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Introduction

This Employment Manual (“Handbook”) has been prepared to provide general information about the Museum of Chinese in America’s (MOCA’s) policies. Please take time to read it thoroughly and keep it as a handy reference source. Since no manual can answer all of your questions, please do not hesitate to talk to your supervisor or the President about any questions or concerns you may have.

The materials in this manual are policy guidelines and the Museum may have to adapt them in specific circumstances. However, certain provisions are dictated by federal, state or local law and are not to be modified. No Handbook can anticipate every circumstance or question about policy. As the Museum continues to grow, MOCA reserves the right to revise, supplement, or rescind any policies or portion of the Handbook from time to time as it deems appropriate in its sole and absolute discretion, without advance notice, as business needs require. Thus, before relying on an item in this Handbook, you should check with your supervisor as to whether the item is still current. Any changes to the Handbook will be reviewed and adopted by the Board of Directors. The policies and procedures described herein supersede all previous handbooks, memoranda, or other announcements applicable to employees and are for employees’ information only.

In addition, possession of this Handbook does not necessarily make you eligible for the various benefits described. You may need to satisfy certain eligibility requirements before obtaining coverage. In some instances, state or federal laws may impose certain requirements, in addition to those stated as MOCA policy. In any situation where insurance or other benefit plans are concerned, the official plan documents and insurance contracts will always prevail over statements contained in this Handbook.

This Handbook remains the property of MOCA. Should your employment with MOCA end, you must return this copy to your supervisor or manager.

Employment Policies

Equal Opportunity Employer

The Museum of Chinese in America’s (hereafter referred to as “MOCA” or the “Museum”) Equal Employment Opportunity (“EEO”) Policy applies to all employees and applicants.

It is the Museum's policy to provide equal employment opportunity to all employees and applicants for employment without regard to race, sex, color, creed, religion, national origin, age, disability, marital status, sexual orientation, or any other protected category under federal, state or local law. This policy applies to all the terms and conditions of employment including, but not limited to hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation and training. Advancement to positions of greater responsibility is based on an individual's abilities and demonstrated performance.

MOCA is committed to Equal Employment Opportunity and as part of this commitment we:

- Recruit, hire, upgrade, train and promote in all job classifications, without regard to race, sex, color, creed, religion, age, national origin, disability, marital status, sexual orientation, or any other protected category under federal, state or local law;
- Base employment decisions on the principles of Equal Employment Opportunity, and with the intent to further MOCA’s EEO commitment;
- Ensure that all terms and conditions of employment such as compensation, benefits, layoff, return from layoff, MOCA-sponsored training, educational tuition assistance, social and recreation programs, shall be administered without regard to race, sex, color, creed, religion, age, national origin, disability, marital status, sexual orientation, or any other protected category under federal, state or local law;

- Ensure that promotion decisions will be made in accordance with the principles of Equal Employment Opportunity by imposing only valid requirements for promotional opportunities; and
- Take action to prevent harassment including sexual harassment or intimidation of all employees.

The MOCA President Director has been assigned responsibility for the implementation and administration of the EEO Policy.

At Will Employment

This Handbook is for informational purposes only. Nothing contained in this Handbook is intended to create or imply a contract for either employment or for the provision of any benefit. Employment with MOCA is at will and accordingly the employment of any employee may be terminated for any reason at any time, with or without notice. Any representation to the contrary is not binding upon MOCA unless signed in writing by the MOCA President and/or the Chairperson of MOCA's Board of Trustees and the employee.

Workplace & Sexual Harassment Policy

MOCA strictly prohibits sexual harassment and harassment on the basis of race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, prior record of arrest/conviction, or any other protected category under federal, state or local law. Such harassment will not be tolerated. You have the right to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices, including harassment.

It is a violation of this Policy for any employee, member or other individual to harass any employee, member, or other individual affiliated with MOCA. Any individual determined to have violated this Policy will be subject to appropriate disciplinary or other action, which, in the case of an employee, may include termination of employment.

Sexual harassment constitutes unlawful discrimination on the basis of sex. Sexual harassment violates the law, and will not be tolerated at MOCA. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a MOCA employee constitutes sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment status, or
- Submission to or rejection of such conduct by an individual is used as the basis for an employment decision facing that individual, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile or offensive environment.

Sexual harassment may encompass a range of subtle and not so subtle behaviors, including, for example:

- Physical and verbal sexual advances or repeated demands for dates;
- Sexually derogatory or demeaning remarks or names;
- Off-color jokes, vulgar comments, offensive language, and teasing about sexual preferences; and
- Unwelcome touching, such as hugging, kissing, pinching or patting.

It is the responsibility of every employee of MOCA to conduct themselves in a way that contributes to an environment free of sexual harassment. MOCA will not tolerate sexual harassment. Likewise, it will not tolerate harassment on the basis of race, color, religion, sex, national origin, age, disability, marital status, sexual orientation, prior record of arrest/conviction, or any other protected category under federal, state or local law.

Harassment Complaint Procedure

If you wish to report harassment, you should discuss your concerns with your supervisor or the President if your complaint relates to your supervisor. MOCA encourages prompt reporting of any potential violations of the harassment policy, so that appropriate steps can be taken to maintain a workplace free of harassment, and to ensure that its procedures are effective in promoting this goal. While no fixed reporting period has been established, early reporting

and intervention has proven to be the most effective method of resolving actual or perceived incidents of sexual and other forms of harassment.

Any reported allegations of sexual harassment will be investigated promptly and impartially. The investigation may include individual interviews with the parties involved, and where necessary, with individuals who may have observed the alleged conduct or may have relevant knowledge.

MOCA will make every effort to handle complaints and investigations with sensitivity to the rights of the person who complains and to the rights of the accused, and will endeavor to maintain confidentiality throughout the investigatory process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an effective investigation, MOCA may need to discuss the allegations with the alleged harasser or other potential witnesses. Records related to harassment and discrimination complaints and investigations will be maintained in separate, confidential files, and all individuals receiving information about the allegations will be warned of the consequences of retaliation.

