

The Met  
ropolitan  
Opera

Employee Handbook

Welcome to the Metropolitan Opera. We are home to some of the most creative and talented people from around the world, who work both onstage and behind the scenes. Each season, we present more than 200 opera performances in our opera house in Lincoln Center, which are attended by hundreds of thousands of people. Millions more throughout the world experience the Met in movie theaters, on television and radio, in schools, through recordings, and via other media.

This is all made possible by the dedicated people we are proud to call our employees.

## *Our Story*

The Metropolitan Opera was founded in 1883, with our first opera house built on Broadway and 39th Street by a group of wealthy businessmen who wanted their own theater. Since the company's very first season, which opened with a performance of Gounod's *Faust*, the Met has continually engaged the world's most important artists, from Lilli Lehmann and Nellie Melba in the late-19th century to Enrico Caruso and Rosa Ponselle in the early part of the 20th, followed by Kirsten Flagstad, Lauritz Melchior, Renata Tebaldi, Maria Callas, Luciano Pavarotti, Plácido Domingo, Renée Fleming, Anna Netrebko, and countless other great stars.

In 1966, the Met moved to its current home in Lincoln Center, opening with the world premiere of Samuel Barber's *Antony and Cleopatra*, starring Leontyne Price and Justino Díaz in the title roles. The new theater, equipped with the finest technical facilities for its time, featured the famous Swarovski crystal starburst chandeliers and large murals by Marc Chagall for which the house remains famous.

Each season, from late September through mid-May, the Met presents a total of approximately 225 performances across a wide range of repertoire. On average, the company stages five to six new productions each season, alongside as many as 20 revivals. During the season, as many as 80,000 people attend performances in the opera house, which has a capacity of 3,995, including standing room.

Under the leadership of General Manager Peter Gelb and Yannick Nézet-Séguin, the company's Jeanette Lerman-Neubauer Music Director, the Met engages the world's greatest singers for productions staged by the most imaginative directors working in theater and opera. The company also sustains a series of initiatives to broaden its audience both locally and internationally—including the Emmy and Peabody Award-winning *Live in HD* series of cinema performance transmissions, now seen in more than 2,000 movie theaters in more than 70 countries around the world.

## **Our Employees**

Many Met employees are represented by a labor union. Throughout this handbook, you will see we advise employees who are represented by a union to consult their collective bargaining agreement for more information. To the extent that policies in this handbook conflict with provisions of a collective bargaining agreement, the terms of the collective bargaining agreement prevail.

## **A Note about Supervisors and Managers**

Throughout this handbook you will see the terms "Assistant General Manager," "Manager," and "Supervisor." For purposes of this document, these are defined as follows:

**Assistant General Manager:** Assistant General Managers report directly to the Met's General Manager and oversee their respective divisions. The Met's Assistant General Managers, along with the General Manager, Music Director, Deputy General Manager, and General Counsel, compose the Met's executive leadership team.

**Manager:** Managers are those to whom at least one other employee reports. Generally, a manager is responsible for hiring and training his or her employees, coaching and developing them, and evaluating their performance and addressing performance and disciplinary issues.

**Supervisor:** Supervisors have responsibility for supervising the day-to-day operations in a particular area.

## **Open Door Policy**

The Met promotes an environment in which employees can talk freely with members of the management staff. Employees are encouraged to openly discuss with their supervisors any problems or concerns.

If the supervisor cannot be of assistance, or if you are uncomfortable for any reason with taking an issue to your supervisor, you are encouraged to consult with another appropriate member of management or with Human Resources.

## **At-Will Employment**

Except as otherwise provided in a collective bargaining agreement or a written employment agreement signed by an authorized representative of the Met, employees of the Met are employed at-will, which means that either the Met or the employee may terminate the employment relationship at any time, for any reason, with or without notice. Neither the policies contained in this employee handbook, nor any other written or verbal communication, are intended to create a contract of or a warranty of benefits. Thus the Met remains free to change any terms or conditions of employment, and the policies contained in this handbook may be added to, deleted, or changed by the Met in its sole discretion. We will endeavor to notify you of any changes to the handbook as they occur.

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## SECTION 1

# Equal Opportunity Employment

## 1.1

### Equal Employment Opportunity Policy

It is the policy of the Met to provide equal employment opportunities to all applicants and employees on the basis of qualifications for the job and without regard to their membership in a protected class.

Protected class is defined as a group protected by federal, state, and/or local law against employer or employee discrimination.

Groups included under the term protected class for this policy are age; sex; race; color; religion; creed; national origin; disability; veteran or military status; pregnancy; sexual orientation; gender identity or expression; marital or partnership status; alienage or citizenship status; genetic predisposition or carrier status; being a victim of domestic violence, stalking or sex offenses; or any other status protected by federal, state, and local law, regulation, or ordinance.

All applicants and employees are entitled to be free from discrimination because of such individual's legally protected status or because of such applicant's or employee's relationship or association with an individual in a legally protected group, and the Met strictly prohibits such discrimination.

This policy of non-discrimination applies to all actions and decisions affecting an individual's employment, including but not limited to hiring, promotion, demotion, transfer, selection for training, recruitment, layoff or termination, compensation, and all other terms, conditions, and privileges of employment.

Any employee who violates this policy shall be subject to appropriate disciplinary action, up to and including termination of employment.

## 1.2

### Reasonable Accommodation of Disability

The Met is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA") and state and local disability laws, as applicable. It is the Met's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job.

Consistent with this policy of nondiscrimination, the Met will provide reasonable accommodations to a qualified individual with a disability, provided that such accommodation does not constitute an undue hardship for the Met. Generally, an applicant or employee must let the Met know if he or she needs an accommodation because of a disability.

Individuals with a disability who have any questions regarding these procedures or who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Director of Human Resources and Labor Relations.

Employees or job applicants who have questions regarding this policy or who believe they have been discriminated against based on a disability should notify a member of the Human Resources Department. The department will take care to treat all such inquiries or complaints as confidential to the extent consistent with adequate investigation and appropriate corrective action as well as applicable law.

## 1.3

### Non-Discrimination and Anti-Harassment Policy

The Met is committed to a work environment in which all individuals are treated with respect and dignity. Sexual harassment and other forms of harassment and discrimination are against the law and contrary to the Met's values, and the Met will not tolerate them. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Harassment or discrimination based on protected class membership [see Section 1.1] is a form of misconduct that undermines the integrity of the employment relationship and negatively impacts the morale and productivity of our employees. Therefore, the Met expects that all relationships among persons in the workplace will be professional and free of bias, prejudice, and harassment.

Consistent with the Met's policies, sexual harassment or harassment of any applicant, employee, intern, volunteer, independent contractor, or anyone else conducting business at the Met (together, "Met personnel") on the basis of their membership in a protected class is strictly prohibited.

Consistent with the Met's policies, sexual harassment or harassment of any applicant, employee, intern, volunteer, independent contractor, or anyone else conducting business at the Met (together, "Met personnel") on the basis of their membership in a protected class is strictly prohibited.

#### Sexual Harassment

For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has



the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. It makes no difference if the victim of sexual harassment is of the same or different sex as the harasser; any form of harassment based on gender or gender stereotypes is prohibited by the Met.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, a sexually harassing hostile work environment may consist of behaviors that include, but are not limited to, unwanted or unwelcome sexual advances or requests for sexual favors; sexual jokes, innuendo, and banter; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

To be clear, sex-based harassment—that is, harassment not involving sexual activity or language but that is directed at Met personnel because of sex, sexual orientation, gender identity, or the status of being transgender—is also prohibited by the Met. Examples of this type of behavior include, but are not limited to, destruction of personal property in the workplace, defacement of equipment, sabotaging an individual's work product, bullying, excluding and name-calling. Engaging in such conduct by originating, forwarding, or accessing electronic communications via email or the Internet is also specifically prohibited by this policy.

“Quid pro quo” harassment is a form of sexual harassment that occurs when a person in authority propositions a subordinate for sexual favors in exchange for job benefits. These benefits can include, but are not limited to, hiring, promotions, schedule accommodations, or any other terms, conditions, or privileges of employment. Quid pro quo harassment is explicitly in violation of the Met's policy and federal, state, and New York City laws.

#### Other Forms of Prohibited Harassment

It is a violation of this policy for any Met personnel to engage in unwelcome and offensive conduct that: (i) has the purpose or effect of creating an intimidating, hostile, or offensive work environment for others; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities and such conduct is based on an individual's age; sex; race; color; religion; creed; national origin; disability; veteran or military status; pregnancy; sexual orientation; gender identity or expression; marital or partnership status; alienage or citizenship status; genetic predisposition or carrier status; being a victim of domestic violence, stalking or sex offenses; or other legally protected status or based on such individual's relationship or association with an individual in a legally protected group. Examples of prohibited conduct include but are not limited to: jokes about a person's protected class or status; degrading or humiliating statements about protected class or status; pictures or gestures which depict negatively a protected class; and other expressions of stereotypical or prejudicial attitudes about protected class membership. To

be clear, engaging in such conduct by originating, forwarding, or accessing electronic communications or data via email or the Internet is also specifically prohibited.

These policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender or who are members of any other legally protected group, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of the Met prohibit disparate treatment on the basis of sex or any other legally protected characteristic, with regard to all terms, conditions, privileges, and perquisites of employment.

Any individual who violates this policy shall be subject to discipline up to and including termination of employment. Sexual harassment and other harassment is also unlawful under federal, state, and New York City laws, and harassers may be subject to personal liability as well.

Any individual who feels harassed should file a report so that any violation of this policy can be corrected promptly. Any harassing conduct, even as a single incident, can be addressed under this policy.

#### Managers' & Supervisors' Responsibility to Report

Managers and supervisors are required to report any complaint of harassment that they receive, or any observation of harassment, regardless of whether they are directly responsible for the accused or accuser.

### Non-Retaliation Policy

The Met prohibits retaliation against any Met personnel who report discrimination or harassment or participate in an investigation of such reports. Retaliation against any Met personnel for reporting harassment or discrimination or for participating in, or assisting in any way, an investigation of a claim of harassment or discrimination is unlawful and a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action, up to and including termination. Supervisors and managers will also be subject to disciplinary action for engaging in or allowing retaliation.

Retaliation does not have to take place in the workplace to be unlawful and prohibited under this policy. In addition to internal complaint procedures through the Met, legal protections are applicable to victims of retaliation and are presented in further detail in the section on Legal Resources.

### Individuals Covered

The Met's policies of equal employment opportunity and prohibition of discrimination, harassment, and retaliation set forth in this Section 1 of the Handbook apply to all Met personnel and prohibit harassment, discrimination, and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the Met (e.g., outside vendors, employees of Met affiliates abroad, consultants, clients, or visitors).

When non-employees are present at the Met or interact with Met employees (including through electronic communications), they are expected to apply the same standards of conduct that

are expected from employees. If Met personnel feel discriminated against or harassed, sexually or based on membership in a protected class, or are concerned about a violation or potential violation of the policies set forth in this Section 1 of the Handbook as to themselves or others, they should use the complaint form attached to this document, or any of the available procedures covered in the section on Complaint Procedures. Additional legal remedies provided by federal, state, and New York City law are outlined in the section on Legal Resources. The Met likewise expects its employees to treat non-employees with the same courtesy and respect as co-workers.

Unlawful sexual harassment is not limited to the physical workplace itself. Harassment that occurs while Met personnel are traveling on Met-related business, or at Met events and parties, should be reported immediately. Calls, texts, and social media usage can constitute unlawful workplace harassment if instigated by Met personnel, even if they occur outside of work hours. Managers and supervisors are required to report such harassment if reported or observed.

### Complaint and Investigation Procedure

The Met strongly urges the reporting of all incidents of discrimination, harassment, or retaliation, regardless of the offender's identity, position, or level within the Met. All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Individuals who believe they have experienced conduct that is contrary to the Met's policies as outlined

above, or who have concerns about such matters, may file their complaints with their immediate supervisor, another manager, or Human Resources before the conduct becomes severe or pervasive. Individuals should not feel obligated to file a complaint with their immediate supervisor first before bringing the matter to the attention of another manager or Human Resources. A complaint form is available in the Human Resources department and can be used to submit a written report of harassment.

Met personnel may also report complaints through the Met's Hotline at 844.809.1620 or online at [metopera.ethicspoint.com](http://metopera.ethicspoint.com). The hotline is available 24 hours a day, every day of the year and is operated by EthicsPoint.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the Met strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The Met will make every effort to stop alleged discrimination or harassment before it becomes severe or pervasive, but we can only do so with the cooperation of our staff and employees.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that the behavior is unwelcome and requesting that it be discontinued. However, notifying the offender does *not* constitute a complaint

under this policy. An individual should notify someone other than the offender in order to make a complaint under this policy.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially based on the particulars of the situation.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action, as well as with applicable law.

Investigations of reports of sexual harassment will be completed in a timely manner.

