

## **ORGANIZATIONAL INTRODUCTIONS**

The information herein provided has been carefully prepared in order to assist employees in fully understanding the personnel guidelines in regards to policies, practices and benefits of *the Togetherness, Sharing and Learning Adventures Company* (hereafter referred to as TSL). A copy will be made available to all new employees at their beginning date of employment. Thereafter, as changes become necessary, related to providing more efficient service or in consideration of staff and/or center needs, these changes may be implemented even if they have not been first communicated, reprinted, or substituted in this handbook.

This set of Personnel Policies is intended to merely be a guideline. This handbook is not a contract and should not be construed as such. Furthermore, no promise, statement or writing made by a supervisor may be interpreted to constitute an employment relationship. Rather, your employment with this corporation is “at will”, and termination by either yourself or the corporation at any time, without notice, with or without cause, can be initiated except as otherwise provided by law.

It should be understood that each employee should read and agree to work in accordance with the guidelines set forth herein.

## **MISSION STATEMENT**

The mission of TSL is to provide a safe, loving, and a mutually respectful environment in the context of a noncompetitive, cooperative based structure, which emphasizes social and academic growth among children. The Teachers recognize the need to unify children rather than divide them, and all aspects of our day, whether it be in our daycare, preschool, before and after school or summer program, serve to bring children closer together.

The program's strength and uniqueness rests in the experience, credentials, enthusiasm, and working relationship of its owners and employees. TSL offers a high degree of professionalism and experience.

TSL employs only candidates who promise to bring a high level of creativity, enthusiasm and compassion to each day. They are carefully interviewed, screened, and formally evaluated throughout the year by the TSL partners.

TSL is an independent, nonsectarian program that puts children first in all facets of the day. We make a promise to every parent that your child will be part of something special and unique, feel loved, nurtured, challenged, and respected in a wonderfully healthy and safe environment.

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## **PRACTICE**

### **Management Rights**

TSL shall have the right to determine its programs and policies in line with the Office of Children & Family Services and/or any regulatory or funding agency, which supports the day care center. In addition, TSL shall have the right to set forth the working rules and procedures and shall determine the extent and scope of each job.

These Personnel Guidelines may be amended, modified or terminated at any time by TSL without the consent of prior knowledge of the employees. Any such modifications will be communicated in writing, promptly, to all employees. All other Personnel Guidelines, whether written or oral, are declared null and void, ceasing to have any affect whatsoever by the publication and dissemination of these Personnel Guidelines. This current set of Personnel Guidelines supersedes all prior Personnel Guidelines.

### **Owner Responsibilities**

The owners, Thomas Styles, Shameka Brown Johnson, Lynette Smith, have responsibility for all policy decisions. Mr. Styles, being the managing member of the company, is designated to carry out all functions of the day-to-day operations in cooperation with a designated team of managers to fulfill the ministerial functions of the corporation.

The managing member, along with the management team in consult with Mrs. Brown-Johnson and Mrs. Smith, are charged with the duties of effectuating the purposes of the organization, carrying out all functions necessary and proper to ensure that the mission, policies, objectives and aims of the organization are carried out.

## **EMPLOYMENT**

### **Selection of Personnel**

Employees are hired on the basis of their personal and professional qualifications and ability to meet specifications of the position to be filled. Said specifications meet all Office of Children & Family Services Regulatory criteria for the position. Factors considered in hiring include but are not limited to:

- Formal Training
- Previous Experience
- Ability to Work with Others
- Philosophy of How to Work with Young Children
- Ability to design curriculum in accordance with the TSL framework, which relies upon the use of NYS Early Learning Standard guide

- Fitness to Give adequate Care to Children

TSL is committed to complying with the ADA, the NYHRL and all applicable laws providing for nondiscrimination in employment against qualified individuals with disabilities. TSL will work with employees who have disabilities to develop reasonable accommodations that allow an individual the opportunity to perform the essential functions of his or her job in a safe and efficient manner. Employees are encouraged to inform the Director/Program Coordinator of any physical or mental disability and to suggest appropriate methods of reasonable accommodation. The failure to volunteer this information will not subject an employee to any adverse treatment or penalty. All information concerning disabilities will be considered confidential and will be released only in accordance with the requirements of the ADA and the NYHRL.

Mandatory Factors considered in the hiring are:

#### **State Central Register Clearance**

All applicants are required to complete a **State Central Register Clearance form, and a Statement of Criminal Conviction Record** upon employment, request of the Director or any time a change occurs subsequent to completion of the clearance form. TSL will submit this clearance at the time of employment. During the wait time for the results of this clearance, staff will not be left alone to supervise children. Likewise, TSL will cover the cost of the SCR clearance, but said cost of \$25 will be deducted from an employee's last pay if an employee is terminated or resigns within his/her first 30 days of employment.

#### **Criminal Record**

A criminal record does not automatically bar employment but a candidate with a criminal record must describe the crime, identify the court and deposition of the case so that consideration may be made as to the relationship of that crime to the job to be performed.

Crimes or offenses involving children are deemed detrimental to employment with TSL and will disqualify an applicant from employment consideration. All employees will be **fingerprinted** during their first week of employment.

#### **Arrest, Summons and Subpoenas**

Any employee who is questioned by law enforcement authorities because he/she is suspected of criminal activities, or who is arrested or served with an appearance ticket is expected to report such fact immediately, in writing, to the Director, citing all facts and circumstances relative to it, and will therefore immediately notify the Director of the disposition of the case. Failure to so may result in the initiation of disciplinary action against the employee at the discretion of the Director. Within one week of the date of disposition, the employee shall provide the Director with a certified copy of the certificate of disposition.

### **Employee Eligibility Verification**

All employees must be eligible for employment in the USA and must complete an I-9 form.

### **References**

Pursuant to Department of Social Services Regulations, all prospective employees must furnish the name, address and daytime telephone number of at least 3 individual references, other than relatives, at least one (1) of whom can verify the prospective employees employment history.

### **SEL Check**

Employees must be cleared for work through the NYS Justice Center's Staff Exclusion List. TSL will submit this clearance upon employment.

### **Medical Requirements**

All employees of TSL must be fit to care for the children. The Office of Children and Family Services requires all staff to be in good physical and mental health. Additionally, all employees of TSL are required by the Office of Children and Family Services to have a medical examination, including a tuberculin test, prior to employment. Employees are responsible for the cost of these expenses.

