

**GREAT POND MOUNTAIN CONSERVATION
TRUST**

Personnel Policy and Benefits Plan

January 2018

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Acknowledgement: Based on a copyrighted model (1997) developed by the Nonprofits' Mutual Risk Retention Group and its sponsoring Statewide Associations and distributed by the Maine Association of Nonprofits, and on the Personnel Policy and Benefit Plan of the Maine Coast Heritage Trust and Blue Hill Heritage Trust which is based on that model

Dear Employee:

Great Pond Mountain Conservation Trust (GPMCT) welcomes you as a new employee. GPMCT is a nonprofit, charitable 501(c) (3) tax-exempt conservation organization founded in 1993, whose mission is conserving land, water and wildlife habitat for the communities of northwestern Hancock County.

GPMCT is committed to providing a fun and rewarding place to work, and tries to offer a reasonable and competitive salary and benefits package, while establishing equitable and flexible policies and procedures that honor the well-being of those who choose to share the important work of this land trust. This Personnel Policy and Benefits Plan outlines our employment policies and describes benefits currently offered.

Because of our charitable mission and our public support, Great Pond Mountain Conservation Trust's Board of Directors, employees and volunteers have a special responsibility to adhere to the highest standards of ethics and professionalism in representing GPMCT and carrying out its mission. In addition, GPMCT asks employees to share the organization's commitment to land conservation. To maintain an environment that supports a spirit of teamwork, GPMCT provides a workplace where communications are open, and problems can be discussed and resolved in a mutually respectful atmosphere, taking into account individual circumstances and individual employees. Through open communications, GPMCT seeks to minimize difficulties or misunderstandings and develop a mutually beneficial working environment. Employees are encouraged to raise any questions, suggestions, or concerns with others directly involved in the situation giving rise to concerns, with their supervisor, or with the President.

GPMCT will work to inform employees, on a timely basis, of general activities that may affect employment conditions, and welcomes employee comments or suggestions.

Welcome to Great Pond Mountain Conservation Trust!

I. Purpose of the Policy & Plan

This **Personnel Policy and Benefits Plan** is intended to serve as a guideline, describing the basic personnel policies and practices ordinarily applied by GPMCT. No contractual rights are conferred on the employee by this Personnel Policy and Benefits Plan; its provisions shall not constitute contractual obligations enforceable against GPMCT. While GPMCT may enter into a written employment contract with an employee that grants rights and/or benefits differing from those described in this Plan, such an agreement will not be valid unless in writing and signed by the Board President.

GPMCT reserves the right to make changes, from time to time, with or without notice, in the policies and practices described in this Policy & Plan. Moreover, because it is impossible to anticipate every situation that may arise, Great Pond Mountain Conservation Trust reserves its right to address a situation in a manner different from that described herein if, in Great Pond Mountain Conservation Trust's discretion, the circumstances so warrant. It is, however, GPMCT's intention to respect the intent of these guidelines and to notify employees of Policy & Plan revisions as soon as it is practicable.

If you have questions about the policies and procedures described in this document, or suggestions for improvement, please see the President.

II. Equal Employment Opportunity

GPMCT does not discriminate in the terms, conditions, or privileges of employment because race, color, religion, national origin, sex, age, physical or mental disability, sexual orientation, status as a recipient of workers' compensation benefits, whistleblower status, or as otherwise may be prohibited by federal and state law. Any employee who believes that they or any other employee of GPMCT has been discriminated against must report this concern promptly to the Executive Director or the President.

GPMCT also has a policy prohibiting discriminatory harassment, including sexual harassment. This policy is described in Sections X and XI below.

III. Terms and Conditions of Employment

A. At-Will Status

Employees of GPMCT are employed at will, which means that they are not hired for any definite period of time and either they or GPMCT may terminate the employment relationship at any time, with or without cause. The only exception to this rule would be an employee who, due to unusual circumstances, has been provided a promise of employment for a particular length of time, which is in writing and signed by the Executive Director or President as appropriate.

B. Termination of Staff

After consultation with the Board, only the Executive Director has the authority to terminate a staff member's employment with GPMCT.

C. **Hiring & Termination of Executive Director**

The Executive Director is hired by the Board of Directors. Only the Board of Directors has the authority to create the terms of hiring and terminating the employment of the Executive Director.

D. **Classification of Employees**

Full-time employees are those employed to work on a regular basis for at least 40 hours per week. They are eligible for all benefits described in this Policy and Plan, so long as they meet the applicable requirements, such as length of service.

Part-time employees are those employed to work on a regular basis for fewer than 40 hours per week. They are eligible for only those benefits stated in this Policy and Plan as being available to part-time employees, unless otherwise agreed to in writing by the Executive Director.