The Met will conduct investigations into reports of sexual harassment and other harassment and discrimination, as follows:

- Upon receipt of a complaint, Human Resources will review the need for any immediate action necessary to ensure safety and wellbeing.
- If the complaint was received orally, Human Resources will document a summary of the complaint or will request that the reporting party do so. Human Resources will ask the reporting party to identify any witnesses, documentation, or other materials that may assist in the investigation of the complaint.
- The Met will conduct necessary interviews.
- The Human Resources department will maintain records of the investigation.

- Upon completion of the investigation, the relevant parties will be notified that the investigation has concluded. Corrective and disciplinary action will be confidentially implemented, as appropriate, the details of which will be documented in Human Resources' records.

- The complainant will be provided with additional information regarding the filing of a complaint or charge with federal, state, or New York City authorities as outlined below.

### Legal Resources

Sexual harassment and other forms of harassment as outlined above are not only against the policy of the Met but also violate federal, state, and New York City law. Therefore, the below resources have been provided should any Met personnel choose to pursue an external complaint. These resources are available to employees at any time before, during, or after an internal investigation.

New York State Division of Human Rights (DHR): The Human Rights Law (HRL), protects Met personnel regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the DHR or in New York State Supreme Court.

Complaints with the DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may NOT file with DHR if they have already filed an HRL complaint in state court.

Complaining internally to the Met does not extend your time to file with DHR in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the Met to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, NY 10458, 718.741.8400. [www.dhr.ny.gov](http://www.dhr.ny.gov)

Contact DHR at 888.392.3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC): The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act. An individual can file a complaint with the EEOC anytime within 300 days of the

harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is a reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination has occurred.

If any Met personnel believe they have been discriminated against at work, they can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be

filed. Contact the EEOC by calling 800.669.4000 (800.669.6820 (TTY)), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov)

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

**New York City Protections:** Met personnel who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or 212.306.7450;

or visit [nyc.gov/html/cchr/html/home/home.shtml](http://nyc.gov/html/cchr/html/home/home.shtml). Please review the Stop Sexual Harassment Act Fact Sheet for additional information on filing complaints through the NYCCHR.

**Contact the Local Police Department:** If the harassment involves physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. In such circumstances, you may wish to contact the local police department.

## SECTION 2

# Standards of Conduct

## 2.1

### Anti-Bullying Policy

The Met is committed to providing all employees a healthy and safe work environment and will not tolerate any form of bullying.

Bullying is unwelcome or unreasonable behavior that demeans, intimidates, or humiliates people either as individuals or as a group. Bullying behavior is often persistent and part of a pattern, but it can also occur as a single incident. It is usually carried out by an individual but can also be an aspect of group behavior.

The Met prohibits retaliation against any individual who, in good faith, reports bullying or who participates in an investigation of such reports. Retaliation against an individual for reporting bullying or for participating in an investigation of a claim of bullying is a serious violation of this policy and, like bullying itself, will be subject to disciplinary action, up to and including immediate termination.

Employees who feel they have been victimized by bullying are encouraged to report the matter to their supervisor and/or to Human Resources. Where appropriate, an investigation will be undertaken and disciplinary measures will be taken as necessary.

## 2.2

### Proprietary & Confidential Information

As one of the world's leading artistic institutions, our business often involves matters of the highest sensitivity, confidentiality and discretion. We rely on and trust all employees of the Met to recognize that confidential and proprietary records, trade secrets and information relating to the Met and

its patrons, artists, and productions and must be treated accordingly. No Met or Met-related trade secrets or confidential or proprietary information ("Confidential Information") may be removed from the Met's premises without permission from the Met (except in the ordinary course of performing duties on behalf of the Met). This includes removal of information either via physical or digital means.

Examples of such Confidential Information include, among other things, patron lists; patron preferences; donor files; contact information for donors, audience members, customers, and employees; financial information; marketing strategies; artistic information such as casting and programming decisions that have not been publicly announced; and development strategies.

Employees must not disclose any Confidential Information, purposefully or inadvertently (such as through casual conversation or social media postings), to any unauthorized person inside or outside the Met. Employees should always remember not to discuss the Met's confidential business matters with others present who do not have a need to know such information. This includes discussing such matters in a public space where confidential information could be overheard.

In order to ensure that no inadvertent disclosure occurs, employees who are unsure about the confidential and proprietary nature of specific information are encouraged to ask their manager or Human Resources for clarification about whether it constitutes Confidential Information. Please be aware that employees will be subject to appropriate disciplinary action, up to and including dismissal, for revealing Confidential Information.

In the event of termination of employment, employees must return to the Met all Confidential Information.

## 2.3

### Conflicts of Interest

Given the visibility and prestige of our organization, it is very important we work to avoid conflicts of interest and the appearance of conflicts of interest. Conflicts of interest include any activities, decisions, or conduct involving the Met or its business activities that are, or have the appearance of being, influenced by considerations of personal gain or benefit to the employee or his or her relatives—either direct or indirect. A conflict may occur whether or not the conduct in question is, in fact, contrary to the best interests of the Met.

For additional clarification, the following examples are intended to illustrate some of the more common situations in which conflicts of interest are likely to arise.

- Employees or their family members owning an interest in or working at a company with which the Met does business, or having the Met do business with a company in which a family member owns an interest or in which a family member works.
- Accepting or seeking anything of value (e.g. gifts, gratuities, or favors) from any person or entity in connection with any transaction with vendors or others with whom the Met does business or with whom the Met seeks to do business. Please see Receiving and Giving of Gifts later in this Section 2.3 for more information.
- Having a direct supervisory or managerial relationship with a family member or having responsibility for reviewing or approving

proposals, invoices, documents, and other materials submitted by a family member. Please see Section 2.11 for more information.

- Involvement in hiring a family member, including a child, spouse, domestic partner, parent, sibling (including a half, adopted, or step sibling), grandchild, grandparent, child, or parent of an employee's spouse or domestic partner, any other individual related to by blood, or any individual whose close association is the equivalent of family. Please see Section 2.11 for more information.
- Acting as a board member of another entity with which the Met collaborates or conducts business. Senior-level employees should not serve on the Boards of Directors of other arts-related not-for-profit organizations, without approval of the General Manager.
- Using the Met's name, stationery, copyrights, or trademarks for personal business.
- Using the access you have to members of the Met community (including, but not limited to, Board members, customers, and donors) by virtue of your employment at the Met for personal advantage.

Employees who believe they may have a conflict of interest or the appearance of a conflict of interest should discuss the full details of the situation with their supervisor as well as Human Resources.

### Outside Employment and Corporate Opportunities

Please be aware that in addition to the restrictions described above, maintaining outside employment or another position of interest (except as specifically authorized by the Met) may place you in a conflict situation if it materially interferes with the time or attention you should devote to the Met.

Employees who engage in work in addition to their Met employment must ensure that such work does not adversely affect their job performance at the Met and their ability to fulfill all responsibilities to the Met.

Employees may not use paid or unpaid sick leave to work an outside job, and fraudulent use of sick leave will result in disciplinary action, up to and including termination.

### Use of Met Assets and Resources

A conflict of interest is created by employees who engage in activities on Met time, or use or allow the use of Met facilities, materials, supplies, or equipment (including any equipment or software, or any duplicating equipment), for their personal business, benefit, or profit, except where such use is extremely minor in nature. In addition, a conflict of interest is created by employees who use Met funds to any extent for personal business, benefit, or profit.

### Receiving and giving gifts

Conflicts of interest may also arise with the giving and receiving of gifts and entertainment, which can sometimes be construed as attempts to unduly influence a relationship.

If Met employees are offered gifts that are valued—either individually or in combination with other gifts from the same source—at more than \$200 in any calendar year from individuals or organizations doing business or wishing to do business with the Met, the employees should discuss the gift with their Assistant General Manager before accepting it. Assistant General Managers are encouraged to discuss with the General Counsel if there is any question regarding whether it is appropriate for the employee to accept the gift.

Please note that accepting gifts of money is never permissible.

Attending occasional lunch or dinner meetings hosted by others may be necessary when conducting Met business. However, please remember to exercise discretion in accepting invitations to dinners, lunches, or other forms of entertainment offered by individuals or organizations doing or wishing to do business with the Met. Your judgment should tell you when an invitation to such a meeting or event is improper and should be refused.

### Honorarium payments

Unless otherwise provided in a collective bargaining agreement or applicable law, Met employees may not receive honorarium payments related to their participation in seminars, lectures, conferences, or related activities at which they are representing the Met. In the event such payments are offered, please contact the Deputy General Manager to arrange for the Met to receive these payments. If you are offered money to help offset the cost of travel, lodging, and meals related to your participation in such activities, please speak to the Deputy General Manager to discuss whether it is permissible to accept these funds.

## 2.4

### Attendance, Punctuality & Dependability

The nature of our work at the Met is such that every employee is crucial to our success. Because the Met depends heavily upon our employees, it is important that everyone attends work as scheduled. We expect everyone at work on all scheduled work days and during all scheduled work hours and to report to work on time.

We also are aware that occasionally, unforeseeable circumstances arise. Please notify the Met if you are going to be tardy or absent, following the established notification procedures for your department.

If you have any questions about those procedures, please speak to your supervisor. It is crucial that you communicate with your supervisor should you have circumstances that interfere with your ability to be at work as scheduled.

A careful record of attendance is kept by your supervisor and becomes part of your personnel record. Excessive absenteeism and lateness lessen an employee's chances for advancement and may result in disciplinary action, up to and including termination.

## 2.5

### Dress Code & Appearance

Met employees are expected to maintain a professional appearance at work at all times. The specific dress code depends on your department and your role. Please speak to your supervisor if you have any questions about what is appropriate attire for your job.

## 2.6

### Computer, Phone Systems, & Equipment Use Policy

The computer hardware, equipment (including laptops, phones, tablets, and other digital devices), software, network, Internet connectivity, electronic mail, chat systems, e-mail addresses, work-authorized business social media accounts and handles, voicemail, and other computer or electronic communication or data storage systems provided by the Met ("Computer Systems") are the

property of the Met. The Computer Systems have been provided by the Met for use in conducting Met business. All communications and information transmitted by or through, received or accessed from, or stored in these systems are Met records and property of the Met.

### No Expectation of Privacy

Employees have no reasonable expectation of personal privacy with respect to any matter stored in, created on, received, transmitted, or accessed through, or sent over the Computer Systems. The Met has the right to monitor or review any and all aspects of its Computer Systems and all files, documents, or other information stored in, created on, received, transmitted, or accessed through, or sent over the Computer Systems for any reason and without the permission of any employee. This includes possible monitoring or review of web sites visited by employees, chat and news groups, e-mail, and blogs, as well as review of deleted files, metadata, and other electronic information stored or captured on the Met's central storage or back-up systems or otherwise available as part of its data management.

The Met has the right to monitor or review the contents of employees' personal, password-protected, and web-based e-mail, or other accounts, including personal e-mails that are accessed, sent, or received on the Met Systems. An employee does not have any greater right of privacy or diminish the Met's right of access by using passwords or other security measures on the Met's Computer Systems.

### Professional Use of Computer Systems Required

All the Met's policies with respect to workplace conduct apply equally to conduct with respect to its Computer Systems. This includes, but is by no means limited to, the Met's policies

against discrimination and harassment, sexual or otherwise, and its non-solicitation policy. Creating, soliciting, posting, or distributing of offensive material of a kind prohibited by the Met's policies against harassment and discrimination is strictly prohibited.

Employees may not access, or attempt to obtain access to, another employee's email, electronic files, or phone messages without appropriate authorization.

Although the Met may employ filters or other screening devices to block offensive, sexually explicit or similarly inappropriate material, it generally is not possible to block out all such offensive content or "spam" that may be received from outside individuals and entities. Employees encountering or receiving this kind of material are encouraged to report the incident to Human Resources or Information Services ("IS"), as appropriate.

### Be Considerate of Others

Employees are reminded to always conduct themselves in a professional manner when using the Met's Computer Systems. E-mails in particular are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them, absent prior approval from Met management.

### Limitations on Internet Use

Personal use of the Computer Systems (e.g. "surfing the web," playing games, streaming videos, shopping) must be limited and must not interfere with an employee's job performance, harm the performance of the Computer Systems, or violate any law or Met policy. Personal use of the Computer Systems beyond minimal incidental personal use, or otherwise in violation of this policy, may result in disciplinary action.

## Maintaining and Securing the Systems

Network user passwords must be changed at least every 90 days for each individual user, and other software may require regular password changes as well. Users who do not change their password will be locked out of the Met's systems. Users should never display, email, text, or otherwise share their Met network or other application password(s) with any other individual. Password security is the user's responsibility, and sharing of this password is a violation of the Met's Information Systems Security Policy. Violation of this policy may result in disciplinary action.

Users should routinely delete outdated or otherwise unnecessary e-mails, voicemails, and computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.

All Met email is automatically archived into an email archive system as it is sent or received. This is by design and allows the Met to maintain all records of email transactions, regardless of whether or not the employee deletes it.

To ensure security and to avoid the spread of viruses, ransomware and the like, the Met employs various virus protection softwares and email and web security tools. Tampering with virus protection software and other deployed security tools is a violation of the Met Information Systems Security Policy. Employees may only access the Met's network through an approved device (computer, laptop, phone, tablet, or other digital device). Non-approved devices on the Met network are a violation of the Met's Information Systems Security Policy.

