



Belle of Louisville Riverboats

Personnel Policies

Effective March 17, 2021

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Introduction

Belle of Louisville Riverboats (“BOLR”) is a non-profit organization. Our agency consists of three vessels owned by Louisville Metro Government. Those are the Belle of Louisville, the only boat of her kind in the world, the Mary M. Miller, named after a Louisvillian who was the first licensed female steamboat captain in the U.S., and our ticket office, the Mayor Andrew Broaddus. Both the Belle and the Broaddus, also known as Life-saving Station #10, are National Historic Landmarks.

Our mission is to provide community access to the river and to Louisville’s history by providing meaningful and engaging experiences on the water, like no one else can. We further commit to providing programming that allows passengers to explore history, the arts and cultural heritage in a way that represents diverse histories and honest experiences.

We are committed to providing a safe, open, inclusive, and transparent working environment that upholds principles of mutual respect. We recognize the importance of credibility, integrity and accountability to our success as an organization, and we are committed to upholding high ethical standards in all our operations. Belle of Louisville Riverboats is managed by the Waterfront Development Corporation (“WDC”) through a fiscal agent agreement with Louisville Metro Government. WDC hires the Chief Executive Officer of BOLR and that person leads the agency.

This Employee Handbook describes the personnel policies and procedures that govern employment by BOLR. Unless otherwise defined herein or unless the context clearly indicates otherwise, terms defined in the Louisville Metro Government Personnel Policies shall be applicable to these policies. In the event of a conflict between this handbook and Louisville Metro Government Personnel Policies, this handbook shall govern.

1. Employment At-Will

- 1.1** Unless expressly stated otherwise in a Collective Bargaining Agreement or by applicable law, employment with BOLR is voluntary and is subject to termination by the employee or BOLR AT WILL, with or without cause, and with or without notice, at any time. Nothing in these policies shall be interpreted to be in conflict with or to eliminate or modify in any way the **EMPLOYMENT-AT-WILL** status of BOLR employees.
- 1.2** This personnel policy manual is a summary of the policies and rules that guide BOLR in its relationship with its employees. **It is not a contract of employment and should not be construed as such.** The continued employment of any employee of BOLR will depend upon the successful performance of all work assigned to the employee, and the general following of the guidelines of this policy manual, during a trial period of up to six (6) months and upon the continued successful performance, following of policies, and the further need of the employee's continued employment by BOLR.

2. Scope

- 2.1** These rules and regulations are applicable to all employees, unless specifically excluded in the respective eligibility section of each heading. These rules and regulations nullify and replace all previously approved and existing rules related to the matters contained herein. No provision of these rules shall modify, change, or repeal any provision of any collective bargaining agreement between Louisville Metro Government and any collective bargaining unit.
- 2.2** The compensation and benefits of employees covered by collective bargaining agreements shall be as specifically provided for in such agreements and shall supersede any provision of these rules. Employees who are members of collective bargaining units shall be eligible only for those benefits specifically provided for in such agreements.
- 2.3** The provisions of any rule contained in this manual shall not supersede the provision of any applicable state or federal law. If a conflict exists, the applicable state or federal law shall prevail. Should any part of these rules be found to be illegal and unenforceable, all other parts of the rules shall remain in full force and effect.
- 2.4** The policies described herein are not intended to create a contract for permanent or continuous employment. BOLR reserves the right, without notice, to change, modify, amend, repeal, or grant an exception to any policy at any time at its discretion.

3. Equal Employment Opportunity and Affirmative Action

- 3.1** BOLR is an Equal Opportunity/Affirmative Action Employer. Equal opportunity means treating all persons who are similarly situated the same in terms of employment opportunity and other personnel actions. Affirmative Action is any specific step or program designed to eliminate or overcome present discrimination or the present effects of past discrimination against racial and religious minority group members, women, and all persons who are covered by federal, state and local civil rights antidiscrimination laws.
- 3.2** BOLR strives to provide equal employment opportunity on the basis of merit and without unlawful discrimination in terms of race, color, religion, national origin, sex, age 40 and older, disability, pregnancy, gender identity, sexual orientation and smoker or nonsmoker status. BOLR shall make every reasonable effort to select all staff from applicant pools which are representative of the labor market. Furthermore, BOLR shall strive to ensure that other personnel actions will be administered without unlawful discrimination.
- 3.3** BOLR does not tolerate unlawful discrimination. If an employee has reason to believe that they have been subjected to unlawful discrimination, they have the option to bring the matter to the attention of the Chief Executive Officer (“CEO”) or their designee without delay.
- 3.4** BOLR will not tolerate adverse treatment of any individual because they have filed an EEO complaint or has provided information regarding such complaint. Any employee who engages in retaliation against an individual who has filed a complaint or provided information concerning such complaint shall be subject to discipline, up to and including termination of employment. Any employee who feels they have been subjected to such retaliation should report this action to the CEO or their designee.

4. Vacation / Personal / Comp Time and Floating Holidays

- 4.1 BOLR is an events agency that frequently hosts activities that center around holiday times. Employees will need to be available at these times. Evening or weekend hours may also be required. Additionally, due to the nature of this passenger cruise organization, the amount of work will fluctuate according to the seasons. BOLR staff will be busiest during the spring, summer and early fall.
- 4.2 The vacation policies found in Section 130.03 of the Louisville Metro Government Personnel Policies are applicable to BOLR employees.
- 4.3 Employees must request leave in writing (either through e-mail or completing a leave request form) to receive permission for vacation time, comp time, personal days, or floating holidays. Except in cases of emergency, the notice must be given to their supervisor at least three (3) days in advance of the requested leave to ensure there are no scheduling conflicts.
- 4.4 Prior to taking any vacation time, personal time, comp time, or floating holidays, employees must obtain approval from the Chief Executive Officer (“CEO”) of BOLR or their designee. It is possible that approval may not be granted if the CEO or their designee determines that the leave requested cannot be accommodated due to the current needs of the organization.
- 4.5 Employees should contact their supervisor, or the CEO or their designee, as soon as they know that they must be unexpectedly absent from work. If necessary, the employee may call the CEO or their designee at home to inform them of the employee’s unplanned absence.