### **Position Vacancies**

Employees may announce their interest in any new position that becomes available by making written or verbal notice to the assistant director or executive director.

### **Workplace Harassment**

TSL is committed to maintaining a work place free from Workplace Harassment. TSL will not tolerate any kind of workplace harassment to be visited upon its employees by other employees, or by parents, vendors or individuals providing services. In addition to disciplinary actions being taken against offending employees, cessation of the parental or vending relationship will be considered, as would legal action.

Sexual Harassment is defined as unwelcome sexual advances, request for sexual favors, and other gender based, verbal or physical conduct of a sexual nature.

- Specific forms of behavior that TSL considers sexual harassment include, but are not limited to the following:
1. Verbal harassment including sexual innuendos or slurs; sexual propositions or threats; jokes of sexual nature; or suggestive, derogatory, or insulting comments or sounds, such as whistling.

2. Non-verbal harassment including abusive written language; showing or displaying pornographic or sexually explicit objects, pictures, or graphic commentaries; or leering or obscene gestures in the work place such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.
3. Physical harassment or sexual conduct which is unwelcome, including touching, petting, pinching, coerced sexual intercourse, assault, or persistent brushing up against a person's body.

Prohibited harassment on the basis of race, color, national origin, ancestry, religion, physical or mental disability, marital status, age, sexual orientation or any other protected basis, includes behavior similar to sexual harassment, such as:

1. Verbal conduct such as threats, epithets, derogatory comments, or slurs;
2. Visual conduct such as derogatory posters, photographs, cartoons or drawings, or gestures;
3. Physical conduct such as assault, unwanted touching, or blocking normal movement; and
4. Retaliation for reporting harassment or threatening to report harassment.

Workplace harassment will not be tolerated and will be considered a form of employee misconduct. Any employee who feels that he or she is a victim of any unlawful harassment should promptly report the incident to his or her Supervisor, Program Coordinator or Director. All complaints will be promptly investigated. Confidentiality will be maintained throughout the investigation to the greatest extent practical and appropriate under the circumstances. If it is determined that unlawful harassment has occurred, appropriate corrective action will be taken, up to and including discharge.

TSL prohibits any form of retaliation against an employee for filing a complaint under this policy or for assisting in any investigation resulting from a complaint filed under this policy.

### **Personnel History File**

A copy of anything relative to your appointment, including evaluations, documentation of disciplinary action or any other items deemed necessary by the administration of TSL will be placed in your file. This file may be used in considering promotion, reassignment, and training.

An employee may examine the contents of this file upon request to the management. Management has the sole authority to remove or add items to the personnel history file as well as to copy any documents for the employee. It is the employee's responsibility to keep items, such as emergency contact numbers, up to date.

### **Training**

As per DSS Regulation 418-11.14 (b), all full time employees are required to attend a minimum of 30 training hours per 24 month period. All new full time employees must receive at least 15 hours of training in their first 6 months of employment. For part time employees, training hours are defined below. Staff meetings and on site trainings are a required professional obligation of all employees of TSL. The Center may offer its employees the opportunity to attend work related conferences, workshops or other training programs. Employees may attend such training with the approval of the Director/Program Coordinator. Each full time staff person, per TSL, is required to receive at least 7.5 hours of training per 6 month period once the first 15 hours of training during the first six months of employment has been fulfilled. Part time employees as defined by a work schedule not exceeding 20 hours per week need the two hour introductory training annually as well as the mandated child abuse training annually. All employees will also be required to take the **5 hour Foundations of Health and Safety Training** online before their probationary period is up. All new directors will be scheduled to take the 15 hour Foundations of Health and Safety course within their probationary period if offered through OCFS within that time.

### **Child Supervision Policy**

While employed by TSL for the purpose of childcare, employees shall recognize the adult:child ratios and other important supervisory skills sets required under OCFS in supervising children during program hours.

Infants: 1:4

Toddlers: 1:5

Preschool:1:7 or 1:8, depending on majority ages in the group. 1:7 for majority of 3 year old children or 1:8 for majority of 4 and 5 year olds.

School-age: Ages 5-9 1:10

School-age: Ages 10-and up 1:15

Adults must actively supervision all children in program at all time by the above stated ratios. Active line of site must be maintained at all times. Children who are using a bathroom that is not in the main space where supervision is being conducted, must be escorted by an adult that is able to do so without compromising the adult:child ratio in the larger space. That may require bringing multiple children to the bathroom at once.

A child who becomes ill in program must be supervised in a “sick area” that is separated from the larger group, with access to a cot. The child must be able to be supervised while ratios are maintained in the larger group.

Adults must conduct head counts every couple of minutes in any given program space to assure that the number of children to not exceed the prescribed adult:child supervision ratios in any given space.

An adult who needs medical attention must be treated in such a way such that the adult:child ratio in a given space is compromised. For instance, if a child is

injured while outside, and adult needing to accompany the child in for treatment may have to take several children inside with him, if ratios cannot be maintained while escorting the injured child indoors.

### **Child Supervision Including Uncleared Staff Supervision**

Staff will maintain appropriate ratios within all program spaces during all points of the day (1:10) and max group size including during transitions. No staff under 18 or within their probationary period, or without proper clearances will be left alone with children. Uncleared staff will always be accompanied by cleared staff. Once the program director has received all required background checks, SCR, SEL, Criminal History review, fingerprints and trainings they will inform the classroom leads and staff may then be alone. No children will be left unsupervised at any time.

## **CHAIN OF COMMAND**

TSL Adventures was formed as a partnership between Thomas Styles, Shameka Brown-Johnson, and Lynette Smith, three College of St. Rose alumni's of the childhood education program. The three have a combined total of over 50 years of elementary school teaching and 20 years of recreational program experience. The TSL partners are the highest level in the chain of command. Though we recommend parents strive to communicate fully and completely with those employees that are directly supervising your child, we are always open to receiving your questions, comments or concerns. Thomas Styles, the company's managing member, is always happy to assist if you have any issues that require our attention. The best way to reach out to Mr. Styles directly is via email at [tsladventures@gmail.com](mailto:tsladventures@gmail.com)

\*TSL's company partners also serve as **financial managers** for the company. All inquiries regarding pricing, enrollment, billing, payments, receipts or any other questions related to the financial end of the business MUST be directed to Mr. Styles. Information obtained through any other person in the company may not be deemed valid.