Devices that attach to the Met's Wireless network must be registered through the online registration provision service (where required) and must meet appropriate standards to be on the wireless

network. Cracked, hacked, or otherwise non-secured devices are prohibited from using the Met's wireless network. In addition, files obtained from sources outside the Met, including disks and thumb drives brought from home; files downloaded from the Internet, news groups, bulletin boards, or other online services; files attached to e-mail; and files provided by customers or vendors may contain dangerous computer viruses that may damage the Met's computer network. Employees may not download or use these disks or files on the Computer Systems without first scanning the material with Met-approved virus checking software. If you suspect a virus has been introduced into the Met's network, notify the IS Department immediately.

## Managerial Approval

All requests for new and existing employees to be granted access to any Met computer or phone systems or programs requires approval from the applicable Assistant General Manager or the General Manager.

## Met Email Data on Personal Devices

The use of Met Email Data on Personal Devices is granted through the IS Department after an employee is authorized by their Assistant General Manager. This access is granted through the Met's Mobile Device Management (MDM) client and requires that a specific App be maintained on the employee's device for it to remain active.

The Met reserves the right to revoke Met Email Data from an employee's device for any reason and at any time with or without the employee's consent. All Met Email Data on a personal device is governed by the same rules that apply to Met Email Data on Met Computer Systems.

If a user's personal device is lost or stolen, the Met has the right to lock the employee's personal device and remove Met Email Data from the device remotely.

Employees may use the Met's Email Web Access client to review email on their personal devices or from any personal computers, as this client does not allow email to remain resident on the device once the client is closed.

Employees are not authorized to use any alternative tools, apps, or clients to save Met Email Data on their personal device. Failure to adhere to this policy may result in disciplinary action up to and including termination.

## Violations of Policy

Any employee who discovers misuse of any of the Computer Systems should immediately contact Human Resources or the IS Department, as appropriate, depending on the nature of the violation. Violations of the Met's Computer Systems policy may result in disciplinary actions, up to and including termination.

# 2.7

## Social Media Policy

Employees are personally responsible for the content of any personal online activities (regardless of whether sites are accessed through the Met's Computer Systems or during working or non-working time) and should continue to hold themselves to the same high professional standards and rules that otherwise apply off-line.

Please read this section carefully to ensure your Social Media presence and profiles are consistent with Met standards. Whether for business or otherwise, employees must adhere to the following guidelines at all times when



using Social Media Sites (including, but not limited to, Facebook, Twitter, Instagram, Snapchat, LinkedIn, and blogs):

- Employees are prohibited from making any comments on behalf of the Met through Social Media Sites without the express approval of the Press Director, and any such comments must be in accordance with applicable internal policies or guidelines as they may exist from time to time.
- No employee may host or maintain a Social Media Site using the Met's technology or equipment or Computer Systems, or under the Met name, without prior approval from the General Counsel.
- Employees may not use their work email address for their personal accounts on Social Media Sites, with the exception of LinkedIn.
- Employees must promptly change their employment status on any Social Media Sites upon separation of employment with the Met because employees are not authorized to represent themselves as employees of the Met after termination of employment.
- The Met's equal employment opportunity policy and its policies against sexual or other harassment as described in Section 1 of the Handbook apply fully to the use of the Internet, including Social Media Sites. If conduct is in violation of the Met's policies, the Met may request that the employee cease the commentary or remove the offensive posting, and may take appropriate disciplinary action.

If employees disclose their association with the Met in connection with personal non-work-related communications, where there could be confusion as to whether the employee is speaking on behalf of the Met, a disclaimer along the following should be included: "This is my personal view, and I'm not speaking for or representing the Metropolitan Opera."

Violation of the Met's Social Media Policy is grounds for disciplinary action, up to and including termination of employment.

## 2.8

### Photographs and Recordings

Taking video or photographs or making audio recordings inside the Met's offices, rehearsal rooms, stage area, shops, and warehouses, and other areas of the Met may inadvertently capture confidential and proprietary information of the Met; interrupt or distract performances, rehearsals, or auditions; or potentially compromise the security of Met property and personnel. Moreover, some employees, performers, or visitors may object to being in photographs or otherwise recorded or videotaped out of personal privacy concerns.

To protect these interests, employees should not take pictures or make recordings within work areas without authorization from management, building security, and those who will be photographed or recorded.

## 2.9

### Workplace Violence Prevention

The Met is committed to preventing workplace violence and to maintaining a safe work environment. We have adopted the following guidelines regarding intimidation, harassment, or other threats of (or actual) violence that might occur during business hours or on Met premises. Please read this section thoroughly to understand your rights to a safe environment and also to be able to recognize behavior or actions that threaten these rights.

Everyone at the Met, including visitors and temporary employees, should be treated in a professional manner and with respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. The Met prohibits use or possession of firearms, weapons, and other dangerous or hazardous devices and substances on the premises of the Met without proper authorization.

The Met will not tolerate conduct that physically threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time on its premises or while on Met business (such as at a vendor's worksite, at work-related conferences, or while traveling for Met business). This includes all acts of harassment based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, either direct or indirect, should be reported as soon as possible to your supervisor or any other member of management, to building security, or Human Resources. This includes threats by employees as well as threats by customers, vendors, solicitors, or anyone else. When reporting a threat of violence, it is important to be as specific and detailed as possible. Do not place yourself in danger or intercede in any situation where your physical safety may be threatened.

For assistance, please contact Security via their emergency line (x2222 if you're calling from a Met phone or 212.799.3100 x2222 if you're calling from a non-Met phone).

The Met will promptly and thoroughly investigate all reports of threats of (or actual) violence. The identity of the person who made the report will be protected to the extent practical and consistent with resolving the issue.

To maintain workplace safety and the integrity of its investigation, the Met may suspend an employee, either with or without pay, pending investigation.

As the Met highly values the safety, security, and well-being of its employees, any person who engages in any violent behavior or threats of violence in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

If you are having a dispute or differences with another employee, we encourage you to discuss it with your manager or the Human Resources Department before the situation escalates into potential violence. The Met is eager to assist in the resolution of employee disputes, and we will not discipline an employee for raising these types of concerns.

## 2.10

### Drug & Alcohol Policy

The Met is committed to protecting the safety, health, and well-being of all employees and other individuals in our workplace, and we must take violations of our Drug & Alcohol policy very seriously. Should you have any questions, the Human Resources Department is always available to provide additional guidance.

#### Definitions

For purposes of this policy:

- “Illegal drugs or other controlled substances” means any drug or substance that (a) is not legally obtainable; (b) is legally obtainable but has not been legally obtained; or (c) has been legally obtained but is being sold or distributed unlawfully.

- “Controlled substances” include any form of narcotic, hallucinogen, depressant, stimulant, or other drug whose use, possession, or transfer is restricted or prohibited by law, including but not limited to marijuana, cocaine, morphine, heroin, amphetamines, and barbiturates.
- “Legal drug” means any drug, including any prescription drug or over-the-counter drug, that has been legally obtained and that is not unlawfully sold or distributed.
- “Abuse of any legal drug” means the use of any legal drug (a) for any purpose other than the purpose for which it was prescribed or manufactured; or (b) in a quantity, frequency, or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.
- “Reasonable suspicion” includes a suspicion that is based on specific personal observations such as an employee’s manner, disposition, muscular movement, appearance, behavior, speech, or breath odor, information provided to management by an employee, by law enforcement officials, by a security service, or by other persons believed to be reliable; or a suspicion that is based on other surrounding circumstances.
- “Possession” means that an employee has the substance on his or her person or otherwise under his or her control.

This policy applies any time an employee or other person working for the Met is:

- on Met premises;
- conducting or performing Met business, regardless of location;
- operating or responsible for the operation, custody, or care of Met equipment or other property; or
- responsible for the safety of anyone connected with the Met.

The following are prohibited by this policy and may result in disciplinary action, up to and including termination:

- Using, possessing, purchasing, selling, manufacturing, distributing, transporting, or dispensing:
  - any illegal drug or other controlled substance
  - any legal drug in a manner inconsistent with the law
- Being under the influence of any illegal drug or other controlled substance;
- Abusing any legal drug;
- Working while impaired by the use of a drug whenever such impairment might:
  - Endanger the safety of the employee or another individual;
  - Pose a risk of significant damage to Met property or equipment; or
  - Substantially interfere with the employee’s job performance or the efficient operation of the Met’s business or equipment.

#### Use of alcohol

It is never permissible to be impaired by alcohol in situations when this policy applies (as defined earlier in this section), regardless of where the alcohol was consumed.

Reasonable, limited consumption of alcohol at work-related functions (e.g. business dinners) and events that are hosted by the Met (e.g. company-wide holiday and end-of-season parties) is permissible.

Serving and consuming alcohol at work gatherings that are not hosted by the organization—e.g. department get-togethers such as birthday lunches and backstage opening and closing night celebrations—should be limited to a few times a year at most and require prior approval from your manager. Excellent judgement must be exercised regarding the frequency of such gatherings as

well as the type and amount of alcohol consumed. All other consumption of alcohol on work premises is prohibited, regardless of whether the employee is “on the clock” while consuming it.

While the Met’s policy regarding alcohol exists to help protect employees’ safety, please also keep in mind that the presence of alcohol can make people uncomfortable, based on their own experiences with alcohol. The Met values providing a safe and supportive work environment to all employees and encourages everyone to be mindful of how the presence of alcohol at work may impact others.

#### Use of Legal Drugs

The Met recognizes that employees may, from time to time, be prescribed legal drugs that, when taken as prescribed or according to the manufacturer’s instructions, may result in employees’ impairment. Employees may not work while impaired by the use of legal drugs if the impairment might endanger the employee or someone else, pose a risk of damage to Met property, or substantially interfere with the employee’s job performance. Employees so impaired by the appropriate use of legal drugs, may not report to work. To accommodate the absence, the employee may use available sick leave, vacation time, or other leave time provided by the Met for which the employee is eligible. Employees may also contact their supervisor to determine whether or not they qualify for an unpaid leave of absence, such as family medical leave. Nothing in this policy is intended to diminish the Met’s commitment to employ and reasonably accommodate qualified disabled individuals. The Met will reasonably accommodate qualified disabled employees who must take legal

drugs because of their disability. For more information, see Section 1 of this Handbook, or speak to a member of the Human Resources Department.

Nothing in this policy is intended to prohibit the customary and ordinary purchase, sale, use, possession, or dispensation of over-the-counter drugs, so long as that activity does not violate any law or result in an employee being impaired by the use of such drugs in violation of this policy.

#### Disciplinary Action

If the Met determines that an employee has violated this policy, the Met may take appropriate corrective action and may impose discipline including warnings, probation, reassignment of responsibilities, suspension, or termination of employment. Please note that the Met may terminate an employee for a first offense. In keeping with our commitment to our employees’ health and well-being, in certain circumstances, an employee may be referred to a substance abuse professional or the Employee Assistance Program for assessment and recommendations. In some cases, the employee may be subsequently required to successfully complete recommended rehabilitation including continuing care, among other conditions, before returning to work.

#### Effect of Criminal Conviction

As an additional requirement of this policy, employees must notify the Met of any conviction under a criminal drug statute for a violation occurring in the workplace or during any Met-related activity, not later than five days after any such conviction. An employee who is convicted under a criminal drug

statute for a violation occurring in the workplace or during any Met-related activity or event will be deemed to have violated this policy.

#### Assistance

The Met recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy offers employees assistance with alcohol and drug problems through the Employee Assistance Program (EAP). Treatment for alcoholism and/or other drug use disorders may be covered by our employee group health plan, as well. However, the ultimate financial responsibility for recommended treatment belongs to the employee. Employees who wish to voluntarily enter and participate in an approved alcohol or drug rehabilitation program are encouraged to contact Human Resources, who will determine whether the Met can provide a reasonable accommodation, such as unpaid leave for the time necessary to complete participation in the program. To the extent permitted by law, employees may be required to use vacation time or other accrued paid time off during such a leave.

#### Confidentiality

All information received by the organization through this program is confidential. Access to this information is limited to those who have a legitimate need to know in compliance with applicable laws and management policies.

## 2.11

### Employment of Family Members & Consensual Relationships

The Met does not encourage the employment of family members of employees, board members, and others closely associated with the Met, as the potential problems arising from the employment of relatives unfortunately often outweighs the benefits. While relatives may be or have the potential to be very good performers, there is great potential for professional and personal conflicts that can affect family members and co-workers.

Individuals being considered for employment at the Met must disclose any family or romantic relationships with existing Met employees, board members, or others closely associated with the Met prior to being hired.

