee. The TPA does not act in a Substance Abuse Professional capacity.

4. The TPA will maintain confidential records and report test results to the Human Resources Department or the ADA Officer.

5. In the course of medical evaluations of employees, the TPA may identify an employee with a substance abuse problem and determine that the employee is not fit for duty. The TPA will notify the Authority's Human Resources Department or the ADA Officer that the applicant or employee is not fit for duty.
6. If the MRO or trained medical professional determines that 
an employee is unfit for duty, the employee may be sent home 
and put on a paid leave status, if the employee has accrued 
leave time, pending the determination of appropriate action.

B. Reporting and Review of Results

1. The employee will be carried in paid status during the 
testing process until such time as the impairment is confirmed 
or the employee is returned to duty.

2. Negative Results:
   a. The TPA will inform the Human Resources Department 
      immediately upon receipt of an employee's negative test results.
   b. The employee will then be returned to full duty status 
      and all references to this issue will be expunged from all 
      departmental and Human Resources Department files after 
      completion of an After Care Program.

3. Positive Results:
   a. The MRO will examine all positive confirmed test 
      results to determine if there is an alternative medical 
      explanation for the positive test result. Before making a final 
      decision as to whether a positive test is valid, the MRO will 
      provide the employee with the opportunity to discuss the test 
      result. If the MRO determines there is a legitimate medical 
      explanation for the positive test result, the TPA will inform the 
      Human Resources Department or ADA Officer that the test is 
      negative. The MRO will report all true positives to the SAP and 
      ADA officer.
   b. After receiving written notification of a positive test 
      result, the employee has 48 hours to request a second test of 
      the same specimen or of another specimen provided at the time 
      of collection of the specimen which tests positive. The employee 
      will be advised of his or her right to challenge the tests results. 
      The employee will be required to pay for the second test. If the 
      results of the second test are negative, the Authority will 
      reimburse the employee the cost of the second test. In the 
      event of a second test the specimen must be tested in a 
      federally certified lab.

   c. An employee testing positive for drugs or alcohol may 
      request a Medical Leave of Absence as described in subsection 
      V.D.1, above.

C. Drug Screening

Drug screening will be done by urinalysis. All tests will be done 
in order to detect the presence of marijuana metabolites,\textsuperscript{1} 
cocaine metabolites,\textsuperscript{2} opiate metabolites, phencyclidine (PCP), and 
amphetamines. Positive threshold levels can be found at § 40.87 of 
Title 49 of the federal regulations. As "drugs of choice" change, the 
Authority may test for additional substances.

VII. VOLUNTARY REQUEST FOR ASSISTANCE FOR 
SUBSTANCE ABUSE PROBLEMS

A. The Philadelphia Parking Authority encourages employees with 
substance abuse problems to obtain assistance and appropriate 
treatment to help resolve these problems. All records related to the 
employee's use of an EAP will be maintained with the strictest 
confidentiality in accordance with medical, legal and ethical 
standards.

B. An employee who recognizes that a substance abuse problem is 
causing distress in his or her life, and/or impacting his or her job 
performance, should contact the Employee Assistance Program.

\textsuperscript{1}Delta-9-tetrahydrocannabinol-9-carboxylic acid (THC)

\textsuperscript{2}Benzoylacetone
C. An employee who self-refers shall be referred to a Substance Abuse Professional for evaluation.

1. An employee subject to probationary or post-accident testing may not make a self-referral.

2. An employee who voluntarily identifies him or herself as requiring assistance in dealing with a substance abuse problem after being asked to provide a breath or urine sample for testing shall not be considered a self-referral.

3. Employees who comply with this policy will not be penalized for voluntarily seeking treatment.

VIII. DISCIPLINE

An employee found in violation of this policy, or found to have engaged in criminal drug conduct in the workplace, may be subject to appropriate discipline for just cause. In non-discharge cases, the Authority may require, as a condition of employment, participation in a treatment or counseling program for drug or alcohol abuse, including an After Care agreement.