5. Staff Meetings

All full-time, permanent employees must attend the weekly staff meetings and the weekly appropriate department meeting.

6. Press and Public Relations

- 6.1 The Chief Executive Officer speaks for the staff of BOLR. Employees may not speak to the media or other entities as a representative of BOLR without the prior authorization of the CEO.
- 6.2 Other than routine social media postings, the CEO must review and approve all public relations materials before they are released to the public or the media.

7. Social Media Policy

- 7.1 The term “social media” includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board, or a chat room, whether or not associated or affiliated with BOLR, as well as any other form of electronic communication. The same principles and guidelines found in these policies and any other BOLR policy or procedure apply to an employee’s social media activities online.
- 7.2 Any conduct that adversely affects an employee’s job performance or the performance of fellow employees, or otherwise adversely affects the BOLR’s interests, may result in disciplinary action, up to and including termination. Similarly, inappropriate postings, including but not limited to discriminatory remarks, harassment and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may result in disciplinary action, up to and including termination. This restriction will not apply to any postings made in the exercise of any rights granted to an employee by federal law.

8. Standards of Ethical Conduct

Ethics: Responsibility as a Public Employee

8.1 Employees shall avoid any action which might result in or create the appearance of:

- a) Using their position for private gain;
- b) Giving preferential treatment to any person;
- c) Impeding efficiency or economy;
- d) Losing independence or impartiality;
- e) Making a BOLR decision outside of official channels; or
- f) Adversely affecting the confidence of the public in the integrity of BOLR.

8.2 An employee may be subject to dismissal if they knowingly promote, encourage or engage in, or publicly endorse, condone, or advocate conduct on or off duty, which involves:

- a) harassment, intimidation, or terroristic threatening of any person or group, whether by use of force or violence or otherwise, on the basis of race, religion, national origin, sex, gender identity, or sexual orientation, or for any other reason; or
- b) the use of force, violence, or other terroristic or paramilitary tactics or methods to achieve social or political ends, or for any purpose in violation of law; or
- c) any other like conduct or activity to that set forth in (a) and/or (b) above which:
 - Is inconsistent with the employee's duty and responsibility to BOLR and the public;
 - Would adversely affect public confidence in BOLR;
 - Would result in internal discord, adversely affect employee morale, or impede the efficiency of any public service; or
 - Otherwise would interfere with, impair, or prevent BOLR from carrying out its duties and responsibilities to the public.

8.3 No employee shall knowingly become a member of or otherwise join, affiliate, or associate himself/herself with any individual, group, club, society, or organization or any type whose goals, objectives, aims, or activities involve conduct described in and prohibited by Section 8.1. Any employee who knowingly becomes a member or otherwise joins, affiliates, or associates with such an individual, group, club, society, or organization shall be deemed to have the intention to further the aims and purposes of

the individual, group, club, society, or organization and may thereby be subject to dismissal or other appropriate discipline.

- 8.4** Violation of any section of this policy shall constitute grounds for disciplinary action up to and including termination of employment.

Ethics: Principles of Behavior

- 8.5** BOLR expects its employees to follow the principles set forth below in their conduct and behavior. Any violation of these principles shall constitute grounds for disciplinary action up to and including termination of employment.

- a) Employees shall deal with co-workers and the public in a respectful and courteous manner.
- b) Employees shall act in a manner consistent with the trust inherent in public employment.
- c) Employees shall perform their work with honesty and integrity.
- d) Employees shall strive to perform their work at a consistently high level of quality and quantity.
- e) Employees shall obey and uphold the laws of the United States, the Commonwealth of Kentucky and political subdivisions and jurisdictions thereof, and Louisville Metro Government.
- f) Employees shall follow and promote general standards of safety and health on the job.
- g) Employees shall follow all the rules and regulations established by BOLR.
- h) Employees shall accurately report their work time whether by timesheets, time clock swipes/punches, biometric time clocks, self-service entry in PeopleSoft or any other approved timekeeping method in accordance with the timekeeping policies.
- i) Employees shall conduct themselves, on and off the job, in a manner that would not cause discredit to BOLR.
- j) Employees shall cooperate fully in all hearings and investigations conducted by or authorized by BOLR.
- k) An employee whose job classification requires a valid driver's license shall immediately report any suspension or revocations of his/her license to his/her immediate supervisor.
- l) Employees shall conduct the performance of their job duties in the best interests of BOLR and the general public and shall refrain from any activity which is contrary to those interests.

9. Ethics: Conflicts of Interest

9.1 All employees shall avoid conflicts of interest, potential conflicts of interest, and situations that give the appearance of a conflict of interest.