Temporary employees are those hired with the understanding that their employment will not continue beyond a stated date or beyond completion of a specified project or projects. They are eligible only for those benefits agreed to in writing by the Executive Director. Temporary employees include interns that receive a wage or stipend.

Independent contractors are non-employees who are paid on a fee-for-service basis to perform certain contracted services. GPMCT will negotiate and keep on file in the office written letters of agreement or employment contracts with independent contractors. As non-employees, independent contractors do not qualify for any of the benefits described in Section IV. F herein.

E. **Exempt/Non-Exempt Employees; Overtime Pay**

In accordance with the Fair Labor Standards Act, there are two categories of employees – “exempt” (meaning, among other things, you are exempt from the overtime pay requirements of the Fair Labor Standards Act) or “non-exempt” (meaning you are covered by the overtime requirements.) Generally speaking, exempt employees are those whose jobs are primarily executive, administrative or professional in nature, as defined by federal regulations, and who are paid on a salary basis, again as defined by federal regulations. If you have any questions about the status of your position, please ask the Executive Director.

Exempt Employees: When hired, exempt employees will be given some indication of the daily time expectations related to their position, including general expectations for on-site office hours, off-site work, and evening and weekend hours. Exempt employees are responsible for working the hours necessary, within reason, to accomplish job expectations and are not eligible for overtime pay. If you are having difficulty accomplishing your responsibilities within a reasonable work week or believe that you need to work excessive hours, please discuss this with the Executive Director immediately.

Non-exempt Employees and Overtime:

If you are non-exempt, you will be paid overtime—at the rate of one and one-half times your regular hourly rate of pay—for any hours worked beyond forty (40) hours in each work week. This includes non-exempt, part-time employees and means that part-time employees must work over forty (40) hours/week before they are eligible for over-time. Non-exempt employees must obtain permission from the Executive Director or, in the absence of the Executive Director, the President or some designee, before working more than forty (40) hours in a work week.

Only those hours that are actually worked by the employee will be considered "hours worked" in computing whether overtime is due and, if so, how much. Scheduled and unscheduled absences and time off for holidays, vacation, sickness, jury duty, or bereavement leave, or for other reasons, will not count as hours worked for this purpose.

Non-exempt employees may not take compensatory time in lieu of overtime pay, unless the compensatory time is taken within the same work week in which the extra hours were worked. GPMCT's work week begins on Monday and ends on Sunday. For instance, if this week you work twelve (12) hours on Monday, it is permissible to work only four (4) hours on Tuesday or another day during the week, so that by the end of the week you will not have worked over forty (40) hours. In fact, GPMCT will require that you take such compensatory time in most instances. However, you may not wait until next week to take the four (4) hours off and use that in lieu of overtime pay. This is a legal requirement. Employees seeking to offset time during a payroll week in this manner must have approval from their supervisor to do so.

F. Time Sheets

All employees (including exempt, non-exempt, full-time, part-time and temporary) are responsible for completing and submitting time sheets on a regular basis. The Executive Director will provide instruction to employees on how to complete time sheets.

G. Work Schedules

GPMCT recognizes that employees, especially part-time employees, will have varying schedules based on the requirements of the job. All staff may occasionally be required to work weekends or evenings in order to participate in a GPMCT event or otherwise fulfill their job responsibilities.

An employee who works more than their regular hours during a pay period (unless you work more than 40 hours/week—see overtime rules above) is allowed to take an equivalent number of hours off at a time convenient to the employee and the organization.

The organization strives to maintain daily office hours from 9:00 a.m. to 5:00 p.m. and tries to schedule employees so there is always someone available in the office during the regular workday. It is expected that every employee will adhere to some regular office hours each week. If an employee is out of work or late for regularly-scheduled office hours, and have not given prior notice, the employee must call the office as soon as possible to report your absence or lateness. Absence by an employee without notice for three (3) consecutive days may be considered a voluntary quit.

Lunch is not paid time unless the employee has a work-related meeting or otherwise works during lunch.

H. Employee Files

Permanent, confidential records for each employee will be maintained and kept on file in GPMCT's office. The file will include job-related information, such as the original application for employment and/or resume; any letter offering employment sent to the employee; the initial letter of agreement as well as all revisions; personal data such as home address and telephone number; a contact person or persons in case of emergency; performance-related records; and changes in employment status and/or pay.

In order to ensure that GPMCT has up-to-date information in case of emergency and for compliance with Social Security and income tax regulations, employees should notify the Executive Director in writing of any changes in marital status, number of dependents, personal emergency notification, address, and telephone.