APPENDIX I
EMPLOYEE ASSISTANCE PROGRAM OR MENTAL HEALTH ASSISTANCE AVAILABILITY

All employees of the Philadelphia Parking Authority have counseling and referral services available through Penn Behavioral Health's Employee Assistance Program (EAP) for psychological and addictive counseling services. To speak to an intake counselor, call the toll-free telephone number at 888 321-4433.

This service is available seven days a week, 24 hours a day. Penn Behavioral Health's information is available on the Internet at www.pennbehavioralhealth.org.
APPENDIX II
CONSENT FORM
SUBSTANCE ABUSE TESTING
The Philadelphia Parking Authority

I, __________________________, __________________________

Name                      Title

consent to a urine drug screen and/or breath alcohol test as deemed
necessary by the Appointing Authority.

I further authorize the Third-Party Administrator or contracted
testing facility to release the results from these tests to the ADA
Officer.

To the best of my knowledge I have disclosed any recent
prescription and/or over-the-counter drug use for medical reasons
that may adversely affect job performance prior to testing. Upon
request, I will promptly provide any necessary documentation to the
ADA Officer.

I understand that all records regarding this test will be held in
confidential files and will not be made available to anyone other than
the Authority’s ADA Officer without my express consent.

____________________________________  ________________
Employee Signature                      Date

____________________________________  ________________
Witness                                  Date

NOTE: Refusal to cooperate in a drug and/or alcohol test will result
in a positive test result.

List of medications:

____________________________________

____________________________________

____________________________________
APPENDIX III
SUBSTANCE ABUSE AGREEMENT
The Philadelphia Parking Authority

Because I have tested positive for substance abuse, the following are conditions of my continued employment with the Philadelphia Parking Authority:

- I will satisfactorily complete rehabilitation and After Care treatment as determined by my Employee Assistance Program or Substance Abuse Professional.
- I understand that the Philadelphia Parking Authority retains the right to institute follow-up testing at its discretion during the After Care period for one year. If I test positive, I may be subject to disciplinary action up to and including discharge.
- I understand that any further positive test results may lead to disciplinary action up to and including discharge.

I have carefully read and I understand all the terms of this agreement, and I voluntarily accept all of its provisions.

______________________________  ____________________________
Consenting Employee Signature  Date

______________________________  ____________________________
Appointing Authority Witness  Date

APPENDIX IV
AFTER CARE CONTRACT
The Philadelphia Parking Authority

As a result of disciplinary action taken against me for violation of the Philadelphia Parking Authority’s Drug and Alcohol Abuse Policy, participation in an After Care Treatment Program, as outlined below, is a condition of my continued employment with the Philadelphia Parking Authority (PPA).

- I am required to complete After Care Treatment, and to continue treatment as determined by a Substance Abuse Professional (SAP).
- I must attend After Care Meetings according to the schedule outlined by treatment program and/or SAP.
- I must provide proof of attendance at the above to the ADA Officer.
- I agree to waive any confidentiality regarding my After Care attendance.

I have read this After Care Contract and I understand all of its provisions. As a condition of my continued employment, I voluntarily agree to comply with all requirements of this contract.

______________________________  ____________________________
Consenting Employee Signature  Date

______________________________  ____________________________
Authority Witness  Date
APPENDIX V
REASONABLE SUSPICION TESTING

Specific, timely and describable observations concerning appearance, behavior, speech of the employee that indicates a reasonable probability that the employee has violated prohibitions under this program which requires the Philadelphia Parking Authority to conduct an alcohol and controlled substance test. These observations must be made by a DAEPITrained supervisor or employee in accordance with this policy. The employee may consult with a union representative concerning reasonable suspicion testing, provided that such consultation does not prevent the employee from being tested in a timely fashion, in accordance with the policy. If the test cannot be performed within two hours after the observation, the supervisor must document the reason the test was not properly administered. If the alcohol test is delayed for more than four hours, it shall not be conducted and the reason for the delay shall be specifically documented.