Retaliation against an individual for reporting sexual or other harassment or assisting in providing information relevant to a claim of sexual or other harassment is a serious violation of this policy and will be treated with the same strict discipline as would the harassment itself. Acts of retaliations should be reported immediately and will be promptly investigated. MOCA is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

MOCA will take prompt remedial or disciplinary action against any employee who engages in harassing or discriminatory behavior or retaliation. Responsive action may include, for example, mandatory training or referral to counseling, and disciplinary action such as warnings, reprimands, withholding of a promotion or pay increase, reassignment of the offender, temporary suspension without pay, termination of employment, or other measures as MOCA believes will be effective in ending the misconduct and correcting the effects of the harassment.

False and malicious accusations of sexual or other harassment, as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action, *up to and including* termination.

Personnel File Access

A personnel record is maintained for each staff member. Following acceptance of employment, a new employee completes the necessary forms. The personnel file contains the following:

- Employment application (as applicable)
- Resume and cover letter
- References
- Emergency contact information
- Performance reviews
- Any memoranda regarding disciplinary actions
- Benefits Election Forms or Waivers
- IRS Forms (e.g., I-9 Form)

Each staff member's personnel record is confidential and may be reviewed only by the employee's supervisor and the MOCA President. The contents of the file will remain the permanent property of the Museum.

You are asked to inform your supervisor or the MOCA President about any changes in name, address, telephone number, email address or emergency contact.

Conflicts of Interest

The code of ethics shall apply to all staff, Trustees, consultants, interns, volunteers and part-time associates of the Museum of Chinese in America. Any employee who violates this policy may be subject to disciplinary action including but

not limited to termination of employment. You are responsible for knowing and abiding by the contents of this code, to include:

- No staff member may disclose confidential information regarding MOCA acquired in the course of their service.
- No staff member may use or attempt to use his or her position on the staff to secure unwarranted privileges or exemptions for himself, herself or others.
- No staff member may be influenced by a source outside the Museum in the performance of responsibilities, nor may the staff member's decisions be affected by the kinship, rank, position or influence of any outside source.

You should be careful to avoid any personal activities, which create or appear to create a conflict of interest between you and MOCA. All employees are expected to act legally and ethically in the best interest of the Museum. If you find yourself in a situation that may be a conflict of interest or one which gives the appearance of a possible conflict of interest, you should seek the guidance of the MOCA President.

Upon employment, you must notify MOCA of any second jobs you hold. Failure to comply may result in disciplinary action. MOCA requires, as a condition of employment, that all employees devote their work day towards carrying out the duties assigned to them. During normal working hours, you may not engage in activities unrelated to MOCA's goals and objectives (with or without remuneration) unless you've received approval from the MOCA President that no conflict of interest exists.

Neither you nor any member of your immediate family may accept any personal gift from a supplier or individual with whom MOCA does business. You should avoid interest in or pursuit of activities which—in actuality or appearance—will benefit any person, supplier or vendor, or cause you to show favoritism toward that individual, supplier or vendor.

Confidential and Proprietary Information

MOCA employees will be asked to handle and be exposed to information that is of a confidential and sensitive nature. As an employee of MOCA, you should be careful not to release or discuss confidential information with others, except when it is necessary to do your job.

The operations of MOCA outside of the scope of general public information should not be discussed with outsiders, unless the recipient has a legitimate need for the information in the normal course of business, or unless such disclosure is required by law. The unauthorized release of confidential information is detrimental to the work of MOCA, its employees, visitors and affiliated organizations.

You can help by making sure your desk is free of business related paperwork for the day . Make sure all confidential materials are locked and secured. MOCA requires strict compliance with this policy. Anytime you are uncertain as to whether you may divulge confidential information or answer questions please refer the matter to your supervisor. The unauthorized release of confidential information will result in disciplinary action including but not limited to termination.

Interviews and Comments on the Record

All interview requests for any MOCA staff members or any other journalist and press inquiries must go through the Public Relations and Communications Manager. Visitor Services staff may not give out the MOCA President's direct line under any circumstances; full-time staff may do so with discretion or prior permission.

Expectations and Responsibilities

Orientation of New Employees

Within the first week of employment, you should see your supervisor or the MOCA President's Executive Assistant to receive the Staff Handbook, applications for insurance benefits and other relevant materials.

Early in your employment, you will be given oral and written communications regarding MOCA and its programs, as well as personnel, operations and programmatic issues. In the initial weeks of employment, you will be oriented by the Executive Assistant, Finance and Operations Manager, and other members of the MOCA team as well as your supervisor regarding your role and function within MOCA. Whenever possible, you are encouraged to work with other departments to become familiar with their operations.

Expectations of Staff

Open, active communications among staff are encouraged. You are expected to approach group problems with teamwork rather than criticism. You are expected to treat coworkers with respect and to accept direction from your supervisors.

The volume of work at the Museum is not constant. You can expect an increased workload during project deadlines, special events and large public programs. All staff members are expected to help out and support each other during these busy periods.

Probationary Period for New Staff

There is a three-month probationary period for each employee. This period allows you and MOCA an opportunity to determine if your interests and skills satisfy the job requirements under actual working conditions.

During the probationary period, you are eligible for full health insurance benefits, the use of sick days, and any office holidays. You begin to accrue vacation days on your start date, but are not eligible to schedule any leave until after completing three months of employment. Although benefits are accrued during the probationary period, they are not applied as vested until after you have successfully completed your probationary period. Therefore, accrued benefits are not payable to an employee that terminates employment or is terminated during the probationary period.

If performance difficulties arise which are not resolved by the end of the three-month period, the probation period can be extended or employment may be terminated by either party with written notice.

At any time during the probationary period, MOCA retains the right to terminate your employment, with or without cause and with or without prior notice, just as it does after the completion of the probationary period. The successful completion of the probationary period does not mean you are guaranteed employment for any specific duration.

Job Performance and Evaluation

MOCA aspires to provide opportunities to employees for continued professional growth. As a result, the Museum has established a performance appraisal process for all employees. The evaluation process takes place each year, however, the format or method may vary from year to year.

