

CORNELL COOPERATIVE EXTENSION ERIE COUNTY
BOARD OF DIRECTORS MEETING
February 28, 2023
Public Meeting @ 7 pm

RCC Power House, 39 S. Grove St., East Aurora

AGENDA

- 1. Board Meeting Call to Order:** Matthew Agle, *President*
- 2. Agenda review**
- 3. Approval of Board and Committee Minutes *** (5 min) Carla DiCanio-Clarke, *Secretary*
- 4. Approval of November Financial Reports*** (5 min) Li Shen, *Treasurer*
- 5. Reports:**
 - ◆ Committees: Capital Project, Finance, Operations, Development, DEI (20 min)
 - ◆ Cornell Cooperative Extension (5 min)
 - ◆ Executive Director (5 min)
- 6. Old Business:**
 - ◆ Addendum to Bammel Architects contract* (5 min)
- 7. New Business**
 - ◆ Approval of the AR agreement – Erie County Contract* (10 min)
 - ◆ Approval of AADIP (Affirmative Action, Diversity, and Inclusion Plan)* (10 min)
 - ◆ Approval of contract with SJB for Burton Rd. soil borings* (10 min)
 - ◆ Proposed Board meeting date change for yearend approvals: from Tues 3.28.23 to Tues 3.21.23* (5 min)

DATES AHEAD:

Board of Directors meeting

proposed **March 21st (Tues) 7 pm**
RCC Power House

** Indicates item needing Board action*

CORNELL COOPERATIVE EXTENSION ERIE COUNTY
BOARD OF DIRECTORS MEETING
Jan. 24, 2023
Public Meeting @ 7 PM
RCC Powerhouse, 39 S. Grove St. East Aurora and via Zoom

Present

Jack McGowan, Brett Kreher, Matt Agle, Sara Root, Kathryn Franco, Carla DiCanio-Clarke, Ron Engasser, Gail Wells (joined at 7:14 PM)

Video: Li Shen, Matt Janiga

Absent

Amelia Kermis

Staff

Diane Held, Tim Bojanowski

Guests

1. Call to Order

- a. Matt Agle, *President*, called the meeting to order at 7:04 PM.

2. Agenda Review

- a. Matt inquired if there were any additions to the agenda. No updates to report.

3. Approval of Board and Committee Minutes*

- a. Motion to approve the Dec. 20, 2022 board meeting minutes was made Jack McGowan and seconded by Brett Kreher. Motion passed unanimously.

4. Approval of November 2022 Financial Reports*

- a. Inquiry on an entry in the financial report. It was decided to postpone reviewing and approving the November 2022 financial report at the February 2023 board meeting.

5. Reports

a. **Committees:**

- i. Executive – No updates to report.
- ii. Capital – Have been discussing building a wildflower cover crop or other cover crop at the Burton Rd. property to help improve the soil and minimize weed takeover. Continue to explore options for grant funding to cover the expenses to implement, with a deadline of Fri., Jan. 27. Motion to approve Diane the authority to investigate and authorize an agreement on the cover crop funding grant was made by Brett Kreher and seconded by Matt Agle. Motion passed unanimously.
- iii. Finance – No updates to report.
- iv. Operations – No updates to report. Will have more policies to review and approve later this year.
- v. Development – Waiting to hear back from Oishei on decisions made for part-time development personnel position. Currently also looking into more information on the UB Salesforce program, where the software is provided for free and a student is assigned for managing the implementation of the program. Diane, Jack and Tim are having a meeting to discuss further.

- vi. Diversity, Equity & Inclusion (DEI) – No updates, but will be scheduling meeting soon.
- b. **Cornell Cooperative Extension:**
 - i. No updates to provide.
- c. **Executive Director:**
 - i. Diane recently joined other area CCE Executive Directors to meet with local Erie County legislators, to advocate for NYS 224 funding. Currently waiting to hear back if we will be granted level funding in the upcoming budget announcement.
 - ii. Staffing changes have been reduced to only two postings and currently working through onboarding with the recent hires.
 - iii. Diane attended the Ag Society Meeting in Syracuse earlier in January where Gov Hochul made a surprise appearance.

6. Old Business

- a. **Burton Road property:** Have confirmed that there were back taxes on the property that temporarily raised red flags for progressing forward with construction. This issue has been passed to the previous property owner and in progress for resolution, to allow us to move ahead with site plan approval.
- b. **Ag opt in and annual appeal:** Have been receiving opt-ins on a rolling basis (28 received to date, averaging \$50 per enrollment, 6 new enrollees to report).
- c. **Single audit:** Confirmed to be moving forward, as planned.

7. New Business

- a. **Annual approvals (including approval of the BR agreement with Cornell)*:** Motion to approve the 2023 Annual Approvals was made by Gail Wells and seconded by Kathryn Franco. Motion passed unanimously.
- b. **2023 Association budget review and approval*:** Approval of the 2023 Annual Association budget was made by Brett Kreher and seconded by Carla DiCanio-Clarke. Motion passed unanimously.
- c. **Board officer elections*:**
 - i. Matt Agle presented the proposed slate of officers for election:
 - 1. President: Matt Agle
 - 2. Vice-President: Brett Kreher
 - 3. Treasurer: Li Shen
 - 4. Secretary: Carla DiCanio-Clarke
 - ii. Motion to approve the proposed slate was made by Jack McGowan and seconded by Kathryn Franco. Motion passed unanimously.
- d. **Establish Board committees*:** Motion to add the Diversity, Equity & Inclusion committee as an official board committee was made by Kathryn Franco and seconded by Brett Kreher. Motion passed unanimously.
 Reminder that committee meetings follow the same operating rules as a board, meaning official meetings need to be taking place in person.
 Board Committees confirmed as follows:
 - i. Executive: Matt Agle, Brett Kreher, Li Shen, Carla DiCanio-Clarke, Jack McGowan
 - ii. Finance: Li Shen (Chair), Jack McGowan, Matt Agle, Matt Janiga, Kathryn Franco
 - iii. Operations: Sara Root (chair), Matt Agle, Carla DiCanio-Clarke, Kathryn Franco, Amelia Kermis
 - iv. Capital: Amelia Kermis (Chair), Ron Engasser, Matt Janiga, Jack McGowan, Brett Kreher

- v. Development: Jack McGowan (Chair), Ron Engasser, Brett Kreher, Gail Wells, Matt Agle
- vi. DE&I: Gail Wells, Sara Root, Kathryn Franco, Brett Kreher, Carla DiCanio-Clarke (Chair to be confirmed)
- e. **Board training – date considerations:** Discussion on doing training in person versus virtually. Board decision to go with virtual session(s). Training duration is TBD but likely a couple individual 1.5-hour sessions. Diane to investigate scheduling options, focusing on evenings (7 PM) and Tuesdays. Options to be provided via email for confirmation.

Motion was made by Gail Wells and seconded by Carla DiCanio-Clarke to adjourn. Approval by all attendees.

Meeting was adjourned at 8:52 PM.

Respectfully submitted,
Sara Root

**Indicates item needing Board action.*

DATES AHEAD:

Board of Directors Meeting
Roycroft Campus Powerhouse

Feb. 28th (Tues), 7 PM

4-H Program Advisory Committee meeting minus
December 8, 2022

In attendance - Sara, Bill, Marcia, Talisa (virtual), Kristi, and Catherine

Meeting called to order by a motion from Bill with a second from Marica at 6:43 pm

Approve meeting minutes from September - Catherine motions to approve, Bill seconds, all in favor, Marcia, Kristi, and Talisa, so approved.

Educator updates - Sara: New educator Madelyn to start in January. Would like to have an open house to meet the new educator - ice cream social maybe? What dates and times work best? Saturday am was suggested for the largest potential participation.

Updates on needs assessment - Committee went through some of the answers together to get a sense of the amount and nature of the responses. Please put the needs assessment survey on the website with maybe a separate email (not in the speed read) coming from Lynn to encourage participation. The officers training in January and Public Presentations would be a good place to deploy the needs assessment survey.

Committee membership - Bill would like to step down and have no committee involvement at this time, Talisa would like to step away from her current officer position but agreed to stay on until the position can be filled, Catherine would also like to step down but has plans to return after a year break. 3 new advisory committee members are needed.

Additional -Committee discussed some highlights of the year in terms of the committee and direct success.

- The visibility of the committee improved (Marcia)
- Had a large event (Bill)
- Commitment and passion of the committee (Talisa)
- Willingness of committee to work through conflict (Sara)
- See all of the angles and different perspectives of 4-H (Catherine)

Discussed a need to make all the forms available online and more importantly a central reference document with due dates of those forms and language that expresses those forms aren't enrollment forms but serve as a way to get on the corresponding listserv. This will hopefully help combat missed deadlines and the all too familiar feedback of, "I didn't know there was [an informational] meeting.

Next Meeting - January 19 @ 6:30 pm virtual. Hold 2/16 & 2/21 @ 6:30pm for Feb's meeting.

Meeting adjourned by a motion from Marcia with a second from Catherine at 7:36 pm

4-H Youth Development Program Advisory Committee
Meeting Minutes
1/19/23

Location: Zoom

Time: 6:30pm-7:00pm

In attendance: Tracy Galuski, Bill Donovan, Catherine Konieczny, Marcia Duffy, Tammi Kron, Sara Jablonski, Maddie Webb, Kristie Hawley, Talisa King

Maddie introduced herself as the new 4H educator

- Call to order and the 4H pledge
- Topic of discussion, new members. We discussed three applications: Jackie Vergien, Mahisa Mannan, Maimuna Mannan

Discussion around whether or not 2 family members can participate, it was determined they can both participate based on past precedence. However, Sara will check to be sure they can both vote.

-Sara's follow up note – She confirmed with Diane that we do have a CCE policy that two family members cannot both vote when they're on the same committee.

Jackie Vergien, Mahisa Mannan, Maimuna Mannan were voted in as members with a unanimous vote. Bill included his name as a candidate for another term.

Next meeting dates: February 13 and 16 put on hold – TBD.

The board expressed their appreciation for Catherine as she steps down from the board.

Meeting adjourned 7:07.

***Agriculture Program Committee Meeting
Cornell Cooperative Extension of Erie County
Meeting Minutes***

December 13, 2022 7pm

I. Call to order

Allen Young Called Meeting to Order at 7:06PM on 12/13/22 via Zoom.

II. Roll call

Sharon Bachman; Allen Young; Carl Moody; Diane Held; Katelyn Walley-Stoll;
Jennifer Russo; Mallory Hohl; Vince Phelps; Joey Kwilos; John Whitney; Dave
Weaver; Elizabeth Buck

III. Approval of minutes from last meeting

Approve Minutes from September 28th 2022; Carl Moody Moved to Approve Second
Allen Young

IV. Partner Organization Updates

- a) Farm Bureau: No Report Provided;
- b) Soil and Water: Allen Young reported equipment project related to manure use.
- c) County Dept of Environment and Planning: Report provided. Ag districts and Ag planning grants. Solar update provided. Ongoing work in the Erie Grown Passport.
- d) WNY Land Conservancy – Update given on grant funding planning and project updates.

V. Ag Staff Updates

- a) CCE Executive Director Updates – Storm Damage Assessment/Survey update provided. 2023 Ag enrollment update – enrollment fee and program support changes detailed. Newsletters will be available online at no cost to encourage enrollment. Property update given, awaiting site plan approval. Continued work with architects – 95% complete. Capital campaign will begin in the future.

- b) Kathleen McCormick update on Farmland for a New Generation provided by Diane Held.
- c) Elizabeth Buck – Vegetable team update provided. Expo is upcoming in February 2023; Erie meeting in the process of being scheduled. Winter workshops are being scheduled. Work proceeding on sweet potato growing. Fieldwork has concluded.
- d) Jennifer Russo – Winter conference series is underway. In-person event scheduled for March 2023 with guest speakers from Penn State and Cornell. Pesticide applicator course has also being organized. Spotted lantern fly update provided – established population present in Buffalo, NY. Recruiting for new team members – Interviewing underway.
- e) Harvest NY – Mallory Hohl – Urban farm day update. Tentative date 8/26.
- f) SWNY Dairy, Livestock Team - Katelyn Walley-Stoll – Webinar series is organized. Focus on plain language trainings. Bus tour to eastern NY being organized. Session on Hay production planned for 2/25. Work on DEC pesticide credits continues. Highly Pathogenic Avian Influenza– to date no confirmed cases in the region. Reporting system has been tested and is working.

VI. CCE County Staff Reports

- a) Sharon Bachman – Cornell Climate Initiative update provided. Pursuing Funding for Hemlock Woolly Adelgid Treatments (Chestnut ridge and Franklin Gulf). Box tree moth education and outreach planned; Honey producers’ partnership is planned to restart in Late January/Early February.
- b) John Whitney – Working on agricultural drivers license training with Taste of NY. Planning for 2023 season. Climate change and energy work with various groups/farm bureau. County climate action plan begin organized. Taste NY kiosk update provided.

VII. Old Business

- a) Spotted Lanternfly Detection in Buffalo
- b) Ag Enrollment 2023
- c) Cornell Climate Steward Initiative
- d) CDL Training for agriculture operations

VIII. New Business

a)

IX. Adjournment

Allen Young motioned to adjourn the meeting at 8:44pm; Dave Weaver Second

Minutes submitted by: Carl Moody

Next Meeting – Tuesday, January 24th 2023; 7pm

Cornell Cooperative Extension Erie

Master Gardener Steering Committee Meeting

January 10, 2023

5:00 p.m. Facilitated via Zoom

Call to Order: The meeting was called to order at 5:11 PM by Mary Jane Bolo, stepping in for Sean McElroy

Present: Sharon Bachman, Lucy Barnett, MaryJane Bolo, Vicki Bruning, Craig Coyne, Carol Ann Harlos, Bev Kent, Cindy Kincaide, Peggy Koppmann, Therese Melchiorre, Kathy Moran, Margaret Raupp, Carol Sobczak, Jane Vohwinkel

Excused: Sean McElroy, Michelle Dunham, Linda Mayer

Call for New Agenda Items: None *Vote taken

I. *Acceptance of minutes

November 1, 2022 Steering Committee Minutes: No corrections

A motion to accept the minutes was made by Craig Coyne, seconded by Peggy Koppmann. **Motion Carried**

II. Action Items

A. Old Business *Vote taken

1. **Holiday and Recognition Event:** As per Sean McElroy's report on the Holiday event there were 46 attendees @ \$15.00 per person for a total of \$690.00. A \$100.00 donation will be made to the East Aurora Senior Center. Total food cost was \$590.65. Bev Kent felt that the expenses of the holiday party should be reviewed. Tabled until February meeting.
Carol Sobczak thanked all who received service awards and verified that for those who were not present at the event, awards were mailed to all absentees. Details in Historian Year-end report. Totals for awards as follows:
7 –25-year Lifetime Membership Awards; 2 –15-Year Awards; 2 –10-Year Awards; 12 –5-Year Awards; 1 –3-Year Award
2. **2023 Education Committee Events:** Communities in Bloom two gardening topics both presented on two dates at two different locations, to give everyone an opportunity to attend, they are: 2/11/2023 at The Parkside Lodge-Delaware Park and 2/25/2023 at the Powerhouse – Roycroft Campus
Education Day March 11, 2023, is still in need of volunteers; Peggy Koppmann suggested that newer MGs could be a good resource. Peggy also mentioned the book orders can be made, detailed in the newsletter, and reminded MGs that we rely on them to make donations to the basket raffle to offset the cost of the event.
Margaret Raupp stated that all speakers for Education Day are scheduled and Confirmed.

3. **Fundraising Committee Update:** Vicki Bruning reported that the Plant Sale is on track for May 25 (setup), 26-27 (sale) and MG volunteers are needed for Team Leaders.
4. **Pollinator Project Update:** On behalf of Dorothy Weitz, Sharon Bachman reported that Pollinator Project is moving forward with exciting updates to the web page, new bookmarks and banners also being planned.
5. **Policy Statement Update: Honorary Volunteer Status:** Tabled until February meeting
6. **Subscription: Software Package for Volunteer Activity Management:** Tabled until February meeting
7. **Photo Directory Update:** Vicki Bruning reported that very few photos have been submitted. Mary Jane Bolo asked if photos could be taken at Education Day and Vicki stated that there would not be a photographer available to do this. Vicki also requested that anyone who wants to use an older photo that is already in the system should let her know. The details of how to submit photos are in the newsletter.
8. **Officer Procedure Notebooks Update: Apprentice Advisor (Transfers):** All notebooks have been distributed except for the Treasurer notebook. The content for the welcome packets for MG transfers from other counties is currently on hold.
9. **Scholarship Update:** Cindy Kincaide reported that the deadline for applications is March 31, 2023. Applications are online on CCE site.

B. New Business

1. **2023 Appointment of Committee Chairs:** Tabled until February meeting when President Sean McElroy is available
2. **Plantasia: Recruitment of Volunteers:** Tabled until February meeting. SC authorization for table rental, \$175, at this event was approved at the November 7, 2022 meeting.
3. **Year End Reports (YER):** Vicki Bruning stated that an email was sent detailing the process of submitting 2022 Year End Reports. Officers and committee chairs should post reports in BOX, and keep a hard copy in the notebook for their position. The purpose of these reports is to have a continuum of communication of what was accomplished when handing over the position to the next person.
Vicki will make sure 2022 folder is available in BOX for this in the 2022 Information folder.
4. **Scholarship Update:** Cindy Kincaide reported that the deadline for applications is March 31, 2023. Applications have been updated and are available online on the CCE website. Announcements will be sent out to schools and other educational contacts this coming Monday. The winner will be selected by the committee by Memorial Day.