9.2 **Definitions:** For this Ethics Policy, these terms shall be defined as follows:

a) “Compensation” means any money, wages, salary, or things of value given to or received by any person(s) in return for work or services performed.

b) “Conflict of Interest” means any situation in which the employee may be influenced or appear to be influenced in decision-making or business dealings related to their work by any motive or desire for personal advantage other than the success and well-being of BOLR. Personal advantage means a financial interest or some other personal interest, whether present or potential, whether direct or indirect, and includes a personal advantage to a family member. This standard applies to both actual and contemplated transactions. When in doubt, the employee is to assume there might be a conflict and should raise the question pursuant to this Ethics Policy by asking for a clarification (see Section 9.13) or refrain from the action or conduct.

c) “Economic opportunity” means any purchase, sale, lease, contract, option, transaction or arrangement involving property or services wherein a person may gain an economic benefit.

d) “Economic interest” means an economic financial interest in the form of stocks, bonds, realty, equity, credit or interests in a corporation, proprietorship, partnership or other entity. The phrase “financial interest” may be used interchangeably with the phrase “Economic Interest.”

e) “Employee” means a person employed in a position with Louisville Metro Government who receives any amount of compensation for their work.

f) “Family” means any person related to the employee, whether by blood or adoption, and includes the employee’s spouse, parents, siblings, spouses of siblings, children, step-children, grandchildren, the spouses of children, step-children, grandchildren, and individuals who live in the employee’s home.

g) “Gift” means a payment, advance, deposit of money, services, or anything of value, unless consideration of equal or greater value is received; —gift does not include gifts from family members, campaign contributions, or door prizes available to the public.

9.3 **Gifts and Working Relationship Building** – To avoid appearances of impropriety, any gifts, gratuities, special favors, and hospitality to an employee shall not be accepted by any employee from any person or organization that sells, delivers, or receives any goods, materials, or services to or from BOLR. This prohibition includes those persons or

organizations that desire to enter into such relationships with BOLR. Employees shall not accept compensation, other than that provided by law, for the performance of official duties.

Employees shall not accept monetary gifts or gratuities of any amount. Employees shall not solicit, accept or agree to accept, gifts, loans, gratuities, discounts, favors, or services from any person, business or organization under circumstances for which it could reasonably be inferred that the major or significant purpose of the donor is to influence the employee in the performance of their official duties.

This subsection shall not apply to:

- a) Political contributions, including the purchase of tickets to, or advertisements in journals for, political or testimonial dinners, if such contribution is actually received and used for political or public purposes and is not given under circumstances from which it could reasonably be inferred the purpose of the donor is to substantially influence the recipient in the performance of official duties; or
- b) A usual and customary commercial loan made in the ordinary course of business; or
- c) An occasional non-pecuniary award publicly presented by a nonprofit organization in recognition of the performance of a public service; or
- d) Occasional small gifts or meals (such as flowers or foodstuffs) to an individual employee. Employees shall not accept monetary gifts of any amount; or
- e) Food and refreshments of nominal value when they are part of the employee's participations in a charitable, civic, or community event which bears a relationship to the employee's office and the employee is attending in an official capacity; or
- f) Tickets for admission to a sporting, artistic, or cultural event if the ticket or admission is paid for by the employee at face value; or
- g) General discounts authorized by BOLR, Louisville Metro Human Resources and offered to all employees of BOLR; or
- h) Educational or informational meetings or seminars sponsored by vendors if offered to all of the vendor's clients or are included in Louisville Metro Government's or BOLR's contract with the vendor, provided that the sessions are of short duration and out of town travel is not necessary.

- 9.4** No one shall use an official position, job, or office to obtain, by taking away from or adverse to the interests of the public at large, an economic opportunity for oneself, a family member or persons with whom they maintain a close economic or personal association.

- 9.5** No one shall use or attempt to use their official position, job, or office to secure or create privileges, exemptions, advantages, contracts or treatment, for one's self, family members, or others in a manner adverse to the interests of the public at large.
- 9.6** No one shall, in order to further one's own economic interests or that of any other person, including, but not limited to family members, disclose or use confidential information acquired in the course of official duties, in derogation of the interests of the public at large. Other considerations dictate the maintenance of confidentiality in the case of information of that nature.
- 9.7** No one shall use, in derogation of the public interest, their job, official position or office to receive, directly or indirectly, any interest, profits, or gratuities arising from the use or loan of public funds.
- 9.8** No one shall use, in derogation of the public interest, their job, official position or office to obtain for a family member any money, interest, profits, or loan of public funds.
- 9.9** No one shall act as officer or agent for BOLR in the transaction of any business with one's self or any family member, or with any corporation, company, association, firm, or business in which they, or their spouse has any interest greater than either five percent (5%) or \$1,000 of the total value thereof.
- 9.10** No one shall knowingly alone, or with partners, or through any corporation which they control or in which they own or controls more than five percent (5%) of the stock or other form of ownership interest, or by any other person for their use or benefit or on their account, undertake, execute, hold or enjoy, in whole or in part, any contract for materials, supplies, or equipment, or for contractual services, involving twenty-five dollars (\$25.00) or more, made, entered into, awarded or granted by BOLR unless the contract, agreement, sale or purchase was made or let after public notice and competitive bidding in accordance with state, federal and local law.
- 9.11** No one shall accept an economic opportunity under circumstances where one knows or should reasonably know that there is a substantial possibility that the opportunity is being offered with the intent to influence one's conduct in the performance of their official duties.
- 9.12** No one shall charge to or accept from a person known to have an economic interest in some duty that they are performing, a price, fee, compensation or extra consideration for sale or lease of any property or the furnishing of services, products or materials which is substantially in excess of that which would be charged in the ordinary course of business.
- 9.13** Employees who are not sure if anticipated conduct or actions would violate this policy may seek guidance and request clarification from the Director of BOLR or their designee.

9.14 Violation of any section of this policy may result in disciplinary action up to and including termination.

10. Ethics: Fraudulent Activity Prohibited

10.1 BOLR recognizes the importance of protecting the organization, its operations, its employees, and its assets against financial risks, operational breaches and unethical activities. Therefore, the commission or concealment of fraudulent or illegal acts by BOLR employees, including those for the benefit of the enterprise, is expressly prohibited.