1. Ongoing Supervision: Throughout the first six months of employment, it is suggested that you and your supervisor meet regularly to discuss job performance as well as any issues that may arise.
2. Annual Performance Appraisal: A written performance appraisal is completed by you and your supervisor each year. The intent of this process is to facilitate a dialogue and to provide an opportunity to discuss any changes in job responsibilities and descriptions. The yearly appraisal is also designed to help you set goals for the upcoming year and to make your supervisor aware of any special training or development needs.

3. The annual appraisal of the MOCA President will be conducted by the MOCA Board of Trustees.

Completed appraisals are given to the President for final review and are placed in your personnel file. The written evaluation is to be signed by both supervisor and employee. If you disagree with elements of your written review, then you should sign the review as having been read and submit a statement as an addendum to be attached to the supervisor's review. Such addenda will be placed in your personnel file.

Promotions and Career Advancement

A promotion is a change from a current position to a different position at a higher salary. A transfer is the change from a current position to a different position at an equivalent or lower salary.

It is MOCA's policy to promote from within in filling open positions if possible. Interested parties who meet requirements for the knowledge, skills, education, training and experience being sought may apply for an open position. Ultimately, the Museum will fill a vacant position with the applicant whose qualifications best fit the job description.

Dress Code

MOCA staff are required to dress in a manner appropriate to job duties that is consistent with maintaining a safe workplace while presenting a positive and professional image. Those who work with the public should consider how their attire reflects on the Museum as a whole. You are encouraged to know the Museum audience, and dress in a way that reflects the organization and workplace culture.

Your attire should attempt to maintain a professional appearance while allowing for more comfort and convenience than full business dress. Please reference the following guidelines:

- Suits and dress pants, button-down and collared shirts or dressy tops, blazers and cardigans, skirts and dresses are recommended
- Khaki or corduroy pants and dark-wash or trouser jeans are acceptable, no light-wash jeans or pants with rips, holes or other "distressed" elements
- No overly revealing attire; all tops should fully cover the torso
- Dressy open-toe sandals and shoes are permitted, no flip-flops when on the main Museum floor
- Casual sneakers are permitted, no gym shoes when on the main Museum floor
- No T-shirts or hats with corporate logos (with the exception of MOCA logos)
- No sweatshirts or sweatpants

All employees should show up for work wearing clean and neat clothing. Special events may require additional consideration, and you should dress accordingly.

Staff Meetings

Full staff meetings are generally held monthly over lunch. You are expected to make this a priority in scheduling. The purpose of staff meeting is to share information, plan activities and solve problems. In advance of a special event, planning meetings will be held to help coordinate staff responsibilities. If you are unable to attend a meeting, you are expected to notify your supervisor in advance and take responsibility for learning about any actions or pertinent information generated by the meeting.

Controlled Substance Policy

MOCA is committed to protecting the health and safety of its employees, visitors and affiliated organizations, ensuring the safe and productive operations of its facilities and establishing a drug-free workplace. Unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited at MOCA. You can be subject to criminal, civil and disciplinary penalties if you distribute, sell, attempt to sell, possess or purchase controlled substances while at the workplace or while performing in a work-related capacity.

As required by section 5154 of the Drug-Free Workplace Act of 1988, as a condition of employment, you must notify MOCA of any drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction.

Violations of this policy may lead to disciplinary action, up to and including termination of employment. In addition, MOCA may require that an employee cited for using, selling or distributing drugs, or convicted for a drug-related activity, participate satisfactorily in a drug or substance abuse assistance or rehabilitation program approved for such purposes by an appropriate agency.

Non-Smoking Policy

In compliance with applicable law and in the interest of providing a safe and healthy environment for its employees, members and affiliates, MOCA has adopted a smoke-free office. If you need to smoke, you must do so outside the building, further than 25 feet from the public entrance to the Museum. However, you should limit this time to no more than twice per day, not to exceed five minutes at a time.

MOCA encourages all smoking employees to quit smoking. Cessation information is available from the New York Smokers' Quit Line at 1-(866)NY QUIT (866-697-8487).

Fraud, Theft, Embezzlement, and other acts of Dishonesty

Theft, fraud, embezzlement and other acts of dishonesty may result in disciplinary action, up to and including immediate termination of employment, and will be prosecuted to the fullest extent of the law.

Use of Company Property and Supplies

MOCA employees are asked to use company property and supplies for all work-related projects. As at any non-profit organization, you should be careful to use resources carefully and thoughtfully, and to avoid wasting materials and supplies. Repetitive or purposeful theft of company property may result in immediate termination of employment, and will be prosecuted to the fullest extent of the law. You must return all property immediately upon request or upon termination of employment.

Animals

No pets allowed except for service animals.

Discipline

MOCA may take disciplinary action, up to and including termination, against you for failing, in MOCA's sole discretion, to adhere to certain standards of behavior. Such failure is frequently reflected in certain actions by you, like some of those mentioned earlier in this Handbook, and including, but not limited to the following examples:

- Failure to properly perform the duties or fulfill the responsibilities to which assigned.
- Excessive tardiness, absenteeism, or unauthorized absences.
- Physical or verbal abuse or harassment of another staff member.
- Reporting to work under the influence of drugs or alcohol.
- Becoming intoxicated or being under the influence of controlled substances while on the job.
- Unlawful possession, manufacture, distribution, dispensation or use of controlled substances or alcoholic beverages at work.
- Immoral or indecent behavior on the premises of the organization.
- Unauthorized use of MOCA property and resources for other than MOCA business.
- Violation of the Code of Ethics or dissemination of confidential information.
- For non-exempt or hourly employees, working overtime without receiving prior authorization.
- Failure to notify MOCA of inability to report to work.
- Insubordination: Willful refusal to obey the orders of a supervisor and/or the use of profane, obscene, or abusive language to embarrass, ridicule, or degrade a supervisor.
- Fighting, pushing, shoving or altercations.

This list is not exhaustive, and it is not meant to limit MOCA's discretion to discipline or discharge an employee at any time for any reason.