For those situations where an individual who is romantically involved or has a family relationship with an employee, board member, or other individual closely related to the Met is considered for employment, the following will apply:

- Family members will be considered for employment on the basis of their qualifications.
- Immediate family or individuals romantically involved with an employee, board member, or other individual closely associated with the Met cannot be hired if employment would:

- Create a supervisor/subordinate relationship with a family member or an individual who is romantically involved with an employee;
- Create a situation in which an employee would be entering or approving payroll or expenses for a family member or an individual with whom he/she is romantically involved;
- Have the potential for creating an adverse impact on work performance; or
- Create either an actual conflict of interest or the appearance of a conflict of interest.

Unless contrary to law or a collective bargaining agreement, employees who during the course of employment become immediate family members or establish a romantic relationship with another Met employee, board member, or other individual closely associated with the Met must advise their supervisor immediately. They may continue employment as long as it does not involve any of the prohibited situations outlined above. If one or more of the conditions above should occur, the employees may be required to transfer to another position or resign.

For the purpose of this policy, family includes: spouse, domestic partner, parent, child, sibling, in-law, aunt, uncle, niece, nephew, cousin, grandparent, grandchild, and members of household. This policy also applies to romantic relationships.

## 2.12

### Whistleblower Policy and Reporting Procedure

The Met requires all employees to observe high standards of business and personal ethics in the conduct of their duties. Employees are expected to bring to the Met's attention information about suspected non-compliance or violations of law or improper conduct by any Met employee or agent, including but not limited to, suspected fraud, theft, embezzlement, false time entries, accounting or auditing irregularities, antitrust violations, bribery, kickbacks, misuse of assets, violations of Company policies or rules, or any other suspected regulatory, compliance, or ethics-related issues, concerns, or violations.

The Met prohibits retaliation against any Met personnel who make such reports or participate in an investigation of such reports. Retaliation is a serious violation of Met policy and will be subject to disciplinary action, up to and including termination. Supervisors and managers will also be subject to disciplinary action for engaging in or allowing retaliation.

For more information, please see Appendix A for the Met's Whistleblower Policy.

## SECTION 3

# Working at the Met

## 3.1

### Employment Categories

*Please note the information in this Section 3.1 - Employment Categories applies only to the Met's administrative staff. If you are represented by a union, please consult your collective bargaining agreement for information on Employment Categories and continue to Section 3.2 - Disciplinary Action.*

**Full-Time Employee:** On a consistent basis, works a minimum of 40 hours per week, inclusive of lunch periods (the standard length of which are one hour for a full day worked). Regular full-time employees are eligible for all benefits offered by the Met, subject to the eligibility criteria, terms, and conditions of the applicable benefit plans.

**Part-Time Employee:** Works fewer than 40 hours per week on a consistent basis. Part-time status may impact eligibility for certain employee benefits as set forth in applicable benefit plan documents and law. In general, employees who work fewer than 30 hours per week on a consistent basis are ineligible for certain benefits, including group health benefits, but would be eligible for all legally mandated benefits, such as Workers' Compensation insurance and any state-mandated short-term disability benefits.

**Temporary Employee:** Hired for a specific period of time (generally less than 12 months). Temporary employees are eligible for all legally mandated benefits, such as Workers' Compensation insurance and any state-mandated short-term disability benefits, and may be eligible for other benefits, depending on the specific details of their employment. Temporary employees may work a full-time schedule of 40 hours during their period of temporary employment and may be required to work overtime as business needs require.

**Exempt/Non-Exempt Status:** Each employee is designated as either non-exempt or exempt under the federal Fair Labor Standards Act and applicable state wage and hour laws.

Non-exempt employees are entitled to overtime pay for hours worked in excess of 40 per week, under the specific provisions of federal and state laws. Exempt employees generally receive a salary for all work performed, regardless of whether they work more than their regularly scheduled work week, and are not entitled to overtime pay.

The Human Resources Department is available to meet with employees to answer any questions regarding your employment status, eligibility for overtime or other benefits.

## 3.2

### Disciplinary Action

Consistent feedback and coaching are vital to support our goal of cultivating and developing Met employees at every level. In addition, the Met may also utilize progressive discipline when we deem it appropriate. Please note the Met need not follow any specific order of discipline for at-will employees and reserves the right to immediately discharge such employees in our sole discretion.

The Met is committed to consistent and direct dialogue to address concerns regarding employees' performance or conduct, when appropriate. Disciplinary action may be imposed, including but not limited to situations involving any of the following misconduct: tardiness, excessive unexcused absences, insubordination, poor performance, violation of policy, etc. When discipline is necessary it may include, without limitation, verbal warnings, written warnings, probation, suspension without pay, demotion, and termination, to be determined by the Met in our sole discretion.

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## 3.3

### Training

The Met periodically provides employees with the opportunity for training to assist in their professional development and/or to alert them to policies and changes in policies. This may include safety training, participation in off-site training and continuing education when necessary for job safety and work performance. The Met's equal employment opportunity policy applies with respect to all training opportunities.

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## 3.4

### Telecommuting

**Occasional remote working:** Employees may be granted permission to work remotely on a temporary, infrequent basis, subject to the approval of the applicable Assistant General Manager.

A request to occasionally work remotely will be considered on a case-by-case basis, based on the following factors:

- The reason for the request;
- The nature of the employee's work and whether it can successfully be performed remotely;
- The employee's performance record; and

- Whether the employee has access to work email, network files, and other necessary resources from home

An employee's request to work remotely due to inclement weather will be considered if the inclement weather poses not merely a commuting inconvenience but rather a legitimate safety concern.

When an employee works remotely, that time should be coded in the payroll system using the paycode that has been designated for this purpose. Please speak to the Payroll Department for more information.

**Frequent telecommuting:** Due to the nature of the Met's work and the many benefits of working in a shared location, the Met generally does not approve long-term telecommuting arrangements in which an employee regularly works remotely part or all of the time. In extraordinary circumstances, such an arrangement may be considered based on the following factors:

- The reason for the request to telecommute;
- The nature of the employee's work and whether it can successfully be performed remotely;
- The employee's performance record;
- The employee's exempt status (it is the Met's policy that only employees who are categorized as exempt per the Fair Labor Standards Act may be considered for long-term telecommuting arrangements)
- Other relevant criteria

Long-term telecommuting arrangements must be approved by the Director of Human Resources, and employees who are granted permission to regularly work remotely will be asked to enter into a telecommuting agreement. Please contact Human Resources for more information.

The Met may amend or terminate an employee's telecommuting agreement at any time.

Please remember that the Met's Computer, Phone Systems, & Equipment Use Policy applies fully when an employee is working remotely.

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## 3.5

### Multiple Positions

To ensure compliance with the Fair Labor Standards Act and other rules and regulations, the Met generally discourages employees from holding more than one position with the Met, regardless of whether the positions are in different departments, one or both are covered by a collective bargaining agreement, or are full-time or part-time.

No employee should accept or be offered an additional position at the Met without the prior approval of the Director of Human Resources.

## SECTION 4

# Work Hours and Compensation

## 4.1

### Paydays

Employees are paid weekly and are encouraged to utilize direct deposit to minimize a disruption in payment. The Met does not provide payroll advances.

## 4.2

### Meals and Rest Breaks

Under New York State law, employees who work a shift of more than six hours, which extends over the noonday meal period (11AM to 2PM), are entitled to at least a 30-minute meal break within that period. Every person employed for a period or shift starting before 11:00AM and continuing later than 7PM is also permitted an additional meal period of at least 20 minutes between 5PM and 7PM.

All employees are expected to take their meal breaks, and non-exempt employees should record the start and end time of their meal breaks each day. If for any reason, however, a non-exempt employee should happen to perform any work during a meal period, the time must be recorded as time worked.

As with all other sections of this Handbook, collective bargaining agreements may have different rules.

## 4.3

### Lactation Accommodation for Nursing Mothers

The Met fully supports employees who are nursing children, and we prioritize a comfortable transition back to the workplace following the birth of a child. Nursing mothers who choose to express milk during the work day have the right to request a lactation room and will be given reasonable break time for this purpose. The Met will provide suitable space that is shielded from view and free from intrusion.

The Met has designated a room in the opera house for use by nursing mothers. To request use of the lactation room, please call Human Resources at 212.799.3100 x2503 or email [hr@metopera.org](mailto:hr@metopera.org). Please note that employees who anticipate the need to arrange for nursing breaks should make best efforts to communicate their request in advance of returning to work so that appropriate arrangements can be made. The Met will respond to all requests for a lactation room no later than five business days after receiving the request.

The Met is committed to supporting the needs of nursing mothers concurrent with the successful return to daily job duties. As much as possible, employees are asked to take nursing breaks at times that do not interfere with their duties. Employees also may choose to express milk during their meal breaks.

Should two or more employees submit concurrent requests for a lactation room, Human Resources will work with department supervisors and employees to facilitate break times that effectively stagger room use. In some cases, an alternate space will be designated for the duration of the request should scheduling conflicts present an undue burden on department operations. Employees may follow up with Human Resources directly if needed by calling 212.799.3100 x2503 or emailing [hr@metopera.org](mailto:hr@metopera.org).

Where space constraints at another Met facility do not allow for a dedicated nursing room, or in a case where the request for a lactation room presents an undue burden on the Met, Human Resources will engage in a cooperative dialogue with the employee to find a reasonable solution, including the creation of a temporary space to be made available as needed.

## 4.4

### Overtime Pay

Depending on Met work needs, employees may be required to work overtime when requested to do so. Prior approval of a supervisor, however, is required before any non-exempt employee works overtime.

Except as otherwise provided for in a collective bargaining agreement, non-exempt employees generally are eligible for overtime pay for hours

worked above 40 in their workweek. For most non-exempt employees, the overtime rate of pay will be 1.5 times the employee's regular hourly rate. The overtime rate, calculation and payment of overtime, however, can vary based on position and state law. Employees will be informed if they are eligible for overtime, their overtime rate and how and when overtime will be calculated. The time a non-exempt employee spends working, including overtime, must be recorded on a time record in accordance with the Met's timekeeping procedures.

Please be aware that non-exempt employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you perform but fail to report as time worked. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge. Likewise, no supervisor or manager may ask a non-exempt employee to work without recording his/her time. Employees who believe they have not received appropriate overtime pay and/or there is any error in payment of overtime should promptly notify their supervisor and Human Resources in accordance with the procedures for requesting corrections to pay in Section 4.6. Any violations of the policies in this paragraph should be reported to Human Resources.

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## 4.5

### Timekeeping

Employees are required to inform the Met when they are absent from work. Non-exempt employees are responsible for accurately recording the hours they work. The law requires the Met to keep accurate records of "time worked" in order to correctly calculate employees' pay and benefits. "Time worked" means all the time that non-exempt employees spend performing their assigned work. Non-exempt employees must record accurately the start and end time of their work each day (including any overtime worked).

If you forget to clock or sign in or out, or realize there is an error on your time records, please notify your supervisor immediately so the time may be accurately recorded for payroll.

No manager or supervisor has the authority to ask or instruct a non-exempt employee not to report overtime worked, or to otherwise under or over report time worked. If any manager or supervisor instructs an employee to incorrectly report hours worked or to engage in any other violation of this policy, report it immediately to Human Resources.

Non-exempt employees are expected to work according to their scheduled hours. Non-exempt employees should not start work before their scheduled start time. Similarly, employees should not continue working past their scheduled end time unless such time is approved by a supervisor. Only a supervisor or manager can change an employee's start or finish time. Non-exempt employees should get supervisory approval before working any hours outside their usual schedule.

If corrections or changes need to be made to a time record, it is your responsibility to notify your supervisor as soon as you become aware that there is a time-keeping issue.

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## 4.6

### Corrections to Pay

Employees who have concerns about their pay or a concern that their pay has been improperly calculated should contact their department's timekeeper immediately, who will contact the Payroll and Human Resources departments, as appropriate.

In the event the Met discovers an employee has been erroneously overpaid, the Met will issue a notice to the affected employee prior to deducting the amount of the overpayment from a future paycheck. This notice will provide the employee instructions on how to contest that there was an overpayment and/or the method for recouping the overpayment.

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## 4.7

### Direct Deposit

The Met strongly encourages employees to have payroll directly deposited into their financial institution(s) of choice. This is done to ensure timely deposit of payroll and reduce administrative burden. To establish or make changes to a direct deposit account(s), an employee must complete a Direct Deposit Authorization form, available from Human Resources. Employees may split payroll deposits between financial institutions and various types of accounts.



# Employee Benefits

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## 5.1

### Overview

The Met is proud to offer a variety of benefit programs designed to assist our employees and their eligible dependents in meeting the financial burdens that can result from illness and disability, and to help employees plan for retirement. Below is a list of benefits for which employees may be eligible. Eligibility criteria for each type of benefit vary, including based on employment status (i.e., whether an employee is a regular full-time, part-time, or temporary employee) and the terms of applicable collective bargaining agreements (if any).

For more information regarding eligibility criteria and other details about Met benefit programs, please refer to the Summary Plan Descriptions and official Plan Documents and Insurance Policies. Employees seeking information about benefits or copies of official benefit program documents are encouraged to contact Human Resources.

