



YMCA of Greater Cleveland
Youth Protection
Policies

— ACCREDITED BY —
PRAESIDIUM
— 2024-2027 —

Praesidium Accreditation® publicly demonstrates to consumers that the YMCA of Greater Cleveland has achieved the highest industry standards in abuse prevention.

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In the State of Ohio, YMCA employees/volunteers are considered mandated reporters of child abuse. Employees/volunteers must report abuse-related concerns or complaints about other employees, volunteers, other adults, or other youth.

If you have any concerns or suspicions related to child abuse, you **MUST** immediately contact **at least one** of these:

- your supervisor or branch executive director

and/or

- the YMCA's Vice President of Youth Development at **216-386-7149**

and/or

- the State of Ohio anonymous line at **855-642-4453** (855-O-H-CHILD)

and/or

- the anonymous form on **clevelandymca.org/youth-family**

and/or

- the local or state authorities

Praesidium Helpline - 855-347-0751

The Praesidium Helpline is a consultation line anyone can call to discuss any abuse prevention questions and issues. Reports can be anonymous if you prefer.

In this document, the designation “consumer” encompasses individuals who are YMCA members, program participants, family members, guests, and/or visitors.

“Adult Consumer” refers to a person aged 18 and older.

“Youth Consumer” refers to a person aged 17 and younger.

Note: Some divisions of the YMCA (such as Y-Haven and Youth Development) have division-specific policies/procedures because of their unique clientele. When any policy or procedure in this document conflicts with a policy or procedure from the division, **the most stringent of the two shall prevail.**

1. Policy Prohibiting the Abuse or Mistreatment of Consumers

This association has **zero tolerance** for abuse and will not tolerate the mistreatment or abuse of consumers in its programs. Any mistreatment or abuse by an employee or volunteer will result in disciplinary action, up to and including termination of employment or volunteer service and cooperation with law enforcement.

2. Policy Prohibiting the Abuse or Mistreatment of One Consumer by Another Consumer

The association has **zero tolerance** for abuse, mistreatment, or sexual activity among consumers within the association. This association is committed to providing all consumers with a safe environment and will not tolerate the mistreatment or abuse of one consumer by another consumer. Conduct by consumers that rises to the level of abuse, mistreatment, or sexual activity will result in intervention or disciplinary action, up to and including, dismissal from the program.

In addition, our association will not tolerate any behavior that is classified under the definition of bullying, and to the extent that such actions are disruptive, the association will take the necessary steps to eliminate such behavior.

3. Policy Requiring Annual Review of Association Youth Protection Policies

Annually in the month of **March**, the Vice President of Youth Development and the Abuse Prevention Committee will review existing abuse prevention policies to:

1. Ensure the purpose and goal of the policy is still relevant;
2. Determine whether a policy should be combined with another policy or rescinded;
3. Determine if the policy is up to date with current laws; and to
4. Determine whether changes are required to improve the effectiveness or clarity of the policy and/or procedure.

Once a policy (or policies) has been identified for review, the policy owner or department responsible for enforcement will:

1. Develop a draft update in consultation with relevant stakeholders;
2. Review the draft with relevant stakeholders for relevance, clarity, and effectiveness;

3. Submit the draft policy for review by the Vice President of Youth Development.
4. Once the Vice President of Youth Development has reviewed and edited the policy, submit final version to the President and CEO.
5. This association will announce and communicate all policy changes to employees, volunteers, consumers, and parent/guardians through written or electronic methods, and association methods such as employee meetings, trainings, and supervision discussions.

4. Policy Requiring Written Communication of Policy Changes & Training

This association will communicate changes to associational policy manuals and/or procedures in writing within seven (7) days of the change. The association will determine an official mode of communication and will use that to communicate any changes to policy or procedures. The association will make efforts to communicate changes to consumers, parents/guardians.

Any training necessary to effectuate policy or procedure changes will be assigned to relevant employees/volunteers and is expected to be completed as soon as practical.

5. Policy Requiring Adherence to Association Policies

This association requires all employees and high-access volunteers to sign a statement of acknowledgement and compliance with all association policies upon hire and repeated annually.

Acknowledgement of Policies, Code of Conduct, or Standards

All employees/volunteers with access to consumers shall confirm that they have read and agree to comply with the association's abuse prevention policies, Code of Conduct, and consumer protection standards by signing a written acknowledgment upon hire and annually thereafter.

The association shall ensure that all employees/volunteers have signed a written acknowledgment upon hire and annually thereafter by keeping signed acknowledgement forms in personnel files.

6. Policy Defining Appropriate and Inappropriate Physical Contact

Our association’s physical contact policy promotes a positive environment while protecting consumers, employees, and volunteers. Our association encourages appropriate physical contact with consumers and prohibits inappropriate displays of physical contact. Any inappropriate physical contact by employees/volunteers towards consumers in the association’s programs will result in disciplinary action, up to and including termination of employment.

The association’s policies for appropriate and inappropriate physical interactions include but are not limited to:

Appropriate Physical Interactions	Inappropriate Physical Interactions
<p>Contact initiated by the consumer such as:</p> <ul style="list-style-type: none"> • Side hugs • Shoulder-to-shoulder or “temple” hugs • Pats on the shoulder or back • Handshakes • High-fives and hand slapping • Pats on the head when culturally appropriate • Touching hands, shoulders, and arms • Arms around shoulders • Holding hands (with young children in escorting situations) 	<ul style="list-style-type: none"> • Full-frontal hugs • Kisses • Showing affection in isolated areas or while one-on-one • Lap sitting • Wrestling • Piggyback rides • Tickling • Allowing a consumer to cling to an employee’s or volunteer’s leg • Allowing consumers, older than kindergarten, to sit on an employee or volunteer’s lap • Any type of massage given by or to a consumer outside of accepted and documented medical treatment • Any form of affection that is unwanted by the consumer, employee, or volunteer • Touching bottom, chest, or genital areas that is outside authorized and documented personal care assistance

7. Policy Defining Appropriate and Inappropriate Verbal Interactions

Employees/volunteers are prohibited from speaking to consumers in a way that is, or could be construed by any observer, as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.

