

Upper Peninsula Land Conservancy

POLICY 07

PERSONNEL POLICIES *(LTA Practice 7F)*

DRAFT REVISIONS

Submitted for Board Approval October 14, 2014

The Upper Peninsula Land Conservancy (the “Conservancy”) ~~---[has adopted]---~~ the following as employment policies. The Conservancy will review these policies from time to time and make revisions. Thus, any of these policies may be changed by action of the Board of Directors. Employees will be promptly informed of any changes.

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1. General Information

The Executive Committee of the Conservancy is responsible for administering personnel policies and, with Board approval, may make exceptions to these policies.

The Executive Committee will identify a supervisor for regular interactions with each employee.

Every employee of the Conservancy is expected to be familiar with these personnel policies and should consult with their supervisor on questions about these policies before interpretations are made or action taken. All employees will receive a copy of these policies and any amendments when they are made.

2. Statement of Understanding

All employment at the Conservancy is “at will.” This is a mutual agreement between employee and employer, in which the employer agrees to provide the position and compensation, and the employee agrees to provide the skills, time, and effort and to abide by the rules and requirements of the job. Termination of employment can be done by either employer or employee if this “at will” agreement is not working for the good of the organization or for the good of the employee.

The Conservancy will make every effort to treat each employee fairly and with integrity. And because the Conservancy has significant fiduciary responsibilities to uphold, it is imperative that all employees and volunteers representing the Conservancy be trustworthy, sincere, and honest, be able to keep sensitive information confidential, and treat all clients and donors with respect.

3. Recruitment and Selection

Advertisement of employment opportunities shall be in a manner such that current employees may be aware of opportunities for advancement and the public is assured open opportunity to apply and be properly considered.

Candidates for employment will be considered without regard to race, age, height, weight, sex, religion, national origin, political affiliation, sexual orientation or marital status. Physical or mental handicaps will be considered only as they may relate to bona-fide job requirements. All offers of employment will be made in writing.

The Board of Directors must approve an offer of employment before an offer is made to a prospective employee. This includes approval of rate of pay and number of hours to be worked each week.

Selection of personnel by the Executive Committee will be based on qualifications and capabilities for carrying out the work of the Conservancy.

4. Classification of Employees

Full-Time Employee

An employee who is hired to fill a continuing position requiring a minimum of 40 hours of work per week and who has successfully completed the required probationary period (normally 3 months, but may be extended an additional 90 days). During the probationary period, the employee is eligible for employee benefits offered, annual leave and sick leave; also the

designated supervisor will confer regularly with the employee during this time. At the end of the probationary period, and the supervisor and Executive Committee will complete a performance evaluation. An employee may be dismissed with just cause during the probationary period (see *12 Termination of Employment*) or at the end of the period because of an unsatisfactory performance evaluation

Part-Time Employee

An employee who is hired to fill a continuing position requiring less than 40 hours of work per week on a regular and recurring schedule and who has successfully completed the required probationary period (normally 3 months, but may be extended an additional 90 days). During the probationary period, an employee who works at least 20 hours a week is entitled to annual leave and sick leave benefits on a pro-rated basis; also the designated supervisor will confer regularly with the employee during this time. At the end of the probationary period the supervisor and Executive Committee will complete a performance evaluation. An employee may be dismissed with just cause during the probationary period (see *12 Termination of Employment*) or at the end of the period because of an unsatisfactory performance evaluation.

5. **Conditions of Employment**

Work Hours

All part-time employees shall be expected to work the hours set by the Executive Committee or supervisor. The Conservancy's core hours of operation are from 8:00 A.M. to 5:00 P.M., Monday through Friday.

All full-time employees are expected to work the equivalent of at least an 80 hours in a 2-week pay period, except for authorized absences and paid holidays. Lunch breaks normally consists of one hour (unpaid) per day. Two 15-minute work breaks are permitted each day and are considered part of working time.