Name of employee (print) ____________________________________________

Location of incident ________________________________________________

Safety-sensitive functions involved ____________________________________

Status when observed: Performing function □

About to perform function □ Just finished function □

Date observed: __________________________

Time: From __________________________ to __________________________

Time employee notified/relieved: __________________________

During Authority business days, 8:30 a.m. to 5:00 p.m., testing is done at Worknet @ Hahnemann University Hospital, Broad & Vine Streets. At other times, testing will be done on-site by DrugScan. Call Bill Raymond, Deputy Director of Human Resources, at 215 828-0366.

Employee must be escorted to test site.

Employee escorted by ________________________________________________

Test performed by: Worknet □ DrugScan (on-site) □

See other side for more information and to complete form.

Date and time of arrival at test site __________________________ a.m./p.m.

Time test administered __________________________ a.m./p.m.

Employee to be tested for both alcohol and controlled substances.

Appearance: Normal □ Sleepy □ Clean □ Tremors □ Other □

Behavior: Normal □ Erratic □ Irritable □ Lethargic □ Other □

Speech: Normal □ Slurred □ Unintelligible □ Other □

Description: ______________________________________________________

Witnessing DAEPITrainer __________________________________________________________________________________________

Date of supervisor training __________________________________________________________________________________________

Was a union representative notified? Yes □ No □

Was a union representative present? Yes □ No □

Time of arrival: __________________________ a.m./p.m.

Name of union representative: ______________________________________

Complete the following section only if the employee was not tested for alcohol within two hours of the determination. Do not complete if testing was done within two hours. Describe the reasons why testing was delayed in excess of two hours following the reasonable suspicion determination. If testing was not done within four hours also describe the reasons testing was delayed in excess of four hours following the reasonable suspicion determination:

________________________________________________________________________________________

________________________________________________________________________________________

Signature: ____________________________________________________________

Print name: __________________________________________________________

Title: ________________________________________________________________

Employee number: ____________________________________________________

Return completed from to: Terry Houck, ADA Officer, Human Resources Department, 3101 Market Street, Philadelphia, PA 19104-2895
Chapter 4. Standards of Conduct

Section 408. Harassment

A. Unlawful harassment on the basis of race, color, religion, gender, sexual orientation, marital status, age, national origin, disability, or any other characteristic protected by applicable law will not be tolerated and will lead to severe disciplinary action up to and including termination.

1. As a guideline, unlawful harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, creed, gender, sexual orientation, pregnancy, marital status, age, veteran or military status, national origin, citizenship status, or disability (or that of his or her relatives, friends or associates), or any other characteristic, and that:
   a. Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
   b. Has the purpose or effect of unreasonably interfering with an individual's work performance, or;
   c. Otherwise adversely affects an individual's employment opportunities.

2. Harassing conduct includes, but is not limited to: insults, derogatory statements, negative stereotypes, physical assault or stalking and threatening, intimidating acts that are related to any of the personal categories identified in paragraph 1. This includes "jokes" or "pranks" that are hostile or demeaning. This is not meant to be an exhaustive list of the conduct that may constitute harassment.

B. Any employee who believes that he or she has been a victim of harassment or discrimination or any employee who has witnessed such harassment or discrimination should immediately report the circumstances in accordance with the procedure set forth in Section 409.1.

Section 408.1. Bullying

A. "Bullying" is offensive, intimidating, malicious or insulting behavior involving the misuse of power that makes a person feel vulnerable, upset, humiliated, undermined or threatened. "Power" does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation. Bullying can take the form of physical, verbal and non-verbal conduct.

B. Some examples of potential bullying include:

1. Shouting at, being sarcastic towards, ridiculing or demeaning others.
2. Physical or psychological threats.
3. Acts of physical or psychological violence.
4. Creation of arbitrary standards for one person, imposing unrealistic demands, micromanaging work, or using supervision to intimidate a person.