10.2 Definitions. Listing all forms of behavior that are considered unacceptable in the workplace is not possible. The following are examples of unacceptable behavior that may result in disciplinary action up to and including termination of employment. The list is not intended to be exhaustive:

a) Dishonest or fraudulent acts;

b) Theft;

c) Misappropriation of funds, supplies, or other assets;

d) Irregularity in the handling or reporting of money transactions;

e) Disappearance of furniture, fixtures, equipment, or any other assets;

f) Forgery or altering official documents, including but not limited to, timesheets of other time reporting documents;

g) Concealing fraudulent acts;

h) Any similar or related wrongdoing or irregularity.

10.3 There shall be no retaliation for good faith complaints, reports, for participation in an investigation or for providing truthful information relating to an alleged violation of this fraud policy. In addition, there will be no retaliation where an employee makes a good faith report of the commission or possible commission of any criminal offense to a law enforcement officer. Employees are protected even if the allegations are mistaken or unsubstantiated, as long as the employee reasonably believes the reported conduct constitutes a violation of the Ethics policy. One who makes a claim or report in bad faith or knows or has reason to know that such claim or report is false or materially inaccurate may be subject to disciplinary action up to and including termination of employment.

10.4 Violation of any section of this policy shall constitute grounds for disciplinary action up to and including termination of employment.

11. Harassment

Harassment

11.1 BOLR will make every reasonable effort to ensure that no employee is subjected to harassment. In order to preserve and protect an environment in which all employees and all members of the public are treated with equal courtesy and respect, BOLR will not tolerate verbal or physical abuse, harassment, intimidation, threats, violence or other adverse behavior towards any individual on the basis of race, color, religion, national origin, ancestry, sex, age 40 and older, disability, smoker or nonsmoker status as long as workplace policy is complied with, pregnancy, veteran status, military status, sexual orientation (actual or perceived), gender identity or expression or any other protected characteristic as established by law. BOLR will not tolerate any behavior intended to intimidate, humiliate, threaten, denigrate or otherwise interfere with the ability of any employee, or any member of the public to perform job functions or conduct business, whether or not such behavior constitutes a violation of individual civil rights within the meaning of federal or Kentucky statutes, Louisville Metro Government ordinances or any other violation of this policy, will result in disciplinary actions up to and including termination of employment.

Sexual Harassment

11.2 BOLR specifically commits to make every reasonable effort to ensure that no employee is subjected to sexual harassment or a hostile working environment by co-workers or supervisors, and further prohibits the sexual harassment of members of the public by its employees. BOLR will not tolerate any behavior intended to intimidate, humiliate, threaten, denigrate, or otherwise interfere with the ability of any employee or member of the public to perform job functions or conduct business because of the individual's gender, whether or not such behavior legally constitutes sexual harassment. BOLR will investigate any and all complaints of sexual harassment received from employees and members of the public. Any employee determined to have violated the prohibitions against sexual harassment shall be subject to disciplinary action up to and including termination of employment. In carrying out this commitment, BOLR considers sexual harassment to consist of any unwelcome sexual advance, request for sexual favors, and other verbal and physical conduct or communication of a sexual nature if:

- (1) submission to such advances, requests or conduct and communication is an explicit or implicit term or condition of obtaining or retaining employment;
- (2) submission to or rejection of such advances, requests or conduct and communication by an employee affects decisions concerning an individual's employment; or
- (3) such conduct or communication has the purpose or effect of unreasonably interfering with the employee's ability to perform his/her job functions or to create a hostile, intimidating or offensive work environment.

Reporting Process

11.3 An employee should report any violation of this policy as soon as it occurs. Any employee who believes that they have been harassed should report the incident to the CEO of BOLR or their designee.

BOLR recognizes the potential conflict between the employee's desire for confidentiality and its duty to investigate such complaints and allegations when the employee informs management about alleged harassment. However, after BOLR is notified of harassment and the employee requests that no action be taken, BOLR is still obligated to investigate. Inaction in such circumstances could subject other employees to continued inappropriate and potentially illegal behavior, as well as lead to liability for the employer. BOLR must discharge its duty to provide its employees a safe workplace by preventing and correcting harassment. Therefore, BOLR will investigate any and all complaints of harassment.

BOLR recognizes that confidentiality is important and will protect the confidentiality and privacy of individuals reporting or accused of harassment (of any type) to the extent possible. However, BOLR cannot guarantee complete confidentiality, because it usually cannot conduct an effective investigation without revealing certain information to the alleged harasser and potential witnesses.

Retaliation

11.4 BOLR will not tolerate adverse treatment of any individual because they have filed a harassment complaint or have provided information concerning such complaint. Any employee who engages in retaliation against an individual who has filed a complaint or provided information concerning such complaint shall be subject to discipline, up to and including termination of employment. Any employee who feels they have been subjected to such retaliation should report this action to the Director or their designee.

Any employee who is found to have knowingly made a false accusation of harassment or retaliation may be subject to disciplinary action up to and including termination of employment.

12. Workplace Violence Prohibition

Violence, or the threat of violence, by or against any employee of BOLR or other person, is unacceptable and contrary to the policy of BOLR. Any employee who engages in violent behavior or who threatens violence will be subject to disciplinary action up to and including termination of their employment, and possible criminal charges.

13. Nepotism Policy

- 13.1** BOLR does not prohibit employment of immediate family, provided that one immediate family member is not under the direct supervision of another immediate family member.
- 13.2** Anyone within the chain of command of an employee or applicant who is a member of their immediate family is automatically recused and prohibited from making any employment-related decisions regarding that employee or applicant.

