


ATLAS PAINTING AND SHEETING CORPORATION
STANDARD OPERATING PROCEDURES

APPROVED BY: _____


James Frangos - President

**ATLAS EEO / AFFIRMATIVE ACTION POLICY &
PROCEDURES**

It is the policy and practice of Atlas Painting and Sheeting Corporation to assure that no person will be discriminated against or be denied the benefits of any activity, program or employment process receiving public funds, in whole or in part, in the areas of recruiting, advertising, hiring upgrading, promoting, transferring, demoting, layoffs, terminations, rehiring, employment and/or rates of pay and other compensations.

It is the policy and practice of this firm not to discriminate against any individual because of the individual's race, color, religious creed, age, sex, marital status, national origin, citizenship status, ancestry, present or past history of mental disorder, mental retardation, sexual orientation, learning disability or physical disability, including, but not limited to blindness except where any of the above is a bona fide occupational qualification or need.

This policy and practice apply to all persons, particularly those that are members of the protected classes identified as being Blacks, Hispanics, Asian Americans, American Indians, Woman and Handicapped.

This firm will implement, monitor, and enforce this Affirmative Action Police Statement and Program in conjunction with the applicable federal and state laws, regulations and executive orders listed below and also in conjunction with the EEO contract provisions listed below of which we intend to achieve full compliance:

- 1) Civil Rights Act of 1964 as amended
- 2) Presidential Executive Order 11246 as amended
- 3) Title 23 U.S.C. 140
- 4) Title 49 C.F.R. Part 23
- 5) Governor's Executive Orders #3 and #17
- 6) Connecticut Fair Employment Practices Act
- 7) The Americans with Disabilities Act of 1990
- 8) Public Act No. 91-58
- 9) Civil Rights Act of 1991
- 10) Specific Equal Employment Opportunity Responsibilities
- 11) Required Contract Provisions Federal Aid Construction Contracts
- 12) A(76) Affirmative Action Requirements
- 13) Training Special Provisions
- 14) Minority Business Enterprises as Subcontractors
- 15) Standard Federal Equal Opportunity Construction Contract Specification
- 16) Nondiscrimination Act
- 17) NYS Gender Expression Non-Discrimination Act ("GENDA")

In implementing this policy and ensuring that equal opportunity is being provided to protected class members, this firm will contact and request referrals from the following minority and woman organizations, referral sources and minority media each time a hiring opportunity occurs. All said advertising shall also emphasize that the firm is "An Equal Opportunity Employer".

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<u>Name of Source</u>	<u>Contact Person</u>	<u>Telephone No.</u>
NAACP 1490 Jefferson Ave. Buffalo, NY 14208	Rufus Frasier	(716) 884-7243
Erie County Dept. of EEO 95 Franklin Street Buffalo, NY 14201	Bruce Shaw	(716) 858-7542
Urban League Of Buffalo 455 William Street Buffalo, NY 14203	Joanne King	(716) 854-7625
Seneca Nation of Indians Employment Training 1492 Route 438 Irving, NY 14081	Theresa Kass Anerman	(716) 532-9221
National Association of Women In Construction 175 Jefferson Rd. Rochester, NY 14623	Cari Durbin	(716) 786-3198
Equal Opportunity Publications 1160 E. Jericho Tnpk Huntington, NY 11743	Tamara Flaum	(516) 421-9438
The Buffalo News One News Plaza Buffalo, NY 14202	Employment Classified Office	(716) 856-5555

To Substantiate the efforts made and the affirmative actions taken to provide equal opportunity, this firm will maintain and submit as requested documentation such as referral request correspondence and copies of advertisements utilized in conjunction with the above-named sources; in addition, to further substantiate such efforts and affirmative actions, this firm will maintain internal EEO/affirmative action audit procedures and reporting and record keeping systems.


Maternity Leave Policy: *(see attached policy)*

Complaint Procedure: *(see attached policy)*

Sexual Harassment Policy: *(see attached policy)*

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As an equal opportunity employer, it is understood by me, my Equal Employment Opportunity Officer and my supervisory and managerial personnel that failure to effectively implement, monitor and enforce this firm's affirmative action program and the failure to adequately document the affirmative actions taken and efforts made to recruit and hire will result in this firm being required to recommit itself to a modified and more stringent affirmative action program prior to receiving approval of such program by the contracting agency, a prerequisite for performing services for the contracting agency.

Once a year, our affirmative action program will be updated in accordance with the current update procedures being utilized by the contracting agency. In addition, it is understood that the complete affirmative action program of this firm consists of both this affirmative action policy statement and any equal employment opportunity/affirmative action requirements contained in any contracts which we may receive.


Finally, as Chief Executive Officer of this firm, I am personally committed to the effective implementation, monitoring and enforcement of our affirmative action program. I hereby direct the Equal Employment Opportunity Officer of this firm and all supervisory and managerial personnel to implement, monitor and enforce this program with the same dispatch and expertise normally applied in their other job duties.