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## 5.2

### Benefits

The Met currently provides employees the opportunity to participate in the following benefit plans and programs, subject to eligibility criteria and other terms and conditions of each plan and/or program as they exist and may be amended from time to time:

- 403(b) retirement savings plan
- Defined-benefit retirement plan
- Group health, dental, vision, and life insurance
- Short-term and long-term disability insurance
- Workers' Compensation
- Accidental Death and Personal Loss insurance
- Parking and transit programs
- Flexible Spending Accounts

Please contact Human Resources if you have any questions about these benefits or consult with the official plan and policy documents.

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## 5.3

### Workers' Compensation

The Met provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Workers' compensation insurance provides benefits based on applicable statutory requirements.

Injuries sustained at work, no matter how minor, should be reported immediately to your supervisor, and an injury and illness incident report should be completed either in the infirmary or in accordance with departmental practices for groups who regularly work during periods when there is no nurse on duty.

## SECTION 6

# Time Off from Work

## 6.1

### About Paid and Unpaid Leave

The paid and unpaid leave to which you are entitled can vary greatly depending on your role at the Met.

This section outlines general Met policies regarding various types of leave. For information about the type and amount of leave for which you may be eligible and other parameters regarding its use, please consult your collective bargaining agreement (if applicable), or contact Human Resources.

For a chart that summarizes various types of paid and unpaid leave, please see the end of this Section 6.

## 6.2

### Vacation Leave

Generally, vacation time must be scheduled in advance and approved by your manager, subject to operational needs. In some departments, management will designate periods when employees must take vacation.

## 6.3

### Sick Leave

Per New York City's Earned Sick Time Act, most employees are entitled to accrue paid sick leave at a rate not less than one hour for every 30 hours worked, up to 40 hours per calendar year. The Met provides more generous sick leave than this minimum requirement to many employees.

Sick leave may only be used for the reasons outlined in the "Use of sick leave" section below. Additional types of leave are outlined in subsequent sections. Please be aware that employees who improperly use sick leave will be subject to disciplinary action, up to and including termination.

**Definition of family member:** For purposes of this policy, a family member is defined as a spouse, domestic partner, parent, child, sibling, grandparent, grandchild, the child, or parent of the employee's spouse or domestic partner, any other individuals related by blood to an employee, and any other individual whose close association with the employee is the equivalent of a family relationship.

#### Use of sick leave

**Personal illnesses and appointments:** An employee may use paid sick leave for personal illnesses and medical and dental appointments (though, when practicable, appointments should be scheduled outside of regular working hours).

**Care of others:** Employees may use up to 40 hours of paid sick leave each fiscal year for the care of others, as follows:

- Care of a family member who needs one or more of the following:
  - Medical diagnosis (including diagnostic testing)
  - Care or treatment of a mental or physical illness, injury, or health condition
  - Preventative medical care
- Care of a child whose school or child care provider closed due to a public health emergency.

The 40 hours of sick leave that can be used for the care of others is not a separate bank of sick leave. The 40 hours will be debited from your normal bank of sick leave and can only be used if available.

**Safe leave:** Employees also may use up to 40 hours of paid sick leave each year for "safe time" for absences from work when the employee or a family member has been the victim of a family offense matter, sexual offense, stalking, or human trafficking. Employees may use "safe time" for the following reasons:

- To obtain services from a domestic violence shelter, rape crisis center, or other shelter or services program;
- To participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future harm;
- To meet with an attorney or other social service provider to obtain information and advice on, and prepare for or participate in, any criminal or civil proceeding, including matters related to a family offense matter, sexual offense, stalking, human trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, housing, discrimination in employment, housing, or consumer credit;
- To file a complaint with law enforcement;
- To meet with a district attorney's office;
- To enroll children in a new school; or
- To take other actions necessary to maintain, improve, or restore the physical, psychological, or economic health or safety of the employee or the employee's family member.

The 40 hours of sick leave that can be used for safe time is not a separate bank of sick leave. The 40 hours will be debited from your normal bank of sick leave and can only be used if available.

**Required use of sick leave:** If an employee has accrued unused paid sick leave available and is absent from work for a reason that qualifies for use of paid sick leave, the employee must use their paid sick leave. Once the employee has exhausted their paid sick leave, they may elect to use accrued paid vacation leave for subsequent sick-related absences, though it is not required.

#### **No Pay Out of Sick Leave**

Please note that employees are not paid for accrued unused sick leave at the end of the year or upon the end of their employment with the Met.

#### **No retaliation**

Employees cannot be retaliated against for requesting and using sick leave for legitimate reasons, in accordance with this policy. If you believe you have been subjected to retaliatory action in violation of this policy, please report such action immediately to Human Resources. The Met will promptly investigate any claims of retaliatory action and take corrective action, where appropriate.

#### **Notifying Human Resources of absences**

If you are absent for reasons other than vacation for more than three (3) consecutive days on which you were scheduled to work, please notify the Human Resources Department immediately, whether or not you have paid sick leave to use during the absence. For all absences, including absences that are three days or less, you must also follow the absence notification procedures established by your department. Please be sure to speak to your supervisor if you have any questions regarding procedures or processes for notifying your department of planned or unplanned absences.

#### **Requesting medical documentation**

Please be aware that if you have missed more than three (3) consecutive days of work for sick-related reasons, you may be asked to provide the Met with medical documentation verifying that your absence was due to an illness, injury, or other medical condition prior to being allowed to return to work. This documentation is required whether the absence was related to your own medical condition or that of a family member. This documentation is required even if your sick leave was unpaid.

In addition to the above, management may also ask for a note on a more frequent basis after you have used more than 40 hours of sick leave in a year and/or if management suspects there is improper use of sick leave.

The Met is committed to the privacy of its employees and recognizes the sensitive nature of personal health and medical circumstances. All medical documentation should be sent directly to Human Resources in a sealed envelope marked CONFIDENTIAL and addressed to Human Resources. Human Resources will communicate to your manager/supervisor the necessary information related to your absence. It is crucial these procedures are followed, not only in order to guarantee your privacy, but also to comply with medical privacy laws.

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## 6.4

### **Holidays**

Given the nature of our work at the Met, designated holidays can vary greatly throughout the organization. Employees represented by a union should consult the terms of their collective bargaining agreement for information regarding the holiday schedule and related pay

and work rules. Administrative staff members should consult the holiday schedule and policy, as provided by the Human Resources Department.

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## 6.5

### **Bereavement Leave**

Employees represented by a union should consult the terms of their collective bargaining agreement for information regarding the bereavement leave to which they may be entitled. Administrative staff members should consult the bereavement leave policy, as provided by Human Resources.

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## 6.6

### **Jury Duty**

The Met will grant a leave of absence to an employee who has been notified to serve jury duty. Upon receipt of the notice to serve jury duty, employees should immediately notify their supervisor and the Human Resources department. Employees also should provide their supervisor a copy of the notice to serve jury duty.

If the jury duty falls at a time when the employee cannot be away from work, the Met may instruct the employee to request service at a more convenient time. At the conclusion of jury duty, the employee should notify their supervisor and provide a signed Certificate of Jury Service indicating the number of days served.

#### **Compensation during jury duty**

Per New York State law, the Met will compensate an employee who is absent from work due to jury duty not less than \$40 per missed day of work for up to

three days. Some union employees are entitled to a more generous jury-duty benefit per the terms of the applicable collective bargaining agreement.

Administrative employees will be compensated at their base rate of pay for time missed for jury service, up to a maximum of two weeks' pay.

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## 6.7

### Time Off to Vote

Employees who are eligible voters are allowed two hours paid leave for voting in general or special elections or elections at which propositions are submitted to popular vote, provided the employees do not have four consecutive non-working hours off while the polls are open. Employees should notify their supervisor of their need for time off to vote at least two and not more than 10 days before the election. The Met may specify the time of day when the time off will be given.

Employees will not be penalized or retaliated against for requesting time off to vote.

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## 6.8

### Unpaid Leave of Absence

Employees who are represented by a union should consult the terms of their collective bargaining agreement for information regarding unpaid leaves of absence.

The Met will consider granting leaves of absence to administrative employees. When management receives such a request, the following criteria will be used to consider the request:

- The reason for the requested leave

- The operational and/or financial impact of the leave
- The employee's performance and attendance history

When leaves of absence are granted, the Met will make reasonable efforts to return employees to the same or similar job they held prior to the leave of absence, subject to staffing and business requirements.

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## 6.9

### Leave for and Accommodation of Victims of Domestic or Sexual Violence

The Met is committed to supporting any employee who is, or whose family member is, a victim of domestic violence, sexual violence, or stalking. The Met will not discriminate against employees because they or their families are victims of, or experiencing such violence. The Met will endeavor to provide support and assistance to any such employees who request it.

The Met will provide employees who themselves or whose family members are victims of domestic violence, sexual violence, or stalking with unpaid leave for purposes, such as: (i) attending judicial or police proceedings related to a crime; (ii) receiving medical treatment for injuries sustained due to the violence or sexual assault; (iii) obtaining services from a domestic violence shelter, program, or rape crisis center as a result of the domestic violence, sexual assault, or stalking; (iv) obtaining psychological counseling related to an experience of domestic violence, sexual assault, or stalking; (v) participating in safety planning or taking part in other actions to increase safety and protection from future domestic violence or sexual assault or stalking, including temporary or permanent relocation; (vi) seeking

legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member in addressing issues arising from the act of domestic violence, sexual assault, or stalking; (vii) obtaining a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the victim or his or her child, or (viii) attending and preparing for court-related proceedings arising from the act of domestic violence.

Employees may also elect to use accrued paid time off for such leave. If the leave is related to receiving medical treatment or otherwise qualifies as safe leave per Section 6.3, sick leave may be used. Otherwise, other forms of paid time off may be used.

The Met will respect the confidentiality of the employee to the extent permitted by law. Employees seeking assistance should speak to Human Resources.

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## 6.10

### Short-Term Disability Leave

The Met provides short term disability benefits to employees in accordance with applicable law, who suffer an injury outside of work or illness. Any leave granted for a period of short term disability will run concurrently with leave taken under the Family Medical Leave Act (FMLA) or leave under similar state laws to the extent applicable. Employees are not necessarily entitled to reinstatement to their previous position upon return from short term disability leave.

The Met will provide leave and accommodations in accordance with applicable law. Employees should contact Human Resources for more information.

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## 6.11

### Long-Term Disability Leave

The Met also provides long term disability benefits to certain employees. Employees who have exhausted short term disability leave may be eligible to apply for long term disability leave. Employees are not necessarily entitled to reinstatement to their previous position upon return from long term disability leave. The Met will provide leave and accommodations in accordance with applicable law. Employees should contact Human Resources for more information.

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## 6.12

### Workers' Compensation Leave

The Met provides leave to employees who are unable to work due to a workplace injury or illness, in accordance with applicable law. Workers' compensation leave will run concurrently with leave taken under the Family Medical Leave Act (FMLA) or leave under similar state laws to the extent applicable. Employees are not necessarily entitled to reinstatement to their previous position upon return from workers' compensation leave. The Met will provide leave and accommodations in accordance with applicable law. Employees should contact Human Resources for more information.

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## 6.13

### Family Medical Leave Act

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical

reasons during a 12-month period and/or because of a "qualifying exigency" arising out of the fact that a family member is a "covered military member" called to covered active duty on behalf of the United States. In addition, an eligible employee may be entitled to up to 26 weeks of unpaid FMLA leave to care for certain family members who are "covered service members" with a "serious injury or illness." During an FMLA leave, an eligible employee is entitled to continue group health plan coverage as if the employee had continued to work. At the conclusion of the FMLA leave, subject to some exceptions, an employee has a right to return to the same or to an equivalent position. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of a leave.

#### Employee Eligibility Criteria

To be eligible for FMLA leave, an employee must have been employed by the Met:

1. For at least 12 months (which need not be consecutive, but employment prior to a continuous break in service of seven years or more will not be counted except in certain circumstances); and
2. For at least 1,250 worked hours during the 12-month period immediately preceding the commencement of the leave or in a position that the Met has otherwise decided to treat as FMLA-eligible

Periods of absence from work due to or necessitated by qualifying military services are counted in determining an employee's eligibility for FMLA leave.

#### Events Which May Entitle an Employee to FMLA Leave

FMLA leave may be taken for any one, or for a combination of, the following reasons:

1. The birth of the employee's child or to care for the newborn child;

2. The placement of a child with the employee for adoption or foster care or to care for the newly-placed child;
3. To care for the employee's spouse, child (including a child for whom the employee stands in loco parentis) or parent (which does not include in-laws but does include persons who stand in loco parentis) with a serious health condition;
4. The employee's own serious health condition (including pregnancy-related disability, pre-natal medical care and childbirth) that makes the employee unable to perform one or more of the essential functions of his or her job.

For purposes of 3 and 4, above, a "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the "continuing treatment" requirement may be met by a period of incapacity of more than 3 consecutive full calendar days combined with: (1) at least two visits to a healthcare provider within 30 days, the first of which must occur within 7 days of the first day of incapacity; (2) one visit and a regimen of continuing treatment; (3) incapacity due to pregnancy; or (4) incapacity due to a chronic condition. Other treatments may also meet the definition of continuing treatment.

