

# **Personnel Policies of Friends of Deckers Creek**

## **Introduction**

Friends of Deckers Creek (FODC) is committed to fair, clearly stated and supportive relationships between the organization and its staff. The personnel policies of FODC have been established in order to provide a guide to the personnel practices of FODC and to ensure consistency of personnel programs in a manner which complies with the letter and spirit of all applicable federal, state, and local regulations. This document is designed to provide guidance to staff at FODC. It is not a part of any contract between FODC and its employees. It is only a set of informal guidelines for personnel practices. Notwithstanding the provisions of the personnel policies, all employees are "at will employees" which means that they may be terminated at any time with or without cause without subjecting FODC to a claim for breach of an employment contract.

## **Employee Classification**

All employees are classified as either regular or temporary. Regular employees are employees hired without a specific termination date. Temporary employees are employees whose position at the time of hire is for a short term period. Terms of employment will depend on agency needs, and in no case will a temporary position be construed as being a contract for a definite time and terminate for cause.

Employees also are classified as either exempt or non-exempt according to provisions of the Fair Labor Standards Act.

Full-time salaried employees are those employees working a minimum of 40 hours per week, and are eligible for all fringe benefits.

Part-time salaried employees are those employees working at least 20 hours but less than 40 hours per week. Part-time salaried employees are eligible for all fringe benefits and earn sick leave and vacation time at a rate proportionate to the hours they work. Part-time employees that work less than 20 hours per week are not eligible for fringe benefits.

Special Project Employees are those employees who are paid hourly and work less than 40 hours per week under Letter of Agreement.

## **Anti-Discrimination Policy**

FODC chooses its employees on the basis of knowledge, skills, and abilities and not according to race, gender, age, religion, disability, sexual orientation or national origin.

Approved 10/19/06

## **Affirmative Action**

The policy and intent of FODC is to provide equal employment opportunity for all persons regardless of race, color, religion, national origin, marital status, political affiliation, affectional orientation or gender identity, status with regard to public assistance, disability, sex, or age. FODC intends to respond affirmatively in its employment practices. Affirmative action applies to all aspects of employment practices including, but not limited to, recruiting, hiring, placement, promotion, demotion, transfer, training, compensation, benefits, layoff, recall, and termination. FODC seeks to do business with organizations that encourage equal employment opportunity.

## **Recruitment Procedures**

FODC intends to recruit, hire, and place applicants on the basis of the applicant's relative knowledge, skills, and abilities. The decision to employ an applicant will be based solely on the individual's qualification for the particular position along with other requisite job skills. Minimum qualifications shall be specified in the job description.

## **Anti-Harassment Policy**

It is FODC's belief that its employees are an important means by which the goals and objectives of FODC will be met. To that end, the rights of all employees must be respected. All forms of harassment are unacceptable.

The procedure for reporting and dealing with this very sensitive issue is as follows:

1. If a person's behavior makes an employee uncomfortable, the employee should feel free to immediately advise that, in the employees' opinion, the behavior is inappropriate and that the employee would like it stopped.
2. If the employee is not comfortable discussing the issue with the person, or if the person fails to respect an employee's request, the employee should report the incident to the Executive Director or a member of the Board of Directors.
3. In all instances, a prompt, thorough, fair investigation will take place, giving careful consideration to protect the rights and dignity of all people involved. FODC will take those steps necessary to resolve the problem, which may include verbal or written reprimand, suspension, removal from the board, or termination,
4. No retaliation of any kind will occur because an employee has in good faith reported an incident of suspected harassment. The person to whom the complaint was made will work to establish mutually agreed upon safeguards against retaliation while attempting to mediate any harassment complaint.

Approved 10/19/06

## **Drug-Free Workplace Policy**

Friends of Deckers Creek have a standard of conduct that prohibits the possession, use or manufacture of illegal drugs in its offices or workplaces for staff and volunteers. FODC will impose disciplinary actions and may require drug rehabilitation for any person found to be in violation of this policy. In addition, violation of this policy may be in violation of the law and may involve the authorities.

Each violation will be evaluated and addressed separately. The Drug-Free Workplace Policy is as follows:

1. Unlawful manufacture, possession, use or distribution of illegal drugs while in FODC offices or workplaces is prohibited.
2. Use of legal prescription drugs in excess, or that do not have a prescription, will be considered a violation of this policy. Use of alcohol or over the counter drugs in excess to the extent that anyone's health or safety are in jeopardy will also be considered to a violation of this policy.
3. Staffer volunteers who violate this policy are subject to disciplinary action, up to and including termination.
4. FODC reserves the right to require treatment of people who violate this policy and who wish to continue their employment.

Adopted 5/17/07

## **Code of Ethics and Conduct**

1. Respect for the people and communities we work with and serve
2. Integrity in our actions
3. Responsibility for our decisions and their consequences.

We are committed to act honestly, truthfully and with integrity in all our transactions and dealings.

We are committed to avoid conflicts of interest and to the appropriate handling of actual or apparent conflicts of interest in our relationships.

We are committed to treat our donors, partners, grantees and vendors fairly and to treat every individual with dignity and respect.