Special arrangements must be made with the supervisor or Executive Committee if additional lunch or work break time is needed. If for an unavoidable reason the employee cannot report to work on time or finds it necessary to be absent on a particular day, the employee must immediately notify his/her supervisor or an Executive Committee member (if the supervisor is unavailable) prior to the beginning of the assigned shift or as soon as possible thereafter. Periods of tardiness and days of absence may be deducted from the time compensated during a pay period, unless the employee requests and obtains approval to treat any absence as time off with pay for annual, sick or compensatory time under the provisions of this policy.

Work Day and Work Week

A work day is considered to be the number of hours an employee normally or typically works in a day. It is not eight hours unless an employee is hired to work eight-hour days. Likewise, a work week is considered to be the number of hours an employee normally or typically works in a week. It is not forty hours unless an employee is hired for a forty-hour week.

Compensatory Time

It is expected that meetings and other commitments may occur outside of the core hours of operation. These services are considered a normal part of the job description of employees. Employees receive compensatory time on an hour-per-hour basis for **additional** hours worked, beyond those in a normal pay period, to fulfill the regular functions of their jobs. Eligible compensatory time includes evening, early morning and weekend meetings, site visits, workshop and seminars attended at the request of the Conservancy.

Up to two weeks of regularly scheduled hours (amount) may be accumulated as compensatory time.

An employee intending to use Compensatory Time shall notify his/her supervisor or an Executive Committee member if the supervisor is not available. *(In the case of the Executive Director, notification will consist of an email to all members of the Executive Committee.)* Notification shall be made as soon as possible, and, if possible, no later than the end of the day 3 days prior to the expected absence.

Time Sheets

The Conservancy will pay all employees on a bi-weekly basis. Checks will be issued every two weeks. The employee and either the supervisor or an Executive Committee member shall sign time sheets. Intentional failure to accurately report accurate information on time sheets is grounds for immediate dismissal.

Compensatory time earned and used, annual leave used, and sick leave used must be accounted for on time sheets. Accrued compensatory time must be used before annual leave on time sheets.

Other Employment

Other employment should not interfere with the employee's responsibilities to the Conservancy or be viewed as a conflict of interest. The employee shall provide notification of other employment to the Executive Committee.

An employee who engages in conference presentations, consulting work, speeches, or other work on behalf of the UPLC will receive his/her regular hourly pay. However, any stipend or other remuneration received from another agency/organization for that work, other than for expenses, shall be remitted to the Conservancy.

Use of Computers and Phones

Personal calls from the office must be kept to a minimum and each employee must utilize good judgment in keeping personal interruptions to a minimum. Personal long distance or toll calls may not be charged to the Conservancy. Employees may not use the Conservancy's office computers for personal purposes.

Gifts

Employees shall not accept gifts, excessive entertainment, or other favors from vendors attempting to or providing services or products to the Conservancy. This does not preclude the acceptance of gifts of a nominal amount (\$100) for group distribution or consumption offered in the spirit of the season or in respect of the friendship for the group.

Employees shall not accept gifts (including goods, services, or cash) from donors or potential donors when the basis for the relationship between the employee and the individual or entity arises by virtue of the employee's employment with the organization.

Confidential Information

While performing duties at the Conservancy, employees may have access to information that is confidential. No employee is permitted to reveal or discuss this confidential information with anyone outside of the organization.

Reimbursement of Expenses

Employees, when authorized by the supervisor or Executive Committee, will be reimbursed for necessary and reasonable expenses incurred: mileage, lodging, parking, tolls, telephone calls, meals and other incidentals.

All expense receipts should be turned in bi-weekly. Reimbursement is paid bi-weekly when paychecks are distributed.

- a. Mileage: Employees will receive mileage reimbursement for monitoring, donor visitation, and presentations off-site. Other work-related mileage expenses must be pre-approved by the supervisor or Executive Committee. Mileage reimbursement will be based on current rates adopted by the IRS. All mileage must be documented.