Employees/volunteers must not initiate sexually oriented conversations with consumers. Employees/volunteers are not permitted to discuss their own sexual activities with consumers.

Our association’s policies for appropriate and inappropriate verbal interactions include but are not limited to:

Appropriate Verbal Interactions	Inappropriate Verbal Interactions
<ul style="list-style-type: none"> • Positive reinforcement • Appropriate jokes • Encouragement • Praise • Strength-based conversations • Self-disclosure as a supervised therapeutic tool by licensed clinicians, medical professionals, and pastoral counseling 	<ul style="list-style-type: none"> • Name-calling • Discussing sexual encounters or in any way involving consumers in the personal problems or issues of employees/volunteers • Secrets • Cursing • Off-color or sexual jokes • Shaming, belittling • Oversharing personal history • Derogatory remarks • Harsh language that may frighten, threaten, or humiliate consumers • Derogatory remarks about the consumer or his/her family

8. Policy for Managing One-on-One Interactions Between Employees, Volunteers, and Consumers

One-on-one interactions may occur as part of this association's programming under authorized circumstances. The purpose of this policy is to ensure the association clearly communicates expectations for employees/volunteers and gives examples of appropriate behavior when one-on-one interactions may occur. In those situations where one-on-one interactions are authorized, employees/volunteers should observe the following guidelines to limit the risk of abuse or false allegations of abuse:

- Meet consumers in a public place where they are in full view of others.
- Avoid physical affection during one-on-one interactions. If unavoidable, ensure physical and verbal interactions align with this association's established policies and are limited to the task at hand.
- If meeting in a room or office, leave the door open or move to an area that can be easily observed by others passing by.
- To the extent possible, ensure one-on-one interactions occurring behind closed doors with **ADULT** consumers are scheduled in advance or are communicated with the supervisor.
- One-on-one interactions occurring behind closed doors with **YOUTH** consumers is prohibited.
- Employee/volunteer will document and immediately report any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that might be misinterpreted.

9. Policy for Managing Interactions between Employees, Volunteers, and Youth/Teen Consumers Outside the Association

Research shows many cases of abuse occur off-site and outside of regularly scheduled activities. Allowing contact outside of regularly scheduled activities may put employees, volunteers, consumers, and our association at increased risk. This document is created to manage the risk of abuse and false accusations arising from contact with youth and teens outside the association's regularly scheduled programming.

Examples of contact outside of regularly scheduled program activities:

- Babysitting arrangements
- Tutoring
- Private lessons/coaching
- Mentorship
- Social interactions between employee's or volunteer's children and children served by the association:
 - Playdates and birthday parties
 - Sleepovers
 - Overnight trips and vacations
 - Rides to/from association or extracurricular activities and events
- Attending public events in a shared community (like graduation, sports events, religious ceremonies)
- Continued contact with consumer after a consumer's participation in a program has ended.

It is the policy of the YMCA of Greater Cleveland to prohibit employees/volunteers from meeting outside of the YMCA with youth whom they have met in YMCA programs. This includes baby-sitting, sleepovers, and inviting children to the employee's/volunteer's home, emailing, telephoning, texting. or having any other type of correspondence with the children unless one of the following conditions exists:

- The employee/volunteer and the child's family or custodian have a relationship that predates the beginning of employment or volunteering at the YMCA,
- The employee/volunteer and the child's family or custodian have a relationship which predates the child's enrollment in a YMCA program, or
- The employee/volunteer and the child, the child's family, or the child's custodian are related.

For exceptions to be permitted, the child's parent or custodian must sign a waiver authorizing contact with the specific employee/volunteer. The waiver must be kept on file by the program manager.

An employee/volunteer who has a pre-existing relationship with a child will have the parent/guardian sign the waiver to document the relationship.

After a consumer's participation in programming has ended, an employee/volunteer may only initiate contact with the consumer for authorized YMCA business.

10. Electronic Communication and Social Media Policy

The terms “electronic communications” and “social media” or “social network” refer to activities that integrate technology, telecommunications, and social interaction using words, images, video, or audio tools. Examples include, but are not limited to social websites, blogs, message boards, wikis, podcasts, image- and video-sharing sites, text and voice chat platforms for gaming, live webcasting, and real-time web communities. Additionally, sending text messages between two or more mobile phones or fixed or portable devices over a phone or wireless network is included within these definitions.

It is mandatory that all programs that require communication with youth and parents/guardians use a group communication app, to be used exclusively for communication about program details. This association approves the use of Remind.

This association does not permit employees/volunteers to use electronic communication and/or social media using their own personal sites/accounts with consumers. However, if these interactions are part of programming or otherwise unavoidable, employees/volunteers will:

- A. Require employees/volunteers to sign the Employee/Volunteer Handbook which contains the Social Media Policies which explain guidelines about appropriate and inappropriate communication with consumers.
- B. Employees/volunteers are required to use Remind or another YMCA-authorized communication platform to allow communication to be seen by all consumers and parents/guardians.
- C. Employees/volunteers may not electronically contact a consumer under the age of 13 outside of the association-approved app.
- D. Employees/volunteers should keep communications professional in nature and limit discussion to programmatic purposes.
- E. Employees/volunteers will respond to private electronic communication from youth consumers stating that this is prohibited under the Code of Conduct.
 - a. Exceptions may be made under emergency situations wherein private messages may occur to locate consumers and secure their safety, but all such contact must be documented accordingly.
 - b. If a consumer reveals abuse or inappropriate interactions with an adult or child, the employee/volunteer must report this information to a supervisor and child protective services or law enforcement immediately.