Termination of Employment

Since employment with the Museum is based upon mutual consent, both the employee and MOCA have the right to terminate employment at will. You are required to give notice in writing a minimum of two weeks in advance of your resignation.

Benefits terminate on the last day of the month in which you take leave. You may choose to continue your health insurance benefits according to the federal regulations of COBRA.

You are not reimbursed for unused sick and personal days upon termination. Departing employees who provide the requisite notice of resignation and employees terminated by MOCA will be paid for accrued, unused vacation days.

Exit Interview

Prior to the last day of work, you will meet with your supervisor and the MOCA President to discuss arrangements for settling up any vacation time balances, conversion of benefits, repayment of outstanding debts to MOCA, return of MOCA-owned property and to discuss any other pertinent matters. Suggestions, complaints and questions can also be voiced. Your exit memo should be completed before this meeting.

Timekeeping

Status

Regular/Full-Time: A regular full-time employee works a standard 40-hour workweek. Regular office hours are from 9:30am to 5:30pm, unless otherwise determined with supervisor.

Part-Time/Temporary/Other: A part-time/temporary/other employee is an employee who works fewer than 40 hours per week, or works on a contingent basis subject to call. Part-time, temporary and other employees are not entitled to health, dental or other benefits.

Employees also are classified according to the Fair Labor Standards Act (FLSA) in two categories:

Exempt: Employees not eligible for overtime pay or the minimum hourly wage as determined by the provisions of the FLSA. Employees employed in bona fide executive, administrative, professional, outside sales, and information technology capacities are commonly exempt from federal and state minimum wage and overtime requirements. Generally, all MOCA employees with full-time qualify as exempt employees.

Non-Exempt: Employees who are eligible to receive a minimum hourly wage and overtime payments as determined by the provisions of the FLSA. Generally, all clerical staff and non-officers are considered non-exempt employees.

Length of Service

Length of service refers to the number of months worked by a full-time employee beginning with the starting date of employment. If employment is interrupted by a leave of absence, total length of service will be adjusted to exclude the time that you were on leave from MOCA. Similarly, if employment is altered by a change in status, length of service will exclude the time that you were working under adjusted status.

For a full-time staff member, your anniversary date is based upon your start date of employment. If a consultant or hourly employee becomes full-time, the anniversary date and length of service thereafter correspond to the date you began continuous, regularly scheduled employment, not occasional employment on an as-needed basis.

Tracking Hours Worked

The purpose of a timesheet is to ensure that you are correctly paid for time worked. Since there are many federal and state statutes covering payment for time worked, accuracy in reporting work time is extremely important. If you are a non-exempt employee, you must record your time on a timesheet on a daily basis. All employees must complete a Leave Request form for time away from MOCA, including comp time, personal days and vacations. It must be submitted and approved by your supervisor or the Museum President in advance of leave time. Non-exempt employees are responsible for seeing that your timesheet represents an accurate count of the actual number of hours worked during any given workweek. All timesheets must be submitted weekly to your supervisor.

Falsely recording time worked or in any other manner engaging in fraudulent activity with regard to the reporting of time worked is expressly prohibited and may result in disciplinary action, up to and including termination.

Break Periods

Each permanent, full-time employee is entitled to a one-hour break daily. Time spent at meals does not count toward hours worked. Staff members should be aware of the need to have adequate coverage in the Museum when planning breaks.

Working Overtime

MOCA assesses, in accordance with the Fair Labor Standards Act (FLSA) and state law, whether exemption status applies to your job. If you are classified as *Non-Exempt*, you will be eligible for overtime pay. Overtime *must be approved in advance* by the MOCA President. You will be paid one and one half times your straight time rate for hours worked over 40 hours per week.

Paid sick days, personal days, holidays, and vacation days do not count as hours worked and will not be credited toward overtime calculation.

If you are classified as an *Exempt* employee, you will not be eligible for overtime pay.

Compensatory Time

Exempt employees may be asked by to work beyond regular office hours or more than a 40-hour work week given special events that week. On occasions when exempt employees are required and approved to perform mutually agreed upon supplemental work, such employees will receive time off to compensate for extra hours worked. As compensatory time is intended to help provide necessary rest for the individual, it is used to use the time as soon as is reasonably possible and within a three-week time period after it is issued. Your supervisor must approve, in advance, the scheduling of your comp time. Compensatory time will be forfeited after six weeks of its issuance.

Compensation

Pay Policy

Employees are paid bimonthly on the 15th and the last day of every month. If payday is a holiday or weekend, you will be paid on the preceding workday.

Raises

MOCA is a not-for-profit agency dependent upon grants, contracts and contributions. As such, automatic cost of living adjustments or annual increments cannot always be granted. Management will attempt to increase salaries at the start of the calendar year. However, such increases are contingent upon the availability of funds and the approval of the Board of Trustees, and are at the sole discretion of the MOCA President.

Reimbursement

You must submit a check request to the Finance and Operations Manager for any reimbursement after it has been approved by your supervisor. Reimbursement requests require a full receipt or invoice for the amount paid out.

Travel Expenses

If you are required to travel within the city either to make a delivery that is not possible by train or there is a significant time constraint, your cab fare will be paid by MOCA. Full-time staff members with MOCA credit cards are encouraged to pay by card instead of using petty cash. If you are kept at the Museum for a special event long after normal operating hours, you may choose to take a cab home and pay either with your credit card or petty cash.

Travel outside of the metropolitan area for official MOCA business is reimbursed, provided that the budget is approved in advance by your supervisor. It is expected that travel costs will be kept to a reasonable level wherever possible. When travel is completed, employees should submit completed travel expense reports within 30 days. Reports should be accompanied by receipts for all individual expenses.

Abuse of this travel policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, *up to and including* termination of employment.

Insurance Benefits and Health Insurance

All full-time employees qualify for medical, dental and vision coverage beginning on their start date. Upon hire, you will be provided with information regarding health benefits.