III. Reports

A. CCE Erie

1. **MG Representative to the CCE Erie Board of Directors:** Sharon Bachman stated that Board Members Jack McGowan and Amelia Kermis were not available tonight but will plan to attend our February meeting.
2. **Program Educator**
 - a. Sharon reviewed her final **Program Educator Reporting**. She stated that the numbers include contacts at Erie County Fair, hotline numbers, and off-site visits.
 - b. **Annual Volunteer Forms** were requested in early December. Sharon will have Jolie follow up with those MGs who have not yet submitted their forms.
 - c. **2023 Orientation for Steering Committee** Sharon asked Treasurer Vicki Bruning to give a brief summary of how to request funds for MG activities.
 SC members were reminded to work through the office before spending or committing to spend any money. Requests over \$25 need prior approval by the SC, preferably 2 months in advance. Expenses \$25 and less, considered petty cash, should be cleared through Sharon before an out-of-pocket purchase is made by any MG in order to be reimbursed by the office. The preference of the office is to not incur payment of tax.
 The reason for a 1–2-month lead time is so that Sharon can assist with purchases that can be ordered from Amazon or paid for with credit card by the office.
 Above all, communication with Sharon and a copy of that communication to the treasurer is requested. Such communication should include the name of the vendor, cost(s) with contact information. The treasurer will follow up with the office and the requesting MG. Sharon further defined that the Treasurer's role includes tracking office progress of approvals and expenditures.

B. Officers and At-Large

Mary Jane Bolo announced and thanked all new Officers and At-Large Representatives. She stated that there will be co- assistants to the position of Vice President to help with the service hour requests and general organizing of duties. Paula Malesa and Debbie Guzzino will take on this responsibility.

Sharon Bachman reported that she is sharing the file on Apprentice Volunteer hours to assist Margaret Raupp with tracking and outreach. Margaret hopes that newer MGs will start to volunteer more. She will initiate a new outreach program to spur involvement. Bev Kent suggested outreach to prior classes as well.

C. Committees

1. **Community Outreach: Hotline, Soil Clinic, Speaker's Bureau:** Jane Vohwinkel reported there were 23 speaking engagements in 2022. Full details in her written report. She will write a newsletter article encouraging all MGs to consider taking a topic to speak on to public groups.
2. **Education:** Bev Kent stated that the 2023 calendar will be updated and reposted. Vicki Bruning asked that discussion about the speaker evaluation form be tabled until February meeting.
3. **Fundraising/Plant Sale:** Nothing further
4. **Guidelines:** Nothing at this time
5. **Historian :** Carol Sobczak reminded SC members to submit photos to Box, the newsletter editor and the Historian

6. **Publicity:** Craig Coyne stated that the-committee continues to publicize upcoming MG events such as Communities in Bloom and MGED. outreach has already begun with more publicity planned in other outlets.
7. **Scholarship:** Nothing more at this time
8. **Volunteer Communications: Newsletter, Website:** Vicki Bruning reminded those present that all articles for the newsletter are due by the 6th of the month prior to publication.

IV. For the Good of the Order No Announcements

V. Adjournment

A motion to adjourn was made by Cindy Kincaide and seconded by Craig Coyne. The meeting adjourned at 6:16 PM

Next Meetings

February 7, 2023 - SC 5:00 pm, GVM 6:30 pm, Zoom only

March 11, 2023 - Master Gardener Education Day – In person only
Classics V Banquet & Conference Center, 2425 Niagara Fall Blvd, Amherst, NY 14228

April 4, 2023 - GVM 6:30 pm - The Powerhouse and via Zoom

Respectfully Submitted,
Lucy Barnett
Secretary
January 19, 2023

CCE Erie County
Statement of Financial Position
11/30/2022

	Last Month Closed	11/30/2022
Assets		
Current Assets:		
Petty Cash	\$	750.00
Cash on Hand	\$	910.00
Checking	\$	249,934.43
Savings	\$	2,130.46
Cash Equivalents, Taste NY	\$	149,188.80
Undeposited Funds	\$	10,152.74
Total Cash	\$	413,066.43
Accounts Receivable	\$	611,769.67
Accounts Rec. Inter-Assoc	\$	3,268.65
Mortgage Receivable	\$	7,860.67
Prepaid Expenses	\$	10,704.26
Total Current Assets	\$	1,046,669.68
Non-Current Assets:		
Investments, Mutual Funds	\$	705,801.32
Deposits	\$	92,458.00
Mortgage Receivable	\$	314,998.36
Total Non-Current Assets	\$	1,113,257.68
Fixed Assets:		
Land	\$	148,839.00
Equipment	\$	2,388.00
Construction in Progress	\$	85,442.00
Total Fixed Assets	\$	236,669.00
Less Accumulated Depreciation	\$	13,561.19
Total Fixed Assets	\$	250,230.19
Total Assets	\$	2,410,157.55
Liabilities and Net Assets		
Current Liabilities:		
Accounts Payable	\$	103,309.11
Accounts Payable Inter-Association	\$	(153.34)
Accounts Payable, Cornell Expenses	\$	121,995.28
Due To, Intra-Association	\$	385.00
Accrued Vacation	\$	29,800.32
Sales Tax Payable	\$	4,703.87
Unclaimed Funds	\$	148.40
Deferred Revenues	\$	52,014.01
Agency Funds	\$	(39.15)
Total Current Liabilities	\$	312,163.50
Non-Current Liabilities:		
Taste NY LT	\$	149,860.21
Total Non-Current Liabilities	\$	149,860.21
Total Liabilities	\$	462,023.71
NET ASSETS:		
Net Assets Without Donor Restrictions		1,940,085.76
Net Assets With Donor Restrictions		8,048.08
Total Net Assets		1,948,133.84
Total Liabilities and Net Assets		2,410,157.55

CCE Erie County
Statement of Financial Position
11/30/2022

Last Month Closed 11/30/2022

Assets	Current Year	Previous Year-End
Current Assets:		
Petty Cash	\$ 750.00	\$ 1,849.00
Cash on Hand	\$ 910.00	\$ -
Checking	\$ 249,934.43	\$ 200,360.24
Savings	\$ 2,130.46	\$ 2,130.07
Cash Equivalents, Taste NY	\$ 149,188.80	\$ 120,405.20
Undeposited Funds	\$ 10,152.74	\$ 3,036.86
Total Cash	\$ 413,066.43	\$ 327,781.37
Accounts Receivable	\$ 611,769.67	\$ 610,265.00
Accounts Rec. Inter-Assoc	\$ 3,268.65	\$ 2,081.53
Mortgage Receivable	\$ 7,860.67	\$ 7,518.80
Prepaid Expenses	\$ 10,704.26	\$ 8,775.02
Total Current Assets	\$ 1,046,669.68	\$ 956,421.72
Non-Current Assets:		
Investments, Mutual Funds	\$ 705,801.32	\$ 737,166.24
Deposits	\$ 92,458.00	\$ 92,458.00
Mortgage Receivable	\$ 314,998.36	\$ 322,218.04
Total Non-Current Assets	\$ 1,113,257.68	\$ 1,151,842.28
Fixed Assets:		
Land	\$ 148,839.00	\$ 148,839.00
Furniture and Fixtures	\$ -	\$ 36,441.90
Computers	\$ -	\$ 11,940.00
Equipment	\$ 2,388.00	\$ -
Construction in Progress	\$ 85,442.00	\$ 3,650.00
Total Fixed Assets	\$ 236,669.00	\$ 200,870.90
Less Accumulated Depreciation	\$ 13,561.19	\$ (29,671.73)
Total Fixed Assets	\$ 250,230.19	\$ 171,199.17
Total Assets	\$ 2,410,157.55	\$ 2,279,463.17
Liabilities and Net Assets		
Current Liabilities:		
Accounts Payable	\$ 103,309.11	\$ 219,814.25
Accounts Payable Inter-Association	\$ (153.34)	\$ 6,990.67
Accounts Payable, Cornell Expenses	\$ 121,995.28	\$ 128,063.37
Due To, Intra-Association	\$ 385.00	\$ -
Accrued Salaries and Wages	\$ -	\$ 5,169.69
Accrued Vacation	\$ 29,800.32	\$ 29,800.32
Sales Tax Payable	\$ 4,703.87	\$ 643.91
Unclaimed Funds	\$ 148.40	\$ -
Deferred Revenues	\$ 52,014.01	\$ 64,009.92
Agency Funds	\$ (39.15)	\$ (49.07)
Loans Payable	\$ -	\$ 80,802.40
Total Current Liabilities	\$ 312,163.50	\$ 535,245.46
Non-Current Liabilities:		
Taste NY LT	\$ 149,860.21	\$ -
Total Non-Current Liabilities	\$ 149,860.21	\$ -
Total Liabilities	\$ 462,023.71	\$ 535,245.46
NET ASSETS:		
Unrestricted Net Assets	\$ 1,770,856.11	\$ 1,736,675.03
Unrestricted Revenues	\$ 3,185,127.59	\$ 3,186,292.09
Less Restricted Interest & Dividends	\$ (5.40)	\$ -
Unrestricted Expenses	\$ (2,981,711.46)	\$ (3,066,846.57)
Unrestricted Transfers To	\$ (81,792.00)	\$ (225,849.38)
Unrestricted Transfers From	\$ 47,610.92	\$ 105,315.82
Net Assets Without Donor Restrictions	\$ 1,940,085.76	\$ 1,735,586.99
Temporarily Restricted Net Assets	\$ 2,542.68	\$ 2,542.68
Temporarily Restricted Revenue	\$ 505.80	\$ -
Temporarily Restricted Expenses	\$ (0.40)	\$ -
Temporarily Restricted Transfers From	\$ -	\$ 1,088.04
Temporarily Restricted Net Assets	\$ 3,048.08	\$ 3,630.72
Permanently Restricted Net Assets	\$ 5,000.00	\$ 5,000.00
Permanently Restricted Net Assets	\$ 5,000.00	\$ 5,000.00
Net Assets With Donor Restrictions	\$ 8,048.08	\$ 8,630.72
Total Net Assets	\$ 1,948,133.84	\$ 1,744,217.71
Total Liabilities and Net Assets	\$ 2,410,157.55	\$ 2,279,463.17

CCE Erie County
Statement of Activities
11/30/2022

Last Month Closed **11/30/2022**

	CURRENT MONTH	Y.T.D. ACTUAL	ANNUAL BUDGET	UNDER/(OVER) BUDGET
UNRESTRICTED				

REVENUES, GAINS, AND OTHER SUPPORT:				
FEDERAL				
Federal Grants/Contracts	73,151.17	660,020.32	816,998.00	156,977.68
Smith/Lever	7,797.80	71,203.06	106,211.00	35,007.94
STATE				
State Grants/Contracts	49,099.72	516,013.06	633,844.43	117,831.37
State 224	7,572.30	81,843.98	60,000.00	(21,843.98)
Fringe Benefits	84,001.07	709,750.28	863,268.36	153,518.08
OTHER GRANTS/CONTRACTS				
Other Grants/Contracts	29,235.57	139,579.44	179,125.00	39,545.56
COUNTY				
County Appropriation	0.00	365,360.00	365,360.00	0.00
County Agreements/Contracts Federal	0.00	4,210.35	0.00	(4,210.35)
County Agreements/Contracts State	0.00	0.00	0.00	0.00
County Agreements/Contracts County	0.00	0.00	0.00	0.00
County Agreements/Contracts Private to Assoc.	0.00	0.00	0.00	0.00
County Agreements/Contracts Private to Assoc.	0.00	0.00	0.00	0.00
CONTRIBUTIONS UNRESTRICTED				
Contributions	(2,117.55)	37,643.42	18,955.67	(18,687.75)
INVESTMENT EARNINGS				
Dividends	16.44	12,262.24	6,800.00	(5,462.24)
Interest Income	1,407.95	15,041.20	16,316.09	1,274.89
PROGRAM/OPERATING REVENUES				
Program Fees	12,050.00	52,059.75	23,700.00	(28,359.75)
Regional Programs	0.00	250.00	0.00	(250.00)
Specialist Contract Support	1,041.56	11,220.00	10,980.00	(240.00)
Rental Income	750.00	750.00	0.00	(750.00)
Advertising/Subscription Income	0.00	0.00	0.00	0.00
Subscription Income	0.00	30.00	0.00	(30.00)
Sale of Printing/Duplicating Services	0.00	0.00	0.00	0.00
Reimbursement Prof. Services	20,328.24	21,128.24	300.00	(20,828.24)
Miscellaneous	(9,147.20)	199.99	0.00	(199.99)
Sale of Merchandise	0.00	308.56	0.00	(308.56)
Enterprises	0.00	3,148.63	1,600.00	(1,548.63)
Discounts	0.00	0.00	0.00	0.00
Sales - Fund Raising	20.00	59,916.88	284,000.00	224,083.12
Sales - Fund Raising, Livestock	3,880.00	418,814.62	0.00	(418,814.62)
Special Events	0.00	0.00	0.00	0.00
OTHER REVENUES				
Non-Operating Income	0.00	0.00	0.00	0.00
Gain on Sale of Investments	0.00	269.57	0.00	(269.57)
Gain on Sale of Fixed Assets	0.00	0.00	0.00	0.00
Prior Period Revenue Adjustment	4,098.20	4,098.20	0.00	(4,098.20)
Area Teams Funds From Cornell	0.00	0.00	0.00	0.00
TOTAL				
UNRESTRICTED REVENUES	283,185.27	3,185,121.79	3,387,458.55	202,336.76
Net assets released from restrictions	0.00	0.40	0.00	(0.40)
TOTAL UNRESTRICTED REVENUES, GAINS, AND OTHER SUPPORT	283,185.27	3,185,122.19	3,387,458.55	202,336.36
EXPENSES:				
SALARIES				
Salaries & Wages	131,554.43	1,130,287.23	1,385,298.72	255,011.49
EMPLOYEE BENEFITS				
Employee Benefits	85,249.89	723,040.20	893,197.02	170,156.82
Staff Development	564.78	7,587.07	18,497.30	10,910.23
Moving Allowance	0.00	0.00	0.00	0.00
PROGRAM/OPERATING EXPENSES				
Awards & Prizes	1,217.67	21,080.59	23,070.00	1,989.41
Accounting & Auditing Fees	0.00	0.00	10,000.00	10,000.00
Bank Service Charges	134.95	6,899.33	17,565.00	10,665.67
Computer/IT Services	212.67	2,420.07	3,700.00	1,279.93
Fund Raising	0.00	403,445.99	258,000.00	(145,445.99)
Special Events Assoc.	0.00	0.00	0.00	0.00
Trips & Tours	0.00	6,705.13	14,867.00	8,161.87

CCE Erie County
Statement of Activities
11/30/2022

Last Month Closed 11/30/2022

	CURRENT MONTH	Y.T.D. ACTUAL	ANNUAL BUDGET	UNDER/(OVER) BUDGET
Communication - Telephone	1,303.01	16,855.07	22,985.00	6,129.93
Supplies	1,747.15	35,186.67	23,494.00	(11,692.67)
Insurance	1,402.78	17,026.13	21,910.00	4,883.87
Item for Resale	0.00	0.00	0.00	0.00
Fees & Licenses	503.73	6,241.31	6,626.00	384.69
Lease & Rental	6,257.12	68,192.50	76,717.07	8,524.57
Meetings & Conferences - Food	225.21	6,225.05	5,625.00	(600.05)
Meetings & Conferences	304.99	3,720.00	14,799.00	11,079.00
Mileage/Travel/Fleet	3,244.23	23,607.62	30,478.25	6,870.63
Printing	299.15	9,705.62	14,403.96	4,698.34
Classified Ads/Publicity	258.46	20,183.85	78,726.47	58,542.62
Teaching Materials	1,735.62	80,691.16	65,880.00	(14,811.16)
Contract Services	36,292.96	278,730.02	312,396.00	33,665.98
Specialist Contract	3,557.00	39,127.00	42,672.00	3,545.00
Miscellaneous	0.00	0.00	10,105.76	10,105.76
Bad Debt Expense	0.00	0.00	0.00	0.00
Legal Fees	97.50	1,235.00	7,500.00	6,265.00
Outsourced Services	0.00	1,097.10	0.00	(1,097.10)
Subscriptions & Memberships	200.00	329.95	500.00	170.05
Taxes	0.00	1,936.34	0.00	(1,936.34)
Enterprises - Cost of Sales	0.00	2,980.58	2,275.00	(705.58)
GRANTS & CONTRACTS				
Regional Support	1,742.20	17,253.68	18,660.00	1,406.32
Association Services	0.00	6,987.95	8,000.00	1,012.05
BUILDINGS & GROUNDS				
Facilities	0.00	(70.00)	1,700.00	1,770.00
INTEREST EXPENSE				
Interest	0.00	170.45	50.00	(120.45)
EXPENSE OF FIXED ASSETS				
Depreciation	199.00	2,189.00	0.00	(2,189.00)
TOTAL EXPENSES	278,304.50	2,941,067.66	3,389,698.55	448,630.89
Increase (decrease) in non-donor restricted net assets	4,880.77	244,054.53	(2,240.00)	(246,294.53)
NON-OPERATING				
Non-Operating Expense	0.00	0.00	0.00	0.00
Loss on Sale of Investments	0.00	40,583.88	0.00	(40,583.88)
Loss on Sale of Fixed Assets	0.00	0.00	0.00	0.00
Prior Period Expense Adjustment	59.92	59.92	0.00	(59.92)
Area Teams Funds To Cornell	0.00	0.00	0.00	0.00
TOTAL NON-OPERATING ACTIVITY	59.92	40,643.80	0.00	(40,643.80)
Total Non-Donor Restricted & Non Operating	4,820.85	203,410.73	(2,240.00)	(205,650.73)
DONOR RESTRICTED				
Contributions	0.00	500.40	0.00	(500.40)
Interest Income	0.00	5.40	0.00	(5.40)
Non-Operating Income	0.00	0.00	0.00	0.00
Gain on Sale of Investments	0.00	0.00	0.00	0.00
Non-Operating Expense	0.00	0.00	0.00	0.00
Prior Period Revenue Adjustment	0.00	0.00	0.00	0.00
Non-Operating Expense	0.00	0.00	0.00	0.00
Loss on Sale of Investments	0.00	0.00	0.00	0.00
Prior Period Expense Adjustment	0.00	0.00	0.00	0.00
Net assets released from restrictions	0.00	0.40	0.00	(0.40)
Increase (decrease) in donor restricted net assets	0.00	505.40	0.00	(505.40)
INCREASE (DECREASE)				
TOTAL NET ASSETS	4,820.85	203,916.13	(2,240.00)	(206,156.13)

CCE Erie County
Statement of Activities
11/30/2022

Last Month Closed 11/30/2022

	CURRENT MONTH	Y.T.D. ACTUAL	ANNUAL BUDGET	UNDER/(OVER) BUDGET
NET ASSETS BEGINNING OF YEAR		1,744,217.71		
NET ASSETS YEAR-TO-DATE		<u>1,948,133.84</u>		

AIA® Document B101™ – 2017

Standard Form of Agreement Between Owner and Architect

AGREEMENT made as of the First day of March in the year Two Thousand Twenty-two
(In words, indicate day, month and year.)