14. Secondary Employment

- 14.1** Employment with BOLR will be the primary employment of each full-time employee. A full-time employee must report any secondary employment to the Director in writing before the secondary employment begins. Such employment will be permitted unless it creates a potential conflict of interest.
- 14.2** Secondary employment includes, but is not limited to, working for yourself (for example, self-employment, as an independent contractor, a provider of professional services, etc.) or another firm/company/business/organization or having an ownership interest in a firm/company/business/organization.
- 14.3** Failure to comply with this policy may result in disciplinary action up to and including termination.

15. Drug-Free Workplace / Reasonable Suspicion Testing

An employee is expected and required to report to work on time and in appropriate mental and physical condition for work. It is BOLR's intent and obligation to provide a drug-free, healthy, safe and secure work environment.

Employees may be asked to submit to drug and/or alcohol testing if reasonable suspicion exists to indicate that his/her health or ability to perform work may be impaired. Factors which could establish cause include but are not limited to:

- Sudden changes in work performance.
- Repeated failure to follow instructions or operating procedures.
- Violation of safety policies.

- Discovery or presence of substances in an employee's possession or near the employee's workplace.
- Odor of alcohol and/or residual odor peculiar to some chemical or controlled substance.
- Unexplained and/or frequent absenteeism.
- Personality changes or disorientation.
- Arrest or conviction of a violation of a criminal drug or alcohol statute.

16. Americans with Disabilities Act

- 16.1** It is the policy of BOLR to comply with the provisions of the Americans with Disabilities Act of 1990, as amended (ADA). BOLR strives to provide equal employment opportunities for qualified disabled applicants and employees and to provide reasonable accommodation for qualified disabled applicants and employees.
- 16.2** It is the intent of BOLR to interact with applicants and employees as provided for under the ADA for the purpose of identifying any reasonable accommodation that might apply in order to enable the disabled individual to participate in the selection and hiring process, perform the essential functions of the position, and/or access benefits and privileges of employment.

17. Progressive Discipline

Corrective action is a process designed to identify and correct problems that affect an employee's work performance and/or the overall performance of BOLR. The progressive corrective action process should be handled consistently. However, progressive discipline is not guaranteed, as BOLR is an at will employer, and may choose to terminate an employee at any time with or without cause.

The progressive corrective action process refers to the following actions:

- Counseling or verbal warning;
- Written reprimand and warning;
- Suspension;
- Suspension pending investigation and final determination;
- Specific warning of dismissal; and
- Dismissal.

Depending on the situation, any step may be repeated, omitted, or taken out of sequence; however, BOLR reserves the right to effect immediate termination consistent with our rights as an at will employer. Each case is considered on an individual basis.

Typically, a preliminary meeting is held with the employee to allow the employee an opportunity to understand the nature of the concern and to explain his/her position on the matter. If necessary, the corrective action documentation would then be put together which would summarize the issue, taking into account any additional information the employee may have provided during the preliminary meeting.

When issuing corrective action, there should be clear and direct communication between the employee and his/her immediate supervisor. This communication should include a meeting between the employee and the supervisor.

However, in cases of serious workplace misconduct an employee is likely to be discharged immediately. Serious workplace misconduct includes, but is not limited to:

- Theft;
- Fighting;
- Behavior/language of a threatening, abusive or inappropriate nature;
- Misuse, damage to or loss of BOLR property;
- Falsification, alteration or improper handling of BOLR-related records;
- Unsatisfactory customer service;
- Disclosure or misuse of confidential information;
- Unauthorized possession or concealment of weapons;
- Insubordination (e.g., refusal to carry out a direct assignment);
- Misuse of BOLR's electronic information systems;
- Possession, use, sale, manufacture, purchase or working under the influence of nonprescribed or illegal drugs, alcohol, or other intoxicants;
- Any action that violates federal, state or local law.

18. Reassignment

The CEO may reassign employees within BOLR.

19. Layoff

- 19.1** BOLR may, due to lack of funds, reorganization or a reduction in work, find it necessary to reduce the total number of its employees through layoff.
- 19.2** A full-time employee shall not be laid off while there is a temporary employee or a part-time employee, or an employee on an original probation serving in a position of the same classification.
- 19.3** An employee subject to layoff may first be considered for reassignment or demotion to a vacancy.
- 19.4** The CEO or designee shall provide an employee with written notification at least ten work days in advance of the intended layoff.
- 19.5** A layoff is not disciplinary in nature, and, as such, may not be appealed.

20. Dismissal

- 20.1** An employee may be dismissed for any reasons felt to be in the best interest of BOLR and the public service.
- 20.2** An employee's serving a probationary period may be dismissed without the right to appeal, providing the dismissal is not based on violation of civil rights law.

21. Appeals of Disciplinary Action

- 21.1** Employees will have the opportunity to present information that may challenge information management has used to issue disciplinary action. The purpose of this process is to provide insight into extenuating circumstances that may have contributed to the employee performance and/or conduct issues.
- 21.2** An employee may appeal a disciplinary action imposed by their manager or supervisor to the BOLR Director by submitting a written appeal along with an explanation and any supporting documentation to the Director within five (5) work days after the date the disciplinary action is taken. The Director or designee may meet with the employee to discuss this appeal after receiving this written information. The Director will have ten (10) work days after the meeting to respond to the appeal in writing. The decision of the Director is final.