- F. Employees/volunteers may choose to or may be required to include a supervisor or the association leadership in their direct communications with a consumer.
- G. Provide consumers and parents/guardians with information about how to respond to inappropriate communication from employees/volunteers. The responding procedure includes:
 - a. Contact information for the administration.
 - b. An anonymous method for reporting concerns.
- H. Requests to discontinue – Parents/guardians may request in writing that a consumer not be contacted by the association through any form of electronic communication or social media.

11. Gift-Giving and Gift Acceptance Policy

Gifts from Employee/Volunteer to Consumers

Offenders routinely groom consumers by giving gifts, thereby endearing themselves to the consumers. They might instruct the consumers to keep the gifts a secret, which then encourages keeping other bigger or more harmful secrets from trusted adults.

This association strongly encourages employees/volunteers to refrain from giving gifts to consumers. However, gifts to consumers may be given under the following circumstances:

1. Gift requests must be submitted to a supervisor and/or a designated administrator prior to being purchased;
2. The supervisor and/or designated administrator will determine a cost limit regarding how much can be spent on the gift; and,
3. Parents/guardians of the consumers must be notified about the gift item and why the consumers are receiving the gift.
4. Employees/volunteers are prohibited from giving gifts to individual consumers except when the gift is authorized by a supervisor or designated administrator and given to all consumers (i.e., celebration of special events/holidays or group recognition).
5. Require employees/volunteers to communicate that the gift is given on behalf of the association not the individual employee or volunteer.

Gifts from Consumers to Employee/Volunteer

Sometimes it may be difficult to refuse gifts from consumers or their families. In many cultures, people give gifts to reflect their appreciation for people or services.

To be respectful of consumers and their families, the association makes reasonable allowances for acts of gratitude involving small gifts of appreciation from consumers and/or their families that fall under the following parameters:

1. Employees/volunteers may not accept gifts, payments, or favors valued greater than **\$100.00** from any individual or organization that is providing goods or services to the YMCA or receiving goods or services from the YMCA.
2. If someone approaches an employee or volunteer with a gift that exceeds \$100.00, the employee or volunteer must politely decline the gift and refer to this policy.
3. Employees/volunteers must disclose all such gifts to their immediate supervisor and/or a designated administrator.
4. Under no circumstances can money be accepted from consumers or their families as a gift.
5. At no time should an employee solicit, request, or otherwise indicate that gifts, payments, or favors are expected.

12. Policy Governing Mandatory Reporting Requirements for Employees and Volunteers

All employees/volunteers must follow state specific mandatory reporting requirements. All YMCA employees /volunteers are mandated reporters.

Employees/volunteers must be trained to be aware of and understand their legal and ethical obligation to recognize and report suspicions of mistreatment and abuse. Employees/volunteers will:

1. be familiar with the symptoms of abuse and neglect, including physical, sexual, verbal, and emotional abuse;
2. know and follow association policies and procedures that protect against abuse;
3. report suspected abuse or neglect to the appropriate authorities as required by state mandated reporter laws; and
4. follow up to ensure that appropriate action has been taken.

Employees/volunteers will read and sign the Code of Conduct documenting employee's/volunteer's understanding of the legal and ethical duty to report suspected mistreatment or abuse.

The State of Ohio's rules on reporting child abuse or neglect can be found here: <https://codes.ohio.gov/ohio-revised-code/section-2151.421>

The State of Ohio's rules on reporting elder abuse or neglect can be found here: <https://codes.ohio.gov/ohio-revised-code/section-5101.63>

13. Policy Requiring Cooperation with Investigations

This association takes every allegation of abuse or misconduct seriously and will fully cooperate with the authorities to investigate all cases of alleged abuse or misconduct. Employees/volunteers shall cooperate with any external investigation by outside authorities or internal investigation conducted by the association or persons given investigative authority by the association.

Cooperation with investigations includes, but is not limited to:

- Promptly acknowledging and responding to requests for information;
- Making oneself available for meetings with investigating officials;
- Providing full, accurate, and truthful information;
- Keeping confidential information learned or transmitted during the investigation, unless directed by legal authorities, and
- Preserving relevant information and documents.

An employee or volunteer's failure to cooperate with an investigation will result in disciplinary action up to and including termination of employment or dismissal from the association.

14. Policy Requiring Repeat Background Checks

This association requires a background check for each employee and high-access volunteer at the following intervals:

1. Upon hire or rehire;
2. Return from seasonal absence or furlough longer than six months; and
3. Once every two years, or more frequently if required by local, state, or federal law.

15. Policy Requiring Notification of Conviction

Any employee or volunteer who is convicted of (including pleas of guilty and nolo contendere) a misdemeanor or felony offense must notify their supervisor within five business days of such conviction. Supervisors must immediately notify the association's Human Resources department who will notify legal counsel. Employees/volunteers need not report convictions for routine traffic infractions such as speeding unless driving is a required part of the employee or volunteer's job duties.

The conviction of an employee or volunteer may result in corrective action. Corrective action depends upon a review of all factors involved - including whether the crime was work-related, the nature and severity of the act, or any resultant circumstances that adversely affect the employee or volunteer's ability to function in their role. Such corrective actions may include termination.

Any employee, or volunteer, or independent contractor who fails to report a conviction for a misdemeanor or felony within five days or who misrepresents the circumstances of a conviction, will result in disciplinary action up to and including termination of employment or (in the case of volunteers and independent contractors) will have their relationship terminated immediately

16. Policy Requiring Sex-Offender Registry Screening for Employees/Volunteers

This association will complete a National Sex Offender Registry check on all employees/volunteers upon hire, re-hire, return from seasonal absence or furlough longer than six months, and prior to working or volunteering with consumers. The applicant must be screened through the National Sex Offender Registry.

All employees and members are screened through the National Sex Offender Registry daily through Daxko.

17. Policy Requiring Drug Testing for Cause

This association allows supervisors to assess individuals for alcohol or controlled substance use to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by any of the following:

1. Employees/volunteers who are drivers of association-owned, leased, or rented vehicles;

2. Employees/volunteers performing safety-sensitive functions such as supervision or transportation of consumers;
3. Applicants for positions in the above-referenced categories; and
4. Any employee when there is reasonable suspicion of use of alcohol or controlled substances in the workplace.