BETWEEN the Architect's client identified as the Owner:
(Name, legal status, address and other information)

Cornell Cooperative Extension of Erie County
Roycroft Campus
21 S. Grove Street
East Aurora, NY 114052

and the Architect:
(Name, legal status, address and other information)

Bammel Architects, P.C.
6264 W. Quaker St.
Orchard Park, NY 14127
716-662-2482

for the following Project:
(Name, location and detailed description)

Cornell Cooperative Extension of Erie County
Burton Rd, Orchard Park
New headquarters building

The Owner and Architect agree as follows.

Amended 2/1/23
see page 21, ARTICLE 11.

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Init.

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User Notes: (1095456110)

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necessary for the receiving party to defend itself in any dispute. The receiving party may also disclose such information to its employees, consultants, or contractors in order to perform services or work solely and exclusively for the Project, provided those employees, consultants and contractors are subject to the restrictions on the disclosure and use of such information as set forth in this Section 10.8.

§ 10.9 The invalidity of any provision of the Agreement shall not invalidate the Agreement or its remaining provisions. If it is determined that any provision of the Agreement violates any law, or is otherwise invalid or unenforceable, then that provision shall be revised to the extent necessary to make that provision legal and enforceable. In such case the Agreement shall be construed, to the fullest extent permitted by law, to give effect to the parties' intentions and purposes in executing the Agreement.

ARTICLE 11 COMPENSATION

§ 11.1 For the Architect's Basic Services described under Article 3, the Owner shall compensate the Architect as follows:

- .1 Stipulated Sum
(Insert amount)

~~\$208,130.00~~ **\$259,580.00**
Minus \$3,650.00 Survey cost paid for directly by Owner
~~\$204,480.00~~ **\$255,930.00**

ADJUSTED DUE TO
ESTABLISHED PROGRAM
ANTICIPATED 7,200 SF GREW
TO 9,600 SF + 6,000 BASEMENT

- .2 Percentage Basis
(Insert percentage value)

() % of the Owner's budget for the Cost of the Work, as calculated in accordance with Section 11.6.

- .3 Other
(Describe the method of compensation)

§ 11.2 For the Architect's Supplemental Services designated in Section 4.1.1 and for any Sustainability Services required pursuant to Section 4.1.3, the Owner shall compensate the Architect as follows:
(Insert amount of, or basis for, compensation. If necessary, list specific services to which particular methods of compensation apply.)

hourly or as mutually agreed upon

§ 11.3 For Additional Services that may arise during the course of the Project, including those under Section 4.2, the Owner shall compensate the Architect as follows:
(Insert amount of, or basis for, compensation.)

Principal \$200
Associate \$180
CAD 1 \$100
CAD 2 \$60

§ 11.4 Compensation for Supplemental and Additional Services of the Architect's consultants when not included in Section 11.2 or 11.3, shall be the amount invoiced to the Architect plus ten percent (10 %), or as follows:
(Insert amount of, or basis for computing, Architect's consultants' compensation for Supplemental or Additional Services.)

Init.

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User Notes:

(1095456110)

PUBLIC BENEFIT SERVICES CONTRACT

THIS CONTRACT, made as of the 1st day of January, 2023, effective through December 31, 2023, by and between **THE COUNTY OF ERIE**, a municipal corporation of the State of New York, having its principal place of business at 95 Franklin Street, in the City of Buffalo, New York, 14202 (the “County”), and **CORNELL COOPERATIVE EXTENSION ASSOCIATION OF ERIE COUNTY** (the “Organization”), a not-for-profit corporation, having its principal place of business at **21 South Grove Street East Aurora, NY 14052**.

WITNESSETH:

WHEREAS, the County, pursuant to the authority granted to it by Sections 224 and 225 of the County Law and Local Law No. 3-2002, has appropriated funds in the County’s 2023 Budget for the purpose of making a conditional grant to the Organization; and

WHEREAS, the County and Organization wish to more specifically define the terms and conditions related to the payment of said conditional grant to the Organization by the County and the obligations of the Organization upon receipt of said conditional grant.

NOW, THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES:

1. The Organization agrees to provide public benefit services for and within Erie County as specified in the Scope of Work which is attached hereto and incorporated herein as **Exhibit A** (“Scope of Work”). No funds granted under this Contract shall be applied to any purposes other than those described in paragraph 22 below.
2. In support of such public benefit services, the County agrees to pay to the Organization, subject to the terms and conditions enumerated herein, an amount not to exceed **\$401,896.00**, payable as follows:

50% thereof or **\$200,948.00** within 30 days of the execution of this Contract; and
50% thereof or **\$200,948.00** on June 15, 2023.

Payments shall be made on two separate invoices submitted to the Erie County Department of Environment and Planning (the “Department”) and approved by the Department. The Department will approve payments once it has received required supporting documentation as described in **Exhibit B** as “Reporting Requirements”. The invoice for first payment should be dated the same date as the Contract signed by the Organization. The second invoice is to be dated June 15, 2023 for that payment to be issued.

If, in order to perform its obligations under this Contract on a timely basis, the Organization requires the use of an additional part of said amount prior to such payment dates, the County may, upon approval of the Budget Director, pay to the Organization from time to time such amounts as the Budget Director may determine.

3. This Contract shall be deemed executory only to the extent of funds available as determined by the Budget Director and appropriated by the County for the performance of the terms hereof, and no liability on account thereof shall be incurred by the County beyond such funds. Funds provided pursuant to this Contract shall not be used for any purpose prohibited by law.

This Contract is also subject to further financial analysis of (1) the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Contract; and (2) the impact of any federal government budgetary actions, including but not limited to the "sequestration" process. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and following certain congressional budgetary actions and adjustments through sequestration or related legislative actions, and for a reasonable period after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget or sequestration on County finances. After such analysis, the County shall retain the right to either terminate this Contract or to change the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Organization, then the Organization shall have the right to terminate this Contract upon reasonable prior written notice.

4. Notwithstanding any contrary provision of this Contract, or any provision of the County's current budget, the County Executive may reduce the total amount of funds in this Contract, and not yet paid to the Organization, upon ten (10) days written notice.

5. The Organization shall maintain complete, accurate and current records of all financial transactions relating to its operation and the services performed pursuant to this Contract. During the term of this Contract and at any time within six (6) years thereafter, the Organization shall make such records available, upon request, to the County for review. The County shall have the right, upon reasonable notice and at reasonable times, to inspect the books and records of the Organization, its offices and facilities, for the purpose of verifying information supplied to the County or for any other purpose reasonably related to monitoring the services to be performed by the Organization pursuant to this Contract.

6. The Organization agrees to furnish to the County any management letter, if issued and independent auditor's report and related financial statements and notes made for it or for other agencies and available to it, which reflects the receipt and use of funds paid to it hereunder, within thirty (30) days after receipt of the request.

7. The Organization also agrees to make available to the County for inspection at reasonable times and places, its current membership and Board of Trustees/Directors lists, financial reports, and minutes of its last annual meeting, Board of Directors or Trustees meetings, and such other minutes as may be pertinent to the operation of such Organization in the public interest. No such membership list shall be published or be made available for any commercial use.

8. To the extent that the funds provided by this Contract are for specific activities or services, the Organization agrees to furnish verified accounts of its disbursements hereunder, together with certified or verified invoices thereto attached, in such form and detail as may be required by the County, and at such times as the County may determine up to and including one year following

termination of this Contract.

9. The County may, at its option, audit such books and records of the Organization as are reasonably pertinent to this Contract to substantiate the basis for payment. The County shall, in addition, have the right to audit such books and records subsequent to payment, if such audit is commenced within one year following termination of this Contract. Any expenditure determined by audit to be inconsistent with this contract may be disallowed by the County and shall be subject to refund by the Organization to the County.

10. a. The Organization agrees to refund to the County any unused amount of monies paid to it hereunder, that is, any amount of said moneys encumbered by any current operating expenses, it being understood that in the event the unencumbered revenue of the Organization exceeds its expenses for the Organization's fiscal year, the Organization shall refund to the County within ninety (90) days of the Organization's audit report that part of the surplus which bears the same ratio to the total surplus as the amount actually paid to the Organization by the County bears to the total revenue of the Organization.

b. In determining whether a surplus is accrued by the Organization during the fiscal year, pursuant to subdivision "a" of this paragraph, all revenue of the Organization, not expressly restricted to a particular purpose by the grantor of the revenue, shall be deemed "operating revenue". All encumbered expenses of the Organization, other than those paid from funds specifically restricted to a particular purpose by a grantor, or paid from a segregated capital fund, shall be deemed "operating expense". The Organization shall be deemed to have a surplus if operating revenue exceeds expenses before any transfer of operating revenue into capital, endowment or other restricted funds or accounts.

c. Upon showing in writing to the Budget Director of the County that such a refund would cause extreme hardship to the Organization owing to unforeseen or unanticipated circumstances, the Budget Director may, subject to approval by the Erie County Legislature, authorize the Organization to retain all or part of any funds which the Organization would otherwise be required to refund to the County under this paragraph if the Legislature determines that such retention is consistent with the purpose and intent of this agreement, as applicable. Such authorized retained funds shall be used only for the purposes authorized under this Contract, but may be expended in the calendar year subsequent to this Contract.

11. The Organization agrees to perform the public benefit services which are the object of this Contract as an Independent Contractor and neither it nor any of its employees, members, directors, agents, or representatives shall be or hold themselves out to be employees, officers, agents or representatives of the County.

12. The Organization shall comply, at its own expense, with the provisions of all applicable local, state and federal laws, rules and regulations. The Organization shall further comply, at its own expense, with all applicable rules, regulations and licensing requirements pertaining to its professional status and that of its employees, partners, associates, subconsultants and others employed to render the services hereunder.

13. The Organization shall be fully accountable for its performance under this Contract and it

and its officers agree to answer under oath all questions relative to the performance hereof, and to any transaction, act or omission, had, done or omitted in connection herewith if called before any judicial, county, state or federal agency empowered to investigate this Contract or its performance.

14. The Organization shall not delegate any duties or assign any of its rights under this Contract without the prior express written consent of the County. The Organization shall not subcontract any part of the services without the written consent of the County, subject to any necessary legal approvals. Any purported delegation of duties, assignment of rights or subcontracting of services under this Contract without the prior express written consent of the County is void. All subcontracts that have received such prior written consent shall provide that subcontracts are subject to all terms and conditions set forth in this Contract. It is recognized and understood by the Organization that for the purposes of this Contract, all services performed on an approved subcontract shall be deemed services performed by the Organization and the Organization shall insure that such subcontracted service is subject to the material terms and conditions of this Contract.

15. The Organization shall indemnify and hold harmless the County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly out of the performance or failure to perform hereunder by the Organization or third parties under the direction or control of the Organization; and to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Contract and to bear all other costs and expenses related thereto.

16. During the term of this Contract, the Organization agrees to procure and maintain insurance coverage, naming the County as additional insured, consistent with the insurance requirements attached hereto and incorporated herein as **Exhibit C**. The County reserves the right to alter said requirements pursuant to approval by the Erie County Department of Law.

17. The County and the Organization and their respective employees are not and shall not be considered as joint venturers, employees, partners or agents of each other and neither shall have the power to bind or obligate the other except as set forth in this Contract. There shall be no liability on the part of the County or Organization to any person for any debts incurred by the other.

18. In the event of a breach or default by the Organization of any of the terms and conditions of this Contract, the County may terminate this Contract on ten (10) days written notice to the Organization and request such other remedy as may be reasonable and appropriate in view of the circumstances of such breach or default, including but not limited to, reimbursement to the County by the Organization of all or part of the funds granted to the Organization under this Contract.

19. The Organization shall comply with Erie County Executive Order 13 (2014) and agrees to complete the Certificate collectively attached hereto as Exhibit "D" and made a part hereof. The Organization shall make such records available, upon request, to the County's Division of Equal Employment Opportunity for review. The County shall have the right, upon reasonable notice and at reasonable times, to inspect the books and records of the Organization its offices and facilities,

for the purpose of verifying information supplied in the Erie County Equal Pay Certification and for any other purpose reasonably related to confirming the Agency's compliance with Erie County Executive Order 13 (2014). Notwithstanding the termination provisions contained herein, violation of the provisions of Executive Order 13 (2014) , may constitute grounds for the immediate termination of this Agreement and may constitute grounds for determining that the Organization is not qualified to participate in future County contracts.

20. The Organization agrees to comply with the terms, if any, of the resolution of the County Budget, and implementing resolutions appropriating funds for this Contract.

21. The Organization agrees to acknowledge in any and all promotional material the fact that the Organization receives financial support from the County, including, but not limited to the Organization's website, marketing materials and/or other publications.

22. Except as specifically provided otherwise in this Contract, the use of County funds shall be limited to current operating expenses including salaries, program costs, fringe benefits, rents, utilities, office supplies and equipment. No County funds shall be used for or applied toward any capital project or improvement, nor as a set-off against accounts receivable. No funds received under this Contract shall be used for any service provided or activity performed outside Erie County.

23. Erie County strongly encourages all not-for-profit agencies that contract with the County of Erie to participate in the community service component of the County's Welfare to Work Initiative. This program places qualified public assistance recipients in community service placements. Clients participating in this component must work in their respective community assignments as a condition for receipt of welfare benefits. An agency representative should contact the Director of Employment and Training Program, Erie County Department of Social Services, for additional information regarding this program.

24. This Contract and its attachments constitute the entire Contract between the parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. It shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties.

In the event of any conflict between the terms of this Contract and the terms of any schedule or attachment hereto, it is understood that the terms of this Contract shall be controlling with respect to any interpretation of the meaning and intent of the parties.

25. Nothing herein is intended or shall be construed to confer upon or give to any third party or its successors and assigns any rights, remedies or basis for reliance upon, under or by reason of this Contract, except in the event that specific third party rights are expressly granted herein.

26. This Contract may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. This Contract shall be construed and enforced in accordance with the laws of the State of New York. In addition,

the parties hereby agree that any cause of action arising out of this Contract shall be brought in the County of Erie.

If any term or provision of this Contract is held by a court of competent jurisdiction to be invalid or void or unenforceable, the remainder of the terms and provisions of this Contract shall in no way be affected, impaired, or invalidated, and to the extent permitted by applicable law, any such term, or provision shall be restricted in applicability or reformed to the minimum extent required for such to be enforceable. This provision shall be interpreted and enforced to give effect to the original written intent of the parties prior to the determination of such invalidity or unenforceability.

27. All notices of any nature referred to in this Contract shall be in writing and either sent by registered or certified mail postage pre-paid, or delivered by hand or overnight courier, or sent by facsimile (with acknowledgment received and a copy of the notice sent by registered or certified mail postage pre-paid), as set forth below or to such other addresses as the respective parties hereto may designate in writing. Notice shall be effective on the date of receipt. Notices shall be sent to the following:

To the County:

Commissioner of Environment and Planning
95 Franklin Street, Room 1062
Buffalo, New York 14202

With a copy to:

County Attorney
95 Franklin Street, Room 1634
Buffalo, New York 14202

To the Organization: at the address first listed above.