Next in the chain of command is **Administrative Management**. These employees are responsible for training site directors and coordinators, coordinating the site directors and coordinators in their day to day activities, monitoring their development, program development, responding to parent issues where applicable, and assisting to keep all sites in compliance.

Beneath them are **Upper Management**. These are the site directors and answer to the Administrative Management. They are interviewed, screened, reviewed,

and evaluated by the TSL partners. They direct subordinate staff, and handle all aspects of program implementation and organization in fulfillment of the framework laid out for them by the Administrative Management.

Beneath the Upper Management fall the **Mid-level Management Team**. These are the company's site coordinators and assistant directors. They answer to the upper management or Administrative Management team. Their jobs include coordinating and implementing programs at various site locations, assisting the Upper management at a given site.

Finally, each site includes a **Lower Level Management Team** which consists of a number of support teachers and assistants who interact with children on site, respond to the needs of the children in their care, supervise small and large groups of children, implement activities, engage positively with parents, and respond to the direction of their site director.

## **TIME OFF**

### **Holidays**

All holidays, which result in the closing of TSL will be observed and paid to full time employees only. (Employees working 35 hours a week or more)

Standard New York State Holidays are New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas Day. TSL closes the Friday before Labor Day annually for a staff development day.

### **Vacation**

Requests for vacations require administrative approval by submitting a time-off request form to the Director/Program Coordinator at least two weeks in advance of leave time. Full time employees vested 12 months will receive 20 hours of vacation time at the beginning of each calendar year. Each new calendar year an increase of 20 hours of vacation time will be issued until the employee caps in his third year with 60 hours. Employees will have until the end of the calendar year to use their vacation time, as they will not carry over from year to year. Employees will not be compensated for any unused accrued vacation leave upon termination or resignation of employment. Employees who reach their anniversary date in the middle of the year will receive a pro-rated number of vacation hours for that year, and start a full cycle of regular vacation hours on January 1. For instance, an employee who reaches their 1 year anniversary in November, will receive 5 hours of vacation pay in November, and then 20 hours on January 1.

Seniority among regular staff will be the deciding factor if requests are received to take vacation leave within the same time frame. Teachers in the same classroom will not be allowed to take the same days off for vacation. Vacation

time may be taken as it is accrued in half-day increments. Vacation time should be planned at times when TSL expects to have decreased enrollment due to down times and holiday schedules. Employees will not be compensated for any unused accrued vacation leave upon termination or resignation of employment.

Employees will not be authorized to use their vacation time surrounding more than one major holiday per school year (September-June). For instance, an employees should not be expected to be approved to take vacation time surrounding Christmas AND Thanksgiving.

### **Sick Time**

Vested employees will be entitled to sick leave to be used for an employee's own illness, for family illness and/or doctor's appointments which cannot be scheduled outside of normal working hours. A whole day of sick time will not be granted for a doctor's appointment~~they need to be scheduled at the beginning or end of the day.

Full time employees vested 12 months will receive 20 hours of sick time at the beginning of each calendar year. Each new calendar year an increase of 20 hours of vacation time will be issued until the employee caps in his third year with 60 hours. Employees will have until the end of the calendar year to use their sick time, as they will not carry over from year to year. Employees will not be compensated for any unused accrued sick leave upon termination or resignation of employment. Employees who reach their anniversary date in the middle of the year will receive a pro-rated number of sick hours for that year, and start a full cycle of regular sick hours on January 1. For instance, an employee who reaches their 1 year anniversary in November, will receive 5 hours of sick hours in November, and then 20 hours on January 1.

In the event that an employee/family member is ill, the employee must call the Director/Program Coordinator/Supervisor on the sick phone by 9:00 p.m. In an emergency, employees may call the sick phone (Director's personal number) in the morning **at** 6:00 a.m. This procedure should be continued each day until the employee is able to return to work. Please do not text this number to call out sick. Personal phone calls must be made. No texting out sick.

Appropriate documentation from a medical professional may be required for each absence at the discretion of the Director/Program Coordinator. Frequent poor attendance will be reviewed and is subject to disciplinary procedures. Sick leave is not available to hourly or substitute employees.

If the employee is absent for 3 days without notifying the Center, the employee will be deemed to have voluntarily abandoned his/her position with the Center and will be removed from the payroll.

An employee whose is deemed by administration to be chronically late or absent will face the disciplinary action outlined in this handbook.

### **Unpaid Absences**

Vacation time can only be used if proper requests have been made and approved for specific dates. Vacation time cannot be used to cover a general absence.

### **Leave Without Pay**

Leaves may be requested for educational, personal or health reasons. Requests must be in writing and will be considered based on the needs of the employee and the effect on the program and center.

Leave without pay for reasons other than illness may not be granted until all vacation time has been used. Sick, personal and vacation time do not accrue during leave without pay. However, accumulated sick and personal time will remain for use upon the employee's return to work.

In the case of illness, an employee must use all sick time prior to being placed on leave without pay status.

In no way will allowable Leave Without Pay jeopardize the Employee-at-Will relationship between the employees and TSL.

Leave without pay may be granted for renewable periods of and not to exceed 30 calendar days each year. The Director shall prepare a written memorandum stating the reasons for this leave, which shall be approved by the Board of Directors.

The types of Leave without Pay are:

### **Jury Duty**

Employees who are summons for Jury Duty shall be paid their normal rate of pay for up to 3 days. If the employee receives payment from the courts for those three days, the Center will be reimbursed for that amount. The employee shall make arrangements with the Directors/Program Coordinator as soon as the employee receives the summons. The employee is expected to return to the Center if the employee is excused from Jury Duty during the employee's regular work hours. Employees are required to submit a proof of service to the Director/Program Coordinator upon completion of Jury Duty.

### **Military Leave**

The employer will continue to comply with New York State Military Law for all employees who are on military reserve or guard members called to active duty. This will include a paid leave of absence of up to 10 working days each calendar year when called to active duty. This military leave shall be paid at the difference between the employee's base pay and the allowance paid by the military for up to 10 working days each year. Employees must present their military orders and their rate of pay for verification. No employee will suffer a loss of vacation or personal leave from this regular active duty. To the extent an employee is called to other active duty the employer will provide a necessary leave of absence as required by law.