We are committed to treat our employees and volunteers with respect, fairness and good faith and to provide conditions of employment that safeguard their rights and welfare.

We are committed to be a good corporate citizen and to comply with both the spirit and the letter of the law.

We are committed to act responsibly toward the communities in which we work and for the benefit of the people and communities we serve.

We are committed to be responsible, transparent and accountable for all of our actions.

We shall maintain the confidentiality and privacy standards of FODC.

We shall seek financial or other resources solely for the best interests of FODC.

We shall avoid using our association with FODC to promote partisan politics, religious matters or any position not in conformance with the position of FODC.

We shall use the name, logos, endorsements, services or property of FODC only to advance the mission of FODC and in accordance with FODC policies.

## **Whistleblower Policy - (adapted from the policy of the National Council of Nonprofit Associations)**

### General:

FODCs Code of Ethics and Conduct requires trustees, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of FODC, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

### Reporting Responsibility

It is the responsibility of all trustees, officers and employees to comply with the FODC Code of Ethics and Conduct and to report violations or suspected violations in accordance with this Whistleblower Policy.

### No Retaliation:

No trustee, officer or employee who in good faith reports a violation of the FODC Code of Ethics and Conduct shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within FODC prior to seeking resolution outside of FODC.

### Reporting Violations:

In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the President of the Board of Trustees or anyone on the Board whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations of FODCs Code of Ethics and Conduct to FODC's Compliance Officer, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, individuals should contact FODC's Compliance Officer directly.

### Compliance Officer:

FODC's Compliance Officer is the Vice President of the FODC board of trustees. FODC's Compliance Officer is responsible for investigating and resolving all reported complaints and allegations concerning violations of the FODC Code of Ethics and Conduct and, at his/her discretion, shall advise the Executive Director and/or the finance committee. The Compliance Officer has direct access to the finance committee of the board of trustees and is required to report to the finance committee at least annually on compliance activity.

Accounting and Auditing Matters:

The finance committee of the board of trustees shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Compliance Officer shall immediately notify the finance committee of any such complaint and work with the committee until the matter is resolved.

Acting in Good Faith:

Anyone filing a complaint concerning a violation or suspected violation of the FODC Code of Ethics and Conduct must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code of Ethics and Conduct. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense,

Confidentiality:

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations:

The Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Adopted September 15, 2011

## **Leave Policy**

Friends of Deckers Creek (FODC) permits employees to request "Family Leave." Pursuant to this policy, an employee may request up to 12 weeks of unpaid leave and/or a reduced schedule for 12 weeks for the birth or adoption of a child, to care for a seriously ill member of the employee's immediate family, or because of a serious health condition that renders the employee unable to perform his or her job. The term "immediate family member" is defined as the employee's spouse, partner, parent, child, stepchild, foster-child, grandchild, grandparent, sibling, and in-law relatives. Employees may choose to use unused vacation leave or unused sick leave for their own illness before making a request for family leave.

FODC will continue to provide health insurance benefits for up to 12 weeks while the employee is on leave. FODC, at its discretion, may extend the coverage period depending on the circumstances. The employee will continue to accrue vacation and sick leave during the family leave period at the same rate as earned on the date of the family leave request. The employee will not be paid for holidays during the family leave period.

When an employee's unpaid leave period ends, FODC will make every reasonable effort to return the employee to the same position. If the employee's position is not available, FODC will attempt to place the employee in a comparable or equivalent position for which he or she is qualified.

Adopted May 19, 2011

## **Bereavement Policy**

In the unfortunate instance of a death within the immediate family (i.e. spouse, parent/guardian, child, mother- and father-in-law, daughter- and son-in-law, sibling, aunts/uncles, niece/nephew, grandparents, or grandchildren) up to five (5) days of paid leave is available to full time, salaried staff. Due to organization size, the board of directors (BOD) requires that, to the best of their ability under the circumstances prior to taking leave, arrangements be made among staff to cover time sensitive and/or "critical to the operation of the organization" duties and deadlines which are required of the aforementioned staff member. Similarly, paid leave of up to three (3) days is extended to full time, salaried staff in the unfortunate instance of a death within the extended family. Extended family includes any family member or close friend outside of the aforementioned immediate family members.

For part-time employees, a minimum of twenty (20) hours per week must be worked to be eligible for paid bereavement leave. Standard bereavement leave for part-time employees shall be pro-rated to fit their normal scheduled hours per week, with up to five (5) days for immediate family and three (3) days for extended family as previously outlined. In the event that part-time employees hours are flexible or fluctuate week-to-week, the ED and Executive BOD shall review timesheets while also considering current tasks and responsibilities to settle on a realistic pay for time out of office. The same expectations for covering pressing responsibilities and duties shall also apply for part-time employees taking bereavement leave.

For both full-time and part-time employees to take bereavement leave for extended family, the employee must submit a leave request to either the Executive Director or the Executive Board of Directors. The ED/Executive BOD reserves the right to request documentation of the death, such as an obituary, or to deny the request with well-founded evidence of abuse of the bereavement policy. Abuse of the bereavement policy will result in disciplinary action as deemed fit by the entirety of the FODC Board of Directors.

Adopted April 8, 2016