28. The Organization represents and warrants to the County as follows:

- a. The execution of this Contract and the provision of services hereunder have been duly authorized by its Board of Directors or Trustees of the Organization and that this Contract has been signed by a duly authorized officer of the Organization.
- b. That this Contract is valid and enforceable against the Organization in accordance with the terms hereof and that there is no order, decision, judgment or provision of this Organization's certificate of incorporation or by-laws, or Contract, mortgage, or lien which would limit or prohibit the Organization from fully performing the terms and condition of this Contract.

[END TEXT]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the day and year first above written.

COUNTY OF ERIE

**CORNELL COOPERATIVE
EXTENSION ASSOCIATION OF
ERIE COUNTY**

MARK POLONCARZ/ LISA CHIMERA
County Executive / Deputy County Executive
Dated: _____

Name: _____
Title: _____
Dated: _____

Witness to Organization's Signature:

Name: _____
Dated: _____

APPROVED AS TO CONTENT

THOMAS E. BAINES, ESQ.
Deputy Commissioner
Erie County Department of Environment and Planning
Dated: _____

APPROVED AS TO FORM

RICHARD STANTON
Assistant County Attorney
Document No. _____
Dated: _____

EXHIBIT A

SCOPE OF WORK

***Public Benefit Services to be Provided Pursuant to this Contract
by the Organization. (Reference Contract Paragraph 1)***

EXHIBIT B

**REPORTING REQUIREMENTS
AND
ADDITIONAL UNDERSTANDINGS**
(Reference Contract Paragraph 2)

REPORTING REQUIREMENTS

The Organization must submit the following items to the Department of Environment with their 2023 Contract:

1. Bylaws;
2. 2023 Proposed Operating Budget;
3. 2023 Proposed Cash Flow Statement;
4. Most recently filed New York State Annual Filing for Charitable Organizations (CHAR500) and all supplementary schedules;
5. Board-approved Strategic Plan;
6. 2022 calendar year financial statements (audited or unaudited);
7. Cash flow financial statements for 2022; and
8. Balance sheet showing assets and liabilities.

NOTE: If your Organization's 2022 calendar year financial statements are unaudited at the time you are requesting your first payment, include a statement from either the Executive Director or Chair stating:

I, the undersigned, do hereby certify based on my knowledge, the information provided herein:

- *Is accurate, correct and does not contain any untrue statement of material fact;*
- *Does not omit any material fact which, if omitted, would cause the financial statements to be misleading in light of the circumstances under which such statements are made; and*
- *Fairly presents, in all material respects, the financial condition and results of operations of the authority as of and for the periods presented in the financial statements.*

[Signature of Executive Director or Chair]

Name: _____

Date: _____

ADDITIONAL UNDERSTANDINGS

1. It is your responsibility to promptly notify the Department of Environment and Planning of any adverse situation which impacts the Organization's operation in a way which impairs its ability to deliver services to Erie County. A representative of the Department of Environment and Planning will meet with representatives of the Organization regarding these circumstances as a prelude to further release of County funds.

2. A representative of the Department of Environment and Planning may request a meeting with the Organization's Executive Director and Board Chair at least once during the year, at which time the Organization will be required to supply pertinent information including, but not limited to, its:

- a. Strategic Plan (three to five year time horizon);
- b. Annual Business Plan;
- c. Performance metrics and progress on those metrics related to County funding;
- d. Managerial competence;
- e. Organizational sustainability; and
- f. An accounting of the Organization's use of County funding, including a detailed list of expenditures of funds received from Erie County.

[Signature of Executive Director or Chair]

Name: _____

Date: _____

EXHIBIT C

INSURANCE REQUIREMENTS

*To be Provided Pursuant to this Contract by the Organization.
(Reference Contract Paragraph 16)*

INSTRUCTIONS FOR COUNTY OF ERIE STANDARD INSURANCE CERTIFICATE

I. Insurance shall be procured and certificates delivered before commencement of work or delivery of merchandise or equipment.

II. **CERTIFICATES OF INSURANCE**

- A. Shall be made to the "County of Erie, 95 Franklin St, Buffalo NY, 14202"
- B. Coverage must comply with all specifications of the contract.
- C. Must be executed by an insurance company, agency or broker, which is licensed by the Insurance Department of the State of New York. If executed by a broker, notarized copy of authorization to bind or certify coverage must be attached.

III. Forward the completed certificate to: County of Erie, (Department or Division) responsible for entering into the agreement for construction, purchase, lease or service.

IV. Minimum coverage with limits are as follows:

Vendor Classification	A Construction and Maintenance	B Purchase or Lease of Merchandise or Equipment	C Professional Services	D Property Leased To Others Or Use Of Facilities Or Grounds	E Concessionaires Services	F Livery Services	G All Purposes Public Entity Contracts
Commercial Gen. Liab.	\$1,000,000 per occ.	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000	\$1,000,000 CSL	\$1,000,000	\$1,000,000 CSL
General Aggregate	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Products Completed Operations Liability	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Blanket Broad Form Contractual Liability	INCLUDE						
Contractual Liability		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Broad Form P.D.	INCLUDE						
X.C.U. (explosion, collapse, Underground)	INCLUDE						
Liquor Law				INCLUDE	INCLUDE		
Auto Liab.	\$1,000,000 CSL		\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL
Owned	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Hired	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Non-Owned	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Excess/Umbrella Liab.	\$5,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$5,000,000	\$1,000,000
Worker's Compensation & Employer's Liability	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY
Disability Benefits	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY
Professional Liability			\$5,000,000				
Erie County, To Be Named Add'l Insd.	Gen. Liab., Auto Liab., & Excess	Broad Form Vendors May Be Required	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess

- V. Construction contracts require excess Umbrella Liability limits of \$5,000,000.
- VI. Coverage must be provided on a primary-noncontributory bases.
- VII. Designated Construction Project General Aggregate Limit Per Project Endorsement CG 25 03 is required.
- VIII. In the event the concessionaire is required to have a N.Y.S. license to dispense alcoholic beverages, an endorsement of liquor liability is required.
- IX. Waiver of Subrogation: Required on all lines unless noted.
- X. Transportation of people in buses, vans or station wagons required \$5,000,000 excess liability.

- XI. Workers Compensation: State Workers' Compensation / Disability Benefits Law
Use Applicable Certificates Below:

Workers Compensation Forms

CE-200	Exemption
C105.2	Commercial Insurer
SI-12	Self Insurer
GSI-105.2	Group Self Insured
U-26.3	New York State Insurance Fund

DBL (Disability Benefits Law) Forms

CE-200	Exemption
DB-120.1	Insurers
DB-155	Self Insured

- XII. The "ACORD" form certificate may be used in place of the County of Erie Standard Insurance Certificate, provided that all of the above referenced requirements are incorporated into the "ACORD" form certificate.

EXHIBIT D

ERIE COUNTY EQUAL PAY CERTIFICATION
(Reference Contract Paragraph 19)

Erie County Equal Pay Certification

In order to comply with Executive Order 13 dated November 6, 2014, we hereby certify that we are in compliance with federal law, including the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, Federal Executive Order 11246 of September 24, 1965 and New York State Labor Law Section 194 (together "Equal Pay Law"). The average compensation for female employees is not consistently below the average compensation for male employees, taking into account mitigating factors. We understand that this certification is a material component of this contract. Violation of the provisions of Executive Order 13, which is attached hereto and made a part hereof, can constitute grounds for the immediate termination of this contract and may constitute grounds for determining that a bidder is not qualified to participate in future county contracts.

We have evaluated wages and benefits to ensure compliance with the Federal Equal Pay Law.

Signature

Verification

STATE OF _____)
COUNTY OF _____) SS:

A)

_____, being duly sworn, states he or she is the owner of (or a partner in) _____, and is making the foregoing Certification and that the statements and representations made in the Certification are true to his or her own knowledge.

B)

_____, being duly sworn, states that he or she is the
(Name of Corporate Officer)

_____, of _____,
(Title of Corporate Officer) (Name of Corporation)

the enterprise making the foregoing Certification, that he or she has read the Certification and knows its contents, that the statements and representations made in the Certification are true to his or her own knowledge, and that the Certification is made at the direction of the Board of Directors of the Corporation.

Sworn to before me this _____ Day of _____, 20____

Notary Public

Cornell Cooperative Extension (CCE) of Erie County

Affirmative Action, Diversity and Inclusion Plan

January 1, 2023 – December 31, 2023

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PROLOGUE

Cornell Cooperative Extension Director's Statement of Commitment to Diversity

Cornell Cooperative Extension (CCE) remains committed to ongoing growth, continued development, and substantive organizational transformation as we position ourselves to effectively support communities across New York State to thrive. In carrying out our mission of *putting knowledge to work* we do so with an intentional focus on diversity, equity, and inclusion in our staffing, volunteers, programs, and community partnerships.

The CCE Affirmative Action, Diversity, and Inclusion Plan (AADIP) serves as the foundation for creating a climate of safety, trust, and belonging by outlining strategic policies and regulatory practices that ensure:

1. **equal opportunity for all staff, program participants, and volunteers;**
2. **the elimination of discrimination based on federal, state and local protected statuses, including but not limited to race, color, religion, political beliefs, national or ethnic origin, sex, gender/gender identity, transgender status, sexual orientation, age, marital or family status, protected veteran status and individuals with disabilities;**
3. **the values of diversity, equity and inclusion in employment and in educational programs; and**
4. **prompt and appropriate responses to actions that run contrary to CCE's commitment to furthering diversity, equity and inclusion.**

I encourage you to commit to incorporating the AADIP as a powerful resource for ensuring adherence to compliance guidelines. The supplemental [AADIP Resource Guide](#) included with this year's plan provides additional background resources and information intended to deepen staff understanding of protected-status groups and encourage more robust implementation of civil rights policies and practices.

Chris Watkins
Director, Cornell Cooperative Extension

Statement of Commitment to Affirmative Action, Diversity and Inclusion from the Executive Director of the Cornell Cooperative Extension Association of Erie County

Cornell Cooperative Extension of Erie County has a strong, ongoing commitment to equal opportunity and affirmative action in the development of its policies, programs, procedures and practices through its affiliation with Cornell University and as a part of the national extension system. Specifically, Cornell Cooperative Extension of Erie County is committed to 1) equal opportunity for all staff and volunteers; 2) the elimination of discrimination based on federal, state and local protected statuses, including but not limited to race, color, religion, political beliefs, national or ethnic origin, sex, gender/gender identity, transgender status, sexual orientation, age, marital or family status, protected veteran status and individuals with disabilities; and 3) the values of diversity, equity and inclusion in employment and in educational programs. Employment and educational opportunities are accessible and provided to all persons. CCE believes affirmative action policies are an effective means of aiding groups that have been historically marginalized and excluded from equal access to opportunity.

We work with Cornell Cooperative Extension Administration to create a more diverse and inclusive organization statewide among staff, volunteers, and program participants. We fully recognize that an emphasis on diversity and inclusion in CCE's strategic planning makes good business sense that will yield a more adaptable, productive, and innovative organization to meet the changing needs of our evolving communities. To that end, this Affirmative Action, Diversity and Inclusion Plan addresses compliance as the firm foundation for building a more diverse, equitable and inclusive organization and goes beyond to support organizational development and sustained culture change.

I am personally committed to leading an assertive and effective affirmative action policy in Cornell Cooperative Extension of Erie County and expect all staff and volunteers to contribute to our organization's diversity, equity and inclusion efforts.

Diane Held
Executive Director
Cornell Cooperative Extension of Erie County

INTRODUCTION

Overview of Cornell Cooperative Extension (CCE) Associations and the Cornell Cooperative Extension System

Cornell University is both privately endowed and the public land-grant institution of New York State with a broad mission of teaching, research, and outreach and a proud motto of “any person...any study” that dates back to its founding. As New York’s land-grant university, Cornell enters into formal agreements with the federal government to provide and administer extension work. New York State County Law 224 authorizes the establishment of Cornell Cooperative Extension (CCE) Associations as subordinate governmental agencies, local or regional unincorporated organizations of citizens of the counties that operate under memoranda of agreement with Cornell University. Fundamental to Cornell Cooperative Extension Associations is the powerful idea that individuals and communities should be a part of decisions about educational programming that will affect them and that a high degree of local involvement can inform the public work of the university and be vital partners in fulfilling Cornell’s mission. Cornell Cooperative Extension operates on the Cornell campus through the leadership of faculty and staff primarily in the [Colleges of Agriculture and Life Sciences](#) and [Human Ecology](#) with contributions from the [College of Veterinary Medicine](#).

The Cornell Cooperative Extension system was one of the founding members of a national extension diversity project, Change Agent States for Diversity (CASD), to build the capacity of the Land-Grant university system to function more inclusively and effectively in a multicultural world. Since its inception, the CASD project has evolved into a consortium of 20 land-grant institutions in sixteen states bringing the needed technical skills and training to each of the member states. Through this multi-state collaborative approach, the consortium has developed successful models and systemic change strategies to support greater diversity and welcoming workplace climates throughout the Land-Grant system.

The CASD project and resulting Change Agent States (CAS) served as a springboard for much of CCE’s work in the areas of diversity and inclusion. Among the initiatives undertaken through the work of the CASD and CAS are organizational diversity climate assessments conducted periodically since 2002. These assessments provided much needed baseline information regarding the climate for diversity and inclusion at CCE. Professional development workshops and presentations were developed based on the findings of these assessments. Additionally, the CASD project prompted the creation of a multifaceted Diversity Catalyst Team (DCT), which served as a state level work-group for coordinating and implementing organizational change on diversity. The work initiated by the DCT is currently being led by the CCE Organizational Development and Accountability via [Belonging](#) with input and feedback from [CCE Administration Human Resources](#). Components of the CCE Association Affirmative Action, Diversity and Inclusion Plan.

This Affirmative Action, Diversity and Inclusion Plan (AADIP) covers Cornell Cooperative Extension of Erie County for employment and program activity from January 1, 2023, through December 31, 2023. It is

based on the guidelines set forth by Executive Order 11246, as amended; Title 41 Code of Federal Regulations (CFR) Section 60-300 (Vietnam Era Veterans Readjustment Assistance Act of 1974); Title 41 CFR Section 60 – 741 (Section 503 of the Rehabilitation Act of 1973); federal, state and local anti-discrimination laws; and association policies. Although the basis of this plan is formed by the association's obligations under the regulations stated above, the intent is to provide additional guidance above and beyond these obligations.

Affirmative action requirements and guidelines as set per 41 CFR Chapter 60 for specified recipients of federal dollars are the underlying basis of much of this document, but the CCE Affirmative Action, Diversity and Inclusion Plan is designed to be a long-term framework for meeting our affirmative action obligations and for creating a sustained commitment to diversity and inclusion. According to 60-2.10 of 41 CFR Chapter 60, "an affirmative action program is a management tool designed to ensure equal employment opportunity. A central premise underlying affirmative action is that, absent discrimination, over time a workforce will reflect the gender, racial and ethnic profile of the labor pools from which the [employer] recruits and selects." CCE's Affirmative Action, Diversity and Inclusion Plan refers to the Netter Principles (see Appendix B) as a framework for building broad-based organizational inclusion which produces a workforce and programs relevant to our diverse communities.

Following is the CCE Association Affirmative Action, Diversity and Inclusion Plan Compliance Review Checklist, due annually as part of each CCE Association's partnership with Cornell and CCE Administration. The CCE Association uses this internal checklist as a baseline for diversity and inclusion and utilizes the Netter Principles as a framework for building broader organizational diversity and inclusion. Together these documents guide Cornell Cooperative Extension in creating a workforce and programs relevant to our diverse communities and making CCE an employer and community resource of choice.

CCE AFFIRMATIVE ACTION, DIVERSITY AND INCLUSION COMPLIANCE REVIEW CHECKLIST

Cornell Cooperative Extension of Erie County

Basics for Civil Rights and Human Resources

Legal Compliance

This document is intended to serve as a resource to support CCE Associations in meeting EE/EPO compliance requirements. It contains a checklist of required EE/EPO policies, practices and procedures related to notifications, postings, trainings, demographic data collection, accommodations, professional development and record-keeping. More details as well as related tools and resources are available in the full [AADIP](#) online on the CCE Staff Site under the [Belonging](#) section.