James Frangos
Chief Executive Officer
Atlas Painting and Sheeting Corporation

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ASSIGNMENT OF RESPONSIBILITIES

Atlas Painting and Sheeting Corporation shall designate a responsible official to monitor all employment related activity to ensure that the firm's EEO policy is being implemented.

I hereby appoint Robert Cohan as the Affirmative Action/Equal Employment Opportunity Officer of this firm.

In addition to the above-named individual's duties, the Affirmative Action/Equal Opportunity Officer shall:

- 1) Develop, implement, and monitor progress on the firm's affirmative action plan.
- 2) Acquaint workers with their specific responsibilities under the plan.
- 3) Initiate and maintain contact with unions, recruitment sources and organizations servicing members of protected groups concerning the achievement of affirmative action requirements.
- 4) Conduct meetings and orientation sessions, as necessary, to advise workers and management of the goals of the plan.

MANAGERS AND SUPERVISORS

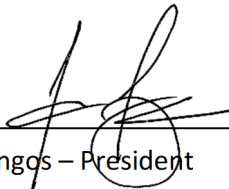
James Frangos - President / CEO / Owner



Robert Cohan – EEO Officer
716-564-0490

1/3/24

Date




James Frangos – President

1/3/24

Date

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MATERNITY LEAVE POLICY

The purpose of **Maternity Leave** is to allow a pregnant employee reasonable time off from work on the basis that she is physically incapacitated and medically disabled and unable to perform her job.

The idea that an employee can be approved for several months of unpaid Maternity Leave up to the labor contract limit simply because she is pregnant or has delivered a child is a misinterpretation and simply not true. The length of time for which the employee is approved for Maternity Leave all depends on the length of time she is medically disabled and can document the disability via a Medical Certificate.

Public Act No. 73-647, effective October 1, 1973, modifies Section 31-126 of the General Statutes and makes it an unfair employment practice:

“(g) for an employer, by himself or his agent, (i) to terminate a woman’s employment because of her pregnancy, or (ii) to refuse to grant to said employee a reasonable leave of absence for disability resulting from such pregnancy, or (iii) to deny to said employee, who is disabled as a result of pregnancy, any compensation to which she is entitled as a result of accumulation of disability or leave benefits accrued pursuant to plans maintained by said employer. Upon signifying her intent to return, such employee shall be reinstated to her original job or to an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits and other service credits unless, in the case of a private employer, the employee’s circumstances have so changed as to make it impossible or unreasonable to do so.”


In accordance with this Statute, the following policy and procedure shall be adopted to cover the disability situations resulting from pregnancy:

“Disability” is defined as the hospital stay and any period prior to and after delivery certified by the attending physician as that period of time when an employee is unable to perform the requirements of her job. Obviously, the period of disability will vary with the individual. Depending upon the circumstances, this certification may be reviewed by an approved State physician.

- 1) During the period of disability, sick leave shall be granted under the same terms and conditions as sick leave would be granted for any other disability.
- 2) Upon expiration of sick leave, the employee may request, and shall be granted, the use of vacation, personal time and earned time.
- 3) Upon expiration of paid leave, the employee must request, and shall be granted a leave of absence without pay, position held. The total period of leave of absence without pay with position being held shall not exceed three (3) months following the date of delivery. A request to continue a leave of absence beyond this three (3) month period must be in writing. If granted, the position may or may not be held for this extended period subject to the appointing authority’s decision.

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MATERNITY LEAVE POLICY (Continued)


All requests for leave under this policy must be submitted, in writing, to the appointing authority accompanied by an acceptable medical certificate. This request shall contain the following information:

- 1) The expected date of delivery.
- 2) Anticipated use of sick leave, vacation, personal leave and earned time.
- 3) Intentions of returning to work.

The rules and regulations governing the use and submission of medical certificates shall apply, except that the doctor's original medical certificate will be accepted for absence due to pregnancy disability up to four (4) weeks after delivery. (Further absence will require additional medical certificates in accordance with normal procedures.) **Note:** Nursing of a child, per se, **will not** be considered disability for sick leave purposes. All leaves of absence without pay more than five (5) consecutive working days will be subject to the approval of the Chief Administrative Officer.

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COMPLAINT PROCEDURE


The Complaint procedure will address discrimination complaints regarding race, color, religion, age, sex, marital status, physical disability (including but not limited to blindness), criminal record, national origin or ancestry of medical disorder (or history thereof), from both current and prospective employees. These individuals have the right to make full utilization of this Complaint Procedure without in any way jeopardizing their current or prospective employment status.