#### Military FMLA

Eligible employees with a spouse, child, or parent who is a covered military member on covered active duty or has been notified of an impending call or order to covered active duty in a foreign

country in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies.

Eligible employees may take up to 26 weeks of military caregiver leave during a single 12-month period to care for their spouse, child, parent, or other relative who is next-of-kin, who is also a “covered service member” of the U.S. Armed Forces (including a member of the National Guard or Reserves) with a serious injury or illness.

Please speak to Human Resources for more information.

#### Amount of Leave

An eligible employee may take up to 12 workweeks of unpaid leave during a 12-month period for the FMLA qualifying reasons described above (excluding military caregiver leave). However, leave to care for a newborn or for a newly-placed child must conclude within 12 months after the birth or placement of the child.

When both spouses are employed by the Met, they are together entitled to: (1) a combined total of 12 work weeks of FMLA leave within the designated 12-month period for the birth, adoption, or foster care placement of a child with the employees; (2) aftercare of a newborn or newly -placed child; or (3) to care for the parent of either of the employees who has serious health condition. Each spouse may be entitled to additional FMLA leave for other FMLA qualifying reasons, but not more than a total of 12 workweeks (or 26 workweeks, as appropriate) per person in a 12-month period.

For the 12-month period in which a maximum of 12 weeks of FMLA leave may be taken, the Met uses a rolling period measured backward from the

date an employee uses any FMLA leave. For example, if an employee has previously taken FMLA leave and that leave ended fewer than 12 months prior to the beginning of what would be the new FMLA leave period, for every day of the new leave period, the Met will count back 12 months to determine how much FMLA leave has been taken in the immediately preceding 12 months and subtract that from 12 weeks to determine if the employee has any available FMLA leave for that day.

For military caregiver leave, an eligible employee is entitled to 26 workweeks of leave during a “single 12-month period.” This single 12-month period begins on the first day the eligible employee takes military caregiver leave to care for a covered service member and ends 12 months after that date. If an eligible employee does not take all of his or her 26 workweeks of leave entitlement to care for the covered service member during this single 12-month period, the remaining part of the 26 workweeks of leave is forfeited. The military caregiver leave period does not extend an employee’s total FMLA entitlement; thus, an employee taking military caregiver leave may not take more than a maximum combined total of 26 workweeks of FMLA leave for all covered purposes (as set forth above) combined.

#### Use of Paid and Unpaid Leave

FMLA leave is unpaid leave. However, if an employee has accrued paid leave (e.g., vacation, sick leave, paid family leave, other forms of paid time off), the Met may require or the employee may elect to substitute any qualifying paid leave. “Qualifying paid leave” is leave that would otherwise be available to the employee for the purpose for which the FMLA leave is taken. In order to use

paid leave for FMLA leave, the employee must comply with the Met’s normal paid leave policies. After exhausting qualifying paid leave, the remainder of the FMLA period, if any, will be unpaid FMLA leave. Any paid leave used for an FMLA qualifying reason will be charged against an employee’s entitlement to FMLA leave. The substitution of paid leave for unpaid leave does not extend the 12- or 26-workweek leave period.

#### Intermittent or Reduced Schedule Leave

Intermittent leave is leave taken in separate blocks of time. A reduced work schedule leave is a schedule that reduces an employee’s usual number of hours per workweek or hours per workday.

1. Leave to care for a newborn or for a newly-placed child must be taken all at once and may not be taken intermittently or on a reduced work schedule without managerial consent.
2. Leave due to an employee’s own serious health condition, to care for an employee’s spouse, child, or parent with a serious health condition, or to care for a service member relative with a serious injury or illness, may be taken all at once or, where medically necessary, intermittently or on a reduced work schedule.
3. Leave because of a qualifying exigency due to the covered active duty or impending call to duty of a spouse, son, daughter or parent may be taken all at once or on an intermittent or reduced work schedule.

If leave is unpaid, the Met will reduce your salary or pay to reflect the amount of time actually worked. In addition, while you are on an intermittent or reduced schedule leave for foreseeable, planned medical treatment, you must make a reasonable effort to schedule the treatment so as to accommodate the Met’s needs and not disrupt unduly

the Met's operations. When you take intermittent or reduced work schedule leave for foreseeable, planned medical treatment, the Met may temporarily transfer you to an available alternative position for which you are qualified and which better accommodates your recurring leave and has equivalent pay and benefits.

### Applying for FMLA

Generally, an employee should request FMLA leave by contacting the Human Resources Department. The form is available from the Human Resources Department. Within five business days (absent extenuating circumstances) of being made aware of the employee's need for such leave, the Met will provide the employee with information and paperwork to complete and submit to the Human Resources Department so that your request for FMLA leave can be evaluated.

When leave is foreseeable for childbirth or placement of a child, or for planned medical treatment due to the serious health condition of an employee or family member, or due to a covered service member's serious injury or illness, the employee must provide the Met with at least 30 days advance notice, or such shorter notice as is practicable (i.e., the same day if the employee becomes aware of the need for leave during work hours or the next business day if the employee becomes aware of the need for leave after work hours). Where the need for leave was foreseeable but the employee failed to provide appropriate advance notice, the employee may be asked to submit an explanation in writing for the omission.

When leave is foreseeable due to a qualifying exigency arising from a family member's call to covered active duty, the employee must provide as

much notice as is practicable (i.e., within 1 or 2 business days of learning of the need for the leave), regardless of how far in advance such leave is foreseeable.

When the timing of the leave is not foreseeable, the employee must provide the Met with notice of the need for leave as soon as practicable (i.e., within 1 or 2 business days of learning of the need for the leave).

An employee must comply with the Met's usual procedures for calling-in and requesting leave, except when unusual circumstances exist (e.g., when the employee or family member needs emergency medical treatment).

### Notice of Eligibility and Designation of Leave Procedure

The Met will notify the employee requesting leave whether they are eligible for FMLA leave. If the employee is eligible, the notice will indicate any additional information required and describe the employee's rights and responsibilities. If the employee is not eligible, the notice will provide a reason for the ineligibility.

Upon provision of sufficient information, the Met will notify the employee that leave has been designated as FMLA leave and the amount of leave to be counted against the employee's leave entitlement. The Met will also notify the employee if the leave is not designated as FMLA leave due to insufficient information or a non-qualifying reason. The Met may provisionally designate the employee's leave, at the outset, as FMLA leave, subject to submission of sufficient information. If the employee has not notified the Met of the reason for the leave, and the employee desires that leave be counted as FMLA leave, the

employee must notify Human Resources within 2 business days of the employee's return to work that the leave was for an FMLA reason.

### Medical Certification

An employee will be required to submit a Certification Form from a healthcare provider to support a request for FMLA leave for the employee's or a family member's serious health condition, or for a service member relative's serious injury or illness. It is the employee's obligation to have his or her healthcare provider provide sufficient information for the Met to determine if the leave may qualify for FMLA protection, and the anticipated timing and duration of the leave. Please be aware that failure to provide this documentation in a timely manner may result in denial or delay of the leave. Similarly, where leave is requested because of exigent circumstances arising from the employee's spouse, son, daughter, or parent's call to covered active duty, the employee will need to submit a completed Certification Form. Medical Certification and Exigent Circumstances Forms are available from Human Resources.

Employees also must inform the Met if the requested leave is for a reason for which FMLA leave was previously taken or certified.

The Human Resources Department may contact an employee's healthcare provider directly to get clarification and authentication of a medical certification. Please note that if an employee chooses not to provide the Met with a HIPAA-authorized release allowing the Met to clarify the Certification with his/her healthcare provider, and the employee does not otherwise clarify the Certification, the Met may deny FMLA leave if the Certification is unclear. In addition, the Met may

in some circumstances require an examination by a second health care provider designated by the Met at its expense. If the second health care provider's opinion conflicts with the original medical certification, the Met, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion.

#### Recertification and updates

The Met may require the employee to submit subsequent re-certifications depending on the duration stated in the Certification, but not more frequently than every 30 days, except under certain circumstances provided by law. The Met may also request a recertification of a medical condition every six months in connection with an absence by the employee due to his or her own serious health condition or the serious health condition of a covered family member. Annual certifications of medical conditions may also be required in accordance with the law.

#### Reporting while on leave

During FMLA leave, it is important that the employee maintains communication with the Met. The employee must provide the Met with periodic reports regarding the employee's status and intent to return to work. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, that information must be provided to the Met with reasonable notice (i.e., within 2 business days) of the employee's changed circumstances and new return to work date. If the employee gives the Met notice of intent not to return to work, the employee will be considered to have voluntarily resigned.

#### Benefits

During an approved FMLA leave, an employee will be retained on the Met's benefit programs at the same level and under the same conditions that applied before the leave commenced.

While you are on a leave of absence, you remain responsible for any applicable employee contributions for your medical, dental, life insurance, supplemental life, long-term disability, vision, and flexible spending account benefits.

Benefit deductions will continue as long as your leave pay is sufficient to cover those costs. If and when your leave is unpaid or your leave pay is insufficient to cover your benefit costs, upon your return from leave, the Met will recoup through payroll deductions the employee contributions it made on your behalf during your leave.

Employees who do not return to work at the end of their leave entitlement will be considered to have resigned their employment and will be responsible for repaying the Met for any employee contributions for medical, dental, life, supplemental life, long-term disability, and vision insurance that the Met paid on the employee's behalf during the leave, except as specified in the "Failure to Return to Work Following FMLA Leave" section below.

Employees who do not return to work may be eligible to elect benefit coverage under COBRA.

#### Other applicable leaves

FMLA leave will run concurrently with any other applicable leave. For instance, short-term disability or workers' compensation leave will be simultaneously designated as FMLA leave as well, if the leave is also FMLA-qualifying.

#### Returning from leave

The Met is sensitive to the fact that employees experiencing an extended leave from work due to illness or injury can be eager to return for both professional and economic reasons. However, safety in the workplace and the wellbeing of our employees are always a priority. Therefore, employees who take leave because of their own serious health condition are required to provide medical certification that they are fit to resume work. The Met will not be able to permit employees to resume work until the required documentation is provided. Such certification may be required periodically if you take intermittent leave.

Employees who wish to return to work at the expiration of FMLA leave are entitled to return to the same position or to an equivalent position, with equivalent pay, benefits, and other terms and conditions of employment, subject to any applicable exceptions. For example, an employee is entitled to reinstatement only if he or she would have continued to be employed had FMLA leave not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force, or other reason, the employee would not be employed at the time job restoration is sought. Employees have no greater right to reinstatement or other benefits and conditions of employment than if they had not taken leave.

For employees with a disability who are unable to return to work at the expiration of FMLA leave, the Met will consider providing additional unpaid leave, to the extent reasonable, as an accommodation, consistent with applicable law. An employee requesting any reasonable accommodation in connection with a return to work or



extension of unpaid leave must submit medical documentation satisfactory to the Met to support the requested accommodation consistent with applicable law. In such a case, the employee is required to request and discuss the proposed accommodation with his/her manager and Human Resources before the end of his/her FMLA leave.

#### Failure to return to work following FMLA leave

If you do not return to work following the conclusion of FMLA leave, or are not granted an extension of your leave, you will be considered to have voluntarily resigned. In these circumstances, the Met may recover health insurance premiums that it paid on your behalf during any unpaid FMLA leave.

#### Employee rights/enforcement

Any employee who feels his or her rights with respect to FMLA or applicable state law leave have been improperly denied, restrained, violated, or interfered with in any way should lodge a complaint with Human Resources. Discrimination and retaliation against employees who exercise rights under the FMLA or this policy will not be tolerated, and use of FMLA leave will not affect an employee's rights under any other law, policy, contract, or collective bargaining agreement.

Additional information or clarification concerning FMLA and/or applicable state law leave can also be obtained by contacting Human Resources.

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## 6.14

### Military Leave and Leave for Spouses of Military Members

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves, or Public Health

Service will be granted unpaid leave of absence for military service, training, or related obligations in accordance with applicable law. Please consult with Human Resources for more information.

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## 6.15

### Blood and Bone Marrow Donation Leave

Employees who average at least 20 working hours per week will be afforded up to three hours of time off per calendar year to donate blood. Such employees may also take unpaid time off to donate bone marrow, to a maximum of 24 work hours. Exempt employees will be paid their regular salary for any partial day absences. Otherwise, the time off is unpaid unless the employee chooses to use accrued leave to cover the absence. Employees must give at least three working days' notice before taking time off for blood donation, unless there are emergent circumstances. Time off for bone marrow donation should be requested as far in advance as possible. Verification may be required regarding time off for blood or bone marrow donation.

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## 6.16

### Paid Family Leave

New York's Paid Family Leave ("NYPFL") law provides eligible employees in New York with paid, job protected leave for certain family and medical reasons or to address certain qualifying exigencies arising out of the fact that the employee's spouse, domestic partner, child, or parent is on or has been called to active duty status as a member of the Armed Forces, National Guard, or Reserves.

NYPFL benefits are funded by employee payroll contributions, which are based on a percentage of the employee's average weekly wage.