The primary purpose of the test is to prevent impaired employees/volunteers from performing safety-sensitive functions. Only supervisors may, based upon reasonable suspicion, remove an employee from a safety-sensitive position and require testing for alcohol and/or controlled substances. The determination of reasonable suspicion shall be based on specific observations of the appearance, behavior, speech, or body odors of the employee whose motor ability, emotional equilibrium, or mental acuity seems to be impaired. Such observations must take place just preceding, during, or just after the period of the workday that the employee is on duty.

Within 24 hours of the observed behavior, the supervisor shall provide signed, written documentation of the observations leading to their reasonable suspicion. In addition to any applicable legal consequences, an employee or volunteer who tests positive for alcohol or controlled substances, refuses to submit to alcohol or controlled substance testing, or submits specimens that have been altered or tampered with may be subject discipline up to and including termination.

All aspects of the YMCA of Greater Cleveland Substance Abuse Policy apply to Y-Haven employees. However, due to the nature of the substance abuse treatment program of Y-Haven, Y-Haven employees are subject to one additional policy: if any Y-Haven employee tests positive on a 'for cause' test or refuses to take such a test, his/her employment will be terminated immediately.

18. Policy Requiring Training of All Employees and High-Access Volunteers Prior to Having Access to Consumers

This association requires that employees and high-access volunteers be trained on the following foundational abuse prevention topics prior to having access to consumers:

- The association's policies related to preventing and responding to abuse;
- How to maintain appropriate boundaries with consumers;
- Definitions of abuse;
- Types of offenders;

- How offenders operate
- How to manage high-risk activities (i.e., restroom and locker room activities, diapering and toileting, transportation, camps);
- How to prevent false allegations;
- How to recognize and respond to suspicious or inappropriate behaviors and policy violations; and
- How to recognize and respond to suspicions or allegations of abuse.

All employees and high-access volunteers will receive this training upon hire or prior to having access to consumers.

The association keeps documentation of training records for all employees and high-access volunteers.

19. Policy Requiring Annual Abuse Prevention Training

This association recognizes the importance of providing training and professional development activities that relate to our employee and volunteer roles and responsibilities. Examples of training and professional opportunities offered by this associations include but are not limited to, eLearning, workshops, courses, classes, and professional conferences.

Annual abuse prevention training refreshes previously learned concepts and provides additional knowledge and skills to enhance the ability of employees/volunteers to protect consumers.

In the YMCA of Greater Cleveland, all employees/volunteers will complete their abuse prevention training upon hire and, thereafter, **annually in the month of April**. Tracking and documentation of training completion will be stored in Ceridian.

All employees are responsible for annually completing training on the following concepts:

- The association's policies related to preventing and responding to abuse;
- How to maintain appropriate boundaries with consumers; and
- Additional topics that contribute to employee and volunteers' skills and knowledge related to abuse prevention. These may vary according to an employee's role within the association.

Failure to complete required trainings will result in disciplinary actions up to and including termination of employment.

20. Employee, Volunteer, and Visitor Identification Nametag Policy

YMCA Employees and High Access Volunteers Working in Roles Outside of Youth Development

All employees and high-access volunteers at YMCA facilities, program sites, etc. (except aquatic staff in swimsuits and exercise instructors while teaching classes) shall always wear YMCA ID badges/nametags. When a nametag is not practical due to safety or function of the position, staff must be identifiable by wearing YMCA staff clothing or another form of staff identification. The identification nametag must be worn on the person's clothing at or above the waist level and in such a fashion to be clearly visible to other employees, volunteers, and security personnel at all times.

Employees/volunteers without nametags, will be required to check in at the facility's reception desk and then will be issued a temporary one-day "Employee/Volunteer" nametag, which will contain the date and job function.

Youth Development Employees and High Access Volunteers

Every Youth Development employee of this association is required to always wear YMCA-branded clothing and an identification nametag while present at the association's facility. The identification nametag must be worn on the person's clothing at or above the waist level and in such a fashion to be clearly visible to other employees, volunteers, and security personnel at all times.

Visitors to Youth Development Sites

When a visitor arrives at a Youth Development location without an authorized identification nametag, the YMCA site director will issue the person a "Visitor" identification nametag. Visitors are required to always wear the identification nametag while in the facility.

Identification in Programming Away from the Facility

Our employees/volunteers wear association attire and nametags that clearly distinguish them as authorized representatives when visiting consumers at residential placement, going to appointments with consumers, or when they are in other places where being identifiable is necessary. Only with approval from a supervisor, employees/volunteers may choose to not wear identifiable attire or nametags when meeting with consumers in the community or public places.

21. Policy Requiring Programs to Adhere to Specific Adult-to-Youth Consumer Ratios

Specific employee-to-youth consumer ratios help define the level of supervision necessary to be effective and safe. Ratios also enable employees, volunteers, and supervisors to easily identify when additional personnel are necessary. This association will ensure all programs adhere to the following ratios:

The established ratio of students to staff will be maintained when programs go off-site. The appropriate ratio will be determined based on age of the children and the field trip activity and location.

In Child Watch, ratios are as follows:

- Children age birth to 1 year – 1 staff per 4 infants
- Children ages 1-12 years – 1 staff per 12 children

The Youth Development programs of the YMCA comply with the ratio regulations provided by the State of Ohio in Rule 5101:2-12-18 Appendix A. Ratios are as follows:

Age of Children	Child Care Staff Member/Child Ratio	Maximum Group Size
Young Infants (Birth to less than 12 months)	1:5 or 2:12 in same room	12
Older Infants (at least 12 months and less than 18 months)	1:6	12
Young Toddlers (at least 18 months and less than 2 ½ years)	1:7	14
Older Toddlers (at least 2 ½ years and less than 3 years)	1:8	16
Young Preschoolers (at least 3 years and less than 4 years)	1:12	24
Older Preschoolers (at least 4 years and not enrolled in or eligible to be enrolled in kindergarten)	1:14	28
Young Schoolagers (enrolled in or eligible to be enrolled in kindergarten or above and less than 11 years)	1:18	36
Older Schoolagers (at least 11 years and less than 15 years)	1:20	40

22. Policy Governing Youth Consumer Discipline

This association has age and developmentally appropriate expectations and behavioral guidelines for youth consumers. To the extent that discipline of a youth consumer is warranted, this association will apply discipline in a professional, fair, and consistent manner. Employees/volunteers engaging in any discipline beyond verbal redirection should document the behavior and disciplinary method. This association retains the option to exclude participants from future programs based on disciplinary issues.

