

**Upper Peninsula Land Conservancy**  
**POLICY 07**  
**PERSONNEL POLICIES** *(LTA Practice 7F)*

Board approved October 14, 2014  
Revision Approved 12 March 2019

*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.*

### **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 shall identify a supervisor for regular interactions with each employee.

Every employee of the Conservancy is expected to be familiar with these personnel policies and accompanying procedures and should consult with their supervisor on questions about these policies before interpretations are made or action taken. All employees shall receive a copy of these policies and any amendments when they are made and will be required to sign a statement acknowledging that they have read and understand and agree to abide by the terms of the policies.

Unless otherwise noted, the UPLC Personnel Policies and Procedures apply to all regular, full-time and part-time Employees; all contract and temporary Employees; all volunteers and consultants.

Accompanying Personnel Procedures are developed and implemented by the Executive Director and supervising staff in partnership with the Executive Committee.

### **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, honest, and able to keep sensitive information confidential and treat all constituents 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.

The Board of Directors shall 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.

#### Equal Employment Opportunity

UPLC does not discriminate on the basis of race, color, religion, creed, national origin, marital or familial status, gender, physical or mental handicap, age, veteran status, sexual orientation or gender identity or presentation in accordance with Title VII of the Civil Rights Act, the Age discrimination in Employment Act, the Rehabilitation Act, and the regulations applying to each Act.

### **4. Classification of Employees**

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 prorated basis. 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 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

#### Full-Time Employee (Non-Exempt)

Defined as an employee who is hired to fill a continuing position requiring a minimum of 36 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). The full-time non-exempt employee is eligible by law for overtime pay when their working hours exceed their regularly scheduled hours.

#### Full-Time Employee (Exempt)

Defined as an employee who is hired to fill a continuing position requiring a minimum of 30 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). The full-time exempt employee is not eligible for overtime pay when their working hours exceed their regularly scheduled hours.

#### Part-Time Employee

Defined as an employee who is hired to fill a continuing position requiring less than 30 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). The part-time employee is not eligible for overtime pay when their working hours exceed their regularly scheduled hours.

#### Temporary Staff Member

A person working for a fixed period not to exceed one year and which may be up to 40 hours per week without benefits except as provided by law.

Employee means any person employed by UPLC and is inclusive of Regular full-time Staff Member, Regular part-time Staff Member and Temporary Staff Member.

Contractor

A person or organization working for UPLC as an independent contractor or consultant under a written agreement which defines the scope of work and compensation. Contractors and consultants do not receive benefits unless included in the written agreement with UPLC.

**5. Other Information**

Compensatory Time

Employees are expected to monitor their work schedules and not exceed their usual and customary hours per pay period. However, under rare circumstances where full-time or part-time Employees work beyond their usual and customary hours in a pay period they may, at the discretion of the supervisor or Executive Director, receive compensatory paid time off. Compensatory time off must be taken within two months of the excess work time which it is being used to offset and employees shall not exceed 2 weeks of accumulated compensatory time off.

Time Sheets

Payment, whether by check or direct deposit, shall be issued every two weeks. The employee and either the supervisor or an Executive Committee member (as in the case of the Executive Director or the ED's absence) shall review and sign time sheets prior to payment. Intentional failure to accurately report accurate information on time sheets is grounds for immediate dismissal.

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

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 as part of that week's regular pay schedule. 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 shall 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.

Telephones, computers, and other resources are the property of UPLC and Employees do not have a right of privacy when using UPLC resources.

### Conflicts of Interest

Each Employee, Volunteer or Contractor is required to avoid Conflicts of Interest and to be familiar with UPLC's Conflict of Interest and Ethics Policy and Procedures. Each Employee, Volunteer (other than casual volunteers who perform no regular services), and Contractors will sign an Acknowledgement of Conflict of Interest and Ethics Policy and promptly relate new potential conflicts of interest to the committee.

### Political Activities

An Employee, Volunteer or Contractor may not state, imply or suggest in any way that UPLC holds any position in support of or in opposition to any candidate for public office. No Employee, Volunteer or Contractor may engage in any political activity that suggests or implies that UPLC supports or opposes legislation, except as authorized in advance by the Board and only as permitted under laws and regulations governing non-profit organizations

### Confidential Information

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

### Reimbursement of Expenses

Employees, when authorized in advance by their 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 when traveling for a UPLC-related event. 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 determined by the employee's supervisor. 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 employees will be prorated according to the percentage of full-time employment. .

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.
- The Conservancy will provide each full-time employee with 2 paid floating holidays in addition to our 9 standard paid holidays listed above. Floating holidays are meant to be used for religious or cultural holidays, birthdays, holiday-related volunteer activities or to spend time with family members who may be out of school or off of work for a state or federal holiday. A floating holiday must be requested of the supervisor in advance. Unused floating holidays will not be carried over to the next calendar year. They will also not be paid out if unused at year end. Unused floating holidays will not be paid out upon termination.
- Employees are permitted excused absences for observance of religious holidays. Employees must submit requests to be away from work to participate in such observances within a reasonable time prior to the proposed absence. Supervisor/Executive Committee will make reasonable accommodations for an employee's time away from work for this purpose to the extent practical in the consideration of business needs. Employees must take these planned absences as either paid vacation leave, if applicable; as time off without pay; or with equivalent time worked at a time and manner agreed upon by the employee and the responsible administrator/supervisor.

### 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 timesheet.

### Annual Leave

Annual Leave for full-time employees will be earned each pay period as follows:

Year of Employment	Annual Leave
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.

Employees can begin to accrue annual leave after the completion of their first full pay period. Annual leave must be used within two years.

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

Employees 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, but the amount will be capped at 240 hours accumulated.

### 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 when deemed necessary by the employee. After three days, that employee will need to use accrued compensatory time or annual leave to collect compensation.

### 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. Harassment**

Every staff member; temporary staff member; volunteer or contractor is entitled to a work environment free of discrimination and harassment. Any behavior that creates or contributes to an intimidating, hostile or offensive work environment will not be tolerated and such conduct will result in disciplinary action including termination. UPLC strictly prohibits sexual harassment and harassment due to race, religious creed, color, national origin, pregnancy, childbirth, sexual orientation, gender identity or presentation, political affiliation, physical or mental disability, medical condition, marital or familial status, age or any other basis protected or not protected by federal, state or local law or regulation. 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 but not limited to: 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 harassment will be promptly investigated and addressed by the Executive Committee. Any employee bringing a 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 Supervisor or 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 *II 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 controlled substances such as alcohol and marijuana

Violations of this policy may result in immediate dismissal.