Employees are expected to use their privately-owned vehicles, or the most economical means of transportation based on actual costs and time spent traveling.

- b. Travel time: Employees traveling on Conservancy business will be compensated for time spent traveling to and from the destination as well as actual time spent working while at the destination.
- c. Lodging: Employees will be reimbursed for the actual cost of lodging. Reimbursement for lodging is limited to the rate charged for a single room. A receipt detailing the charges must be submitted.
- d. Meals: Reimbursement for meals will be at the current rates established by the State of Michigan or the actual cost of the meal (whichever is less). A receipt detailing the charges must be submitted.
- e. Incidentals: Other expenses such as bridge and road tolls, parking, and phone calls will be reimbursed upon submission of receipts for these expenses.

6. Leave Policies

Unpaid Leave of Absence

Unpaid leave of absence may be granted to an employee for any good and valid reason. This shall be at the discretion of the Executive Committee and approval of the Board. Annual leave, sick leave, and holiday leave will not be earned during unpaid leave of absence. Unpaid leave of absence may be awarded after all annual leave has been exhausted.

Holidays

Holiday pay for full-time employees and part-time employees working 20 hours or more per week is based on regularly scheduled hours for that day. Holiday pay will be pro-rated according to employment status.

The Conservancy considers the following as paid holidays

- | | |
|------------------|---------------------------|
| New Years' Day | Thanksgiving Day |
| President's Day | Friday after Thanksgiving |
| Memorial Day | Christmas Eve |
| Independence Day | Christmas Day |
| Labor Day | |

- Should any holiday fall on a weekend, the following Monday or preceding Friday will be recognized as the holiday.
- Holidays occurring during annual leave, bereavement leave or sick leave shall be considered a normal paid holiday and shall not be charged against the employee's accumulated leave time.

Court Leave (Jury Duty)

Employees selected for jury duty or as a work-related witness on scheduled workdays shall serve with no loss of pay. The employee shall be compensated only for the difference between the employee's regular pay and the pay received for jury duty that shall be reported on their time sheet.

Annual Leave

Annual Leave for full-time employees and part-time employees working 20 hours or more per week will be earned each pay period as follows:

Year of Employment	Annual Leave Time
1-3	2 weeks
4-6	2 weeks + 3 days
7-9	3 weeks
10-12	3 weeks + 3 days
13+	4 weeks

Annual leave time will be computed for each paid hour (worked, or claimed as annual, sick, bereavement, etc. leave). Each "day" of leave will be the number of hours regularly scheduled per day for that employee.

New full-time and part-time employees working 20 hours or more per week can begin to accrue annual leave with the completion of their first full pay period.

An employee intending to use annual leave shall notify his/her supervisor or an Executive Committee member if the supervisor is not available. *(In the case of the Executive Director, notification will consist of an email to all members of the Executive Committee.)* Notification shall be made as soon as possible, and, if possible, no later than the end of the day 3 days prior to the expected absence.

Sick Leave

Full-time employees and part-time employees working 20 hours or more per week shall accumulate sick leave at the following rate:

4 hours/80 hours worked

Sick leave may be used for illness, disability, or injury of the employee or immediate family, appointments with a doctor, dentist, or other professional medical practitioner, or when exposure to a contagious disease may endanger the health of co-workers.

An employee intending to use sick leave shall notify his/her supervisor or an Executive Committee member if the supervisor is not available. *(In the case of the Executive Director, notification will consist of an email to all members of the Executive Committee.)* Notification shall be made before the end of the day prior to the expected absence, if possible, or not more than one (1) hour after the beginning of his/her next scheduled work day, except in the case of an emergency beyond his/her control, and in such cases, as soon as possible. At no time can sick leave be utilized before it is earned. When sick leave is exhausted, annual leave may be utilized, or unpaid leave of absence may be granted for up to three (3) working days on a case-by-case basis by the Executive Committee for illness or disability.