In all cases, employees/volunteers are prohibited from using physical contact for disciplinary purposes. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors.

Below are some examples of appropriate and inappropriate disciplinary practices for youth:

Appropriate Discipline Practices	Inappropriate Discipline Practices
<ul style="list-style-type: none"> • Develop rules and consistently enforce them • Remain calm but firm • Remind consumers of appropriate actions • Address the consumer’s behavior, not the character of the consumer • Loss of privileges • Consider program or activity restrictions, such as sitting out or suspension 	<ul style="list-style-type: none"> • Hitting • Spanking • Shaking • Slapping • Using extreme or unreasonable (in length or type) physical exercise as a consequence • Withholding food, light, or medical care • Name-calling • Shoving or pulling hair or ears • Biting • Pinching • Shaming • Derogatory remarks • Ostracizing • Mechanical tape or rope restraints • Angry yelling directed at the consumer

23. Policy Addressing Employee and Volunteer Cell Phone Use During Program Hours or While on Duty

Employees/volunteers may bring personal electronic communication devices to work, but these devices must not be in view or in use for personal or unauthorized functions when the individual is expected to be serving or supervising consumers. Failure to adhere to the policy will result in progressive discipline.

Acceptable Use of Cell Phones While Working at the YMCA

There are occasions in which employees/volunteers will need to use personal or association-issued electronic communication devices. In these cases, employees/volunteers will have explicit direction from supervisors governing use.

Situations which may require use of personal or association-issued electronic communication devices include:

1. Field Trips
2. Off-site Programs
3. Emergencies
4. Official authorized association business
5. Using the device to supply music or timing in programming
6. Using an app on the device to serve a specific program need (i.e., metronome in CPR classes, BMI calculator in personal training, instructional games in youth programs, etc.)
7. When the employee/volunteer is on an approved break and is in an area that is not in public view.

24. Facility Monitoring and Restroom Monitoring Policy

Facility Monitoring

Building architecture can increase or mitigate the risk of an incident or accident. Because most incidents of sexual behavior occur in private, the extent to which privacy is managed, risk is managed. The association will systematically identify facility locations that allow for unnecessary privacy or limited line of sight or supervision. The YMCA has implemented a formal system to manage these identified architectural risks, which includes:

- Ensuring employees/volunteers are aware of these locations and circumstances.
- Ensuring unused rooms, offices, and closets remain locked.
- Ensuring that all doors' locks are locked with a key and not solely a flip lock.
- Ensuring visibility in rooms without windows.
- Ensuring employees routinely walk through out of the way locations.
- Requiring Cause-driven Leaders on Duty (CDLOD) to regularly walk through out of the way locations on an unpredictable schedule and to routinely check that doors to unused rooms are locked.

Youth Restroom Monitoring

Children who are participating in YMCA programs are not to be sent to restrooms without a YMCA staff member present. The buddy system or three children together are not acceptable practices and are not permitted at the YMCA.

For single stall restrooms, the YMCA staff will be positioned outside of the restroom to make sure no one else enters the restroom.

Entrance doors to multi-stall restrooms must be kept open when youth are inside.

At minimum, when multiple children are in the restroom or locker room, YMCA staff members will stand in the doorway so they can have at least auditory supervision of the children.

Staff members can and are encouraged to be inside the facilities so they can be easily seen by the children, and so they are able to immediately stop any inappropriate activity. This is best done with multiple staff members so individual staff are not subjected to unwarranted allegations.

Protocols that address the variety of unusual circumstances possible during outdoor or off-site activities shall be established and made part of that program/activity's operating guidelines.

25. Open Door Policy for Employees/Volunteers

The YMCA maintains an open door policy for all employees/volunteers and encourages them to share opinions; suggestions; concerns or questions about our policies; personnel issues and/or other workplace matters; and offer suggestions for improvement.

Employees/volunteers may discuss any concerns with their supervisor. However, to the extent the concerns relate to their direct supervisor, or to the extent the employee believes that their direct supervisor did not fully address the matter, employees may direct their opinions, work-related concerns, and offer suggestions for improvement, to their supervisor's supervisor or Human Resources.

Employees may report any suspected illegal activities in the organization following the procedure in the Whistleblower Policy. Illegal activities may include but are not limited to corporate fraud, unethical business conduct, violations of State or Federal law, or substantial and specific danger to an employee's/volunteer's or member's health and safety.

Procedure

Verbal complaints are acceptable; however written complaints are preferred. To ensure a timely and effective response, complaints should include the following information, to the extent possible:

1. The name(s) of the employee(s) involved;
2. The date(s) the behavior occurred;
3. The name(s) of any known witnesses;
4. The name(s) of the conduct meriting the complaint, including:
 - a. The behavior complained of and/or the alleged policy or legal violation(s).
 - b. Direct quotes when relevant and available; and
 - c. Any relevant documentation.
5. The outcome sought by the employee/volunteer.

Timeline

The Association shall endeavor to finalize a response to the complaint within 15 (fifteen) calendar days.

In the instance where a complaint is delivered to an employee's/volunteer's supervisor, the supervisor shall investigate the concern and respond to the employee within the 15 (fifteen) day limit. The results of the investigation shall be shared with the complainant.