The Association Executive Director, Diane Held, is accountable for Equal Employment Opportunity/Equal Program Opportunity (EEO/EPO) in the association and is responsible for compliance including the items in the following checklist:

- ☐ **Nondiscrimination statements and gender-neutral language is used in all communications to the public ([Civil Rights, Title IX](#)).**

Cornell Cooperative Extension's complete EEO/EPO statement used in all official CCE documents is: *"Cornell Cooperative Extension actively supports equal educational and employment opportunities. No person shall be denied admission to any educational program or activity or be denied employment on the basis of any legally prohibited discrimination involving, but not limited to, such factors as race, color, religion, political beliefs, national or ethnic origin, sex, gender/gender identity, transgender status, sexual orientation, age, marital or family status, protected veterans and individuals with disabilities. Cornell Cooperative Extension is committed to the maintenance of affirmative action programs that will assure the continuation of such equality of opportunity."*

The short version, *"Cornell Cooperative Extension is an employer and educator recognized for valuing AA/EEO, Protected Veterans, and Individuals with Disabilities."* may be used on brochures, posters and letterhead. (County offices may continue to use a variation of the short version on their postage letterhead and other county-specific items -- *"Cornell Cooperative Extension in Erie County provides equal program and employment opportunities."*)

Any Extension printed publications must contain the following: *"Cornell Cooperative Extension (optional: in Erie County) provides equal program and employment opportunities."*

- ☐ **Legally required office postings. Posters must be on display and may be downloaded by clicking on the links below or requested as indicated.**

It is the responsibility of each association to comply with yearly posting requirements or any changes to those requirements throughout and within the year. It is recommended that associations periodically review these posting requirements, to ensure continued compliance. Please review the following links in determining which of those posting requirements your association may be subject to:

- 1. [New York State Department of Labor Posting Requirements.](#)**
- 2. [United States Department of Labor Posting Requirements.](#)**

If unable to download any posters, contact CCE Administration Human Resources at cce.humanresources@cornell.edu.

The posters need to be displayed in a common area, one in which everyone can easily see them. Suggested locations would be lunch or break rooms. If the

association has more than one location, these posters must be displayed at each facility. In 2023, New York State amended the [Law](#) on required postings to also require employers to make mandatory workplace postings available to applicants and employees [electronically](#).

- Cornell Cooperative Extension – [CCE Equal Opportunity Policy Statement](#)
- Notice of Compliance, Workers' Compensation Law (C-105) – Contact Karen Supek at P.W. Wood Insurance (607/266-3303) to request from the State Insurance Fund office.
- [You Have a Right To Know \(toxic substances at your worksite\)](#)
- [Know Your Rights: Workplace Discrimination is Illegal \(EEOC\)](#)
- Unemployment – New York State Department of Labor, Unemployment Insurance Division – Contact Deb Hague, HR One at dhague@peopletopayroll.com or 315/463-0004, Ext 303. Original posters must be posted at *each* association site. If you have multiple sites, please include the number of sites in your requests for this poster. If you need another language, please state what language is needed.
- Minimum Wage –
 - *Federal* – [Employee Rights Under the Fair Labor Standards Act](#)
 - *New York State* – Information on [minimum wage](#) and [Minimum Wage Poster](#)
 - For Taste of NY –
 - [LS 605 - Deductions from Wages](#) (Section 193 of the NYS Labor Law).
 - [LS 204 Tip Appropriation](#) (Section 196-d of the NYS Labor Law).
- [State of New York, Division of Human Rights Poster](#) (Discrimination based on Age, Race, Creed, Color, National Origin, Sexual Orientation, Military Status, Sex, Pregnancy, Gender Identity or Expression, Disability or Marital Status is prohibited by the New York State Human Rights Law. Sexual Harassment or Harassment based upon any of these Protected Classes also is prohibited).
- [Employee Rights under the Family and Medical Leave Act of 1993 \(English\)](#) (U.S. Department of Labor)

- [Employee Rights under the Family and Medical Leave Act of 1993 \(Spanish\)](#)(U.S. Department of Labor)
- [Job Safety and Health Protection](#) (NYS Department of Labor)
- [NYS Election Regulation \(Article 3, Section 3-110\)](#) regarding sufficient time off to vote. *This notice must be posted 10 days prior to any election providing the requirements of the law regarding sufficient time off to employees to ensure that registered voters are able to vote.*
- [The Uniformed Services Employment and Reemployment Rights Act](#) updated 5/2022
- [New York State Corrections Law](#). *Effective February 1, 2009, employers must post a copy of Article 23-A of the correction law relating to the employment of persons with a criminal conviction. The posting must be visually conspicuous in a location accessible to workers.*
- [And Justice for All](#) – United States Department of Agriculture (Form AD-475A). *Must be posted in any space commonly accessed by the public (i.e., reception, meeting rooms).*
- [Right to Work Poster \(English\); Spanish version](#) – Department of Justice (Homeland Security)
- [Fringe benefits and hours](#) – Every association shall notify employees in writing or by publicly posting the association’s policy on sick leave, vacation, personal leave, holidays and hours.
- [Expression of Breastmilk](#) – The association shall provide written notification of the [Labor Law 206-c](#) to employees returning to work following the birth of a child of their right to take unpaid leave to express breast milk. Notice may be provided individually to affected employees, or to all employees in an employee handbook, or by posting in a central location. 2023 [Legislation](#) requires All Employers in New York To provide convenient, private pumping spaces that include seating, access to running water and electricity, and a working space and also requires employers to develop and implement a written policy regarding employee rights when breastfeeding in the workplace
- US Department of Labor/Office of Labor-Management Standards – [Executive Order 13496: Notification of Employee Rights Under Federal Labor Laws](#) (“Notice of Employee Rights Under Federal Labor Laws” posters available in PDF in English, Spanish, Mandarin Chinese, Hmong, Laotian,

Vietnamese)

- ☐ [New York State Clean Indoor Air Act](#) – The association must post “No Smoking” signs or the international “No Smoking” symbol in every place where the act prohibits or restricts smoking. “No Smoking” signs may be obtained from local vendors and must be permanently posted at entrances and in association-owned vehicles under the NYS Clean Indoor Air Act.
- ☐ [New York State Equal Pay Provision Poster](#)
- ☐ [OFCCP Pay transparency Poster](#)

- ☐ [Sexual Harassment Policy 403](#) – The association must distribute a copy of the updated policy to all employees. All staff receive the annual mandatory [sexual harassment prevention training](#).
- ☐ All staff receive the annual [civil rights training](#).
- ☐ USDA Guidance on Filing Complaint Notification Requirements (see Appendix D).
 - a. [How to File a Program Discrimination Complaint | USDA](#)
 - b. [Civil Rights Discrimination Complaints | National Institute of Food and Agriculture \(usda.gov\)](#)
- ☐ Program participant data (name, contact information, ethnicity, gender, and race) are continuously collected, maintained, and reported accurately for programs as part of the annual plan of work process and Federal Civil Rights compliance requirements. 4-H youth development enrollment data (name, ethnicity, gender, and race) are collected annually.

Program participation data must be collected for all programs, not just 4-H related events. This enables the association to monitor participation and improve the effectiveness of outreach efforts.

This information must be stored in a secure location and be used only for federal reporting, civil rights compliance, and developing mailing lists to promote programs.

☐ **Outreach lists are developed and used for:**

- a. recruiting staff and volunteers
- b. marketing programs and resources

Mail/fax/email outreach lists include people, formal and non-formal organizations, newsletters, etc. that will reach under-represented groups in your community (could be churches, stores, clubs, schools, human rights groups, individuals with diverse contacts, colleges with diverse enrollment, etc.).

Job and volunteer recruitment announcements should include a statement such as *"Equal Opportunity Employment. Cornell Cooperative Extension is an employer and educator recognized for valuing AA/EEO, Protected Veterans, and Individuals with Disabilities"*.

☐ **Accessibility information is on all program fliers/information.**

"Please contact the Cornell Cooperative Extension of Erie County office if you require an accommodation."

☐ **The association has a digital [accessibility remediation plan](#) and is committed to making all digital content meet WCAG 2.0 Level AA in compliance with Title III of the Americans with Disabilities Act (ADA), Section 508 of the Rehabilitation Act of 1973, Section 504 of the Rehabilitation Act of 1973, and the New York State Human Rights Law. An accessibility assistance statement is displayed on all digital content:**

"If you have a disability and are having trouble accessing information on this website or need materials in an alternate format, please contact the Cornell Cooperative Extension of Erie County office for assistance."

☐ **A composite sketch of the board, committees, and subcommittees identifying ethnicity, gender/gender identity, and racial data is on file in the unit/organization.**

The purpose of gathering information about the people who attend programs, serve on the board and committees, and apply for jobs is to monitor diversity efforts and to be able to more easily detect areas of concern.

- ☐ **Individual responsibility for supporting diversity and inclusion is understood by all staff.**

All staff members should be introduced to "[CCE Association Skills for Success](#)," and for those staff in leadership roles, "[CCE Association Leadership Skills for Success](#)." Appropriate demonstrated behaviors are expected of all staff. All staff should view "[Civil Rights Compliance Basics](#)" and complete the [CU Learn](#) Course [CCE HR122 CCE Civil Rights Compliance Training](#) available on the CCE staff site or complete a CCE Administration-approved training offered locally. All position descriptions must reflect a level of accountability for ensuring inclusion and must be on file.

- ☐ **Documentation (i.e., minutes, agenda) and attendance records are kept for staff meetings where diversity and harassment training and discussions occur.**
- ☐ **Minutes of the Board's annual review of the Association Affirmative Action and Diversity Plan are on file.**
- ☐ **All search committees discuss recruiting diverse talent and review legal search processes and document diversity recruitment efforts on official search file.**

The person accountable for Human Resources in the association is Tim Bojanowski.

- ☐ **Association policies are updated, adopted and distributed. Supervisors are aware of the [procedural guidelines](#) web page. [Policy templates resource](#).**

- ☐ All positions are reclassified under the appropriate classification titles and applicable approvals are received. All association positions have been reviewed and approved by CCE Administration Human Resources.

- ☐ The association sets and adheres to a compensation strategy compliant with federal, state, and local laws and approved annually by the Association Board of Directors. [CCE Administration Compensation Resource](#).

- ☐ All positions must meet the performance review requirement and the Executive Director position must maintain a current [conferral of title](#) extended by the Director of Cornell Cooperative Extension.

- ☐ Performance Reviews, including an emphasis on diversity and inclusion, are conducted annually and are on file for all staff. [Performance Development](#).

- ☐ All new staff participate in an orientation process.

- ☐ [Official personnel files](#) are up to date, include proper documents, and follow the required retention regulations.

- ☐ The association is in compliance with all FLSA and state wage hour laws (exempt status, overtime, meal breaks, work time, etc.) [Exempt and Nonexempt Status](#).

X	X	X
Executive Director Signature	Board President Signature	Date

ESTABLISHED FOUNDATION FOR DIVERSITY AND INCLUSION

Effective and successful diversity, equity, and inclusion initiatives begin with effective ongoing equal opportunity and affirmative action programs to ensure equal access to opportunity in employment and programs. These equal opportunity practices are based on obligations created under federal regulations and the New York State Human Rights Law.

The CCE Association's equal opportunity statement is: *Cornell Cooperative Extension actively supports equal educational and employment opportunities. No person shall be denied admission to any educational program or activity or be denied employment on the basis of any legally prohibited discrimination involving, but not limited to, such factors as race, color, religion, political beliefs, national or ethnic origin, gender/gender identity, transgender status, sexual orientation, age, marital or family status, protected veteran status, and individuals with disabilities. Cornell Cooperative Extension is committed to the maintenance of affirmative action programs that will assure the continuation of such equality of opportunity pursuant to 41 CFR 60-2.10(a)(3), 41 CFR 60-300.44, and 41 CFR 60-741.44, the policy is set forth below:*

In accordance with all federal and state statutes, regulations, and executive orders, CCE of Erie County (hereafter referred to as "the association") is committed to: 1) equal opportunity for all staff and volunteers; 2) the elimination of discrimination based on federal, state, and local protected statutes; and 3) the values of diversity, equity, and inclusion in employment and in educational programs. Thus, the association agrees that no person shall be denied admission to any educational program or activity or be denied employment on the basis of any legally prohibited discrimination involving, but not limited to, such factors as race, color, religion, political beliefs, national or ethnic origin, sex, gender/gender identity, transgender status, sexual orientation, age, marital or family status, protected veteran status and individuals with disabilities. The association is also committed to affirmative action in the development of policies, programs, procedures and practices that will assure the continuation of such equality of opportunity and promote the inclusion of underrepresented groups in all levels of employment, responsibility, and authority throughout the organization, representative of their

availability in the relevant labor markets. In addition, the association will work to ensure program expansion to under-represented audiences. To achieve these goals, all the association administrators and supervisory staff will carry out their responsibilities in programming, recruitment, employment, making assignments and promotions in a nondiscriminatory and affirmative manner.

Shared understanding of those activities which are appropriate and required by applicable laws is an important first step toward the realization of a successful EEO/EPO/AA program. To support the association's general commitment to Equal Employment and Program Opportunity and Affirmative Action, a variety of resources and training sessions are available continuously on the CCE Staff Site [Belonging](#) section.

Included in this Affirmative Action, Diversity and Inclusion Plan, is a Partner Nondiscrimination Agreement sample Letter, which can be found in Appendix E. Associations may choose to use this type of document to provides clarity to external partners on acceptable behavior and to ensures compliance with federal, State and local laws and regulation.

EQUAL EMPLOYMENT OPPORTUNITY

To foster a diverse, inclusive and welcoming environment, it is necessary to assess the demographic composition of the workforce. Cornell Cooperative Extension follows guidelines in 41 CFR 60-2.11 to compare the representation of minorities and women in the workforce with the estimated availability of minorities and women qualified to be employed. Pursuant to guidelines in 41 CFR 60-2.12, 60-2.13, 60-2.14, 60-2.15, and 60-2.16, an analysis of the full- and part-time program family workforce, by affirmative action job group, will be completed¹; the minority and women representation within each job group will be calculated; an estimate of qualified women and minorities available for employment in each job group will be determined; and where appropriate and pursuant to 41 CFR 60-2.14 (c)(1),² placement goals will be established for each job group.³ CCE, as a system, will create an organization profile of its entire workforce to determine whether barriers to equal employment opportunity exist and to identify organizational units wherein women or minorities are underrepresented or concentrated.

Pursuant to 41 CFR 60-2.17, where there are problems in minority or female utilization within the association, an action-oriented program will be developed and implemented to address the deficiencies and to demonstrate the organization's good faith efforts in removing identified barriers to diversity, expanding employment opportunities for women and minorities, and producing measurable results in diversifying its workforce. The job group placement goals will be established based on the percentage of minorities or women with requisite skills in the reasonable recruitment area for each job group and, where relevant, the percentage of minorities or women among those promotable, transferable and trainable at the association.⁴

¹ This analysis will be performed in partnership with Cornell's Division of Human Resources or an appropriate and approved vendor.

² Whenever the term "goal" is used, it is expressly intended that it "should not be used to discriminate against any applicant or employee because of race, color, religion, gender, sexual orientation or national origin."

³ Goals will be developed only for those job groups that have incumbents.

⁴ "Availability" data will be established based on internal and external data or the percentage of minorities and women with the requisite skills for each discipline/field.

A summary of the composition, within each job group, of each CCE Association's employee population, comparing the availability and utilization percentages of women, minorities in general, and each minority group will be supplied, as available, as an appendix to the Association's Affirmative Action, Diversity and Inclusion Plan.

As part of its commitment to diversity and inclusion, pursuant to 41 CFR 60-2.17 (d), 41 CFR 60-741.44(h), and 60-250.6(h), the association regularly audits the composition of its workforce by minority group status and gender and measures the effectiveness of the association's affirmative action programs for individuals with disabilities and protected veterans. In addition, the association ensures the presence of required EEO posters in its office where both employees and applicants for employment can see them and ensures that purchase orders and contracts with subcontractors contain or reference the required EEO clause pursuant to 41 CFR 60-2.17 (d)(3). Results of these audits are shared with CCE's Affirmative Action Unit Representative. On an annual basis, the CCE Association Board of Directors and CCE's senior management is advised of the program's effectiveness, along with recommendations to address areas of challenge.

ANALYSIS OF CURRENT ORGANIZATIONAL INCUMBENTS

Job Group Analysis Based on Race and Gender

Cornell Cooperative Extension Administration works closely with Cornell University departments to provide CCE Associations with current Affirmative Action availability and utilization information. The data provided in Appendix A, “Job Group Analysis Based on Race and Gender”, will be updated with more current information as soon as possible. In the meantime, please note that information is presented by regions used by the NYS Department of Labor (with the exception of Jefferson, Madison, and Tompkins counties), NOT by CCE’s current Shared Business Networks. Each association will find its availability and utilization information for various positions (either within a region or in an individual listing) in Appendix A, once it is available, and determine if there is an Affirmative Action goal for that particular position in their association. Please contact [CCE Administration Human Resources](#) if you have questions.

AFFIRMATIVE ACTION INITIATIVES SPECIFIC TO VETERANS AND INDIVIDUALS WITH DISABILITIES

Effective diversity and inclusion initiatives are based on established equal opportunity and affirmative action programs to ensure equal access to employment opportunities for protected veterans and individuals with disabilities. CCE welcomes staff with diverse physical and developmental abilities and recognizes that neither disability status nor protected veteran status is to be a factor in the denial of employment. Pursuant to 41CFR 60-250.44 (a), employment decisions are based on merit, qualifications and valid job requirements.

The association is committed to ensuring that employees and applicants are not subjected to harassment, intimidation, threats, coercion or discrimination because they have filed a discrimination complaint, assisted or participated in a discrimination complaint or investigation, or opposed an act or practice made unlawful by the Vietnam Era Veterans Readjustment Assistance Act.