COBRA

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Museum's health plan when a "qualifying event" (including resignation, termination of employment, death of an employee, reduction in hours, leave of absence, divorce or legal separation or change in eligibility of a dependent child) would normally result in loss of eligibility.

Under COBRA, you pay the full cost of coverage at the Museum's group rates plus an administration fee. MOCA provides each eligible employee with a written notice describing the rights granted under COBRA when the employee becomes eligible for MOCA's health insurance plan. The notice contains important information about the employee's rights and obligations.

Flexible Spending Account

MOCA allows employees to enroll in a flexible spending account. There are two components to the program: Medical Flexible Spending and Commuter Reimbursement. You may enroll in one, both or neither. At the time of enrollment, you will be asked to determine the amount you would like to set aside pre-tax for both. Medical spending will be available to you in full upon receipt of your card; transportation is available on a monthly basis. Upon hire, you will be provided with information regarding flexible spending accounts.

Should you leave your employment with the Museum having used your medical spending in full without the full amount having been disbursed over the calendar year, the amount will be deducted from your final paycheck.

Pension

MOCA offers employees the option of enrolling in a TIAA-CREF pension plan (403b). Under this agreement, a portion of your compensation (selected by you and within the limitations imposed by the Internal Revenue Code) may be applied on a pre-tax basis to self-selected funds.

Participation in this pension plan (403b) is voluntary. You are not required to join the plan.

Payment to Consultants or Independent Contractors

Consultants or independent contractors who are paid on a retainer, fee or stipend basis must submit bills to their supervisor on their own stationery in accordance with the letter or agreement signed with MOCA. The letter of agreement lists the dates and times of service, the consultant's social security number and a list of the services performed. For part-time associates or paid interns, the hours will be submitted to Paychex or Easy Office by the MOCA Director of Operations.

MOCA will make no deductions from any payments made to a consultant or independent contractor. You are responsible for any income tax, Federal Insurance Compensation Act (FICA), Federal Unemployment Tax Act (FUTA), Worker's Compensation Insurance, State Unemployment Insurance or any other payment for yourself normally associated with an employee relationship as required by law. All consultants and independent contractors are required to submit a completed W-9 with their first invoice.

Any individual receiving more than \$600 annually in the form of a fee will receive a 1099 form for income tax purposes which MOCA is required by law to prepare and submit.

Time Off and Leave

Family Care and Medical Leave

Full-time employees who have completed one year of employment are eligible for four weeks of paid family or medical leave for the following reasons:

Childbirth/Adoption/Foster Placement: because of the birth of a child; or the placement of a child with the employee for adoption or foster care.

Serious Health Condition: because of a serious health condition that makes you unable to perform the functions of your position. A serious health condition is defined as: "...an illness, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider."

Serious Health Condition of Immediate Family Member: in order to care for the spouse/partner, son or daughter, or parent of the employee if the family member has a serious health condition as defined above.

During any calendar year, if you meet one or more of the conditions listed above, you are eligible for four weeks of paid leave to be scheduled with your supervisor. In the event that you qualify for disability benefits, MOCA will pay the difference between the statutory disability allowances and your salary during the four-week period of paid leave.

Once those four weeks are expended, you may take any unused vacation or personal days. Finally, after using all of your paid time, you may request up to six months leave without pay if you provide the Museum with at least two weeks advance notice of your request for unpaid leave. Once a request for leave without pay has been approved, any later request for variation in the scheduled leave will be handled at the discretion of your supervisor.

Absences

Because you play a key role at MOCA, you are expected to be punctual and to keep unscheduled absences to a minimum. Please note:

- You must notify your immediate supervisor/manager in advance whenever absence from work is necessary and contemplated.
- When an unexpected absence or tardiness arises because of illness or an emergency, you must notify your immediate supervisor by e-mail or telephone before you are scheduled to report to work.
- Your failure to notify MOCA of an absence as required may be grounds for discipline, up to and including termination of your employment.

- You may be terminated for excessive excused or unexcused absences, or a combination of the two, even if proper notices have been given to MOCA. This also applies to excessive tardiness, excused or unexcused.

You are encouraged to schedule doctor's appointments and personal meetings outside of office hours. Any absences from the office for personal matters or meetings should be approved by your supervisor and recorded on your timesheet under personal days. Excessive absenteeism may be cause for discipline or termination of employment.

Workers' Compensation

If a MOCA employee is injured at work, or becomes disabled as a result of occupational diseases, according to the law, you are eligible to file for workers' compensation benefits if time or wages are lost due to the injury or illness or if emergency medical treatment is required. Employees who sustain work-related injuries or illnesses should inform their supervisors or Human Resources as soon as is practicable after the injury.

Vacation

Full-time employees begin to earn vacation time upon hire on a monthly basis at a rate of 1/12th the total number of vacation days. Vacation may not be taken until you have completed three continuous months of employment. You must submit a vacation request form to your supervisor for approval with adequate notice before you wish to schedule time off.

During the first year of employment, full-time employees earn a total of 15 working days per calendar year of vacation. After completing the first year, full-time employees qualify for five additional days for a total of 20 days per calendar year. A maximum of five vacation days can be carried over from one year to another.

Accrued, unused vacation time will be paid to employees who provide the requisite two weeks' notice of resignation and to employees terminated by MOCA.

Sick Leave

Full-time employees qualify for nine sick days per calendar year to be used on an as-needed basis. These days cannot be carried over from one year to another and will not be paid to employees while they are employed or upon termination of employment. If you are unable to work due to illness, you should e-mail or call your supervisor as early as possible in the morning. If your supervisor cannot be reached, you should ask another staff member to notify them.

If you are absent for three or more consecutive days due to illness or injury, a physician's statement must be provided verifying the illness and its beginning and expected ending date.

Personal Days

All full-time employees are eligible to take three personal days per calendar year. The amount is prorated for staff members who are not employed at the beginning of the calendar year. Personal days are to be used for matters that cannot be handled outside of the workday. You are not required to provide a reason for taking a personal day, but you must get approval from your supervisor in advance. Personal days cannot be carried over from year to year and will not be paid to employees while they are employed or upon termination of employment. All leave request forms must be signed by either the MOCA President or the Director of Operations.