In the instance where a complaint is delivered to the next level in the organization (the supervisor's supervisor) or Human Resources, an investigation shall be conducted by the Department of Human Resources within the 15 (fifteen) day limit. The results of the investigation shall be shared with the complainant.

If the Association determines that a violation of policy or law has occurred, the Association will take appropriate disciplinary action, up to and including termination of employment.

Retaliation

This Association strictly prohibits retaliation against employees/volunteers for reporting, filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by the Association or a federal or state law enforcement agency or court.

Employees/volunteers should report any suspected retaliation to their direct supervisor immediately after becoming aware of it. Any report of retaliatory conduct will be objectively, timely, and thoroughly investigated. If a report of retaliation is found to be valid, the Association will take appropriate remedial action, up to and including the discharge of the employee(s)/volunteer(s) responsible.

This Association will not retaliate against any employee/volunteer for raising a complaint and will not knowingly permit retaliation by management or other employees/volunteers.

Publication and Communication

This policy is shared with employees annually and is included in the Association's Employee Handbook. Any changes to this policy will be communicated in writing to employees.

26. Open Door Policy for Consumers

The YMCA maintains an open door policy for all consumers and encourages them to share opinions; suggestions; concerns or questions about our policies; personnel issues and/or other workplace matters; and offer suggestions for improvement.

Consumers may discuss any concerns with the program leadership or branch Executive Director. However, to the extent the consumer believes that their branch staff did not fully address the matter, consumers may direct their opinions and offer suggestions for improvement, to the Vice President of Branch Operations.

Consumers may report any suspected illegal activities in the organization to the branch Executive Director or Vice President of Branch Operations. Illegal activities may include but are not limited to corporate fraud, unethical business conduct,

violations of State or Federal law, or substantial and specific danger to a person's health and safety.

Procedure

Verbal complaints are acceptable; however written complaints are preferred. To ensure a timely and effective response, complaints should include the following information, to the extent possible:

- The name(s) of the people involved;
- The date(s) the behavior occurred;
- The name(s) of any known witnesses;
- The name(s) of the conduct meriting the complaint, including:
 - The behavior complained of and/or the alleged policy or legal violation(s).
 - Direct quotes when relevant and available; and
 - Any relevant documentation.
- The outcome sought by the consumer

Timeline

The Association shall endeavor to finalize a response to the complaint within 15 (fifteen) calendar days.

When a complaint is delivered to the branch Executive Director or the Vice President of Branch Operations, they shall investigate the concern and respond to the consumer within the 15 (fifteen) day limit. The results of the investigation shall be shared with the complainant.

If the Association determines that a violation of policy or law has occurred, the Association will take appropriate corrective or disciplinary action.

Retaliation

This Association strictly prohibits retaliation against consumers for reporting, filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by the Association or a federal or state law enforcement agency or court.

Consumers should report any suspected retaliation to the branch Executive Director or the Vice President of Branch Operations immediately after becoming aware of it. Any report of retaliatory conduct will be objectively, timely, and thoroughly

investigated. If a report of retaliation is found to be valid, the Association will take appropriate remedial action.

This Association will not retaliate against any consumer for raising a complaint and will not knowingly permit retaliation by management, employees/volunteers, or other consumers.

Publication and Communication to Consumers and Parents/Guardians

This Open Door Policy must be shared with all consumers and parents/guardians through inclusion in the Association website. Any changes to this policy will be communicated in writing to consumers and parents/guardians via the Association website.

27. Policy Requiring Confidentiality of Reports

This association will protect the confidentiality of anyone who reports allegations or disclosures of abuse, or other violations of law or policy to the extent possible under law. Legal and civil authorities (police, child, or adult protective services) may require confidential information to investigate any report of illegal conduct, but this does not eliminate the requirement to maintain confidentiality within the association and its employees, volunteers, and consumers.

The association will provide written communication of any changes to this policy to all employees, volunteers, consumers, and parents/guardians.

28. Policy for Follow-Up with Individuals who Report Concerns or Complaints

This association is committed to creating a safe environment for our employees, volunteers, and especially our consumers and their parent/guardians. For that reason, we will treat every concern or complaint with the utmost seriousness and provide a timely, thorough, and objective response in every instance. When an individual shares a concern or complaint:

1. They will be given the time and attention necessary to allow them to share their thoughts in person.
2. They will be thanked for sharing their concerns with the association and for contributing to maintaining a healthy and safe environment for everyone.
3. They will be advised that we will never dismiss their concern, that their concern is being taken seriously, and that action will be taken.

4. They will be reassured that they have done the right thing by reporting and that their communication is valued.
5. They will be informed, in general statements, of the steps that the association will take in addressing the matter.
6. They will be given contact information for someone in the association with whom they can contact should they become aware of additional information.
7. They will be provided follow-up information as appropriate.
8. The association will protect them from any form of retaliation.

29. Policy for an Anonymous Reporting Mechanism for Employees/volunteers

While we hope that our employees/volunteers feel that they can openly communicate any concerns, complaints, or grievances directly to someone in the association, we understand that doing so can often be difficult. Because it is important to us that everyone be able to share their concerns, we provide the following mechanisms through which employees/volunteers can make an anonymous report:

The following are ANONYMOUS reporting methods:

1. Call the State of Ohio anonymous line at 855-642-4453 (855-O-H-CHILD).
2. Complete the form on <https://www.clevelandymca.org/youth-protection>

Please keep in mind that the YMCA's ability to respond quickly and adequately may be affected if the information provided is limited. However, we are committed to responding to all anonymous concerns to the extent possible.

What is the State of Ohio anonymous line?

The State of Ohio's Department of Job and Family Services operates this reporting line. It is an automated telephone directory that links callers directly to a child welfare or law enforcement office in their county. Reports can be anonymous if the caller prefers.

What is the [clevelandymca.org](https://www.clevelandymca.org) reporting form?

When submitted, the form will be directed to the Child Abuse Prevention Committee for investigation. Reporting on the form can be anonymous if the submitter prefers.