I. Use of GPMCT Equipment and Property

GPMCT expects employees to respect that supplies and equipment are for the purpose of GPMCT business only. Unless otherwise negotiated in advance of preparation, documents and files, both paper and electronic, created while working for GPMCT, are and remain the property of GPMCT. Occasional use of computers, phones, or copiers for personal use may be approved by one's supervisor. Such approval can be general, not requiring case-by-case review. GPMCT, however, cannot guarantee the security and privacy of such use.

TELEPHONE USE—Employees are asked to keep incoming and outgoing personal calls to a minimum. Use your own cell phone for calls expected to take longer than a couple minutes. Personal calls (out and in) during working hours on your cell phone should be limited to addressing family matters and personal medical, dental, etc. appointments.

E-MAIL AND INTERNET—GPMCT uses e-mail and the Internet as part of its conservation work. Employees will be assigned an e-mail address for GPMCT use. Employees are asked to refrain from using e-mail and the Internet for personal use during their dedicated work time at the office. See Section XV below.

J. Purchasing

GPMCT employees must obtain a supervisor's consent before purchasing items totaling \$100 or more. Employees are expected to use discretion when purchasing supplies, and use the GPMCT debit card when possible instead of purchasing with their own funds and requesting reimbursement. Receipts must be saved and submitted to the supervisor. GPMCT maintains an account at Bucksport True Value.

K. Office Environment/Pets

GPMCT strives to maintain professional, orderly, clean and healthy work spaces for its employees — as well as our directors, clients, partners and members of the public that

visit our offices. All employees are required to maintain their individual work stations and offices in this way. In addition, everyone is responsible for contributing to the upkeep of communal work and meeting areas, kitchens and bathrooms. Questions or suggestions for improvement should be directed to the Executive Director.

Employees will be allowed to bring one (1) well-behaved dog only to the office, not to exceed two (2) employee dogs at any one time and subject to approval of the Landlord and other employees.

IV. COMPENSATION AND BENEFITS

A. Pay

Employees are paid biweekly. Paychecks will be deposited directly to the employee's bank account unless employee chooses to have a paper check mailed to the address provided by employee. Contact the Executive Director with any questions.

B. Deductions

Deductions from pay include mandated government deductions, such as State and Federal income taxes, Medicare, and Social Security taxes. Employees may also have voluntary deductions made for benefits programs or for other reasons approved by GPMCT. These options will be explained to you at the time of employment.

C. Pay Adjustments

Salaries and pay rates will be reviewed annually by the Executive Committee, at the time of budget preparation. The Board of Directors will determine the employee's salary annually. Pay adjustments are dependent on performance and available funds and generally are effective on the first day of the next fiscal year. Pay adjustments shall be incorporated into a letter or employment contract and filed in the employee's personnel file.

D. Bonuses

While GPMCT typically does not offer bonuses, if paid, bonuses are a matter of discretion, not of right. The fact that a bonus may be granted once, or more than once, does not mean that it will be granted again in the future, or that, if granted, it will be in the same amount.

E. Expenses

Employees will be reimbursed for reasonable expenses as part of their job. This includes mileage for work-related travel, parking, tolls, certain meals and, when no other arrangements can be made, overnight lodging. GPMCT provides a form for this purpose.

Employees must obtain the advance consent of their supervisor before incurring expenses for which they will seek reimbursement. Approved expenses must be documented, with receipts attached to the form, and submitted by the 15th of each month.

For expenses which may be paid in advance, such as lodging reservations or conference registration, the GPMCT debit card may be used with a supervisor's permission.

1. Mileage Reimbursement

GPMCT provides mileage reimbursement for approved travel based on the current published IRS rate & IRS rules for travel.

Employees may charge for non-commuting mileage driven while on or between Trust properties, or mileage from the office to a property, school, work-related errand or other worksite. If employees depart from or return to their home instead of their work site, only the miles in excess of the normal daily commute can be claimed as an expense. Mileage must be submitted at least quarterly on an expense form.

Employees who use their cars for business purposes must have current and adequate automobile/liability insurance coverage and a valid drivers' license.

2. Business Meal Expenses

GPMCT will reimburse employees for business meals taken with guests, colleagues, or donors, during which focused business discussions take place. Employees are expected to use discretion regarding food and beverage costs incurred. The Internal Revenue Code requires specific details for business meal expenses. These details must be provided with the expense report, to obtain reimbursement.

3. Travel Meal Expenses

Lunch expenses are reimbursable during all-day travel. The maximum allowable meal expenses (Breakfast, Lunch, Dinner) to be reimbursed per individual will be determined annually. Please seek pre-approval from the Executive Director and amount of the current maximum allowable meal expenses.