The components of the Complaint Procedure are the following:

- 1) The Equal Opportunity Employment Officer will receive all written complaints of discrimination. These may be direct from the employee or upon referral from a supervisor who has received a complaint from and employee.
- 2) All discrimination complaints filed under this procedure will be accepted for investigation up to and including thirty (30) days after the date of the alleged discrimination act.
- 3) All complaints will be recorded on the "Notice of Discrimination Complaint" form and signed by the complainant. At this time, the complainant will be counseled as to the other avenues of redress open to him or her; i.e., the complaint procedure of the Commission on Human Rights and Opportunities and/or the Connecticut Department of Transportation's Division of Contract Compliance.
- 4) The Division of Contract Compliance and the Transportation Commissioner will be notified simultaneously of all complaints and the ultimate resolution of the complaint.
- 5) All complaints will be investigated and processed by the company's Equal Employment Opportunity Officer within thirty (30) days after their receipt.
- 6) The complainant will be notified, in writing, by the Equal Employment Opportunity Officer regarding the results of the investigation and the final disposition of the complaint, including any proposed remedial action.
- 7) Should the complainant disagree with the Equal Employment Opportunity Officer's decision, he/she can still avail himself/herself of any, or all the other avenues of redress previously explained (see #3).
- 8) In the event of the complaint against the Equal Employment Opportunity Officer, complainants will be advised to utilize the Commission on Human Rights and Opportunities complaint procedure.
- 9) The Equal Employment Opportunity Officer will take the necessary steps to ensure the confidentiality of all Title VII complaint records and of any counseling done during the complaint procedure.

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SEXUAL HARASSMENT POLICY

It is established policy of Atlas Painting And Sheeting Corporation to ensure equal employment opportunity and to prevent discrimination in all practices. Sexual harassment is a type of sex discrimination. It is prohibited by Title VIII of the Civil Rights Act, as amended, and by Connecticut General Statute 46a-60 (a) (8) as a Discriminatory Employment Practice.

Sexual Harassment is defined as “Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made whether explicitly or implicitly a term or condition of an individual’s employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.” In addition, Sexual Harassment can include crude or offensive language or jokes of a sexual nature.

Sexual Harassment will not be tolerated by Atlas Painting And Sheeting Corporation and will be grounds for disciplinary action. Complaints of sexual harassment will be processed by our Equal Employment Opportunity Officer through the established Affirmative Action Complaint Procedure.

It is not Atlas Painting And Sheeting Corporation’s intention to regulate social relationships that are freely entered into by employees. However, it is our affirmative duty to develop and maintain a work place free of sexual harassment and intimidation. We expect the full support and cooperation of every employee to achieve this goal.

GENDER EXPRESSION NON-DISCRIMINATION

On January 25, 2019, New York State enacted the Gender Expression Non-Discrimination Act (“GENDA”) prohibiting employers from discharging, refusing to hire or discriminating against an individual on the basis of gender identity or expression. The new law defines gender identity or expression as “a person’s actual or perceived gender-related identity, appearance, behavior, expression or other gender-related characteristic regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender.” While GENDA codifies the prohibition against gender identity or expression discrimination, such protections previously existed under the New York State Human Rights Law’s prohibition against sex discrimination. In light of GENDA’s enactment, employers should review their equal employment opportunity and sexual harassment policies and, if necessary, revise them to include gender identity and expression as protected categories.

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EMPLOYMENT APPLICATION PROCESS

If a job applicant wishes to apply for employment with our firm:

- 1) If the applicant contacts us at a project site, the project supervisor shall refer this applicant to Mr. Robert Cohan (EEO Officer) at the Atlas Painting and Sheeting Corporation main office. Upon phone contact, Robert Cohan shall mail the applicant a Job Application, review upon return, and if the applicant is considered, shall set up a personal interview with the applicant at or near the project site.

- 2) If the applicant contacts us at our main office, the applicant shall be referred to Mr. Robert Cohan (EEO Officer). Robert Cohan shall then either personally give, or mail, the applicant a Job Application. The application shall be reviewed upon return, and if the applicant is considered, Robert Cohan shall set up a personal interview with the applicant at the Atlas Painting and Sheeting Corporation main office.

NOTICE OF DISCRIMINATION COMPLAINT FORM

	Atlas Painting and Sheeting Corporation 465 Creekside Drive Amherst, NY 14228 (716) 564-0490 x27 (716) 564-0494 – FAX atlaspaint@hotmail.com	Date:	
		Employee:	
		Job Title:	
		Date of Complaint:	
		Supervisor:	
		EEO Officer:	Robert Cohan

COMPLAINT FORM INSTRUCTIONS:

- 1) *Fill Out Employee Information at The Top Right of The Form*
- 2) *State The Nature of Your Complaint in The Area Below*
- 3) *Sign The Form at The Bottom*
- 4) *Turn In the Form to Your Supervisor*
- 5) *Your Supervisor Shall Deliver the Completed Form to The Company EEO Officer*
- 6) *A Reply to Your Complaint Will Be Forwarded to You Promptly*

COMPLAINT: <i>(Please Write Clearly)</i>

<i>EMPLOYEE SIGNATURE</i>	<i>SUPERVISOR SIGNATURE</i>
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