### **Bereavement Leave**

The Director/Program Coordinator may grant up to three (3) days of paid leave for each death in an employee's immediate family. This shall include father, mother, sister, brother, father-in-law, mother-in-law, grandparents,

grandchildren, and any member of the household in which the employee resides. If the employee requests additional time off, it may be charged to vacation or personal leave credits only.

### **Disability Leave**

Employees who have completed at least 4 weeks of continuous covered employment will be eligible for a leave of absence due to illness or injury.

Employees should provide the employer with written notice of disability, including a doctor's certificate stating the nature of the disability, the date until which the employee will be able to work and the expected date of return to work.

The leave of absence will be for a period of up to one month. It may be extended on a month-to-month basis for a maximum of 3 months upon the employee's written request each month with proof of continued disability from his/her physician.

When the employee is able to return to work, he/she should give the employer at least 1 week's notice by mail, including a doctor's certificate stating that he/she is physically able to return to his/her normal duties.

TSL will make reasonable efforts to return the employee to the same or similar job as held prior to the leave of absence, subject to its staffing needs and business requirements that may exist. The employee's continued absence from work beyond the leave granted will be deemed a voluntary resignation of his/her employment.

### **Maternity/Paternity Leave**

Pregnancy should be reported to the Director/Program Coordinator within three (3) months of discovery, accompanied by a statement from the treating physician as to the estimated delivery date and a certification that the employee may continue working.

Sick leave may be used by a parent to care for a newborn baby or newly adopted child during the 30 working days immediately following birth or adoption, or for illness or disability caused by pregnancy or childbirth. Requests for leave without pay shall be made in writing at least three months in advance.

Should an employee decide not to return from Maternity/Paternity Leave, at least one month's written notice is expected.

## **COMPENSATION POLICIES**

### **Salaries**

Salaries are determined by the most relevant pay guidelines that are established. While the Company consistently seeks to pay a fair and adequate wage to all employees, the provision of wage increases is contingent upon sufficient funds being available to the Center. TSL does guarantee annual raises of 5% minimum. Payments are made bi-weekly. Direct Deposit will be available

to all employees and is preferred. In any case, pay stubs are submitted to all employees electronically via email up to two days in advance of payday. It is up to the employee to make sure current email addresses are on file with the office. Employees may access their pay stubs via email by entering a passcode that is determined by the first four digits of the employee's last name followed by the last four digits of the employee's social security number.

Mandatory deductions will be taken out of every paycheck issued by TSL. They include Federal Withholding Tax, Social Security Tax and Medicare (FICA), State Withholding Tax (SIT), Medical Insurance, and such other deductions arising out of the due course of employment, including wage assignments, child care and liens and the NY Paid Family Leave.

The amount of the state and federal taxes withheld depends upon the employee's income bracket and the number of dependents that are claimed. Any change in the number of dependents claimed would be reported to the Director immediately by completing IRS Form W4.

### **Work Schedule**

TSL is open from 7:00 a. m. until 6:00 p.m. (Hours may vary site to site). Full time employees work an 8 1/2 hour day. This work schedule shall include a thirty (30) minute duty free unpaid lunch break. In order to be entitled to the thirty (30) minute break an employee must work at least five (5) hours on a given day.

Since TSL is open for longer than an 8 1/2 hour day, employees' schedules may be subject to change at any time in order to meet the overall needs of the Center. Teacher's employed for TSL must have flexibility with the schedules and expect their schedule is going to change at times.

### **Overtime**

In the event that hourly employees are required to work more than 40 hours a week, they will be paid time-and-a-half for the excess in accordance with the Fair Labor Standards Act. It may be necessary for the Director/Program Coordinator or Center Supervisor to mandate an employee for overtime depending on ratios. However, any time worked in excess of 40 hours is subject to the prior approval of the Director/Program coordinator. Hourly employees will be paid according to the actual hours worked.

Teachers may not leave their post if such departure leaves the center in a state where minimum ratios are not being met. In such cases, the center imposes mandatory overtime for its employees. That means employees will be required to work until such time that minimum ratios can be met, but will be paid accordingly. Any teacher working outside his or her normal shift hours must have approval from administration prior to signing in for those hours. If a teacher is asked by administration to extend their shift, employees shall need no further permissions to sign in for that extra time.

It is expected that all employees will maintain acceptable records. In the event of excessive or abusive tardiness, the Director/Program coordinator will take appropriate disciplinary action.

## **PERFORMANCE REVIEW**

### **Introductory Period**

All newly hired employees with TSL shall be subject to a ninety (90) day Probationary period. Seasonal employees subject to a 14 day Probationary period. Employees within their probationary period will not be left alone to supervise children unless their SEL/SCR clearances have been submitted and returned. During the Probationary Period, each employee will be rated on how well he/she works with others and how well he/she can do the job. Particular attention will be given to interactions with the children, the development of curriculum if applicable, on site fulfillment of expectations, reliability among several other factors as outlined as criteria on the employee evaluation form available for review in **Appendix A** of this handbook. The probationary period is the last step in the selection process. An employee is subject to dismissal at any point during his probationary period if it is felt he or she is not going to be offered longer term employment.

All probationary employees that complete their probationary period has right to receive a written evaluation at that time indicating the observed performance. If a written performance evaluation has not been issued at the conclusion of the employee's probationary anniversary, the employee may request one from his or her direct supervisor who will be required to comply.

### **Job Performance**

Job performance deficiencies will be communicated to the employee immediately in a constructive manner. Remedial actions will be recommended, in a written or verbal form, along with a timetable for their implementation. In addition, the consequences of the employee's failure to implement these suggested remedial measures will be clearly stated. Only the employee, the immediate Supervisor and the Director/Program Coordinator will be involved in this strictly confidential process.

### **Performance Evaluations**

Evaluations that are issued will be based on the observations of the appropriate supervisors, along with the appropriate file records and will assess overall work performance and conformity with guidelines outlined by the owners of TSL. They will also include meeting the requirements of the job description, maintaining satisfactory relations with children, parents, staff and owners, as well as maintaining regular and satisfactory attendance.

Probationary employees have right to receive a written evaluation with the conclusion of their first three months of employment that include mention of

direct observations by their classroom lead & program director. All seasoned employees have right to receive annual evaluations to be completed by close of June each calendar year.