5. Inappropriate, exaggerated or untrue derogatory remarks about someone's performance, particularly in front of others.

6. Sabotage of work.

7. Deliberately excluding someone from meetings or communications without good reason, or encouraging others to do so.

C. Legitimate, reasonable, and constructive criticism of a worker's performance or behavior, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

D. Any employee who believes that he or she has been a victim of bullying or any employee who has witnessed such bullying should immediately report the circumstances in accordance with the procedure set forth in Section 409.

Section 409. Sexual Harassment

A. The Authority is committed to providing a workplace that is free from sexual harassment. Sexual harassment in the workplace is against the law and will not be tolerated. When the Authority determines that an allegation of sexual harassment is credible, it will take prompt and appropriate corrective action.

B. What Is Sexual Harassment?

1. Sexual harassment includes unwelcome romantic or sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

   a. An employment decision affecting that individual is made because the individual submitted to or rejected the unwelcome conduct; or

   b. The unwelcome conduct unreasonably interferes with an individual's work performance or creates an intimate dating, hostile, or abusive work environment.

2. Certain behaviors, such as conditioning promotions, awards, training or other job benefits upon acceptance of unwelcome actions of a romantic or sexual nature, are always wrong.

3. Unwelcome actions such as the following are inappropriate and, depending on the circumstances, may in and of themselves meet the definition of sexual harassment or contribute to a hostile work environment:

   a. Sexual pranks, or repeated sexual teasing, jokes, or innuendo, in person in writing or through electronic communication, including e-mail and social media;
   b. Verbal abuse of a sexual nature;
   c. Touching or grabbing of a sexual nature;
   d. Repeatedly standing too close to or brushing up against a person;
e. Repeatedly asking a person to socialize during off-duty hours when the person has made it clear that he or she is not interested (supervisors in particular should be careful not to pressure their employees to socialize);
f. Giving gifts or leaving objects that are sexually suggestive;
g. Repeatedly making sexually suggestive gestures;
h. Making or posing sexually demeaning or offensive pictures, cartoons or other materials in the workplace; and
i. Off-duty, unwelcome conduct of a romantic or sexual nature that affects the work environment.

C. A victim of sexual harassment can be a man or a woman. The victim can be of the same sex as the harasser. The harasser can be a supervisor, co-worker, other Authority employee, or a non-employee who has a business relationship with the Authority.

D. Reporting.

Any employee who believes that he or she has been a victim of sexual harassment or any employee who has witnessed such harassment should immediately report the circumstances in accordance with the procedure set forth in Section 409.1.

Section 409.1. Reporting and review.

A. The Authority will not retaliate, and will not permit retaliation by any Authority employee or agent, against any employee who makes in good-faith a complaint of harassment, discrimination, bullying, or retaliation. If an employee believes he/she has suffered retaliation because of a report made under this Section, they should report such retaliation using the same procedures set forth in this Section.

B. The purpose of reporting harassing, discriminatory or bullying behavior (harassment) or retaliation is to both stop the inappropriate conduct and prevent it from happening again, whether to the complaining employee or someone else. The Authority is committed to assuring that the complaint and review process related to claims of harassment is fair, respectful, confidential and centered on maintaining a positive work environment for all Authority employees.

C. How to make a complaint.

1. Informal discussions.

This Reporting and Review process does not require an employee to try to “work out” issues related to harassing, discriminatory or bullying behavior. Every employee that experiences this inappropriate behavior is encouraged to report that conduct promptly as identified below.