The Executive Committee may require medical practitioner certification of illness or disability on each occurrence of three (3) or more consecutive days of sick leave, or each occurrence if a documentable pattern of sick leave abuse is suspected.

Employees are allowed to carry over any unused sick leave from year to year.

Bereavement Leave

Full-time employees and part-time employees working 20 hours or more per week are allowed a maximum of three (3) consecutive days with pay for bereavement leave for immediate family. After three days, that employee will need to use accrued compensatory time or annual leave to collect compensation.

Part-time employees working 20 hours or more per week will receive bereavement leave based on their scheduled hours. For example, if an employee is scheduled for a full day on Thursday and off on Friday, bereavement leave would be granted for Thursday but not Friday.

Military Leave

The following guidelines will be used to assure compliance with the Vietnam Era Veterans' Assistance Act of 1974. Appropriate military leaves of absence shall be granted to full-time or part-time employees for the following types of military duties:

- a. Full-time active duty
- b. Active duty in Reserves or National Guard
- c. Weekend drills or summer training duty

Employees are not required to use annual leave time for their military training; however, they will **not** be paid for this additional time off.

Employees should contact their supervisor or the Executive Committee to schedule military leave or with questions regarding military leave.

7. Family Medical Leave Act (FMLA)

The Conservancy shall adhere to all rules and regulations of the Family Medical Leave Act. Eligible employees are allowed up to 12 weeks unpaid leave for childbirth or adoption, care of a seriously ill parent, child, or spouse, or their own serious illness. Employees are required to give 30 days notice for foreseeable leave due to medical treatment, childbirth, or adoption.

Employees may use accrued compensatory time, then sick leave, then annual leave (in that order) during the 12-week medical leave. Remaining leave time shall be without pay. Employees will be reinstated at the job position and pay scale current when leave started.

8. Workers Compensation

Statutory workers' compensation benefits are provided for all employees covered by Michigan's workers' compensation laws. Such benefits are the sole remedy for any job-related injury or illness. An employee cannot return to work after an absence covered by workers' compensation without a written certificate from a licensed medical doctor as to the employee's condition and status.

9. Sexual Harassment

The Conservancy is committed to providing a work environment where women and men can work together comfortably and productively, free from sexual harassment. Such behavior is illegal under both state and federal laws and will not be tolerated. This policy applies to all phases of employment including recruiting, testing, hiring, upgrading, promotion or demotion, transfer, layoff, terminations, when changes in rates of pay or benefits are considered, and during group

social events or selection for training or travel. This policy applies to board member-employee interactions as well as those among employees.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones including: electronic communications, written contact, verbal contact, physical contact or visual contact. Offering benefits such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations for or reclassifications in exchange for sexual favors is forbidden.

Complaints of sexual harassment will be promptly investigated and addressed by the Executive Committee. Any employee bringing a sexual harassment complaint or assisting in investigating such a complaint will not be adversely affected in terms of employment, or discriminated against or discharged because of the complaint. Complaints of such retaliation will also be promptly investigated and addressed by the Executive Committee.

Any employee found to have violated this policy shall be subject to appropriate disciplinary action including but not limited to: warnings, reprimand, suspension or discharge, according to the findings of the complaint investigation.

10. Performance Evaluation

Job Description

All positions have a written job description. The job description will serve as the basis for work to be performed, but other duties may also be assigned. Job descriptions will be reviewed at least annually by the Executive Committee for updating. An employee or supervisor may request updating of the job description.

Performance Review Schedule

A new employee's performance shall be reviewed in writing by the Executive Committee and supervisor at the end of the 3-month probationary period. Thereafter, each employee will be evaluated annually on the anniversary of his/her date of hire or end of each fiscal year, or at any time desired or deemed necessary by the Executive Committee.

Evaluation and Performance Objectives

The written job description will be the primary standard used for evaluation. *(In the case of the Executive Director the Annual Evaluation Assessment form will be used)*

An employee will also develop performance objectives with his/her supervisor. These objectives, along with their evaluation criteria, will be used as part of the evaluation and may be used by the supervisor to recommend merit pay increases when appropriate.