## **BENEFITS**

### **Children of Staff**

If the child is of day care age and there is a space with the appropriate age group available, the child will be considered a Drop-In and the parent will pay the appropriate fee. If there is an emergency that requires an employee to bring a child to work, the employee must report this fact to the Director/Program Coordinator as soon as possible.

It is the parent's responsibility to make other arrangements for their children during school vacations and time off. Children may not attend a given site for their entire vacation unless the School Age Program is in session and they are enrolled in the program.

### **Staff Tuition Rates**

Staff are offered a 20% discount for each child that attends a daycare center while they are employed full time. If an employee has a school-age child, care is offered free during the vacation camps, on single days of care, and during the summer camp.

### **Unemployment Insurance**

All employees are covered in accordance with New York State Unemployment laws through an employer contribution.

### **Social Security**

All employees are covered in accordance with federal laws through an employer and employee contribution.

### **Worker's Compensation**

The center carries Workers' Compensation Insurance for all employees. On-the-job injuries, however minor, occurring to a staff member while performing their duties must be reported in writing (accident report) to the Director/Program Coordinator within twenty-four (24) hours. Failure to report said injuries in a timely manner may affect compensation. Likewise, employees shall take all precautions necessary to avoid injuries on the job, including wearing shoes at all times, and not engaging in any activities outside of the assigned job description ie an employee hired for childcare should not be climbing ladders, fixing electrical equipment or doing manual labor.

### **Disability Insurance**

Disability Insurance for off-the-job injury and illness is provided for all members of the staff. This insurance does not provide medical care. Disability benefits are payable to eligible employees beginning with the eighth consecutive day of disability.

### **Health Insurance/Childcare**

- **HEALTH INSURANCE** – Health insurance is available to all full time employees at the time of hire. Participation can only be implemented within 30 days of hire, or during open enrollment periods. Appropriate forms must be submitted to the office. TSL contributes 15% towards the premium. Employees are responsible for the remainder of the premium.

Choices may be made once a year and not changed during the year unless there are special circumstances (ie. change in family status such as marriage, divorce, death or birth/adoption of a child, death of a spouse or termination of spouse's employment).

### **Educational Incentive Program**

The Educational Incentive Program (EIP) is offered through SUNY. This program will reimburse/pay for college courses and trainings related to the Early Childhood field. Applications are available in the office.

### **BENEFITS DISCLAIMER**

As described above, this Handbook contains only a brief description of the various benefit plans provided to eligible employees. For the actual descriptions of the benefits available, references must be made to the individual benefit plans. Where benefits are governed by a formal plan document or master policy, the exact terms of that policy will govern. While it is TSL's intent to continue all current benefit plans and policies, we reserve the right to change, amend, or terminate at any time, any benefit plan or policy in effect.

### **CODE OF CONDUCT/WORK RULES**

It is the goal of TSL to provide childcare that ensures the health, safety, developmental progress, and happiness of the children and their families. Employees must conduct themselves in a manner that is not potentially dangerous or harmful in any way to the children under the TSL's care. Employees must be sensitive to parental concerns and to the goal of providing a warm, safe environment for the children. Violations of this Code of Conduct may result in disciplinary actions being taken against the offending employee, at the discretion of the Executive Director.

### **Signing in and Out**

All employees must sign in at the exact time of arrival for shift and sign out at the exact time of departure. This record will be used to calculate hours work, notate sick or vacation time used, and be archived as required by the Department of Labor. Employees must have approval to sign in early or sign out late.

### **Tardiness**

The problem of tardiness grossly affects TSL with covering ratios, as well as consistency for the children and fairness to those staff that come to work on time. Therefore, any staff person who is late (arriving any time after their shift starts) at any time, without a satisfactory excuse, will not be paid for that time. If tardiness occurs more than twice in a pay period, that staff person may be suspended without pay for one day or face other disciplinary action. If there continues to be a problem after that, it could lead to termination.

### **Drug Abuse**

TSL will provide a drug-free environment. No employee of the Togetherness, Sharing and Learning Day Care Center shall use, shall distribute, dispense, or manufacture any alcoholic beverage or illegal drug or any other intoxicating substance while on duty. No employee shall report to work unfit for duty at the beginning of a shift or upon returning from any break, lunch, or rest period, as a result of consuming alcohol, illegal drugs or any other intoxicant.

While prescription drugs are not prohibited, they should not render an employee unfit for duty. Situations where prescription drugs may affect an employee's ability to perform their assigned job should be brought to the supervisor's attention. This is especially important since the jobs performed at the center directly affect the safety and welfare of children and each other. The specific prescriptions and nature of the employee's health condition requiring the use of such prescriptions need not be disclosed. However, at the discretion of the Director/Program Coordinator a physician's certification that the employee is fit for duty may be required.

### **Smoking/Alcohol/Drug Policy**

Due to the potential health hazards and clear violations of the Office of Children and Family Services Regulations there is absolutely NO SMOKING, USE OF ALCOHOL OR INAPPROPRIATE USE OF NON-PRESCRIPTION DRUGS allowed in any TSL facility or while on-duty.

### **Dress Code**

A neat, professional appearance is mandatory. However, clothes should be comfortable in order to allow each employee active participation in the daily activities of the Center. Nevertheless, clothing containing obscene words or clothing, which is too revealing will not be permitted. During summer weather, loose fitting shorts may be worn, but spaghetti strapped tank tops are not permitted.

Additionally, facial piercings should be covered or removed. Administration may require a change to an employee's appearance if any aspect of said employee's appearance is deemed unprofessional, offensive, or not becoming of TSL's professional appearance standards.

### **Interpersonal Relationships**

Employees are expected to exhibit courteous, non-judgmental, helpful and professional behavior at all times. Getting along well with co-workers and neighbors of TSL as well as displaying an understanding of the needs of the families served will assist TSL in producing a safe, warm environment.

### **Confidentiality**

In order to operate TSL programs it is sometimes necessary for staff members to have access to confidential information about families, e.g. income, health conditions, etc. This information shall be treated with strict confidentiality and sensitivity and shall only be shared with appropriate co-workers as necessary. Confidential information regarding one family shall under no circumstances be related to another family or uninvolved persons. Any break in confidentiality shall constitute reason for discharge. Also, photographing children at the daycare for the purpose of posting to your social media sites or any other public venue is strictly prohibited. If you want photos of children posted for parents you can forward them to administration to be posted on Facebook or upload them yourself to the company website in the photo gallery section.