Pursuant to 41 CFR §§ 60-741.44(b) and 41 CFR §§ 60-250.4(c), CCE reviews its policies and ensures that its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees who are protected veterans or who have known disabilities for job vacancies filled by hiring or promotion, and for all training opportunities offered or available. CCE ensures that its personnel processes do not stereotype disabled persons or protected veterans in manners that limit their access to jobs for which they are qualified and periodically reviews policies and personnel processes to ensure that these obligations are carried out.

The following procedures facilitate a review of the implementation of these requirements and are

drawn from [OFCCP's Regulations implementing Section 503 of the Rehabilitation Act of 1973](#):

- a) the personnel histories of each individual with a known disability or protected veteran status are periodically reviewed to identify each promotion for which these individuals were considered but not promoted; and
- b) training records are periodically reviewed to determine whether individuals with a disability and protected veteran status are included.

Pursuant to 41 CFR. §§ 60-744(c) and 41 CFR 60-250.44 (4)(c), the association annually reviews all physical and mental job qualification requirements with supervisors to ensure that, to the extent qualification requirements screen out or tend to screen out qualified disabled individuals or protected veterans, they are job-related and consistent with business necessity and the safe performance of the job.

CCE is committed to providing opportunities for individuals with diverse physical and developmental abilities by offering effective adaptations in the workplace to eliminate barriers to work participation. Therefore, pursuant to 41 CFR §§ 250.44 (4)(d), 41 C. F. R. §§ 60-741.44(d);-250.6(d), the association makes reasonable accommodation to the known physical or mental limitations of all otherwise qualified individuals with a disability unless it can demonstrate that the accommodation would impose an undue hardship on the operation of the business.

These adaptations are provided to employees through CCE Policy 402: Americans with Disabilities Act (ADA) *Disability Accommodation Process*. The employee should contact the local Human Resources representative and/or Executive Director or designee to initiate requests for any desired disability-related workplace accommodation. It is the employee's responsibility to provide required medical documentation regarding the accommodation request. In accordance with the Americans with Disabilities Act and the New York State Human Rights Act, CCE will take such requests seriously.

Supervisors are responsible for immediately notifying their local Human Resources representative or Executive Director of any employee accommodation request brought to their attention. Supervisors are also responsible for implementing reasonable accommodations recommended by CCE Administration Human Resources; for keeping the employee's disability accommodation request confidential; and for monitoring any interactions with the requesting individual to ensure that actions are not legitimately construed as retaliatory.

Pursuant to 41 CFR §§ 60-250.44(4)(e), CCE also has in place processes to ensure that its employees with disabilities and protected veterans are not harassed because of their disability or covered veteran status. Employees who feel that they have experienced such harassment are advised to contact their supervisor, Executive Director, and/or SBN HR Lead and/or HR Manager for information on the appropriate procedure to use.

Pursuant to 41 CFR §§ 60-741.44(f) and §§ 60-250.6(f), CCE enlists the assistance and support of recruiting sources (including state employment agencies, state vocational rehabilitation agencies or facilities, sheltered workshops, college placement offices, state education agencies, labor organizations, and organizations of or for individuals with disabilities) to provide meaningful employment opportunities to qualified individuals with disabilities and protected veterans.

CCE has established meaningful contacts with appropriate social service agencies, organizations of and for individuals with disabilities and protected veterans, and vocational rehabilitation agencies or facilities, for such purposes as advice, technical assistance and referral of potential employees.

CCE recognizes that even a strong outreach program will be ineffective without adequate internal support from supervisory and management personnel and other employees. To assure greater employee cooperation and participation in CCE's efforts with respect to individuals with disabilities and protected veterans, pursuant to 41 CFR §§ 60-741.44(g) and §§ 60-250.6(g), the association has developed internal procedures to communicate its obligation to engage in affirmative action efforts to employ and advance in employment qualified individuals with disabilities and protected veterans. These procedures are designed to foster understanding, acceptance and support among CCE's staff and to encourage the necessary actions to aid the association to meet its obligations. These procedures consist of:

- a) including equal employment and anti-harassment policies in the association's policies;
- b) publicizing anti-discrimination and anti-harassment policies and conducting meetings with executive, management and supervisory personnel to explain the intent of CCE's anti-discrimination and anti-harassment policies and individual employee responsibility for effective implementation of these policies;
- c) meeting with employees to inform them of CCE's anti-discrimination and anti-harassment policies, and requiring their cooperation;
- d) providing sufficient training opportunities to support an anti-discrimination and anti-harassment environment;
- e) including articles on the accomplishments of disabled employees and protected veterans in CCE publications; and
- f) including individuals with disabilities and protected veterans in staff handbooks and similar employee publications, when employees are featured in the same.

EQUAL PROGRAM OPPORTUNITY

The association has a successful programming history based on grassroots planning. Cornell Cooperative Extension believes that one of the best ways to ensure balanced participation in program delivery is to involve clientele with diverse perspectives in the advisory groups used in program planning and support. The association submits a plan of work that includes a Civil Rights/Affirmative Action section covering the ES-USDA (Extension Service – United States Department of Agriculture) requirements. Reports are submitted to ES-USDA, as required.

An Extension group (program advisory committee, board, or program effort, etc.) will be considered to have inclusionary membership/participation when the group reflects the community to be served. The ratio used to evaluate the extent of participation necessary to achieve and maintain inclusionary membership in compliance with civil rights legislation is 80% of the potential participant group within the community.

In order to implement this principle of inclusionary membership and participation, the association will use two affirmative action strategies: Acceptable Affirmative Action Procedures and All Reasonable Efforts.

Acceptable Affirmative Action Procedures

Acceptable Affirmative Action Procedures are those actions that have been tested and proven to encourage participation by individuals from diverse populations. These actions will be used in normal day-to-day program planning and delivery as long as targeted groups are at acceptable levels.

While each employee may add to or adapt these procedures to fit their needs, he/she must:

- a) Use advisory and decision-making groups that are representative of the community in planning and implementing programs that will further the intent of the organization to abide by Title VI, Title VII, Title IX, and the Americans with Disabilities Act. Members of underrepresented populations should be encouraged to assist in helping to accomplish this goal.
- b) Seek assistance of volunteers to involve members from diverse populations in program planning activities as well as participating in Extension programs.

- c) Select meeting places and times that will encourage rather than inhibit participation from diverse populations.
- d) Create and maintain lists of organizations that can reach diverse populations (for announcing meetings, activities, tours, events, etc.).

Actions to be taken to ensure inclusionary membership when organizing new programs include the use of Acceptable Affirmative Action Procedures and the completion of a signed statement of nondiscrimination by any volunteer group leader or organization Extension is assisting. Should the membership not reflect the diverse composition of the targeted community, all reasonable efforts must be taken to attain compliance.

All Reasonable Efforts

All Reasonable Efforts consist of a series of approaches that are required of Extension educators to solicit participation from diverse groups. These are used in addition to Acceptable Affirmative Action Procedures and are required when Extension programs do not meet inclusionary membership/participation requirements such as:

- a) organization of a new Extension group if the initial membership does not reflect the diverse composition of the targeted community;
- b) an existing Extension-sponsored activity or group membership does not reflect the diverse composition of the targeted community;
- c) advisory and decision-making groups that do not reflect the diverse composition of the potential audience in membership and/or participation; or
- d) program participation that consistently does not reflect the diversity of the community.

It is the responsibility of each association staff member to implement “All Reasonable Efforts” steps necessary to attain the goals of inclusionary membership and participation. Extension-sponsored or assisted organizations must show good faith in regard to affirmative action to continue receiving Extension support. Documentation of reasonable efforts and inclusionary membership must be made available to Extension for reporting and review purposes.

Steps in All Reasonable Efforts

- a) Contact media outlets that reach targeted populations to seek their assistance in announcing programs and events.
- b) Develop program announcements and posters to be placed in public areas.
- c) Write personal letters encouraging individuals from diverse populations to participate.
- d) Make personal contacts with individuals who will help reach diverse populations.
- e) Contact community groups for assistance in informing community members of available programs.

The Cornell Cooperative Extension System engages elected volunteers throughout the state to help plan, implement, and evaluate all of its major programs. The members of boards and committees should be representative of the community Extension is serving.

Determining Inclusionary Membership/Participation

This Affirmative Action Plan describes the process through which inclusionary membership and/or participation is determined. It also covers actions Extension educators need to take to determine if programs, decision-making groups, etc., are in compliance with civil rights legislation. Extension staff members work with a variety of clientele groups such as agricultural producers, agribusinesses, and community agencies and organizations. Community refers to the group of people to be served. Cornell Cooperative Extension staff have the responsibility for determining the bounds of the community to be reached. These bounds may reflect an identifiable geographic area which has recognizable boundaries, such as county, town, or neighborhood; or a group of individuals related due to common interests, needs, or problems, such as dairy farmers, pregnant teens, 4-H campers, or a neighborhood.

Mapping

Mapping is used to determine the community(ies) to be served, using the above definition, and to determine its makeup. The best available data will be used. Census data are available for counties, cities, towns, and townships. If the community does not have geographical boundaries, other forms of data are appropriate. Where no data are available, estimates are acceptable.

Each Cornell Cooperative Extension staff member will:

- a) List all Extension groups with which he or she works.
- b) Determine the makeup and diversity of the membership of each program.
- c) Separate the programs into the two categories based on community (those with geographically defined boundaries, and those with common needs, interests, etc.).
- d) For geographically defined communities:
 - i. Establish the geographical boundaries for groups falling into this category (i.e., countywide, school district, housing development).
 - ii. Identify demographic databases available for each identified program.
 - iii. Use the data to determine the makeup of the community.
 - iv. Compare the composition of the program membership with the makeup of the community.
- e) For communities linked by common interests or needs:
 - i. Identify databases and establish the potential makeup of the program.
 - ii. Compare the composition of the membership with the potential makeup of the group.
- f) Using the definition of inclusionary membership/participation, determine which Extension programs include 80% of the available targeted community/audience and which do not.

Once the staff members know which programs do not have inclusionary membership, they will design and implement a plan to achieve the desired membership/participation.

Ensuring Inclusionary Membership

To ensure that an Extension educator is in compliance with civil rights legislation (Title VI) they must take the following actions:

- a) If a new program or existing program does not obtain inclusionary membership/participation, staff members and volunteers should continue to implement All Reasonable Efforts until the desired goal is achieved. Documentation will be made and retained.
- b) If an officer or volunteer leader of a newly formed program refuses to sign the nondiscrimination statement or does not promote All Reasonable Efforts, the Extension educator, along with the Executive Director, shall be initially responsible for determining/deciding to terminate Extension's relationship with the program.
- c) When a program is to be terminated, a written statement of action will be prepared containing the members' names, the racial composition of the program, and the date of action. A registered letter will be sent to the volunteer leader(s) of the program indicating that sponsorship and further assistance from Cornell Cooperative Extension is being denied. The appropriate Extension educator, the Executive Director, and the association president will sign this letter. Copies of the registered letter and accompanying statistical data concerning group membership will be forwarded to the director of Extension. The Cornell Cooperative Extension affirmative action officer will keep the letter on file.
- d) If a program has demonstrated All Reasonable Efforts without achieving a balanced membership, affiliation with CCE may continue, but the group must continually pursue and document All Reasonable Efforts to recruit underrepresented clientele.

Race and Gender Discrimination

Title IX specifically addresses discrimination on the basis of race and gender. The executive director should review programs and committees to determine if programs are in compliance.

- a) Compare the racial and gender distribution of the participants in programs and on committees with the race/gender distribution of the community or target audience.
- b) If there is not a balance of membership/participation, then the staff member must use All Reasonable Efforts to improve the inclusionary participation.
- c) Documentation of efforts must be retained for five years.
- d) For short-term Extension programs, such as special interest programs, day camps, field days, and general educational events, the appropriate staff member must keep attendance statistics on the gender and racial makeup of the participants. Attendance statistics and population statistics of the community being served by programs should be reviewed and compared. If racial and/or gender imbalance is evident based on the definition of inclusionary participation, the staff member should devise an "All Reasonable Efforts" plan to achieve balance in future educational events and activities. Documentation must be retained for five years.

Age and Disability Discrimination

The association is committed to following civil rights legislation regarding both age and disability. The organization recognizes its obligation in regard to employment, workplace environment, and program delivery. Further, it recognizes the potential these individuals can provide to the organization.

Public Notification Procedures

In support of public notification, the association will:

- a) Display the nondiscrimination poster *And Justice for All*.
- b) Ensure all stationery, newsletters, and printed pieces that go to audiences outside Extension will use the following statement: *Cornell Cooperative Extension provides equal program and employment opportunities*.
- c) Ensure promotional materials, photos, and other graphics used portray a diversity of clientele on a nondiscriminatory basis and be reviewed for inclusive language.
- d) Ensure all new organizations and groups with whom CCE has not previously worked and who request significant assistance from CCE are informed of the organization's nondiscrimination policy and must sign a statement of nondiscrimination. This should be done when the invitation is accepted. Extension assistance should not be provided to organizations that are known to avoid compliance with applicable nondiscrimination requirements.
- e) Ensure all newly organized clubs or groups sponsored or assisted by CCE sign a statement of nondiscrimination.

Included in this Affirmative Action, Diversity and Inclusion Plan, is a Partner Nondiscrimination Agreement Sample Letter, which can be found in Appendix E. Associations may choose to use this type of document to provides clarity to external partners on acceptable behavior and to ensures compliance with federal, State and local laws and regulation.

RESPONSIBILITIES FOR IMPLEMENTATION

CCE Association Executive Director and Board of Directors

The ultimate responsibility for EEO/EPO in the association lies with the Executive Director and Board of Directors. Executive Directors oversee association programs and management of employment, ensure maintenance of appropriate records and files, and create an inclusive and welcoming organizational climate for all staff and clientele. The Association's Human Resource Policy Manual clearly states the association's commitment to affirmative action, the Americans with Disabilities Act, and the prevention of workplace and sexual harassment. Please reference the Policy Manual for more information. It is the responsibility of the Association Executive Director and Board of Directors to provide leadership for the Affirmative Action, Diversity and Inclusion Plan.

CCE Association Executive Director and Managers/Supervisors

The CCE Association Executive Director and managers/supervisors who search for and hire candidates for vacant positions, make other human resource decisions, and provide leadership and input into the association plan of work are responsible for implementing Extension's affirmative action programs within their work areas. The equal opportunity and affirmative action responsibilities of the Executive Director and managers/supervisors include:

- a) actively addressing challenges to hiring a diverse workforce that have been identified by the SBN HR Lead and/or HR Manager and/or the Affirmative Action Unit Rep (AAUR);
- b) assessing all applicants based on objective criteria and basing hiring decisions on the qualifications of the applicant and the affirmative action goals of the unit;
- c) complying with the *Employment* policy (section 300 of the CCE Policy Manual) when conducting searches;
- d) considering employees without bias for salary improvement, promotion, internal transfer and development opportunities based on objective criteria with a focus on the CCE System's commitment to diversity;
- e) being alert to training and development opportunities for all employees;
- f) creating and maintaining a work environment that is free from harassment based on protected status and free from protected status bias;
- g) overseeing an inclusive community needs assessment/scanning process;
- h) assuring boards, volunteers, and committees are reflective of the community;
- i) evaluating participation and, if necessary, adapting or changing programs to be inclusive of

- the needs of underrepresented groups;
- j) ensuring that the association or department fully complies with the spirit and policies of the affirmative action program;
- k) working in conjunction with CCE Administration and Cornell's Department of Inclusion and Belonging in implementing recommended reasonable accommodations for employee disabilities;
- l) keeping the employees' disability accommodation requests confidential, monitoring any interactions with individuals who have requested disability accommodations to ensure that actions are not legitimately construed as retaliatory; and making good faith efforts to implement employee religious accommodation requests in conjunction with appropriate offices.

CCE Association Search Committees

Search committees representing the diversity of the communities served by CCE have a significant role in carrying out CCE's commitment to diversity by:

- a) reviewing availability and utilization data and preparing an affirmative action search plan for all positions, particularly senior program family and leadership positions.
- b) posting each position opening (position title, brief job description, association, and contact) for at least one week within the CCE system and in appropriate job listings to reach diverse audiences;
- c) engaging in national recruiting efforts to fill senior program and leadership positions, including implementing special procedures to reach potential candidates who are women or members of protected racial/ethnic groups;
- d) clearly printing the EEO/EPO statement on all position notices; and
- e) developing and using community networks and nontraditional venues to reach underrepresented individuals.
- f) [diversity, equity and inclusion interview questions](#).

CCE Employees and Volunteers

All CCE employees and volunteers are expected to support and abide by the policies of CCE, including AA/EEO/EPO policies. No one may use their lack of knowledge about these policies as an excuse for inappropriate behavior or decisions.

CCE State Director

The state Director of CCE works closely with the deans and the affirmative action committees in Cornell colleges and CCE Associations to foster understanding of the principles, laws, regulations, and policies pertinent to equal employment opportunity and affirmative action in the organization. The state Director of CCE has specific responsibility to:

- a) provide search procedure guidelines to each search committee and to monitor searches for Executive Director and senior program positions, ensuring that the selection processes are

- consistent with employment laws and that there is diversity in every applicant pool;
- b) review the analyses of academic employment transactions (i.e., placements, promotions, terminations) prepared by Cornell's Office of Institutional Research or Cornell's Department of Inclusion and Belonging, to determine their impact on the university's affirmative action and diversity programs;
- c) partner with Cornell's Department of Inclusion and Belonging in following up with associations where statistical analyses indicate adverse impact in employment actions to review whether any component decision was made on discriminatory grounds, and;
- d) review and approve or deny all requests for waivers of search.