Holidays

MOCA currently observes the following office holidays (Museum may be open to public):

- New Year's Eve and Day (two days)
- Martin Luther King Jr. Day
- Lunar New Year (observed)
- President's Day
- Easter/Passover (one day)
- Memorial Day

- Independence Day
- Labor Day
- Thanksgiving (Thursday and Friday)
- Christmas (two days)

If a holiday falls on a full-time employee's traditional day off, or if you are required to work on a designated holiday, you may take a day off at a later time to be agreed upon by you and your supervisor. In addition, non-exempt employees will be paid one and one half times their straight time rate for hours worked on a holiday.

MOCA currently observes the following holidays for Museum staff (closed to the public):

- New Year's Day
- Thanksgiving (Thursday)
- Christmas Day

Bereavement

Full-time employees are granted up to three days of paid leave per calendar year if a death occurs in your immediate family (defined as a spouse/partner, child, parent, sibling, grandparent or grandchild.) In such a situation, you should notify your supervisor as soon as possible to request the time needed and to indicate the date you expect to return to work. Additional days, if needed, may be taken as personal or vacation days subject to your supervisor's approval.

Jury Duty

If you are required to perform jury duty after completing your three-month probationary period, you will be granted full pay to cover the period of absence. If you have yet to complete your probationary period, this time will be considered leave without pay. You must notify your supervisor as soon as possible after receiving a jury summons. If you are dismissed early or not called to trial, you are expected to return directly to work. It is MOCA's policy not to penalize, threaten, or coerce an employee with respect to his or her employment because the employee is required to attend court for jury.

Cash Handling

Check Requests

Check requests are processed through Easy Office by the Director of Operations. All accounts payable requests must be submitted on Mondays using an AP form with the corresponding invoice attached. Checks are printed and signed on Thursday of that week. Please fill out all forms in full; direct any questions about categories and accounts to your supervisor or the Director of Operations.

AP/AR Forms, Chart of Accounts and Class Listings

Accounts Payable and Accounts Receivable Forms can be found on the shared drive in the Finance & Administration folder. Any incoming or outgoing payment must be attached to one of these forms. When printed and submitted, the form must be on pink paper. The Chart of Accounts and Class Listing can be found in the same folder.

Museum Operations

Opening and Closing of Museum

All full-time employees (or those who have been vetted) and assigned security officers are given keys to the Museum as well as a security pass code for activating and deactivating the ADT alarm system. The first person to enter the Museum in the morning is responsible for deactivating the alarm by the Lafayette Street entrance.

On Tuesdays – Sundays the front doors are locked at 6pm (or after the final guests have exited.) Lights and exhibits are turned off at this time as well. The Visitor Services staff completes their tasks by 6:30pm, so there is no longer any presence at the desk thereafter. If you expect an office guest after 6pm or on Mondays, it is your responsibility to greet them at the Centre or Lafayette Street entrance to let them into the Museum. It is also your responsibility to let them out of the Museum and confirm that the doors are locked. On Target Free Thursdays, the doors are locked at 9pm, and the Museum shuts down as usual after this. Other exceptions are nights with pre-scheduled after-hours events.

No one person should ever be left alone in the Museum at the close of the day. It is recommended that there are at least two people to close and exit safely. With your fellow remaining employees, it is your responsibility to confirm that the doors are closed and locked and lights and exhibits are turned off. All lights are turned off with the exception of the foyer light on the Centre Street side. All exhibits are turned off; the video wall is on a timer and will turn off at 10pm. Upon exiting, you will be responsible for activating the alarm by the Lafayette Street entrance and locking the door behind you.

Basic VS Procedures

Please see the Visitor Services Appendices on page 22.

Safety and Emergency Procedures

Workplace Safety & Security

You are required to report in writing all accidents and resulting injuries, no matter how minor they may appear, to your supervisor or the MOCA President. You must observe all safety rules and regulations and maintain property and equipment in safe working order. The same is true of all security issues. If you observe any unsafe conditions, report it immediately to someone in the Museum offices.

Emergency Call List

Please see page 20.

Communications, Electronic and Digital Policies

Cell Phones

Cell phone usage is not prohibited; however, you should regulate the use of your cell phone in the office for personal calls with consideration to the working environment of your colleagues.

E-Mail and Internet Usage

MOCA has provided and maintained these resources at its expense and encourages the use of e-mail and the Internet for Museum business; all communications and information transmitted by, received from, or stored in MOCA's electronic communications and information systems are the property of MOCA. The Museum reserves the right to inspect, monitor, access, review or copy e-mail messages and Internet use. Accordingly, employees have no right to or expectation of privacy with respect to any email message or Internet use. Employees should not read or access email and Internet messages intended for another recipient.

While e-mail and the Internet have become increasingly important tools for conducting business, their improper use can result in a liability to both you and MOCA. We have the following policy and guidelines regulating both e-mail and Internet use:

- It should be accessed using computer equipment provided by MOCA.
- It should be accessed using a secured source when used off MOCA premises.
- It should be accessed in a manner that identifies the user as a MOCA employee, during or outside normal business hours, and whether on or off MOCA premises.

MOCA's e-mail and Internet systems are reserved solely for Museum business. They may not be used for personal non-job related reasons. Any employee found to be abusing the privilege of MOCA-facilitated access to the Internet may be subject to revocation of access and disciplinary action, up to and including termination.

MOCA Shared Calendars

All events, group visits, public programs and rentals are entered in a group-accessed calendar through Outlook. This is used to help everyone keep track of Museum activities, and to prevent over-bookings or scheduling confusion. You must monitor any activity you enter into the calendar, including updates or cancellations. You are expected to refer to the calendar when planning activities and vacation requests. The Staff Leave schedule can also be accessed through a shared calendar on Outlook.

Incoming/Outgoing mail

Mail is delivered to the Front Desk daily and distributed by either the Assistant to the President or the Operations Manager. You are responsible for checking your mailbox on a regular basis.