### **Equipment and Supplies**

TSL's equipment and supplies are not to be used for personal reasons without the permission of the Director/Program Coordinator.

### **Social Media Outlets**

TSL urges its employees to use caution when participating on social media sites. TSL does not want to be named or associated with any form of defamation, sarcasm, or harassment in any social media outlet. Employees shall not vent about their work-related issues to co-workers or others on social media sites, even if TSL or specific names are left out of it. Posting anything clearly stated or ambiguously stated, which can be construed to negatively relate to your employment with TSL can result in immediate termination. Pictures cannot be posted to any social media website that have been taken at TSL, except on the TSL social website pages. This is only done by administration.

### **Cell Phones**

As per OCFS regulation, cellular phones are not permitted for use by any employee aside from the site director. Employees using cellular phones during the work day outside of signing into Brightwheel, if applicable, may be subject to disciplinary action.

### **Parent-Employee relationships**

TSL strongly encourages positive relationships between parents and providers. However, we do not endorse communications with TSL clients outside of regular business hours. Personal information obtained about clients from TSL ie phone numbers addresses, shall not be used for purposes outside of employment. A client who separates from TSL whether by his own actions or through termination shall not engage in continued communications with TSL clients while those persons are still clients of TSL. Legal action may be taken under precedence of libel, if a separated employee defames any aspects of TSL while communicating with clients of TSL.

### **First Aide & Cardio Pulmonary Resuscitation Certifications**

First Aide and CPR Certification is encouraged by TSL every two years for all regular employees. This certification can be obtained through TSL or privately.  
Resignation

The Director and Program Coordinator are expected to give four weeks' written notice of resignation to the Board of Directors. All other employees are expected to give a two weeks' written notice of resignation to the Director/Program Coordinator, especially if seeking recommendation for another position.

### **Layoff/Demotion**

If reorganization or retrenchment necessitates reduction of staff, demotion, or lay-off, retention of employees will be based equally upon position/seniority and the recommendation of the Director/Program Coordinator.

Demotion consists of the removal of the at-will employee's position in favor of another position. Lay-off consists of the termination of the at-will employee without prejudice.

Affected employees may receive consideration for future openings. Letters of reference and standing may be furnished upon request.

### **Off-duty Employment**

Full time employees are expected to give primary responsibility to their employment with TSL. An employee may accept outside employment, provided that such employment does not:

- Occur during the employee's regular or assigned working hours;
- Interfere with the efficient performance of the employee's duties at the center;
- Involve conflict of interest or conflict with the employee's duties.

## **DISCIPLINARY PROCEDURES**

TSL views disciplinary action as those corrective measures instituted to change or eliminate the undesirable action or behavior of an employee of the center by means less severe than termination. A disciplinary action may be

initiated by the Director/Program Coordinator to address an undesirable condition created by the employee that is detrimental to the functioning of the Center.

### **Potential Reasons for Disciplinary Action**

Disciplinary action or immediate dismissal may be invoked, including but not limited to the following reasons, depending on the severity of the matter:

#### **Poor Work Habits**

- Chronic tardiness or absenteeism
- Avoiding or not fulfilling job responsibilities

#### **Poor Job Performance**

- Inability to perform job responsibilities satisfactorily
- Failure to develop necessary skills to do job well
- Demonstrating a poor attitude towards job responsibilities

#### **Unacceptable Behavior**

- Displaying behavior which is detrimental to the children, staff or the organization
- Inappropriate discipline of children, such as striking, pulling hair, biting or shoving a child, etc.
- Verbally abusing a child
- Actions that may prove detrimental to the child, such as leaving a child in a room unattended, using excessive means to restrain a child, etc.
- Showing disrespect to parents, children, co-worker and supervisors.

#### **Policy Violations**

- Unwillingness to conform to program policies and philosophies
- Violating confidentiality
- Dishonesty or misconduct
- Refusal to accept guidance of supervisor
- Coming to work in possession of or under the influence of alcohol or illegal drugs.
- Inappropriate communications with clients of TSL
- Violating the social media clause

### **Disciplinary Procedures**

Except in the case of gross misconduct, TSL may or may not utilize a system of progressive discipline that gives notice to employees of undesirable behavior, recommends changes to alleviate or eliminate the existing situation and provides employees with a reasonable opportunity to demonstrate improved

performance. Such progressive discipline shall ordinarily include the following steps:

**Verbal Conference** –A verbal conference is a discussion with the employee concerning the employees’ conduct or unsatisfactory performance and measures to correct it. A record of all such discussions shall be placed in the employee’s personnel file.

**Documented Conference**-a documented conference is a conference that yields a formal written notice to the employee that the employee is not meeting expected standards of performance or conduct. It states the precise nature of the unsatisfactory conduct or performance (see appendix) with references to the minimum standard for acceptable performance; sets forth standards and a timetable for improvement; and identifies what further disciplinary action will be taken if such improvement does not occur. The employee will be given the opportunity to sign and date the documentation form and may respond in writing to such notice. A copy is placed in the employee’s personnel file and the employee retains a copy. Documented conference forms may be used to support a determination that an employee should be terminated.

**Termination**-If after verbal and documented conferencing there continues to be any sort of undesirable behavior; the employee will be terminated from their position at the Center.

### **Termination**

The potential final result of any disciplinary action is the termination of the offending employee.

### **Conditions for Immediate Termination**

- Child Abuse (See Below)
- Release of a child to unauthorized persons
- Gross insubordination, and
- Any other behavior endangering the safety or well-being of a child and /or irreconcilable differences with the philosophies of the TSL Organization will cause immediate termination.