22. Equal Employment Opportunity Complaints

- 22.1 What is an EEO Complaint?** An EEO complaint is one that may arise when an employee believes they have experienced unlawful employment discrimination because of their race, color, religion, national origin, sex, age 40 and older, disability, pregnancy, gender identity, sexual orientation and smoker or non-smoker status or any other protected characteristic as established by law.
- 22.2 Who Can File an EEO Complaint?** Any BOLR employee who believes that they have been discriminated against has the right to file a complaint with the BOLR Director, or their designee, or Human Resources representative without fear of restraint, interference or reprisal.
- 22.3 An Alternative to Filing an EEO Complaint.** BOLR is committed to using alternative dispute resolution methods such as mediation in an effort to resolve disputes. An employee may choose to mediate their claim provided both parties are in agreement. Mediation is a process in which an impartial third party assists disputants in finding a mutually acceptable solution to their dispute. Mediation is voluntary.
- 22.4 How to File an EEO Complaint.** An employee may initiate the complaint process, with or without prior discussion with their supervisor, manager or director, by contacting the BOLR Director, or their designee, or Human Resources representative. A complaint form must be completed. The Equal Employment Opportunity Complaint Form is available on the Waterfront Park website and may also be obtained by contacting the Human Resources Representative.
- 22.5 The EEO Complaint Process.** Upon receipt of a complaint, BOLR shall have the authority to conduct as broad an investigation as is necessary. At the conclusion of the investigation, the Director or his/her designee shall communicate the findings to the complainant.

23. Purchasing

- 23.1** Small purchase policy (< \$20,000):
1. Written approval of the CEO or Chief Operating Officer/Master Captain must be obtained prior to the purchase of non-routine good or services that exceed \$200. Non-routine goods and services are those purchases that fall outside of those goods and services required for daily operation and administration of Belle of Louisville Riverboats.
 2. Parts of the same piece of equipment must be organized in a single purchase order. The bundling of parts must be purchased as a single unit and cannot be divided in order to keep a purchase price below \$200.

3. A minimum of three (3) quotes are required for non-routine goods and services in excess of \$2,500.
4. All invoices and receipts must be submitted to the Business Operations Manager in a timely manner after making the purchase.
5. The company credit card may be used only after all other payment options have been eliminated, or with the express permission of the CEO, their designee, or the Chief Operating Officer/Master Captain.
6. Meals may be purchased at the expense of BOLR for business purposes only. The name of all those dining and purpose must be included with the receipt.
7. Sales tax should not be paid on any purchase due to the non-profit status of BOLR.

23.2 Noncompetitive Negotiation:

BOLR may purchase services in excess of \$20,000 using noncompetitive negotiation in the following circumstances:

1. Licensed Professional Services: In order to hire a contractor who will perform professional services in excess of \$20,000, a Professional Service Contract (PSC) is required. Licensed professional services may include, but are not limited to, those of an attorney, physician, psychiatrist, psychologist, certified public accountant, engineer, architect, registered nurse or education specialist.
2. Non-licensed Services: BOLR may also purchase services using noncompetitive negotiation for non-licensed services when the services sought are unique in nature, such as artists, or when specialized knowledge of the park property, structures, or infrastructure or specialized expertise is required.
3. Sole Source: Procurement shall be exempt from competitive bidding if there is only one known capable supplier of a commodity or service within a reasonable geographic area, as evidenced by the unique nature of the requirement, supplier or market condition.

23.3 For purchases of goods and services in excess of \$20,000 that do not meet the above criteria, BOLR will follow the Louisville Metro Government Procurement Policy for competitive bidding. BOLR also has the ability to utilize contracts in force with Louisville Metro Government when applicable.

24. Facility and Equipment Policy

24.1 Equipment owned by BOLR is not available for personal use without permission by management and must be readily available for return if needed for work at the BOLR.

- 24.2** Staff may choose to use their own cell phone for business purposes. They will be reimbursed for this use at the rate of \$20 per month, paid quarterly. Staff is responsible for any damage or loss of a personal cell phone.
- 24.4** Occasionally BOLR will need to sell surplus equipment. Only approved sales channels may be utilized for any equipment sales and no employee may use a personal account to sell BOLR-owned equipment. Before listing the surplus equipment for sale, staff should consult with the Business Administration Manager to determine appropriate method of sale, pricing, and payment methods. On a case by case basis, at the discretion of the Business Administration Manager, staff may be eligible to purchase surplus equipment for fair market value.
- 24.5** An employee's personal equipment may be used for BOLR purposes on a voluntary basis. Repairs to or replacement of personal equipment is not the responsibility of BOLR.

25. Cash Handling

- 25.0** It is the responsibility of each employee, regardless of employment status (full time, seasonal or contract), to accurately receive and return monies transacted during a work shift.

It is the responsibility of the shift supervisor to make certain that employees are trained and practiced at handling money transactions. This includes, but is not limited to, the use of electronic equipment (cash registers, card swipe terminals, etc.) and mechanical devices such as counterfeit pens. Training must include the understanding of opening balances, plus all monetary transactions during the shift, equaling the ending balance in the cash drawer. This ending balance must then tie to either the Z tape or balancing report of the area involved.

When cash money is received from shift supervisor, employee must count in front of supervisor and verify amount to be placed in cash drawer. Employee must then initial the transaction log to indicate compliance.

Upon completion of shift employee must again count contents of cash drawer (including cash and credit card receipts) and submit in appropriate manner to shift supervisor, employees are NOT to see the z-tape until the employee and supervisor are balancing together.

Shift supervisor will count amount submitted, in presence of employee, to verify balancing totals.

Total should equal beginning balance plus all receipts indicated either on Z tape or balancing report (depending on work area – boat or front counter).

Discrepancies are to be resolved as soon as identified. The first time there is an occurrence, the shift supervisor must review with employee all procedures for handling transactions to ensure employee fully understands the process. Any subsequent discrepancies will result in written warnings and with potential for dismissal.