Outgoing mail is posted by the Assistant to the President at the end of the day. Stamps are purchased through Stamps.com software and are printed by the Operations Manager. MOCA has an account with FedEx Express to be used for outgoing shipping. Please see your supervisor for the account number.

Usage of Keys, Passwords and Passcodes

Upon employment, you will receive a set of keys and a security fob and passcode from the Director of Technology or the Director of Operations. These keys are your responsibility and any lost keys will be replaced at your expense. Upon termination of employment, on the last day of work all keys and Museum property are to be returned to the Director of Operations or MOCA President.

Social Media Policy

MOCA encourages the use of social media, including the official MOCA twitter feed, blog, Facebook page, LinkedIn profile and more, for the advancement of the Museum's programs, events and network of relationships. If you have not been specifically tasked with utilizing social media for MOCA, you must receive prior authorization from your supervisor for you to speak out on the Museum's behalf. All usage of sanctioned accounts must be done with the full knowledge that you are representing the Museum in the public sphere.

The rules contained in this Handbook also apply to employee behavior within social media, including that it is impermissible to disclose or use confidential or proprietary information of MOCA, in any form of online media.

You are personally responsible for any of your online activity conducted with MOCA's email address, and/or which can be traced back to the organization's domain, and/or which uses MOCA's assets. When using MOCA's email address or assets to engage in any social media or professional social networking activity all actions are public, and staff will be held fully responsible for any and all said activities.

You are also expected to distinguish between personal and professional social media. Please exercise good judgment around how your personal activities or comments online could reflect on the Museum. What you do on social networks should be presumed to be publicly available to anyone, even if you have created a private account. What you publish on personal online sites with your personal email address should never be attributed to MOCA and should not appear to be endorsed by or originated from MOCA.

If personal or professional use of social media causes problems, it may result in disciplinary action.

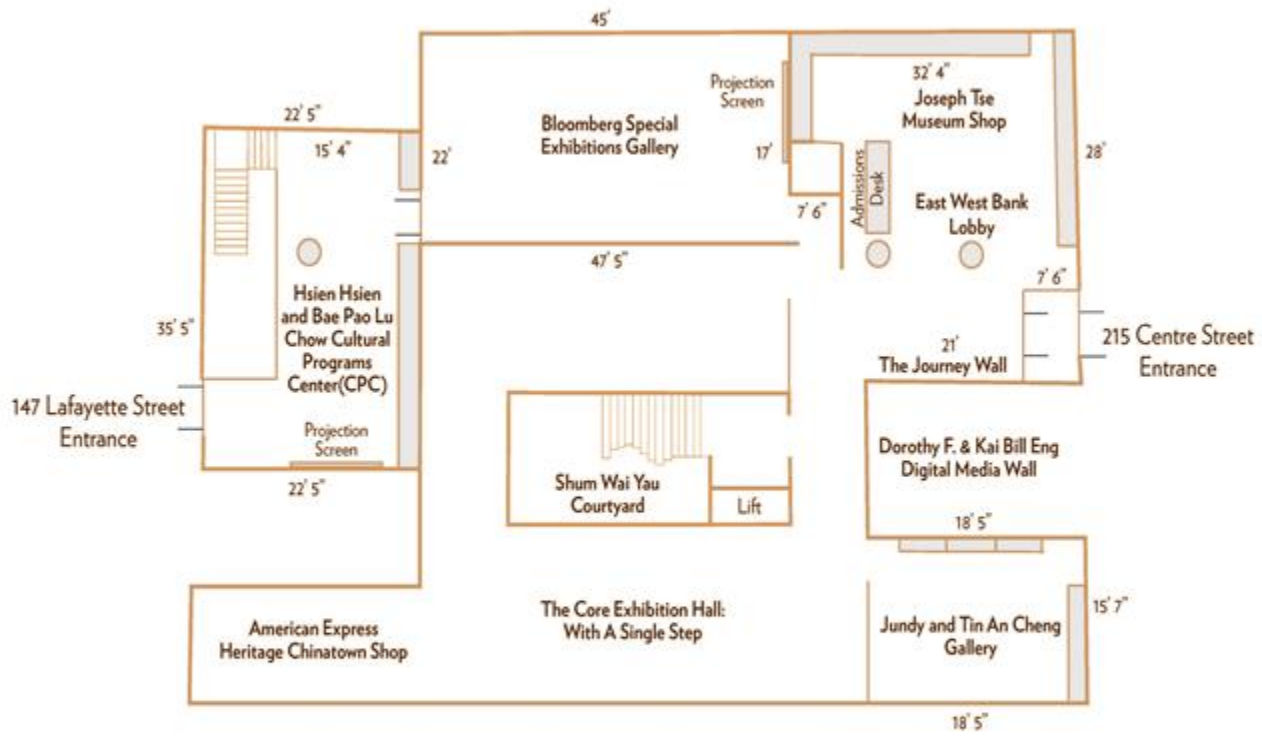
Map of Museum

FOLLOWING CHANGES MADE TO THE MAP/FLOOR PLAN:

1. "Judy and Tin An Cheng Digital Salon" to "**Judy and Tin An Cheng Gallery**"
2. "Museum lobby" to "**East West Bank Lobby**"
3. "Director's Office" changes to "**President's Office**".