## **CHILD ABUSE REPORTING AND PROTECTION OF CHILDREN (Immediate Dismissal)**

### *418.6 Child Abuse reporting and protection of children*

*(d) In accordance with the provisions of sections 413 and 415 of the Social Services Law, day care center workers must report any suspected incidents of child abuse or maltreatment concerning a child receiving care to the State register of Child Abuse and Maltreatment or cause such a report to be made when such workers have reasonable cause to suspect that a child coming before them in their capacity as day care workers is an abused or maltreated child. This must be done in the following manner:*

- (i) Center staff must report such information to the director of the center or his/her designee: and*

- (ii) *The director of the day care center or his/her designee is responsible for making or causing to be made an immediate report to the State Register of Child Abuse and Maltreatment by telephone (800-342-3720) followed by a written report within 48 hours. In the form and manner prescribed by the department, to the child protective services of the local department of social services district in the county in which the child resides.*

*If the director is the person allegedly responsible for the alleged abuse or maltreatment, staff must report the alleged abuse or maltreatment directly to the State Central Register of Child Abuse and Maltreatment.*

*(e) The director or operator of the day care center is responsible for implementing procedures which ensure the safety and protection of any child named in a report of child abuse or maltreatment involving a situation which occurs while the child is in attendance at the center. Immediately after making or causing to be made a report pursuant to subdivision (d) of this section the director or operator of the center must take such appropriate action as is necessary to ensure the health and safety of the children involved in the report and, as necessary, of any other children in the care of the center. The director or operator must also take all reasonable steps to preserve any potential evidence of abuse or maltreatment. Insofar as possible, an action taken under this subdivision must cause as little disruption as possible to the daily routine of the children in the center.*

*(f) In meeting his/her responsibilities under subdivision (e) of this section, the director or operator of the day care center may, consistent with any appropriate collective bargaining agreements, or any applicable provisions of law take one or more of the following actions with regard to staff of the center relevant to a report of child abuse or maltreatment involving a child while in attendance at the center:*

- (i) dismissal, suspension or transfer of any employee, volunteer or other person who is the subject of a child abuse and maltreatment report.*
- (ii) Increased supervision over a person who is the subject of a report*
- (iii) Provisions of instructions and/or remedial counseling to a person who is the subject of a report*
- (iv) Initiation of appropriate disciplinary action where applicable; and/or*
- (v) Provision of appropriate training to and/or increased supervision of staff and/or volunteers pertinent to the prevention and remediation of child abuse and maltreatment. (1992)*

## **EQUAL OPPORTUNITY**

TSL is committed to providing equal employment opportunity to all persons regardless of creed, race, color, sex, religion, age, national origin, sexual preference, or disability.

*To achieve that goal, all employees need to be informed of their rights and responsibilities under the various Affirmative Action and Equal Opportunity mandates. The Director should keep abreast of hiring trends and gains and deficiencies within TSL and ensure that affirmative action considerations are consistently taken into account when making hiring decisions.*

The Director of TSL will act in a manner that ensures that the Center is in compliance with all relevant federal and state non-discrimination and affirmative action regulations. These include, but are not limited to:

- Equal Pay Act of 1963
- Civil Rights Act of 1964, as amended
- Rehabilitation Act 1973

- Vietnam Era Veterans' Readjustment Act 1973
- Age and Discrimination in Employment Act of 1972
- New York State Human Rights Law
- American Disabilities Act of 1991 (ADA)

Information on vacancies will be posted and available to employees who may apply for an opening. All applicants will be made aware of TSL's equal opportunity commitment. The Director will ensure that all vendors and suppliers with whom the Center conducts business will be aware of the Equal Opportunity Policy and will ask for their assistance and cooperation.

All child placements will be with strict regard to equal opportunity according to all policies as set forth by Togetherness, Sharing, and Learning.

## ACKNOWLEDGEMENT

This is to acknowledge that I have received a copy of TSL's Employee Handbook and understand that it sets forth the terms and conditions of my employment as well as the duties, responsibilities and obligations of my employment with Togetherness, Sharing and Learning. I understand and agree that it is my responsibility to read the Employee Handbook and to abide by the rules, policies, and standards set forth in the Employee Handbook.

I also acknowledge that my employment with TSL is not for a specified period of time and can be terminated at any time for any reason, with or without cause or notice, by me or by TSL acknowledge that nothing in this Employee Handbook and no oral statements or representations regarding my employment can alter the foregoing. I also acknowledge that this policy of at-will employment may be revised, deleted or superseded only by a written employment agreement signed by the Board of Directors that expressly revises, modifies, deletes, or supersedes the policy of at-will employment.

I also acknowledge that, except for the policy of at-will employment, TSL reserves the right to revise, delete, and add to the provisions of this Employee Handbook. All such revisions, deletions or additions must be in writing and approved by the Board of Directors. No oral statements or representations can change the provisions of this Employee Handbook. I also acknowledge that, except for the policy of at-will employment or a written employment agreement providing otherwise, terms and conditions of employment TSL may be modified at the sole discretion of TSL with or without cause or notice at any time. No implied contract concerning any employment-related decision or term and condition of employment can be established by any other statement, conduct, policy or practice.

I understand that, unless my employment is covered by a written employment agreement providing otherwise, the foregoing agreement concerning my at-will employment status and TSL's right to determine and modify the terms and conditions of employment is the sole and entire agreement between me TSL concerning the duration of my employment, the circumstances under which my employment may be terminated, and the circumstances under which the terms and conditions of my employment may change. I further understand that, with the exception of written employment agreements signed by the Board of Director's, this agreement supersedes all prior agreements, understandings, and representations concerning my employment with Togetherness, Sharing and Learning.

\_\_\_\_\_  
Employee Signature

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Date

**Appendix A**

Documented Conference Form

Employee  
Name \_\_\_\_\_

Date \_\_\_\_\_

Supervisor who called  
conference \_\_\_\_\_

Indicate the type of offense:

- Excessive tardiness \_\_\_\_\_
- Violation of dress code \_\_\_\_\_
- Inappropriate interaction with a child \_\_\_\_\_
- Inappropriate interaction with another staff \_\_\_\_\_
- Excessive Absenteeism \_\_\_\_\_
- Inappropriate supervision of child \_\_\_\_\_
- Insubordination \_\_\_\_\_
- Other \_\_\_\_\_

Description of Offense:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of Conference with named  
employee \_\_\_\_\_

Corrective action  
plan \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Employee*  
*Signature* \_\_\_\_\_

*Supervisor*  
*Signature* \_\_\_\_\_

## Appendix B

### Written Evaluation School-age Staff TSL Adventures

Name \_\_\_\_\_

Date \_\_\_\_\_

Evaluator \_\_\_\_\_

- 5- Above Expectation (continually goes above and beyond)
- 4- Excellent
- 3- Meeting Expectation
- 2- Developing
- 1- Not Meeting Expectation (improvements must be made)