The state Director of CCE provides a report of the employment action analysis and the demographic composition of the CCE staff to the relevant Cornell deans and Association Executive Directors. This report includes a review of statistical profiles; evaluation of CCE's diversity and equal employment opportunity status; identification of problem areas and the development of strategies to resolve them; and diversity plans for the future. The Director of CCE reports annually on the organization's progress toward diversity and inclusion in a report mandated by USDA.

CCE Administration Human Resource Managers

Human Resource Managers in CCE Administration are responsible for serving as resources for CCE Associations by:

- a) working with SBN HR Leads and/or HR Managers to support the hiring managers to ensure that they are aware of Extension's commitment to diversity and affirmative action and of their own responsibility to carry out this commitment;
- b) advising SBN HR Leads and/or HR Managers to support the supervisors of their responsibilities related to equal opportunity, affirmative action, and diversity and work with appropriate offices and individuals to make sure these responsibilities are carried out;
- c) through audit, ensuring that good faith efforts are made to have a diverse applicant pool for every selection;
- d) reviewing the county workforce analysis, in conjunction with the Affirmative Action Unit Representative and/or the CCE Diversity, Equity, and Inclusion/Belonging Team, and developing and implementing action-oriented programs designed to address areas in which workforce racial and gender demographics are not consistent with availability;
- e) monitoring temporary employee placements and non-standard appointments to determine whether there are disparities based on race or gender;
- f) monitoring appointments, compensation, promotions, and terminations to determine that there are not disparities based on race or gender and that these and other employment practices are carried out in a nondiscriminatory manner; and
- g) working to resolve issues related to requests for disability-related employment accommodations.

CCE Shared Business Network (SBN) HR Leads

SBN HR Leads are responsible for providing services to CCE Associations by:

- a) working with and advising hiring managers/supervisors to ensure that they are aware of Extension's commitment to diversity and affirmative action, and work with appropriate offices and individuals to make sure these responsibilities are carried out;
- b) Ensuring that good faith efforts are made to have a diverse applicant pool for every selection.

CCE Affirmative Action Unit Representative (AAUR)

Cornell Cooperative Extension Administration has designated an AAUR at Cornell to assist in reviewing searches and appointments for equal opportunity and affirmative action compliance. This appointed person advises, implements, and monitors procedures and policies related to Extension's Affirmative Action, Diversity and Inclusion Plan. As affiliates, the independent Extension Associations are represented by the CCE Administration AAUR. The Extension AAUR has specific responsibility for:

- a) monitoring searches to ensure that good faith efforts have been made to include women and minorities in applicant pools;
- b) monitoring hiring to ensure that searches, placements, and promotions are not carried out in an illegally discriminatory manner;
- c) reviewing the unit workforce analysis, in conjunction with the Department of Inclusion and Belonging and developing and implementing action-oriented programs designed to correct deficiencies in the representation of women and minorities within the association's workforce and to demonstrate that the organizational unit is making good faith efforts to remove identified barriers, expand employment opportunities for women and minorities, and produce measurable results;
- d) reviewing the CCE Associations' job group analysis and assisting associations in developing written, action-oriented programs designed to achieve the affirmative action goals in each job group;
- e) conducting an adverse impact ratio analysis for employment activity (applicant flow, hires, terminations, promotions and training opportunities) annually to determine whether there are disparities based on race or gender, and making recommendations for addressing identified disparities; and
- f) attending scheduled AAUR meetings, hosted by Cornell's Department of Inclusion and Belonging, to discuss challenges in addressing affirmative action goals and to learn about strategies to address them.

Cornell Colleges of Ag and Life Sciences, Human Ecology and Vet Med Deans

The Deans of Human Ecology, Agriculture and Life Sciences and Veterinary Medicine are responsible for implementing equal opportunity and affirmative action within their respective colleges, including being

knowledgeable about CCE's affirmative action goals and programs to address diversity and inclusion, ensuring that all searches for CCE positions are consistent with federal and state EEO statutes, encouraging all search committees to aggressively recruit candidates for CCE positions to ensure diversity in every search; and annually reviewing the composition of CCE's workforce and communicating the continued commitment to address under-utilization.

Cornell's Division of Human Resources/Department of Inclusion and Belonging

The Department of Inclusion and Belonging reports to the Vice President for Human Resources and assists in developing all aspects of Cornell Cooperative Extension's affirmative action programs. The Director of the Department of Inclusion and Belonging will work closely with CCE's Human Resources Manager and AAUR in developing equal opportunity and affirmative action policies and procedures and ensuring they are administered effectively. As it relates to CCE's affirmative action efforts, the Director of the Department of Inclusion and Belonging has specific responsibility to:

- a) advise CCE Administration Human Resources on appropriate equal opportunity and affirmative action strategies and on changes in relevant government policies, procedures and regulations;
- b) advise CCE Administration Human Resources on applicable policy and procedure to facilitate compliance with external regulations and with the University's commitment to diversity and inclusion, and to make recommendations to develop and/or revise Extension policies and procedures to ensure compliance;
- c) provide input to Extension's affirmative action program to contribute to the success of an inclusive environment.
- d) regularly communicate developments in the equal opportunity and diversity areas to the Extension leadership as well as those with employment administration, management, and supervisory responsibilities;
- e) collaborate with CCE's Organizational Development and Accountability Team and CCE Administration Human Resources to develop programming, in conjunction with other offices, to create a welcoming and inclusive environment for underrepresented groups, including work/life "balance" issues.

Cornell's Division of Human Resources/Department of Workforce Recruitment and Retention

CCE Administration Human Resources can consult with Workforce Retention, within the Cornell Division of Human Resources, for association-employed positions with the goal of promoting the consideration of women, persons from protected racial/ethnic groups, persons with disabilities, and protected veterans from outside the current workforce who can be recruited and hired as Cornell Cooperative Extension employees.

REVIEW OF EQUAL EMPLOYMENT AND PROGRAM ACTIVITY TO ADVANCE DIVERSITY AND INCLUSION

To carry out the association's demonstrated commitment to diversity and inclusion, continuous efforts are made to increase the diversity of the staff. Cornell and CCE's online application system provides access to a wide range of applicants. Moreover, associations have been advised to develop strategic recruitment plans to: 1) aggressively increase the overall representation of Asian/Pacific Islander, Black/African American, Hispanic/Latino and Native American staff especially in high level leadership/management and educator positions; and 2) provide employment opportunities for protected veterans and individuals with disabilities.

CCE Associations are committed to a climate free of bias, the provision of opportunities for meaningful work, and possibilities for advancement of all individuals regardless of race, color, creed, religion, national or ethnic origin, sex, gender/gender identity, transgender status, sexual orientation, age, protected veteran status and/or disabilities. Efforts to provide training, access to educational offerings, participation, decision making, and where necessary, assistance in mediating the supervisor-supervisee relationship result in an overall commitment to the long-term retention of qualified employees.

Cornell Cooperative Extension's "Open Doors, Open Hearts, and Open Minds: Statement on Diversity and Inclusion" reflects the organization's desire to have a community that reflects a wide representation of *attribute diversity*⁵ (different personal characteristics such as race, sex, gender/gender

⁵ The term "attribute diversity" is used by Roosevelt Thomas in his book, Building a House for Diversity, to distinguish between the demographic aspects of individuals and the processes that are developed and implemented to create an inclusive environment.

identity/gender expression, age, national origin, religion, sexual orientation, disability status, protected veteran status, ex-offender status as well as other attributes both protected by federal and local law and generally represented in the community external to the organization) throughout the organization.

Diverse staff, volunteers, and program participants are essential for effective education in the twenty-first century. Citizens must be able to work effectively in groups with colleagues of different backgrounds and must be open to new ideas, perspectives, and the rapid pace of change. The new work environment, whether in business, industry, academe, government, or social services, requires greater collaboration and cooperation across differences.

To carry out the association's demonstrated commitment to diversity and inclusion, there will be continuous outreach efforts to increase the diversity of staff to reflect community demographics in race and gender consistently throughout senior professional and management positions, as well as provide employment opportunities for individuals with disabilities and protected veterans.

To evaluate the effectiveness of these recruitment plans, an in-depth analysis of the total employment process will be completed by CCE Administration Human Resources to determine whether and where impediments to recruiting exist in the CCE Associations. Therefore, pursuant to 41 CFR 60-2.17 (b), (2),(3), and (4), the following will be evaluated:

- a) personnel activity (applicant flow, hires, terminations, promotions and training opportunities) to determine whether there are selection disparities;
- b) compensation systems to determine whether there are gender, race, or ethnicity-based disparities;
- c) selection processes and recruitment and referral systems to determine whether they result in disparities in the employment or advancement of minorities or women; and
- d) temporary placements and term appointments to determine whether there are disparities based on race or gender.

Pursuant to 41 CFR 60-2.17(a), the extent to which the Executive Director of the association achieved equal employment and program opportunity and to which his/her staff implement affirmative action goals will be used as a measure in performance appraisals and related salary-improvement actions. These factors are considered along with other criteria, including quality, effectiveness and efficiency of their operations; personnel development and morale, and contribution to the achievement of system-wide objectives.

Holistic View of CCE Association Community Members

The association benefits when staff are viewed and respected as whole persons with identities and lives that extend beyond the workplace. Associations and program areas recognize the need for flexibility

within their organizational culture and are encouraged to make a commitment to address work/life issues for staff through wellness activities, employee celebrations and recognition, flexible work arrangements, and employee assistance programs like [TotalCare EAP](#).

CCE benefits from a flexible organizational culture that prioritizes continuous, collaborative, cross-organizational learning through effective and ongoing formal and informal educational programs for staff on issues of diversity and inclusion, discrimination, harassment, and conflict resolution. The educational programs include skills development workshops, mentoring, newsletters, networking, and community service. Employees may be granted release time for job-related courses taken during normal working hours with their supervisor's approval.

General Organizational Culture and Processes

Staff and management share responsibility for upholding Extension's organizational values and achieving clear organizational goals and objectives in a mutually respectful work and educational environment. To assist in achieving this goal, new employees participate in an orientation program. During orientation, staff learn about CCE's mission as well as the history of CCE's commitment to diversity and inclusion.

CCE is committed to creating a professionally nurturing environment in which all staff have access to opportunities for personal and professional growth. As a result, a number of services are available to employees. See options on the CCE website under the [Belonging](#) section.

The association uses performance review to encourage dialogue between supervisors and staff. The dialogue process is designed to improve job understanding, promote more effective job performance and employee development, and encourage the flow of communication between supervisors and employees.

CCE Administration convenes meetings to provide information about diversity, equal opportunity and affirmative action with the CCE Association Executive Directors and supervisors. *Effective communications and information sharing; collaborative conflict resolution; and proper complaint procedures* are examples of professional development opportunities to improve general organizational culture and processes. CCE strives to provide an environment in which all members who desire to contribute to improving the environment can actively participate in the work and learning processes. CCE encourages the self-assessment of organizational norms and practices to identify barriers to being inclusive and to support collaboration, learning from difference, and incorporating the synthesis of divergent perspectives in participatory decision-making.

CCE is committed to creating, supporting and utilizing formal and informal systems of communication to ensure that information is shared equitably, and that information flow is in all directions and across all levels of responsibility. These communication methods also include informing staff of organizational

goals, operating environments, and expected performance outcomes.

CCE promotes progressive conflict resolution procedures that include:

- a) constructive dialogue and communication to avert unnecessary conflict and negativity, respectful conflict resolution techniques for employees, supervisors and volunteers, and third-party facilitation/mediation as needed;
- b) learning opportunities for employees and volunteers in collaborative conflict-resolution techniques;
- c) CCE Administration Human Resources assistance in strategizing constructive conflict resolution.

The association's policies on workplace and sexual harassment addresses the association's commitment to a professional, harassment free workplace. Guidelines on combating harassment within Extension are available and disseminated and publicized. Brochures and free on-line courses on sexual harassment are available to CCE staff for annual up-to-date training. Posters on harassment based on EEO-protected class status are posted in the office. In addition, newsletters, electronic information, forums, workshops, and training programs reinforce CCE's commitment to support a harassment-free environment.

The [Diversity, Equity, and Inclusion/Belonging Teams](#) may be tasked with assisting in identifying, developing and implementing opportunities that enhance skills, knowledge, awareness and understanding for creating a culture that embraces and promotes diversity and inclusion at CCE. To this end, CCE ODA supports the knowledge, skills, and abilities of CCE staff as self-directed learners who identify and pursue opportunities to contribute to organizational goals; are willing to learn new roles and skills; are able to identify personal role and career goals; and are able to measure their own effectiveness within the organization.

CCE has implemented many programs to address diversity and inclusion within its workforce. Highlights of CCE statewide diversity efforts are on the CCE web site under the [Belonging](#) section.

APPENDICES

Appendix A: Job Group Analysis Based on Race and Gender (Job Group Analysis)

NOTE: The CCE Association job group availability and utilization analysis is compiled in partnership with Cornell University's Division of Human Resources. CCE Administration will share updated job group analysis when available. The data presented here dates from December 2010 and is presented by NYS Department of Labor regions which are DIFFERENT from CCE's Shared Business Network regions. Associations with 50 or more employees (Jefferson, Madison, Tompkins) are reported individually except Suffolk County which remains in the Long Island Region so there are at least two counties in that region.

See the following chart to locate the job group analysis region for each association:

Region	Location
Capital Region	Albany, Columbia, Greene, Rensselaer, Saratoga, Schenectady, Warren, and Washington
Central Region	Cayuga, Cortland, Onondaga, and Oswego
Western Region	Allegany, Cattaraugus, Chautauqua, Erie and Niagara
Southern Tier Region	Broome, Chemung, Chenango, Delaware, Otsego, Schuyler, Steuben, and Tioga
North Country Region	Clinton, Essex, Franklin, Jefferson, Lewis, St. Lawrence
Mohawk Valley Region	Fulton, Hamilton, Herkimer, Montgomery, Oneida, and Schoharie
Mid-Hudson Region	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester
Long Island Region	Nassau and Suffolk
Finger Lakes Region	Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, and Yates

Then find the particular job title within the region or association to determine the availability and utilization data and whether there is an affirmative action goal for that particular job title within the region or association. CCE Administration works with Cornell's Department of Inclusion and Belonging to update this data and will notify associations when more current information is available and the AADIP has been updated.

Appendix B: The Netter Principles*

A Framework for Building Organizational Inclusion

What will an inclusive workplace look like when it's achieved?

Demonstrated Commitment to Diversity

In an inclusive organization, visible and invisible heterogeneity is present throughout all departments and at all levels of responsibility. Human differences and similarities are welcomed, valued and utilized at all levels across all formal and informal organizational systems.

Holistic View of Employees

An inclusive organization is one in which all employees are viewed and respected as whole persons with identities and family lives which extend beyond the organization and, to the greatest extent appropriate, are free to behave truthfully in the work environment.

Access to Opportunity

An inclusive organization is one that creates a professionally nurturing environment in which all employees have equitable access to opportunities for personal and professional growth.

Accommodation of Diverse Physical & Developmental Abilities

An inclusive organization is one that opens opportunity to persons with diverse physical and developmental abilities by offering effective adaptations in the workplace to eliminate barriers to work performance and workplace participation.

360° Communication & Information Sharing

An inclusive organization is one in which communication and information flow from all directions, in all directions and across all levels of responsibility.

Equitable Systems of Recognition & Reward

An inclusive organization establishes systems to recognize, acknowledge and reward the diverse contributions and achievements of employees at all levels of responsibility.

Shared Accountability & Responsibility

An inclusive organization is one in which accountability and responsibility to uphold organizational values and achieve clear organizational goals and objectives in a mutually respectful work environment is shared by employees at all levels and reflected in relations with customers and clients, vendors, suppliers, partners and subcontractors as well.

Demonstrated Commitment to Continuous Learning

An inclusive organization acknowledges that every employee is a learner and teacher and creates a flexible, fluid organizational culture that prioritizes continuous, collaborative, cross-organizational learning.

Participatory Work Organization & Work Process

An inclusive organization is one that recognizes the traditional and non-traditional skills, aptitudes, educational experiences, bases of knowledge personal potential and life experiences of each employee

and structures work organization and processes to utilize these diverse skills.

Alignment of Organizational Culture and Process

An inclusive organization is one that acknowledges the existence of an explicit and implicit organizational “culture” and continually seeks to align this culture to support organizational values and the synthesis of divergent perspectives.

Collaborative Conflict Resolution Processes

An inclusive organization values and utilizes progressive conflict resolution procedures that empower employees at all levels, across all departments, to work collaboratively to solve problems, resolve interpersonal conflicts and achieve mutually satisfying dispute resolutions.

Demonstrated Commitment to Community Relationships

An inclusive organization functions as a responsible citizen neighbor by forging constructive alliances with local government, schools and community based organizations and professional associations to expand outreach to diverse communities, widen opportunity, enhance access or promote understanding to overcome prejudice and bias.