26. Personal Mail/Telephone /Internet

- 26.0 The mail system is for business mail. No personal mail is to be delivered to the Belle address. Business telephones are not to be used for personal calls. Personal calls at work are discouraged and you should notify your friends and relatives to call only for important matters. The internet is a tool for employees to support efficient business opportunities and should not be used for personal matters or in any illegal or illicit way. Business assigned cell phones are for business usage only. **Personal cell phones are not to be disruptive or utilized during business hours except for brief and important matters. It's imperative that no headphones or earbuds be used at any time while cruising or acting in a safety sensitive position.**

27. Parking Policy

- 27.0 As a Belle of Louisville Riverboats employee, you may obtain a Metro ID card for free TARC riding. Forms are obtained from the Business Operations Manager. Your license plate number will need to be provided to your supervisor and the Business Operations Manager to be forwarded to PARC. They will allow employees to park in the BLUE - Wharf Lot free of charge, according to your scheduled work times. If you enter the lot for recreation, you are expected to pay as a guest at the kiosk.

28. Complimentary Public Cruise Tickets

- 28.0 Complimentary cruise passes are available to employees as requested; up to six (6) sightseeing tickets per year (excludes special events or certain sold out events). Tickets are approved/obtained through the CEO. There may be times when certain cruises are not available. Should employees wish to upgrade their free passes to include the catered lunch/ dinner buffets the charge is \$15 (avg. cost to Belle of Louisville Riverboats) per person with reservations made at least 48 hours in advance, with space available and approval by CEO.

29. Employee Uniforms

- 29.0 Each employee is expected to present a polished appearance and to represent BOLR in a professional manner. Onboard employees will have both casual and dress uniform options to be worn as appropriate to the occasion. Clothing that is worn during non-

cruising times should be appropriate for a professional environment. Any employee representing the company off site should dress either in uniform or in business attire.

In accordance with our Homeland Security policy, employees are required to be in uniform when they are working. Employees are required to wear set up uniforms when not cruising. Employees are to be in uniform and ready to work before clocking in. Each employee is expected to be appropriately attired whenever interacting with passengers. Employees can expect to be included in a line up prior to each cruise for uniform inspection.

Each department requires different uniforms for different occasions. Everyone must always be in an appropriate uniform and wear an employee nametag. Department managers will provide a list of the correct and required uniforms.

Shorts may be worn as seasonally appropriate. At times and depending on the nature of the cruise, onboard employees may be required to wear long pants. Your manager will advise which items are provided by the business and which items are to be provided by the employee. Shirts are always to be tucked into pants or shorts.

30. Safety

30.0 Each employee, along with the BOLR, is responsible for safety. If you see a dangerous condition or an emergency situation, report it immediately. If your manager is not available, check with another member of management. You are responsible for abiding by all safety rules, operating equipment in a safe and proper manner, and reporting any unsafe conditions. Safety equipment assigned to certain positions must be worn at all times.

When lifting is part of an essential job, training in proper body mechanics and back care must be observed. Proper safety equipment must be worn.

31. Inspections

31.0 All employees are to maintain their work areas and be prepared for internal inspection, as well as inspections by the health department, state and federal agencies, USCG, and other defining agencies as well as potential client tours. Policies, training schedules, certifications, and documents are to be maintained to maximum standard regulations. Anyone who boards any vessel should sign in and receive a visitor badge.

32. Severe Weather / Natural Disasters

32.0

A weather watch is issued to alert that conditions are favorable for dangerous weather. When certain meteorological circumstances are present, severe weather can develop quickly, and a watch is issued to alert citizens, in advance, that conditions are favorable for dangerous weather. A watch gives people notice to safely prepare for possible severe weather, including winter storms but are most frequently issued for severe thunderstorms, floods, flash floods, and/or tornadoes. A watch does not necessarily mean that severe weather is imminent; it indicates that it is possible, due to existing or predicted atmospheric events or conditions.

A weather warning is the immediacy of weather conditions. It indicates that severe storms or conditions have been observed in nearby areas and may reach the location being warned.

The National Weather Service has distinct guidelines for determining if a watch or a warning should be issued.

Community Alerts: Code Red is Metro's community alerting software that allows Local Emergency Response Teams to send out alerts in the event of emergency situations or critical community alerts.

The Captain on duty, senior manager or supervisor should sign up for Code Red alerts using their work email address. Agencies should have several employees that have registered for Code Red Alerts and will have the authority to work with their management team to notify employees when an alert is announced for their area. The employee should use a work phone associated with the physical address of the building they are located within.

Employees are encouraged to use the Code Red service for the personal weather alert information as well.

Go to the following address for the registration page for Code Red. Type in the address to your search engine you may follow this address:

<https://cne.coderedweb.com/Default.aspx?groupid=kQgqqylabhKHJciBjOwZEq%3d%3d>

Links are also provided on the Louisvilleky.gov webpage and provided on the My METRO page under the Safety section.

Thunderstorms:

Thunderstorms can produce a variety of dangerous and severe forms of weather.

Lightning, destructive winds, heavy rain and hail can all be products of thunderstorms.

Management will monitor weather conditions and keep employees in communication as

weather changes. There are two different alerts employees must be aware of, which are listed below:

- Severe Thunderstorm Watch: Conditions are favorable for severe weather. Continue normal activity, but monitor weather conditions closely.
- Severe Thunderstorm Warning: Seek shelter immediately and monitor conditions on radio or television. Follow all instructions below until the storm passes.