2. Making a complaint.

a. An individual who feels harassed, bullied, discriminated or retaliated against may initiate the complaint process by filing a complaint in writing with the Authority’s Human Resource Director (HR). If the nature of the individual’s complaint is such that he/she does not feel comfortable making a complaint to HR, then such complaints should be directed to the General Counsel or, if the General Counsel is not appropriate under the circumstances, to the Human Resources Committee of the Authority’s Board.
i. No formal action will be taken under this policy unless HR (or the alternative person to whom the complaint was submitted, as provided above) has received a written and signed complaint containing sufficient details to determine if the policy may have been violated. The employee making the complaint may obtain the complaint form from HR.

ii. If a supervisor or manager becomes aware that harassment, discrimination or retaliation is occurring, either from personal observation or as a result of an employee’s coming forward, the supervisor or manager must immediately report it to the HR Director (or another appropriate person, as set forth above).

b. Upon receiving a complaint or being advised by a supervisor or manager that a violation of policy may be occurring, the HR Director will notify the Authority’s Legal Department and review the complaint.

c. The HR Director (or other designated person) will initiate the investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred. In the event the HR Director is conflicted by the complaint, the Authority’s General Counsel (or Human Resources Committee of the Board, if the General Counsel is conflicted) will designate the appropriate investigator.

d. Although the Authority will take reasonable steps to handle the complaint in a discreet manner, it cannot promise confidentiality. In most cases, the investigation will include notifying the person accused of harassment, discrimination, bullying, or retaliation (respondent), of the allegations and will interview them accordingly.

e. During the investigation, the HR Director, together with legal counsel or other senior management employees, will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.

f. The HR Director or other person conducting the investigation will seek to conclude the investigation within 15 business days and submit a written report of his or her findings to the Executive Director and Chairman of the Board.

g. If it is determined that a violation of policy has occurred, the HR Director will recommend appropriate disciplinary and ameliorative action, as necessary. The appropriate action will depend on the following factors: 1) the severity, frequency and pervasiveness of the conduct; 2) prior complaints made against the respondent; and 3) the quality of the evidence (e.g., first-hand knowledge, credible corroboration).

h. If the investigation is inconclusive or if it is determined that there has been no violation of policy but potentially problematic conduct may have occurred, the HR Director may recommend appropriate preventive action, including discipline for those who have engaged in such conduct.

i. Within a reasonable period after the investigation is concluded, the HR Director will meet with the complainant and the respondent separately, notify them of the findings of the investigation, and inform them of the action being recommended.

j. The complainant and the respondent may submit statements to the HR Director challenging the factual basis of the findings. Any such statement must be submitted no later than five working days after the meeting with the HR director in which the findings of the investigation are discussed.
k. The Authority's Executive Director and Chairman will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the HR Director and other management staff as may be appropriate, and decide what action, if any, will be taken. The HR Director will report the Authority's decision to the complainant, the respondent and the appropriate management assigned to the department(s) in which the complainant and the respondent work. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

l. The Human Resources Committee of the Board shall be advised of every complaint filed pursuant to this section, regardless of how it is processed, at its next occurring meeting or sooner pursuant to a confidential process provided by the Committee's Chair. The Human Resources Committee may review the manner of the investigation, the determination and any other information associated with the compliant and investigation.

D. Additional reporting

Claims received by any department of the Authority alleging a violation that could have been filed by an employee pursuant to this section shall be delivered to the Director of Human Resources, the Executive Director and the Chair of the Authority's Board.

Section 409.2. Fraternization

A. No person in a management or supervisory position shall have a romantic or dating relationship with an employee whom he or she directly supervises or whose terms or conditions of employment he or she may influence (examples of terms or conditions of employment include promotion, termination, discipline and compensation). In addition, no employees working in the same department shall have such a relationship. A department is defined as a group of employees who report directly to the same supervisor.

B. Regardless of their reporting relationship or lack thereof, all employees engaged in a romantic or dating relationship are required to notify Human Resources. Individuals involved in a relationship covered by this policy may be asked to sign a document acknowledging that their relationship is entirely consensual and free from coercion and harassment. If the relationship is covered by this policy and is between a more senior and more junior employee, the more senior employee may be subject to demotion to remove the conflict of interest. At the discretion of the Authority, in addition to or instead of demotion, one of the individuals involved in the relationship may be subject to transfer or termination of employment. Violation of this policy in the form of a failure to report a romantic or dating relationship will result in discipline up to and including termination.