**Developed at the 1998 Netter Seminar, held at Cornell University ILR. ©2000 The Workplace Diversity Network Report from the 1998 Netter Seminar.*

Appendix C: Guidance on Universal/Gender Neutral Restroom Use

Guidance on Universal/Gender Neutral Restroom Use

In keeping with its policy of nondiscrimination and commitment to creating and sustaining an environment that supports and value all members of our community, including visitors, CCE Administration strongly encourages associations to allow staff, volunteers, and program participants to use the restroom or facility that corresponds to their gender identity. Restrooms facilities that are physically accessible (ADA compliant) and open to people of any gender, or “gender neutral,” are an important way to demonstrate our commitment to promoting a welcoming and inclusive CCE environment. Wherever possible, associations should maintain a universal/gender neutral restroom to ensure inclusive restroom facility access related to gender identity, as well as to ensure access for parents with children, other attendants/caregivers and/or individuals with disabilities.

Sexual Orientation and Gender Identity [1]/Expression [2]

It is the policy of CCE that its staff, volunteers, program participants and/or guests not be discriminated against on the basis of that individual's sexual orientation or gender identity/expression. Such a policy helps ensure that only relevant factors are considered, and that equitable and consistent standards of conduct and performance will be applied. For the purpose of this guidance, sexual orientation concerns the emotional, romantic, sexual or affectional attraction to members of the same sex, opposite sex, or both sexes. Gender identity/expression concerns how an individual perceives their own gender which may or may not be consistent with their biological/chromosomal sex assigned at birth or gender role.

Creating a Universal/Gender Neutral Restroom

Any effort to create a universal/gender neutral bathroom should include well-facilitated opportunities for staff, volunteers and program participants to learn about why universal/gender neutral bathrooms are important to your association and dialogue about any concerns they may have. If there are openly transgender members in your association, consider consulting with them privately and/or invite them into the process of creating gender neutral bathrooms if they are interested.

Options for Universal/Gender Neutral Bathrooms

- If you have one or more single-occupancy or family bathrooms, designate and label them “gender neutral” or “all gender.”
- If you have three or four multi-stall bathrooms, convert one or two of them into gender neutral bathrooms. You can either keep them multi-stall or convert them to single-occupancy bathrooms by installing an “occupied/unoccupied” lock on the external door.

- If you only have two bathrooms and not in a position to build a third, consider steps you can take to make your existing bathrooms more inclusive. Labelling them so that people feel empowered to use the bathroom that is most comfortable for them and can trust they won't be harassed inside.
- If you are renting or share building space and don't have control over your bathroom facilities, consider (a) discussing your desire for universal/gender neutral bathrooms with your landlord or fellow tenants and/or (b) create gender neutral bathrooms by posting and then removing paper signs as necessary – particularly when hosting CCE events.
- Be sure to have signs by your bathrooms and elsewhere that direct people to both your universal/gender neutral bathroom(s) and your gender-specific bathrooms.
- Make it clear that all people may use the bathroom that is right for them. Some transgender people desire gender neutral bathroom space; some identify as women and men and should not be pressured or forced out of women's or men's rooms. *Under no circumstances should an individual be required to show identification or proof of any particular medical procedure (including sex reassignment surgery) in order to have access to restrooms designated for use by a particular gender.*
- Associations may not require staff, volunteers, program participants or guests to use facilities that are unsanitary, potentially unsafe, or located at an unreasonable distance.

The information above is intended to provide guidance to CCE Associations in responding to evolving diversity trends and patterns in our community. This guidance is not intended to be prescriptive or one-size-fits-all, rather this guidance can serve associations well in addressing issues of access, equity and inclusion related to the LGBTQ community. CCE Associations are encouraged to use the guidance set forth here to inform and craft policy tailored to their unique needs and setting. For more information and resources related to the LGBTQ issues, please visit the [Belonging](#) section of the CCE staff website.

Additional information and resources:

[Guidance on Protections for Gender Identity Discrimination](#)

[How Many Adults Identify as Transgender in the United States](#)

[Restroom Access for Transgender Employees](#)

[1] Gender identity refers to an individual's internal sense of gender. A person's gender identity may be different from or the same as the person's sex assigned at birth.

[2] Gender expression refers to the ways in which an individual manifest masculinity or femininity. It is usually an extension of their gender identity. For some, gender expression may not match their sex assigned at birth.

Appendix D: U.S. Department of Agriculture Guidance on Complaint Filing Notification Requirements

In accordance with 7 CFR 15.6 and U.S. Department of Agriculture (USDA) Departmental Regulation 4330-002, National Institute of Food and Agriculture (NIFA) grantees must provide current and potential applicants, participants, and beneficiaries with information on how to file a complaint with the U.S. Department of Agriculture alleging discrimination. NIFA grantee institutions must ensure that staff and faculty are consistently implementing the following practices in pursuance of the obligation regarding complaints of discrimination:

- 1. Advise applicants, beneficiaries and participants at the service delivery point of their right to file a complaint with USDA, how to file a complaint, and USDA's complaint procedures.**
- 2. Place the USDA nondiscrimination statement for federally financially assisted programs on all print and non-print marketing and informational materials and resources, including, but not limited to, program publications, flyers, web sites, and any other materials provided to applicants and participants.**
- 3. Ensure that information on complaints is accessible to populations with limited English proficiency and persons with disabilities. Provide information in appropriate languages to the service area and reference the availability of free translation and interpretation services with taglines.**
- 4. It is the university's responsibility to ensure that, where applicable, its subrecipients receiving NIFA funding also take these measures in the provision of complaint information.**

Please refer to the below references regarding complaints of discrimination.

[How to File a Program Discrimination Complaint | USDA](#)

[Civil Rights Discrimination Complaints | National Institute of Food and Agriculture \(usda.gov\)](#)

Appendix E: Partner Nondiscrimination Agreement Sample Letter

CCE Letterhead

To:

From:

Date:

Re: Cornell Cooperation Extension Policy of Nondiscrimination

"Cornell Cooperative Extension actively supports equal educational and employment opportunities. No person shall be denied admission to any educational program or activity or be denied employment on the basis of any legally prohibited discrimination involving, but not limited to, such factors as race, color, religion, political beliefs, national or ethnic origin, gender/gender identity, transgender status, sexual orientation, age, marital or family status, protected veteran status, and individuals with disabilities. Cornell Cooperative Extension is committed to the maintenance of affirmative action programs that will assure the continuation of such equality of opportunity."

Cornell Cooperative Extension of Erie County follows a policy of nondiscrimination. In order to comply with Federal affirmative action guidelines, the association must obtain assurances from all organizations with whom it partners that they too follow a policy of nondiscrimination.

We request your understanding in this matter and appreciate your cooperation.

Please sign below to indicate you have reviewed the nondiscrimination statement above, and that your group or organization also follows a policy of nondiscrimination. Please attach your policy if available.

Signature:

Title:

Group or Organization:

Date:



Contract Drilling and Testing

BUFFALO OFFICE
CORPORATE OFFICE
5167 South Park Avenue
Hamburg, NY 14075
p: 716.649.8110
f: 716.649.8051

ROCHESTER OFFICE
535 Summit Point Drive
Henrietta, NY 14667
p: 585.359.2730
f: 585.359.9668

CORTLAND OFFICE
60 Miller Street
Cortland, NY 13045
p: 607.758.7182
f: 607.758.7188

December 5, 2022
Proposal No. PBE-22-210

Bammel Architects, PC
6264 West Quaker Street
Orchard Park, New York 14127

Attention: Mike Lukaszewski
ml@bammelarchitects.com

Reference: *Geotechnical Services*
Proposed Headquarters Building
Cornell Cooperative Extension of Erie County
Burton Road, Orchard Park, New York

Dear Mike,

Pursuant to your email request, we are hereby submitting our proposal to perform Geotechnical Investigation and Report Services for the Proposed Headquarters Building for Cornell Cooperative Extension of Erie County on Burton Road, located in Orchard Park, NY.

It is our understanding that the scope of work will include the following items:

1. Seven (7) test borings, each boring will be advanced to a depth of 40ft or refusal with one (1) boring extended to a depth of 100ft or refusal.
2. Geotechnical evaluation and report which will include:
 - a. Seismic site classification, in accordance with the "2015 International Building Code" with 2016 New York State supplement.
 - b. Bearing capacity of suitable soils.
 - c. Expected total and differential settlement.
 - d. Evaluation of the existing soils for hazards due to expansive soils and liquefaction and recommendations for mitigating these effects, as required.
 - e. Floor slab design recommendations.
 - f. Recommendations for waterproofing, damp proofing, footing and floor slab underdrains, if required.
 - g. Construction considerations, including recommendations for groundwater control, excavation support, subgrade preparation and backfill materials.

We are available to begin this work within 15 days of receiving your notification to proceed. If this proposal is acceptable, please sign below as your formal acceptance and authorization to proceed; and return one copy to our office. This proposal and the attached General Conditions shall constitute our agreement for these services.

Thank you for considering SJB Services, Inc. for your project. If you have any questions, please contact our office. We look forward to working with you.

Sincerely,
SJB SERVICES, INC.



Stanley J. Blas
President

PROPOSAL ACCEPTED BY: _____

PRINT NAME: _____

COMPANY: _____

DATE: _____

SJB SERVICES, INC. - COST SUMMARY

PBD-22-210

Bammel Architects

Geotechnical Services

Proposed Headquarters Building

Cornell Cooperative Extension of Erie County

Burton Road, Orchard Park, New York

ITEM NO.	DESCRIPTION	UNIT RATE	ESTIMATED QUANTITY	ESTIMATED TOTAL
1	<ul style="list-style-type: none">• Mob & Demob<ul style="list-style-type: none">○ ATV Rig• Boring Layout• UFPO	\$600.00 Lump Sum	1	\$600.00
2	Drilling and Sampling Drill Rig and Crew 5 Borings @ 25' or Refusal = 125' 1 @ 50 or Refusal' = $\frac{50'}{175'}$	\$1,800.00 / Day	2	\$3,600.00
3	Geotechnical Evaluation and Report	\$2,400.00 / Lump Sum	1	\$2,400.00
ESTIMATED TOTAL COST: \$6,600.00				



SJB SERVICES, INC. GENERAL CONDITIONS

Section 1: SERVICES

SJB SERVICES, INC. (SJB), with the corporate office at 5167 South Park Ave., Hamburg, NY 14075 shall provide to the client only those services as described in the Scope of Services of this contract. Additional services may be provided if acceptable to SJB and are subject to negotiation of additional fees for service.

Section 2: RIGHT OF ENTRY

The client will provide for right of entry of the employees, agents or subcontractors of SJB and all necessary equipment, in order to perform and complete the work, which is the subject of this agreement.

While SJB will take all reasonable precautions to minimize any damage to the property, the client understands and agrees that in the normal course of work some damage may occur, the correction of which is not part of this agreement.

Section 3: UTILITIES

The client will provide to SJB documentation setting forth the location and depth of all underground utilities or structures.

In the prosecution of its work, SJB will take all reasonable precautions to avoid damage or injury to underground structures or utilities.

The client agrees to hold harmless, indemnify and defend SJB from any and all loss, cost, expense claim, damage or liability resulting from subsurface conditions which are unforeseen, not called to SJB's attention or correctly shown on the plans furnished by or on behalf of the owner.

Section 4: SAMPLES

SJB will retain all soil and rock samples for 60 days after submission of test reports to the client. Further storage or transfer of samples will be made upon written request at the client's expense.

Sections: 5 INVOICES

SJB will submit invoices to the client monthly and a final bill upon completion of services. Invoices will show charges for different personnel and expense classifications. A more detailed separation of charges and back-up data will be provided at client's request.

Payment is due upon presentation of invoice and is past due thirty (30) days from invoice date. The client agrees to pay a finance charge of one and one-half percent (1 ½) per month, or the maximum rate allowed by law, on past due accounts.

Section 6: OWNERSHIP AND REUSE OF DOCUMENTS

All reports, boring logs, field data, field notes, laboratory test data, calculations, and other documents prepared by SJB as instruments of service shall remain the property of SJB.

The client agrees that all reports and other work furnished to the client or its agents, which is not paid for, will be returned to SJB upon demand and will not be used by the client for any purpose whatsoever.

SJB will retain all pertinent records relating to the services performed for a period of five years following submission of the report, during which period the records will be made available to the client at all reasonable times upon request and for the cost of reproduction.

The client and SJB agree that reuse of documents on extensions of the project or any other project by either party is prohibited without permission.

Section 7: DISPUTES

All claims, disputes, and controversies arising out of or in relation to the performance, interpretation, application, or enforcement of this Agreement, including but not limited to breach thereof, shall first be referred to mediation under the then current Construction Industry Mediation Rules of the American Arbitration Associates prior to any recourse to arbitration or a judicial forum.

The Owner and SJB agree to include the foregoing provision in any and all agreements with independent contractors and consultants retained for the project and to require all independent contractors and consultants to likewise include said provision in any and all agreements with subcontractor; subconsultants, suppliers, or fabricators so retained.

Section 8: STANDARD CARE; WARRANTIES

SJB will strive to perform services under this agreement in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. SJB makes no warranty, expressed or implied.

In accepting reports of observations and tests and opinions expressed thereon performed pursuant to this agreement, the client agrees that the extent of SJB's obligation with respect thereto is limited to the furnishing of such data and opinions, which shall not be solely relied upon by others as acceptance of the construction work, nor shall it relieve the contractor in any way from his obligations and responsibilities under the construction contract to conduct the work in conformance with the plans and specifications.

In no event shall SJB be responsible for methods of construction, superintendence, sequencing or coordination of construction, or safety in, on or about the job site.

The client recognizes that subsurface conditions may vary from those encountered at the location where borings, surveys, or explorations are made by SJB and that the data, interpretations and recommendations of SJB are based solely on the information available to it. SJB will not be responsible for the interpretation by others of the information developed.

Section 9: LIMITATION OF LIABILITY

The owner agrees to limit SJB's liability to the owner and all construction contractors and subcontractors on the project arising from SJB's professional acts, errors or omissions. Such that the total aggregate liability of SJB to all those named shall not exceed \$50,000 or SJB's total fee for the services rendered on this project, whichever is greater. The owner further agrees to require or the contractor and his subcontractors an identical limitation of SJB's liability for damages suffered by the contractor or the subcontractor arising from SJB's professional acts, errors, or omissions. Neither the contractor nor any of his subcontractors assumes any liability for damages to others, which may arise on account of SJB's professional acts, errors or omissions.

Section 10: INSURANCE

Except as set forth below, SJB states that it and its agents, staff and consultants employed by it are protected by worker's compensation insurance and that SJB has such coverage under public liability, professional liability, and property damage insurance policies which SJB deems to be adequate. Certificates for all such policies of insurance shall be provided to the client upon written request. Within the limits and conditions of such insurance, SJB agrees to indemnify and save client harmless from and against any loss, damage, or liability arising from any negligent acts by SJB, its agents, staff, and consultants employed by it. SJB shall not be responsible for any loss, damage or liability beyond the amounts, limits, and conditions of such insurance. SJB shall not be responsible for any loss, damage, or liability arising from any acts by client, its contractors, agents, staff, & other consultants employed by it.

Section 11: INFORMATION PROVIDED BY CLIENT

The client agrees to hold harmless, indemnify and defend SJB from any and all loss, cost expense, claim, damage or liability resulting from the inaccuracy of data or information provided by the client or others on his behalf.

Section 12: HAZARDOUS WASTES

The client shall advise SJB of any hazardous wastes existing at or near the site at which SJB is to perform work. If SJB discovers hazardous wastes after it undertakes a project, or if SJB discovered the nature or extent of hazardous wastes differs materially from what client advised SJB, the client and SJB agree that the scope of services and schedule shall be adjusted as needed to complete the work without injury or damage. The project will be completed for an additional sum agreed to by both parties.

Section 13: TERMINATION

This agreement may be terminated by either party upon seven (7) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof. Such termination shall not be effective if that substantial failure has been remedied before expiration of the period specified in the written notice. In the event of termination, SJB shall be paid for services performed to the termination notice date plus reasonable termination expenses.

Section 14: ASSIGNS

Neither the client nor SJB may delegate, assign, sublet or transfer its duties or interest in this agreement without the written consent of the other party. Any assignee, successor or legal representative of any of the parties to this agreement shall be bound by the terms of this agreement.

CCE Erie 2023 Board Committees

Executive:	Matt Agle, Brett Kreher, Li Shen, Carla DiCanio-Clarke, Jack McGowan
Finance:	Li Shen (Chair), Jack McGowan, Matt Agle, Matt Janiga, Kathryn Franco
Operations:	Sara Root (chair), Matt Agle, Carla DiCanio-Clarke, Kathryn Franco, Amelia Kermis
Capital:	Amelia Kermis (Chair), Ron Engasser, Matt Janiga, Jack McGowan, Brett Kreher, Matt Agle
Development:	Jack McGowan (Chair), Ron Engasser, Brett Kreher, Gail Wells, Matt Agle; Tama Gresco-Sauers
DE&I:	Gail Wells, Sara Root, Kathryn Franco, Brett Kreher, Carla DiCanio-Clarke, Matt Agle (Chair to be confirmed). Staff: Sara Jablonski