#### ***Work Ethic***

Takes initiative in all aspects of the day \_\_\_\_\_

Is prompt for shift each day \_\_\_\_\_

Works assigned shifts consistently \_\_\_\_\_

Participates in all aspects of the day \_\_\_\_\_

Signs up for and works full days and half days \_\_\_\_\_

Additional Comments \_\_\_\_\_

\_\_\_\_\_

#### ***Professionalism***

Follows through appropriately to constructive feedback \_\_\_\_\_

Works to fulfill the vision of TSL Adventures \_\_\_\_\_

Refers to the chain of command when appropriate \_\_\_\_\_

Uses positive behavior system appropriately \_\_\_\_\_

Uses appropriate language on campus \_\_\_\_\_

Adheres to teacher dress code \_\_\_\_\_

Maintains a high level of personal care regarding daily appearance \_\_\_\_\_

Abides by regulations set forth in the camp's written plan \_\_\_\_\_

Additional Comments \_\_\_\_\_

\_\_\_\_\_

#### ***Teaching and Management***

Plans enriching and exciting club activities \_\_\_\_\_

Is prepared for each day \_\_\_\_\_

Monitors and assesses ratios independently \_\_\_\_\_

Implements activities effectively in small groups \_\_\_\_\_

Works with the whole group effectively \_\_\_\_\_

Can effectively call whole group to quiet \_\_\_\_\_

Engages children's interests in small and whole group activities \_\_\_\_\_

Addresses peers appropriately \_\_\_\_\_  
Remains calm and professional \_\_\_\_\_  
Is a reflective practitioner \_\_\_\_\_  
Manages children effectively using a variety of strategies \_\_\_\_\_  
Is aware of surroundings and actively watches all groups inside and out \_\_\_\_\_  
Handles medical emergencies effectively \_\_\_\_\_

Additional Comments \_\_\_\_\_  
\_\_\_\_\_

***Communication***

Effectively communicates behavior issues to parents/superiors \_\_\_\_\_  
Give appropriate and positive feedback to parents \_\_\_\_\_  
Communicates appropriately with children \_\_\_\_\_  
Interacts with children appropriately and professionally \_\_\_\_\_  
Demonstrates nurturing and warmth toward children \_\_\_\_\_  
Consistently maintains a positive attitude \_\_\_\_\_  
Gets on to child's level when communicating \_\_\_\_\_  
Uses Walkie Talkie effectively \_\_\_\_\_

Additional Comments \_\_\_\_\_  
\_\_\_\_\_

***Organization***

Helps maintain cleanliness of the working space \_\_\_\_\_  
Steps in to help colleagues when cleaning \_\_\_\_\_  
Cleans up assigned activities without being prompted \_\_\_\_\_

Additional Comments \_\_\_\_\_  
\_\_\_\_\_

Overall Comments \_\_\_\_\_  
\_\_\_\_\_

Employee Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Evaluator's Signature \_\_\_\_\_  
Employee Signatures \_\_\_\_\_

## Appendix C

### TSL Daycare Teacher Evaluation

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**E-Excellent**

**G-Good**

**S-Satisfactory**

**D-Developing**

#### Work Ethic narrative

1. Takes initiative in all aspects of the day\_\_\_\_\_
2. Is aware of job responsibilities and performs them consistently\_\_\_\_\_
3. Is prompt for shift each day\_\_\_\_\_
4. Works assigned shifts consistently\_\_\_\_\_
5. Participates in all aspects of the day\_\_\_\_\_

**Additional Comments:**

#### Professionalism

1. Appropriately accepts and follows through with constructive feedback\_\_\_\_\_
2. Refers to the chain of command when appropriate \_\_\_\_\_
3. Use appropriate language on campus\_\_\_\_\_
4. Adhere to an appropriate dress code\_\_\_\_\_
5. Serves as a role model for co-workers, using time effectively without becoming involved with gossip and personal conversation\_\_\_\_\_

**Additional Comments:**

### **Teaching and Management**

1. Plan enriching and exciting educational activities\_\_\_\_\_
2. Effectively implements activities to children\_\_\_\_\_
3. Nurtures child's feelings of confidence, competence and self-direction\_\_\_\_\_
4. Talks with children while performing routine duties, as well as 1:1\_\_\_\_\_
5. Is omnipresent in the classroom, even when in 1:1 settings\_\_\_\_\_
6. Is actively involved with children in daily activities\_\_\_\_\_
7. Manages children effectively using a variety of constructive and positive strategies\_\_\_\_\_
8. Encourages independence in children as they are ready\_\_\_\_\_
9. Uses social intervention strategies to handle inappropriate behaviors\_\_\_\_\_
10. Activities are developmentally appropriate for age group\_\_\_\_\_
11. Is constantly aware of head counts and applies strategies to ensure all children are accounted for at all times\_\_\_\_\_
12. Follows proper sanitary and hand washing procedures\_\_\_\_\_
13. Arranges room to safely facilitate a variety of activities\_\_\_\_\_
14. Creates a room that is warm, comfortable, and fosters growth and learning\_\_\_\_\_
15. Monitors children carefully during small or whole group times\_\_\_\_\_
16. Handles medical emergencies effectively\_\_\_\_\_

**Additional Comments:**

**Communication**

1. Communicates appropriately with children\_\_\_\_\_
2. Interacts with children appropriately and professionally\_\_\_\_\_
3. Bends over, and maintains eye contact while interacting with the children\_\_\_\_\_
4. Uses a low calm voice\_\_\_\_\_
5. Moves to children to talk rather than calling from a distance, and and encourage children to do the same\_\_\_\_\_
6. States directions in positive terms\_\_\_\_\_
7. Responds quickly to children who need affection and security, and those that are in distress\_\_\_\_\_
8. Demonstrates nurturing and warmth toward children\_\_\_\_\_
9. Communicates appropriately with parents\_\_\_\_\_
10. Consistently maintains a positive attitude\_\_\_\_\_

**Additional Comments:**

**Organization**

1. Helps maintain cleanliness of the work space\_\_\_\_\_
2. Keeps working space organized and tidy\_\_\_\_\_

**Overall Comments:**

**Evaluator's Signature:** \_\_\_\_\_

**Employee's Signature:** \_\_\_\_\_