30. Policy Requiring Reporting of Red-Flag or Inappropriate Behaviors and/or Policy Violations

Our association has zero tolerance for abuse. It is imperative that every employee or volunteer actively participates in the protection of consumers.

If employees/volunteers observe red-flag or inappropriate behaviors and/or policy violations by other employees or volunteers, it is their professional and personal responsibility to immediately report their observations in accordance with the association's reporting procedures.

Remember, at our association, the policies apply to everyone.

The following are examples of red-flag or inappropriate behaviors that all employees/volunteers are required to report:

- Any violation of the association's abuse prevention policies
- Seeking unauthorized private time or one-on-one time with consumers
- Seeing or visiting with a consumer outside of scheduled programming and outside of the policy guidelines.
- Buying gifts for individual consumers
- Sending unauthorized electronic communications through text messaging, social media, online gaming, etc. in violation of the association's electronic communication policy
- Making suggestive comments to consumers
- Showing favoritism towards a consumer or type of consumer
- Consumers disclosing that an employee or volunteer makes them feel uncomfortable.

All reports of suspicious or inappropriate behavior with consumers will be taken seriously. Our procedures will be carefully followed to ensure that the rights of all those involved are protected.

If employees/volunteers witness suspicious or inappropriate behaviors or policy violations from another employee or volunteer, the individual is instructed to do the following:

- Interrupt the behavior.
- Report the behavior to a supervisor, the branch Executive Director, the Vice President of Youth Development at 216-386-7149.

- People who are not comfortable making the report directly may make it anonymously by completing the form on clevelandymca.org/youth-family or calling the State of Ohio anonymous line at 855-642-4453 (855-O-H-CHILD).
- If the report is about a supervisor or administrator, contact the next level of management.
- Complete an internal report but do not investigate.
- Keep reporting until the appropriate action is taken

31. Progressive Discipline Policy

This organization values the contributions of all employees and strives to provide an environment where those contributions can be acknowledged. To that end, regular and open communication between employees and supervisors is necessary to provide the necessary information and tools to ensure that each employee has the opportunity for success on the job.

Performance Expectations

This organization expects a high level of performance, professionalism, and accountability from employees. Communication between a supervisor and employee regarding performance-related issues should occur on a regular basis and a formal performance review, including a plan for employee development, should be conducted annually.

Coaching and Counseling

Employees are encouraged to ask questions and request guidance from their supervisors whenever needed, and, through coaching, supervisors are encouraged to provide regular feedback to employees on their performance and on their continued development. When performance falls below expectations, supervisors may use a more formal counseling approach to address the performance issue. Counseling should be documented in writing and kept in the supervisor's files for future reference.

Corrective Action Process

For every counseling session, the supervisor must complete an Employee Counseling Notice. The template can be found in SharePoint > Public Internal > Human Resources.

The Human Resources team is available to discuss employee relations issues, advise on the level of corrective action, assist with completion of the forms, and discussing how to approach employee conversations.

Verbal Counseling

This counseling session is an important interaction between the employee and supervisor, providing an opportunity to work together and resolve a problem before further action becomes necessary.

- Upon identifying a policy violation, work deficiency or other employment issue, the supervisor will schedule a meeting with the employee to discuss the situation.
- Depending on the situation, the supervisor may meet with other staff who were directly involved, or as witnesses.
- The employee will be given the opportunity to correct the problem, and/or the supervisor will provide the employee with expectations.
- The supervisor will complete an Employee Counseling Notice to document the conversation. This enables current and future supervisors to refer back to previous situations in a reliable format.
- The Employee Counseling Notice does not need to be signed by the employee.
- The completed form should be emailed to HR Department for review. A copy will be kept in the supervisor's files.

First Written Warning

When verbal counseling is not effective, or if a violation is sufficiently serious, then the supervisor will proceed to a First Written Warning.

Human Resources must be consulted when developing a First Written Warning.

- The supervisor will begin the Employee Counseling Notice, describing the infractions and developing plans for improvement.
- The improvement plan must state that future similar instances, or failure to meet the stated expectations, may result in additional disciplinary action up to and including termination of employment.
- The supervisor will meet with the employee to discuss the situation and improvement plan.
- The employee will have an opportunity to add notes. The employee may have an idea for improvement steps which the supervisor can take under consideration.

- The supervisor will finalize the document and ask for the employee's signature. If the employee refuses to sign, then the supervisor should note that.
- The supervisor will schedule one or more sessions for 1 - 4 weeks.
- Any previous Employee Counseling Notices or relevant documentation, such as emails, must be attached and the complete document sent to hrdept@clevelandymca.org. It will then be added to the personnel file for tracking purposes.

Final Written Warning and Formal Performance Improvement Plan

If the employee continues to exhibit unacceptable behavior or otherwise fails to meet the expectations of the improvement plan, and it is determined that they have the potential for improvement, they should be placed on Final Written Warning.

- The supervisor will work with HR to develop a formal Performance Improvement Plan (PIP). This is a targeted, formal document intended to provide formal notice to the employee concerning the supervisor's expectations and milestones to reach for them. A series of regular follow up meetings will be scheduled, and progress tracked at each meeting, usually at 30, 60 and 90 days.
- With input from HR, the supervisor will discuss the plan with their branch executive and work together on the discussion with the employee.
- The supervisor will present the PIP to the employee and request a signature. It is important that the employee understand that this is a Final Warning and failure to meet all steps of the PIP within the timeline described may result in termination of employment.
- Any previous Employee Counseling Notices or relevant documentation such as emails must be attached, and the complete document sent to hrdept@clevelandymca.org . It will then be added to the personnel file for tracking purposes.

Termination of Employment

- An Employee Action form will be completed by the supervisor for all voluntary and involuntary terminations. It must include signatures by HR and the Branch Executive (for part time positions) or division Vice President (for full time positions) for all terminations.
- All terminations must include eligibility for rehire. If the employee is NOT eligible for rehire then a reason must be given.
- Involuntary terminations must be discussed with Human Resources prior to proceeding with the termination.