**Eligibility:** Employees who are regularly scheduled to work 20 or more hours per week will become eligible for NYPFL benefits after 26 consecutive work weeks of employment. Employees who are regularly scheduled to work fewer than 20 hours per week will become eligible for NYPFL benefits after the 175th day worked.

**Covered reasons for NYPFL:** Eligible employees may take NYPFL for the following reasons:

- To bond with a newborn child within the first 52 weeks after the child's birth;
- Placement of a child with the employee for adoption or foster care, and to bond with that child within the first 52 weeks after the placement;
- To care for a covered family member with a serious health condition as defined by law; or
- Qualifying exigencies arising out of an employee's spouse, domestic partner, child, or parent being on or called to active duty status as a member of the Armed Forces, National Guard, or Reserves.

Under the law, "covered family members" include an employee's spouse or domestic partner, child (including a biological, adopted or foster child, step-child or child of a domestic partner, legal ward, or one to whom the employee stands in loco parentis), parent (including a biological, adoptive or foster parent, step-parent, legal guardian, or one who stood in loco parentis to the employee as a child), parent-in-law, grandparent, and grandchild.

#### How much NYPFL may be taken:

Eligible employees will receive leave for any of the above-mentioned covered reason(s) according to the following schedule:

- Up to 10 work weeks of NYPFL in a 52-week period at a benefit rate of 55% of the employee's average weekly wage, up to a cap set by the state;
- Beginning January 1, 2020, up to 10 work weeks of NYPFL in a 52-week period at a benefit rate of 60% of the employee's average weekly wage, up to a cap set by the state;
- Beginning January 1, 2021, and going forward, up to 12 work weeks of NYPFL in a 52-week period at 67% of the employee's average weekly wage, up to a cap set by the state.

The 52-week period is a rolling 52-consecutive-week period measured backward from the date an employee seeks to use any NYPFL. Employees may take NYPFL in either weekly increments or intermittently in increments of one full day (based on the employee's usual work day). NYPFL benefits are paid directly by the Met's NYPFL carrier.

Leave to bond with a newborn or a newly adopted or placed child must conclude within 52 weeks after the birth, adoption, or placement of the child. In the case of multiple family members employed by the Met, only one employee at a time shall be permitted to take NYPFL during a given period to care for the same covered family member with a serious health condition or to bond with a newborn or newly adopted or placed child.

**Requesting NYPFL and required documentation:** When the need for NYPFL is foreseeable, you must provide the Met with at least 30 days' advance notice. Foreseeable qualifying events include an expected birth, adoption, or foster care placement; planned medical treatment for a covered family member; or a known military exigency. If 30 days' notice is not practicable, notice must be given as soon as practicable. If an employee takes NYPFL intermittently, he or she must provide notice to the Met as soon as is practicable before each day of leave.

To request NYPFL, employees should contact the Human Resources Department. No benefit will be paid by the Met's carrier until a completed request for NYPFL, together with any necessary certifications and/or documentation, has been submitted to the carrier. The Met's carrier will notify employees requesting NYPFL whether their claim has been approved.

**Maintenance of health benefits:** During NYPFL, you will be retained on the Met's benefit programs at the same level and under the same conditions that applied before the leave commenced.

While you are on NYPFL, you remain responsible for any applicable employee contributions for your medical, dental, life insurance, supplemental life, long-term disability, vision, and flexible spending account benefits throughout your leave.

**Coordination of NYPFL and other leave:** If an employee's request for leave qualifies under both NYPFL and the federal Family and Medical Leave Act ("FMLA"), the leave will run concurrently and will count toward your total available leave under both laws.

Leave associated with an employee's own illness, injury, or medical condition is not covered by NYPFL but may be covered by short term disability or workers' compensation, depending on the circumstances. Eligible employees may receive up to a combined total of 26 weeks of New York State short-term disability and NYPFL benefits during a 52-consecutive calendar week period.

For questions regarding eligibility for, or coordination of, leave benefits, please contact the Human Resources Department.

**Return to work:** Employees who wish to return to work at the expiration of leave are entitled to return to the same position or to an equivalent position, with equivalent pay, benefits, and other terms and conditions of employment, subject to any applicable exceptions. For example, an employee is entitled to reinstatement only if they would have continued to be employed had NYPFL not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force, or other reason, the employee would not be employed at the time job restoration is sought.

Employees have no greater right to reinstatement or other benefits and conditions of employment than if they had not taken leave.

We know the various types of paid and unpaid leave that may be available to you in the event of your own illness or injury or that of a family member can be complex, so we've prepared the following summary of some of the key types of leave. Please note this is just an overview, and you should consult the policies on the preceding pages for more information

	YOUR OWN ILLNESS OR INJURY	CARE OF A FAMILY MEMBER WHO IS ILL OR INJURED
<p><b>Sick Leave</b></p> <p><i>This is paid sick leave the Met provides to employees.</i></p> <p><b>Amount:</b> Varies</p> <p><b>Eligibility:</b> Depends on your position</p>	✓	✓ (UP TO 40 HOURS PER YEAR)
<p><b>Vacation leave</b></p> <p><i>This is paid vacation leave the Met provides to employees</i></p> <p><b>Amount:</b> Varies</p> <p><b>Eligibility:</b> Depends on your position</p>	✓	✓
<p><b>FMLA leave</b></p> <p><i>This is unpaid leave that provides job and benefit protection.</i></p> <p><b>Amount:</b> Up to 12 weeks in a 12-month period. FMLA leave can run concurrent with paid leave.</p> <p><b>Who is eligible?</b> Employees who (1) have worked at the Met for at least 12 months and (2) have worked at the Met at least 1,250 hours in the immediately preceding 12 months or are in a position the Met otherwise treats as FMLA-eligible</p>	✓	✓
<p><b>New York State Short-Term Disability</b></p> <p><i>This is a wage-replacement benefit that New York State requires employers to provide.</i></p> <p><b>Amount:</b> 50% of your salary, up to a maximum established by the state, for up to 26 weeks from the date of disability. You must exhaust available paid sick leave before you are eligible for this benefit.</p> <p><b>Who is eligible?</b> Employees who have worked at least four consecutive weeks for a covered employer.</p>	✓	
<p><b>New York State Paid Family Leave</b></p> <p><i>This is a wage-replacement benefit that New York State requires employers to provide.</i></p> <p><b>Amount:</b> 55% of your salary, up to a maximum established by the state, for up to 10 weeks a year (increasing to 60%/10 weeks in 2020 and 67%/12 weeks in 2021)</p> <p><b>Eligibility:</b> Employees regularly scheduled to work 20+ hours per week become eligible after 26 consecutive work weeks. Employees regularly scheduled to work fewer than 20 hours per week become eligible after the 175th day worked. You cannot collect PFL at the same time as other paid leave.</p>		✓

## SECTION 7

# General Workplace Policies

## 7.1

### Closings in Emergency Circumstances

At times, emergencies such as severe weather, fires, power failures, earthquakes, or other natural disasters can disrupt Met operations. In extreme cases, these circumstances may require the closing of the opera house or another Met work facility.

In the event of such an emergency, the Met will notify employees via our Urgent Notification System. Employees are strongly encouraged to sign up for this system and keep their contact information in the system up to date. To sign up or update your contact information, visit [metopera.omnilert.net](http://metopera.omnilert.net).

Employees in essential operations may be asked to work on a day when operations are officially closed. Under these circumstances, all hours worked are paid at the employee's regular rate of pay.

## 7.2

### Restricted Area Access

There are certain areas in the building that are designated and labeled as "Restricted Areas." You are not permitted in these areas unless your job requires you to be there. Entry into these areas without authorization will result in disciplinary action, up to and including termination.

## 7.3

### Stage Area Protocol

So that safety procedures and the integrity of Met rehearsals and performances are not compromised, it is important that all employees heed the following protocols when on the stage and in the surrounding areas.

Other than those employees who are actually performing work on the stage, employees are not allowed to be on the stage without prior authorization from the General Manager's Office and/or the Production Department. If you are on stage when you shouldn't be, you will be asked to leave immediately.

Employees may not bring friends or family on or across the stage at any time.

Cell phones and other personal electronic devices are not to be used on stage or the adjacent off-stage areas at any time, without prior authorization from the Assistant General Manager of Production. There is to be no talking near the stage during rehearsals and performances, except as necessary for cues to be called and directions to be given by Stage Managers, Off-Stage Conductors and Crew Heads. Crossing through the stage during act changes and change-over is not permitted.

## 7.4

### Personnel Files

The Met maintains a personnel file on each employee. The personnel file may include such information as the employee's job application, resume, documentation of salary increases, and other employment records. With reasonable advanced notice to Human Resources, employees may review the items in their personnel files of which they previously have been provided copies. Documents cannot be removed from a personnel file at any time.

## 7.5

### Personnel Data Changes

To keep necessary Met records up to date, it is very important that employees notify the Human Resources Department of any changes in:

- Name
- Address and/or telephone number
- Number of eligible dependents
- W-4 deductions
- Person to contact in case of emergency

## 7.6

### Non-Smoking Policy

Smoking is not permitted on the premises of the Met, including offices. This includes, but is not necessarily limited to, the smoking of pipes, cigars, and cigarettes, including electronic cigarettes.

Any concerns about smoking in the workplace should be brought to the attention of Human Resources, who will investigate and take appropriate

corrective action with respect to anyone who violates this policy, up to and including termination of employment. No employee will be subject to retaliation for reporting violations of this policy.

## 7.7

### Occupational Safety

The safety of the Met's employees and visitors is of prime importance. The Met trusts each employee, supervisor, and manager to practice safety awareness by thinking defensively, anticipating unsafe situations, and reporting unsafe conditions immediately.

Employees are expected and trusted to obey safety rules and to exercise caution in all work activities. Employees who violate safety standards, cause hazardous or dangerous situations, or who fail to report or remedy unsafe situations, may be subject to disciplinary action, up to and including termination of employment.

Out of respect, and in order to provide fellow employees with a clean and safe working environment, everyone is expected, prior to the end of their workday, to clean up their immediate work area for which they are responsible.

The proper care of the machines and equipment with which employees work every day, as well as the orderliness and cleanliness of work areas, lunch rooms and restrooms, play an important part in making the Met a pleasant and safe place to work. This happens through a cooperative effort when all employees do their share.

Employees are encouraged to make suggestions they believe will improve health or safety in the workplace. Employees will not be subject to retaliation for reporting an alleged workplace

hazard or for offering a safety, health, or security suggestion. Information about safety, health and security in the workplace is maintained by Human Resources and the Safety Director. Employees may view related materials upon request.

## 7.8

### Mobile Devices and Workplace Safety

The Met is aware that many employees use mobile telephones and other wireless communication devices or equipment ("mobile devices") in carrying out their daily duties and responsibilities.

The Met is also aware of the potential distractions that may arise when mobile devices are used by employees while operating a moving vehicle or other mechanized equipment such as a van, automobile, or truck ("moving vehicle"). In keeping with our obligations to maintain a safe workplace, the Met has adopted the following policy with respect to the use by employees of mobile devices while operating a moving vehicle. This policy applies regardless of whether the employee is operating a company-owned vehicle, or the employee's own vehicle in the course of employment.

#### Definitions

For purposes of this policy, "use" of a mobile device includes texting, dialing, talking, listening, or emailing on a mobile phone or other mobile device.

Employees are required to familiarize themselves, and comply at all times, with the laws of the state and locality in which they are working with respect to the use of mobile devices. For example, where a local law prohibits the use of

a mobile phone by anyone operating a moving vehicle, employees are also prohibited by this policy from using a mobile phone.

No employee may use a mobile device (whether personal or Met-provided) during work or in connection with any work-related business or travel while such employee is operating a motor vehicle while the vehicle is in motion, unless such mobile device is equipped and used with a hands-free device and is otherwise permitted by applicable law in the jurisdiction. The only exception to this policy is where a phone call is made in a bona fide emergency, such as to call "911" or a similar emergency number (e.g., to call an ambulance, fire department, etc.).

Even with a hands-free device, mobile device use should be kept to a minimum, conversations should be as brief as possible, and employees should refrain from making unnecessary calls. Where possible and, again, even with a hands-free device, mobile phone calls should, whenever possible, be made when the vehicle an employee is operating is not in motion.

Many employees operate other vehicles or other mechanized equipment in the course of their employment, including trucks, shuttle carts, scissor lifts, dollies, forklifts, heavy equipment, and machinery. The use of mobile phones while operating such equipment, or in a warehouse, or on a production floor or stage is prohibited.

For the same reasons, employees are not permitted to use iPods, radios, personal listening devices, or recording devices while working in a warehouse or on a production floor or stage.

## 7.9

### Accidents and Emergencies

Maintaining a safe work environment requires the continuous cooperation of all employees. The Met strongly encourages employees to communicate with fellow employees and their supervisors and managers regarding safety issues.

### Contacting Security

To report an emergency at the Met, please contact the Security Department's emergency line (x2222 if you're calling from a Met phone or 212.799.3100 x2222 if you're calling from a non-Met phone). For emergency assistance at one of the Met's offsite facilities, dial 911 directly.