Ground Floor Plan

(All room dimensions are estimates)



215 Centre Street New York NY 10013 T 212 619 4785 F 212 619 4720 E info@mocanyc.org W www.mocanyc.org

Lower Level Floor Plan

(All room dimensions are estimates)



215 Centre Street New York NY 10013 T 212 619 4785 F 212 619 4720 E info@mocanyc.org W www.mocanyc.org

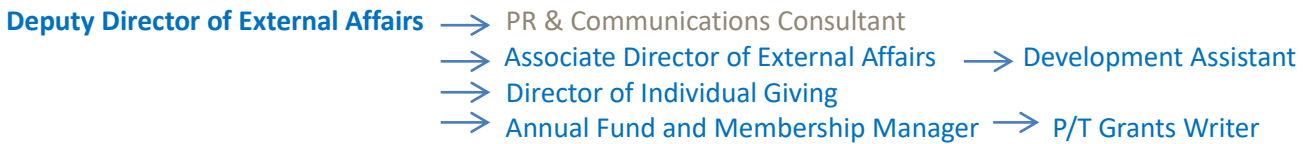
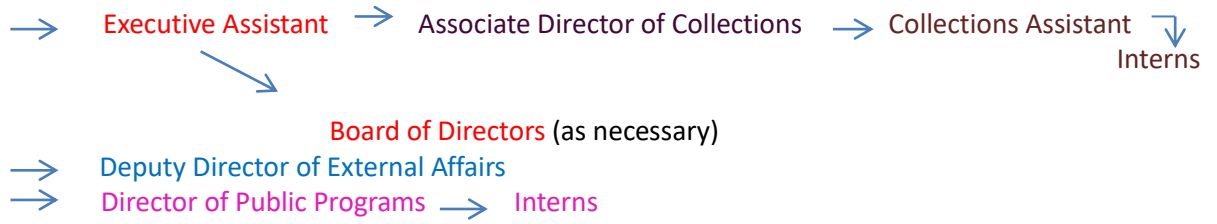
Emergency Call List

MOCA Staff follow this call plan.

President



Director of Operations



Employee Handbook Receipt

I have received a copy of the Employee Handbook which outlines the benefits, policies, rules and regulations related to my position. I will read and become familiar with these policies and abide by them during my employment. In particular, I

acknowledge that I have read and understood MOCA’s Workplace Harassment Policy and its Policy on Email and Internet Usage. I understand that any failure on my part to comply with any provision of this Handbook, now or as amended, or any other rule or regulation may subject me to disciplinary action. I further recognize that the Museum of Chinese in America reserves the right to modify, supplement, amend or delete any of the policies or benefits contained in this guide and to add additional policies at any time without prior notice. I understand I am to direct any questions regarding the policies or the interpretation of these policies to the MOCA President or the Director of Operations.

I understand that the Employee Handbook constitutes management guidelines only and is not to be interpreted as a contract between the Museum of Chinese in America and myself. I understand that neither this guide nor any other communication by a management representative is in any way intended to create an express or implied contract of employment.

Employee Name Date

Employee Signature Date

Visitor Services

These are meant to serve as basic procedural guidelines for Museum staff. If you are asked to assist with a specific task in advance, you will receive additional training.

Opening Procedures

- Enter on Lafayette Street and deactivate alarm by entering code and then pressing Off button (if first person to arrive.)
- Turn on all lights (in CPC and AV closets; all switches are labeled.)
- Turn on all exhibits. Use MOCA X-panel to turn on Core Portraits and core exhibit sights and sounds (on VS Manager or Exhibits computers), plug in or start any temporary exhibits as necessary.
- Activate the POS with VS Staff. To active the cash drawers:
 1. Open Counterpoint SQL and log in with username and password
 2. From Main Menu, select Point of Sale
 3. Select Begin Day
 4. Select Activate
 5. Enter User ID and Password
 6. Select drawer (the drawer nearest the shop is SHOP, the drawer nearest the exhibits is ADMIN) and select Activate
 7. In top right corner of window, select Open Drawer (drawer will pop) and Count Cash Units; a new window will open
 8. Enter counts of each individual currency (the count is by number –enter “22” nickels not “1.10”) and select OK
 9. Select OK, a pop up window will appear that says “Drawer Activated”, select OK
 10. Close window and select Main Menu
 11. Select Point Of Sale
 12. Select Touchscreen
 13. Log in with username, password and correct drawer

Note: Open cash amount should be \$175.00; if the amount is off after second count, leave a note in the register with the opening amount.
- Check voicemails on main line, and forward messages to necessary staff members or respond where necessary.
- Clean gift shop—shelves should be dusted, should have enough merchandise out on display and on hand for easy replenish.
- Re-stock informational materials; make sure info holders are clean and organized.
- Check desk supplies—replenish register tape, pens, pencils, post-its, press packets, etc.
- Tidy the coat check room, set out umbrella bags and holders when raining.
- Water plants every other day.

Closing Procedures

- Lock Centre Street doors after final museum guest has left after closing hours
- Close registers and shut log-off POS with VS Staff. To close the cash drawers:
 1. From Main Menu, select Point of Sale
 2. Select End of Day
 3. Select Reconcile
 4. Select drawer (the drawer nearest the shop is SHOP, the drawer nearest the exhibits is ADMIN) to reconcile
 5. In top right corner of window, select Open Drawer (drawer will pop open) and Count Cash Units; a new window will open
 6. Enter counts of each individual currency (the count is by number –enter “22” nickels not “1.10”) and select OK
 7. If drawer is reconciled, proceed; if count is off, recount and confirm amounts
 8. Select OK, a pop up window will appear that says “Drawer Reconciled”, select OK in all pop-up windows, close

9. Deduct cash over \$175.00 for each drawer to deposit
 10. Put cash and all receipts from drawers into deposit envelope, write total amounts pulled from Shop and Admin drawers on envelope; if either drawer is over or short, note that on envelope
 11. From End of Day on Admin computer after both drawers are reconciled select Settle
 12. Select All Stores, All Drawers, with today's date as cut-off date
 13. Settle, select OK in all pop-up windows, close
 14. From End of Day, select Post
 15. Select All Stores, All Drawers, with today's date as cut-off date
 16. Post, select OK in all pop-up windows, close
 17. Remove cash trays from drawers, close drawers, take cash trays and deposit envelope to safe
 18. Lock deposit envelope in small safe, put cash trays in large safe
- Clean and organize shop, tidy up desk, empty recycling, clear coat check room.
 - Turn off exhibits using MOCA X-panel (on VS Manager or Exhibits computers), unplug or turn off any temporary exhibits as necessary.
 - Turn off lights and close the basement doors (in the pantry workshop and classroom hallway), then alarm the system. (In case of faults, enter the four digit security code, press 6 (bypass) and then enter --- (the number of the faulted zone.) Exit and lock Lafayette Street door.