- Voluntary terminations must be sent to Human Resources, along with the completed Employee Action Form (EAF), within 24 hours of the last day of work.
- Human Resources will send letters to all terminations, including no call-no show, job abandonment, termination based on disciplinary action, and acknowledgement of employee resignation.
- Any employee who has not been on the schedule for 30 days will be evaluated for continued employment or termination.
- EAFs must be submitted to Human Resources within 24 hours of the termination of employment.

The corrective actions described above are only guidelines and do not constitute a legal contract between the YMCA and its employees. The YMCA reserves the right to set the corrective action which it, in its sole discretion, believes to be in the best interest of the YMCA. Moreover, this policy is not intended and should not be relied upon by the employee to alter the at-will employment relationship which each employee has with the YMCA of Greater Cleveland.

32. Policy Allowing Suspension for Employee Misconduct

Associations are often faced with the difficult decision of determining what action to take when an employee is the subject of allegations of misconduct and/or abuse that require an investigation. The employee's status during the investigation will depend upon the nature of the misconduct and the employee's position.

This association will use the following question to determine the propriety of the employee's continued presence at our association after an allegation of misconduct or abuse has been made and/or during an investigation for misconduct or abuse:

Is the continued presence of the employee likely to create a danger to employees, volunteers, and/or consumers or otherwise be disruptive, detrimental to morale or good order, or an embarrassment to the employer?

1. If the association, using all evidence available to guide decision making, determines there is no risk, the employee should remain in the workplace.
2. If the association, using all evidence available to guide decision making, determines risk does exist but can reasonably be avoided by temporarily reassigning the employee to an available position, the association should make the effort to do so.
3. If the association, using all evidence available to guide decision making, determines risk is present and cannot be avoided by reassignment, or where

an appropriate position is not available, an indefinite suspension or administrative leave should be used until the resolution of the matter.

This association will communicate any decision to suspend or place an employee on administrative leave in writing. The written document announcing suspension or administrative leave must be shared with the employee, consistent with the requirements set forth in the association's progressive discipline policy for written discipline, and a copy must be placed in the employee's personnel file.

33. Policy Defining the Role of the Association's Abuse Prevention Committee Member

Creating and maintaining a culture of safety requires the coordinated efforts of many different operations in an association: human resources, training, program management, finance, risk management, CEO, COO, and the governing body. It also requires specialized expertise. By designating a committee to shoulder this responsibility, accountability can be established, barriers that might exist between operations can be removed, and necessary training can be provided. In addition, this committee can review, track, and analyze incident data to improve abuse prevention efforts.

Individual and Committee

The association has designated the Vice President of Youth Development as a point person for the association's abuse prevention efforts. Additionally, the association has created an Abuse Prevention Committee that oversees abuse prevention efforts. The committee will be comprised of the Vice President of Branch Operations, the Vice President of Property, the Chief Human Resources Officer, or their designees. Others may be included if appropriate. The individual and committee are responsible for:

- A. Responding to any allegation or incident of sexual misconduct, molestation, or abuse;
- B. Analyzing incident data on an annual basis and using this information to identify areas of improvement;
- C. Coordinating abuse prevention training for the association;
- D. Defining screening procedures for individuals with access to consumers;
- E. Ensuring the association responds to drift from associational policies and standards; and
- F. Communicating the following to the Chief Executive Officer:
 - a. Potential exposures and/or drift from associational policies and standards;

- b. Pending litigation;
- c. Media involvement;
- d. High-level incident data and allegations of abuse; and
- e. The association's abuse risk management efforts

Board Involvement

Matters related to child protection will be elevated to the YMCA Association Board of Directors when deemed appropriate by the Vice President of Youth Development, the Abuse Prevention Committee, and the YMCA's Chief Executive Officer.

34. Policy for Classification of Volunteers

There are two categories of volunteers: **High-Access** and **Low-Access**. The category of volunteer determines the level of screening, training, and supervision the volunteer requires.

*If uncertain whether a particular volunteer opportunity is High-Access or Low-Access, pick High-Access because this category provides the greatest protection for consumers and for the association.

High-Access Volunteers

High-Access Volunteers typically interact often or over an extended period with consumers. Such volunteers may be readily known to consumers under their supervision and to other volunteers and employees in the program. They may also supervise consumers with or without an employee present. High-Access Volunteers may carry a substantial amount of responsibility in a program serving consumers and such volunteers may have opportunities to develop relationships with consumers over time. Examples of High-Access Volunteers include a volunteer program instructor, a regularly scheduled volunteer coach, or a mentor for a consumer.

High-Access Volunteer screening process:

- An application with the Code of Conduct attached;
- In-person interview with behaviorally based interview questions;
- References; and
- A multi-state criminal background check and national sex offender registry check.

High-Access Volunteer training process:

- Initial Abuse Prevention Training required of employees in similar position; and
- Annual Abuse Prevention Training required of employees in similar position.

Low Access Volunteers

Low Access Volunteers typically interact with consumers only in line-of-sight of an employee and only infrequently. Such volunteer might be a parent/guardian who is helping at a one-time event, or someone who only works with adults, not consumers. Low Access Volunteers may not be known by the consumers in the program or to other volunteers and employees. Low Access/Occasional Volunteers have limited access to consumers and have few opportunities to develop relationships with consumers over time.

Examples of Low Access Volunteers include a one-time event volunteer (such as for a fun run), parents/guardians who assist at a program where their child is a participant, a volunteer who works strictly with adults outside of the association's property, a volunteer who helps with business activities and does not interact with consumers, or a board member.

Low Access Volunteers are always under direct visual and aural supervision by a YMCA employee. They are never to be left alone with a consumer.

If not already in Daxko, the Low Access Volunteer's name, contact information, date of birth, etc. must be placed into the Daxko database.

Low Access Volunteers are screened via the DOJ National Sex Offender Registry Search daily.