### Injuries and illnesses

If you become ill or injured while at work, you must report the incident immediately to your supervisor or manager.

If the illness or injury occurs during a stage rehearsal or performance, it must also be reported to the stage manager on duty. Your supervisor and/or the stage manager will determine the appropriate steps, including calling the Health Unit and Security for assistance, if necessary.

If an injury or illness is work-related, the Met provides coverage and protection in accordance with the Workers' Compensation Law. An injury and illness incident report must be completed either in the Health Unit or in accordance with departmental practices for groups who regularly work during

periods when there is no nurse on duty. Failure to report accidents is a serious matter, as it may preclude an employee's coverage under Workers' Compensation Insurance.

### Emergency exits

Please make sure you are aware of the location of emergency exits. Knowing multiple routes out of the building is extremely important because an individual exit path may become blocked by smoke or other circumstances. The more ways out you know, the more options you will have to avoid danger from fire and other emergencies.

For a map of the Met's exits as well as a list of the employees assigned to serve as "fire wardens" in the event of an evacuation, please contact the Human Resources Department.

For more information regarding the Met's Safety Policies & Procedures, please contact our Safety Director.

## 7.10

### Identification

Employees will be issued an identification card and/or badge when employment at the Met begins, and employees should have this card/badge with them at all times when on Met premises. If your ID card/badge is lost or stolen, please report it to Human Resources immediately for replacement. Badges should be returned to the Met upon separation of employment.

## 7.11

### Visitors in the Workplace

To protect the safety and security of employees as well as Met property and facilities, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors is necessary to help maintain safety standards, safeguard employee and customer welfare, protect equipment and confidential information against theft, and reduce potential distractions and disturbances.

All visitors must enter the Met via the Stage Door. Once authorized, visitors will receive directions or be escorted to their destination. Please note that employees who have outside visitors are responsible for their conduct and for taking steps to ensure their safety.

Employees who see an unauthorized person on Met premises should notify their supervisor immediately.

## 7.12

### Statements to the Media

To ensure current, consistent and accurate information is provided to the public about the Met and our activities, only certain employees are authorized to speak on behalf of the Met to the media. Employees should immediately refer any media inquiries, including, without limitation, requests for interviews, comments, or appearances, to the Press Department for a decision about how it will be handled, when, and by whom.

## 7.13

### Solicitation & Distribution

To avoid distractions, solicitation by an employee of another employee, including solicitations through the Met's Computer Systems, is prohibited while either employee is on working time.

For purposes of this policy, solicitation means requesting money or support for or participation in products, groups, organizations, or causes that are unrelated to either the Met or unions representing our employees.

Employees wishing to organize Met participation in a philanthropic event (e.g. a charitable run/walk) should first contact the Director of Human Resources to discuss.

Solicitation of any kind by non-employees on Met premises is prohibited at all times.

## 7.14

### Use of Met Time and Equipment for Non-Met Work

It is not permissible to perform non-Met work—either for pay or on a volunteer basis—during Met working hours.

Please obtain permission from your Assistant General Manager prior to using any Met tools, equipment, or other resources to perform non-Met work during non-working hours.

## 7.15

### Bulletin Boards

Bulletin boards maintained by the Met are to be used only for posting or distributing material of the following nature:

- notices containing matters directly concerning Met business;
- union notices;
- announcements of a business nature which are equally applicable and of interest to employees; and
- legal notices to all employees as required by federal, state, or local law.

All posted material must have authorization from Human Resources. Employees should check these bulletin boards periodically for new and/or updated information and to follow the rules set forth in all posted notices. Employees are not to remove material from the bulletin boards.

## 7.16

### Workplace Searches

Access to Met premises is conditioned upon the Met's right to inspect or search the person, vehicle, or personal effects (e.g. bags, purses) of any employee or visitor in accordance with applicable federal, state, or local law. This may include any employee's office, desk, computer and related equipment, file cabinet, closet, locker, or similar place. Employees should have no expectation of privacy in connection with any of these places.

## 7.17

### Business Travel Expenses

The Met will reimburse employees for reasonable business travel expenses incurred while traveling for work at the Met's request. All business travel must be approved in advance by the employee's manager.

The Met maintains a travel policy that informs employees which expenses are permissible. Abuse of this business travel expenses policy can be grounds for disciplinary action, up to and including termination of employment.

## SECTION 8

# Leaving the Met

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## 8.1

### Resignation

Employees are asked to provide at least two weeks' advanced written notice of the intent to resign, with the specific date of planned departure, and Human Resources always appreciates the opportunity to conduct an exit interview.

Paid time off generally should not be included in the two-week notice period. If an employee provides more notice than requested, the Met will evaluate whether the additional notice is necessary for effective and efficient business operations and may shorten an employee's notice period, as needed. The Met reserves the right to place an employee on paid leave during the notice period or to terminate an employee's employment before expiration of the notice period consistent with our policy of at-will employment.

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## 8.2

### Immediate Dismissal - Misconduct

Any at-will employee whose conduct, actions, or performance violates or conflicts with the Met's policies may be terminated immediately and without warning, consistent with our policy of at-will employment.

The following are some examples of grounds for immediate dismissal of an employee:

- Breach of trust or dishonesty
- Willful violation of an established policy or rule
- Falsification of Met records
- Gross negligence
- Insubordination and/or refusal to follow instructions
- Violation of the Anti-Harassment and/or Equal Employment Opportunity Policies
- Timecard or timekeeping violations
- Unauthorized absence from duty during regularly scheduled work hours
- Deliberate non-performance of work
- Theft or unauthorized possession or use of property belonging to any co-worker, visitor, or customer of the Met
- Unauthorized possession, use, or copying of any records that are the property of the Met
- Marring, defacing, or other willful destruction of any supplies, equipment, or property of the Met
- Fighting or threats of violence
- Leaving the work premises without authorization during work hours
- Sleeping on duty

This list is intended to be representative of the types of activities that may result in immediate discharge. It is not exhaustive, and does not change the employment-at-will relationship between the employee and the Met.

In the event of dismissal for misconduct, all benefits terminate at the end of the month. COBRA benefits may not be available to anyone dismissed from the Met for gross misconduct.

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## 8.3

### Transition Meeting

Human Resources may schedule a transition meeting with employees upon leaving the Met or resignation to discuss post-resignation procedures, including returning Met property and the continuation of employee benefits.

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## 8.4

### Return of Met Property

Upon termination of employment, resignation, or at request of the Met, you are required to return to the Met all property belonging to the Met in your possession. Met property includes Met ID and charge cards; Met files, reports, correspondence, and related documents; mobile phones; training manuals and policy and procedure manuals; electronic equipment issued for business-related use in or out of the office (such as but not limited to computers, modems, software, tablets, mobile devices, etc.); and all other Met-issued materials.



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## 8.5

### Removal of Work Product and Other Information

Employees who are leaving the Met are required to obtain approval from their Assistant General Manager before taking with them (physically or via e-mail or other digital means) any of their Met emails, work product or other Met documents, notes, files, or records.

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## 8.6

### Benefits Upon Termination of Employment

Specific information regarding employee benefits will be discussed with employees during the transition meeting. In general, participation in and accrual of benefits under most benefit plans ends on the last day of the month in which employment terminates. Employee eligibility for continued benefits after termination of employment can vary based on the benefit and will be based on the administration of the individual benefit plans, as communicated in the summary plan descriptions and plan documents and applicable law.

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## 8.7

### Continuation of Group Healthcare Coverage

An employee who is enrolled in benefits through the Met, unless dismissed for gross misconduct, has the option to continue some of those benefits in accordance with The Consolidated Omnibus Budget Reconciliation Act (“COBRA”) regulations. Any rights to continuation or coverage of insurance will be addressed with employees at the time of termination.

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## 8.8

### Final Paycheck

If there are any unpaid obligations to the Met, the final paycheck will reflect the appropriate deductions.

# Whistleblower Policy

The purpose of this Whistleblower Policy is to set forth the policy of The Metropolitan Opera Association, Inc. (the “Met”) for the protection of the Managing Directors, officers, employees and volunteers who report suspected improper conduct from retaliation and the procedures for the handling of such reports. This policy shall also apply to the Metropolitan Opera Endowment Trust insofar as it has been approved by the Committee of the Metropolitan Opera Endowment Trust.

## Policy

The Met is committed to achieving compliance with all laws, government regulations, accounting standards, accounting controls and audit practices. It is the policy of the Met that no Managing Director, officer, employee or volunteer who in good faith reports any action or suspected action taken by or within the Met that is illegal, fraudulent or in violation of any policy adopted by the Met (“Report” or “Reports”) shall, as a result of the Report, suffer intimidation, harassment, discrimination or other retaliation or, in the case of employees, adverse employment consequence.

Such action or suspected action includes, but is not limited to, the following:

- fraud, deliberate error or negligence in the preparation, evaluation, review or audit of any financial statement;
- fraud, deliberate error or negligence in the recording, and maintaining of financial records of the Met;

- deficiencies in or noncompliance with internal accounting controls;
- a knowing misrepresentation or false statement by an employee or volunteer to a senior staff member regarding a matter contained in the Met’s financial records, financial reports or audit reports;
- a knowing misrepresentation or false statement by a senior staff member or other employee to a government authority or a Managing Director, officer or donor of the Met regarding a matter contained in the Met’s financial records, financial reports or audit reports;
- deviation from full and fair reporting of the Met’s financial condition; and
- any illegal activity occurring at the Met.

This Policy is not a vehicle for raising human resources issues, including complaints of employment discrimination or sexual or any other form of prohibited discrimination or harassment, which should be dealt with in accordance with the Met’s Non-Discrimination and Anti-Harassment Policy.

Any Managing Director, officer, employee or volunteer of the Met who: (i) retaliates against anyone for making a Report in good faith or participating in an investigation of a Report pursuant to this Policy, or (ii) deliberately or maliciously provides false information in a Report or investigation of a Report pursuant to this Policy, may be subject to action by the Met, up to and including disciplinary action and termination of employment.

## Procedures

In order to facilitate the receipt, review and resolution of Reports, the Met has established the following procedures for (1) the confidential and, if requested by the person making the Report, anonymous submission of Reports, and (2) the receipt, retention and treatment of Reports.

### Administration of Whistleblower Policy

The General Counsel of the Met shall administer this Whistleblower Policy and shall report to the Audit Committee.

### Receipt of Reports

All Reports are to be made directly to the General Counsel of the Met. A Report concerning action or suspected action within the Legal Department may be reported directly to the Chairman of the Audit Committee.

Those wishing to submit a Report on an anonymous basis may send the Report by mail or other means to:

The Metropolitan Opera  
Attn: General Counsel  
Lincoln Center  
New York, NY 10023

Or, if applicable:

The Metropolitan Opera  
Attn: Chairman of the Audit Committee  
Lincoln Center  
New York, NY 10023

Employees may also report complaints anonymously to the General Counsel through the Met’s Hotline at 844.809.1620 or online at

metopera.ethicspoint.com. The hotline and website are available 24 hours a day, every day of the year. Both are operated by EthicsPoint.

#### Treatment of Reports

Upon receipt of a Report, the General Counsel (or Audit Committee Chairman), will (A) acknowledge receipt to the sender (except when not possible due to anonymous submission); (B) undertake a preliminary investigation into the matter; (C) refer the matter, including his or her conclusion based on the preliminary investigation, to the Audit Committee Chairman for consideration by the Audit Committee and a determination as to whether further review and/or investigation is warranted and, if so, the nature of the review and/or investigation.

Prompt and appropriate corrective action will be taken when and as warranted in the judgment of the Audit Committee, which action may include any appropriate disciplinary action against any wrongdoer up to and including termination of employment, civil legal proceedings, reporting of the misconduct to the Attorney General of the State of New York and/or referring of the matter to the appropriate prosecutor for possible criminal proceedings. The final resolution concerning a Report will be provided in appropriate instances to the individual who submitted it.

#### Confidentiality

Confidentiality will be maintained with respect to each Report and the person making the Report to the fullest extent possible, consistent with the need to conduct an adequate review and/or investigation and take any necessary corrective action.

#### Retention of Reports and Records of Reviews and Investigations

The General Counsel will maintain a record of the receipt, review, investigation and resolution of all Reports (except when the Report involves the Legal Department and is reported directly to the Audit Committee Chairman, in which case the foregoing steps will be taken by him or her). Access to such records shall be restricted to legal counsel and the Audit Committee.

#### Dissemination and Acknowledgment of Receipt of this Policy

A copy of this Whistleblower Policy shall be provided upon its adoption to all current Managing Directors, officers and employees and all volunteers who provide substantial services to the Met and to all new Managing Directors, officers and employees and all volunteers who provide substantial services to the Met upon their initial hiring, election or appointment, as the case may be, and the Met shall obtain from each such person and retain a written acknowledgement of the receipt of this Policy.

This Policy cannot be viewed as creating a promise or contract by the Met, and it may be amended by the Met at any time without prior notification. Employment at the Met is at will, and nothing in this Policy should be interpreted as in any way limiting this at-will relationship.