Starting Rate of Pay and Pay Increases

The starting rate of pay for a new employee will be established by the Executive Committee with Board approval, taking into consideration the fiscal condition of the organization and the individual's experience and qualifications.

As part of an employee's performance review a wage adjustment will be considered. Longevity, experience, and meritorious service will be recognized through pay increases when deemed fiscally feasible and recommended by the Executive Committee and supervisor and approved by the Board of Directors.

11. Progressive Disciplinary Actions

For unsatisfactory performance, disciplinary actions may be imposed progressively as described below.

The steps in order are

- a. Meeting with supervisor: The supervisor provides an evaluation of work performance and recommendations for improvement to help remedy poor work performance or correct inappropriate conduct.
- b. Oral warning: The supervisor warns the employee orally that specific aspects of his/her work performance must be improved or corrected. The employee is informed that further disciplinary action may be taken if the situation is not improved or corrected.
- c. Written warning: The supervisor informs the employee in writing that work performance must be improved or corrected. Recommended steps for improving are included as well as timetable for demonstrating the improvement. The employee is informed that further disciplinary action may be taken if the situation is not improved or corrected.
- d. Probation: When it becomes necessary to place an employee on probation, a written appraisal must be prepared by the supervisor identifying
 - 1) area(s) of weakness
 - 2) improvements that must be made
 - 3) length of the probationary period.

The probationary period may not be longer than 90 days and no salary increase may be awarded during this time. If, in the opinion of the Executive Committee, the employee's work performance has not improved sufficiently by the end of the probationary period, the person's employment will be terminated.

12. Termination of Employment

The end of an employment relationship with the Conservancy will fall within one of the following categories:

- a. Resignation: A voluntary termination freely made by the employee for any reason. The Conservancy must be given a two-week notice.
- b. Mutual Agreement: Whereby both parties think it would be mutually beneficial to end the employment relationship. Under these circumstances, the Conservancy sets no termination notice period, and a departure date is informally agreed upon within a reasonable time period.
- c. Reduction in Force: Resulting from job elimination due to financial considerations determined by the Conservancy. Any employee so affected will be given three (3) weeks notice during which he/she may use accumulated compensatory time or accrued annual leave time. Additionally, unpaid leave of absence may be granted.
- d. Unsatisfactory Performance: Following discipline procedures outlined above, in *11 Progressive Disciplinary Actions*, should the employee fail to achieve improvements in performance, his or her employment will be terminated.

- e. **Misconduct:** Involving gross misbehavior on the job, refusal to do work reasonably expected, wrongful use of or taking Conservancy property, failure to comply with the personnel policy, or conviction for a felony.

At termination, no payment will be made for unused sick or annual leave.

Before an employee leaves the Conservancy, a termination interview will be scheduled with the supervisor and at least one Executive Committee member and the employee. Its purpose is as follows:

- Review employment record and reasons for leaving.
- Return of Conservancy property, i.e. keys, debit card, etc.
- Delivery of final paycheck.

If a full-time or part-time employee, who has been laid off (see Reduction in Force above), is re-hired within one year, the employee shall be entitled to reinstatement of previously accrued sick leave and credit for prior years of service in calculation of annual leave earning rates, if applicable.

13. Drug and Alcohol Use

The Upper Peninsula Land Conservancy is committed to ensuring a drug-free workplace. While at work performing the organization's business, regardless of location, employees are prohibited from:

- Being under the influence of, using, possessing, selling, or otherwise being involved with illegal drugs;
- Being under the influence of or abusing alcoholic beverages;
- Abusing controlled substances.

Violations of this policy may result in immediate dismissal.

14. Policy Adoption and Administration

The Conservancy's Board of Directors is responsible for approval, implementation, and any subsequent amendment of this policy. The supervisor and/or Executive Committee shall review with the employee changes or amendments made to these policies and procedures.