What to do if outside during a severe thunderstorm warning:

- If you are in a vehicle: try to exit the roadway and park. Stay in the vehicle and turn on the emergency flashers until the heavy rain ends. Avoid touching metal or other surfaces that conduct electricity in and outside the vehicle.
- If you are in the woods, pick a low area under small trees if you can't safely leave.
- If you are in an open area, head for low ground such as a valley or ravine, or crouch down. Crouch down in a ball-like position (feet and knees together) with your head tucked and hands over your ears so that you are down low with minimal contact with the ground. DO NOT LIE DOWN. Lightning causes electric currents along the top of the ground that can be deadly over 100 feet away. Crouching down is the best combination of being low and touching the ground as little as possible.
- Separate: If you are in a group during a thunderstorm, separate from each other.

What not to do:

- Do not touch metallic objects
- Do not go near trees, poles, hills, over-head wires, metal pipes or water.

Tornado Evacuation:

The Captain on duty or senior manager/supervisor is responsible for monitoring the weather conditions and evacuating the vessel(s) in the event of an actual tornado emergency.

When the emergency sirens sound for the metro area DO NOT WAIT till the last possible moment to evacuate.

Evacuate to the Galt House garages at 4th and River Road to the interior, preferably in a stair well or near an interior wall away from any openings. Assume a crotched position facing the wall to protect your face from possible flying projectiles.

33. Tipping

- 33.0** Because this is a Metro Louisville owned facility, tips cannot be accepted by any employee. Doing so is reason for termination.

34. Food Consumption on Cruises

- 34.0** It is not BOLR's responsibility or obligation to feed staff. There are occasions when extra food is left from an event on a cruise. When there is enough to feed the entire crew, the staff will be given the opportunity to partake. Everyone will need to wait until the food is taken down to the engine room on the Belle, or behind the curtain on the Mary M. Miller, and upon permission from your department head you will be released to go through the food line. No employees are to go through the line in the main room in front of hosts and guests if they are onboard as an employee. Because the cruise is only two hours, this is not a half hour lunch period.

During cruises the crew may have complimentary sodas and 1 box of popcorn from the concession stand. No employee is to go behind the stand or step in front of a customer to get their beverage. A concession worker will help them when time permits. No other complimentary food is offered. Crew may purchase food at 50% of sale discount during breaks that are approved by their manager. No crew member is to walk around the vessel, on duty, with drinks or food in their hand and eating or drinking in front of passengers. Staffs are encouraged to wait until the cruise or event is over to purchase food from the concession stand.

35. Calling in Sick

- 35.0** Communicate with your direct supervisor. Leaving a message is not acceptable. Management may require a doctor's note if an employee is out sick for (3) days. Refer to FMLA for medical leave of (5) days or more.

36. Marsec and Vessel Security

- 36.0** Due to homeland security guidelines, all the marine industry is required to inform and train their employees in the techniques of port, vessel and facility security. Employees will be required to participate in becoming knowledgeable of these measurements, usually within seven days of employment. Employees are asked to take a written test on what they have learned.

37. Drug Testing Policy

37.0 An employee is expected and required to report to work on time and in appropriate mental and physical condition. It is our intent and obligation to provide a drug-free, healthful, safe and secure environment. Employees who are utilized and who participate as a trained component of the BOLR Safety Sensitive Team, required by the United States Coast Guard (USCG), will undergo mandatory routine drug testing. Personnel not part of the Safety Sensitive Team are not included in the USCG policy for testing, and in the event of a vessel emergency would follow the instructions of the trained Safety Sensitive Team member.

All onboard employees in positions that are considered part of the Safety Sensitive Team will be subject to periodic, random and post marine incident drug testing as required by USCG regulations. These employees will be required to maintain regular certification and documentation of testing in safety, rescue and emergency procedures.

All employees may be asked to submit to drug and/or alcohol testing if reasonable suspicion exists to indicate that his/her health or ability to perform work may be impaired or for post-accident or other incident. All testing shall strictly follow USCG guidelines, and Belle of Louisville Riverboats will utilize the services of a professional test provider.

The following sections of the Personnel Policies of Louisville Metro Government shall be applicable to all BOLR employees:

60.02 Standard Work Week

60.04 Overtime

60.05 Compensatory Time

70.08 Direct Deposit of Pay

90.09 Computer-Based Training

100.01 Employee Assistance Program

100.03 Modified Duty

- 110.04 Breastfeeding In The Workplace
- 120.01 Public Records
- 120.03 Personnel Files and Employment Records
- 120.02 Attendance Records
- 130.01 Eligibility for Benefits
- 130.02 Paid Holidays
- 130.03 Paid Vacation
- 130.04 Group Insurance
- 130.05 Workers' Compensation
- 130.06 Tuition Assistance
- 130.07 Unemployment Insurance
- 130.08 Retirement Plan
- 130.09 Sick Incentive Plan
- 140.01 Leaves of Absence, General Provisions
- 140.02 Benefits While on Leave of Absence
- 150.01 Sick Leave
- 150.02 Emergency Sick Leave
- 150.03 Family and Medical Leave Act (FMLA)
- 150.04 Medical Leave
- 150.05 Personal Leave of Absence
- 150.06 Jury Duty & Witness Leave
- 150.07 Voting Leave
- 150.08 Funeral Leave
- 150.09 Military Training
- 150.10 Military Duty
- 160.05 Unauthorized Absence

The Personnel Policies of Louisville Metro Government can be accessed via the internal MetroNet: <http://mymetro.lou/sites/default/files/FormsPolicies/Human%20Resources/Personnel%20Policies/Personnel%20Policies%20010521.pdf> or external link: <http://www.louisvilleky.gov/sites/default/files/2021-01/personnel-policies-010521.pdf>.