4. Training & Conference Expenses

GPMCT annually establishes a reasonable budgeted allowance for staff to attend conferences and training. **Staff will be required to attend the annual Maine Land Trust Conference in April.** Staff are responsible for staying within budget limits or will need to take personal responsibility for any overages. Employees will need to use our form to submit receipts for reimbursement of expenses.

5. Cellular Phones

GPMCT does not provide cellular phones for its employees. Special exceptions to this policy may be made by the Board. Reimbursement for use of personal cell phones may be made when used as productivity, accessibility and safety enhancement tools. Reimbursement arrangements should be made in advance if possible and approved by the Executive Director.

F. Benefits

Unless otherwise described in a written employment agreement, this section describes the fringe benefits currently offered to regular full-time and regular part-time GPMCT employees who are regularly scheduled to work at least 20 hours per week. **Please Note:** Part-time employees, working at least twenty (20) hours/week, are eligible for all of the outlined benefits on a pro-rated basis, unless otherwise noted in the specific section below. This section does not apply to temporary employees, whose benefits, if any, will be limited to those stated in writing by the Executive Director. Some of these benefits are described in more detail in plan documents that have been provided by the specific providers. These documents contain important information that you, as the beneficiary of the plans, will need to be familiar with including eligibility, coverage, deductibles, pension requirements, and applicable fees. Please read these documents carefully as they govern your coverage. If there is a discrepancy between this Benefits Plan and your official plan documents, the official plan documents will supersede.

GPMCT reserves the right, in its discretion, to alter this standard benefit or to change the nature of the benefits offered to employees, or to change insurance carriers, deductibles, premiums, or other features of any benefit. In addition, GPMCT may decide to discontinue one or more benefits. Covered employees will be notified of such changes or discontinuations as soon as practicable.

1. Paid Holidays

The following holidays are offered to full-time employees:

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day/Indigenous People's Day
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day

When Independence Day, Veteran's Day, Christmas Day, or New Year's Day falls on a Saturday, the Friday before is the paid holiday; when one of these days falls on a Sunday, the following Monday is the paid holiday. Because of the nature of our work, it is occasionally important that some employees be available to work on one or more of these holidays. For example, a GPMCT board meeting may be scheduled on Veteran's Day. An employee who works on a designated holiday can take a different paid day off within two weeks before or after the holiday, to be selected by the employee with approval of the Executive Director.

Full-time employees are paid for each observed holiday (or substituted day off as mentioned above). Part-time employees are entitled to be paid for only those designated holidays, substituted days off, or portions thereof on which they would ordinarily work,

according to their regular approved schedules. Employees may not change their regular work schedule for a short period of time in order to receive a paid holiday.

Employees who would like to celebrate religious or other holidays not on GPMCT's holiday list are asked to speak with the Executive Director or the President. Every effort will be made to accommodate an alternate request.

2. Vacation

New full-time employees earn up to two (2) weeks (10 days) of paid vacation per calendar year. During the first calendar year of employment, paid vacation time will be prorated based on the date of hire; thereafter, vacation time will be accrued on an annual basis beginning on January 1. Vacation hours for part-time employees working at least twenty (20) hours a week accrue in a pro-rated manner, as with other benefits.

Employees may take their vacation days as they are earned, subject to prior approval by the Executive Director. After 24 months of consecutive employment, full-time employees are eligible for up to (3) weeks (15 days) of paid vacation per calendar year.

Also after the first 12 months of employment, employees can carry over to the following calendar year up to one (1) week of vacation. Earned but unused vacation time in excess of this one-week carry forward will be forfeited. Please plan accordingly. When a holiday falls within a vacation, employees will receive that day as a paid holiday (subject to applicable limits for part-time employees). Employees will be paid for any accrued, unused vacation days upon termination of employment with GPMCT.

Vacation time is to be approved at least one month in advance in all cases by an employee's supervisor.

Whenever possible, employees are asked to leave a telephone number where they may be reached on vacation in the event of an emergency or high-priority project that requires their guidance or input.

Part-time employees who work less than 20 hours per week are not entitled to paid vacation time but may arrange to have unpaid vacation time.

3. Sick Leave

Regular full-time employees accrue sick leave from the time of employment at the rate of one day per month up to a per maximum of sixty (60) working days (3 months) for full-time employees. Part-time employees working twenty (20) or more hours per week accrue sick leave in a pro-rated manner, as with other benefits; a prorated maximum also applies.

Sick leave is to be used when a health condition, injury or medical appointment of the employee or a member of their immediate family or household prevents an employee from reporting to work. The supervisor should be notified as soon as possible, preferably by the beginning of each work day when the employee is unable to work. Should the length of needed leave exceed accrued sick days, earned vacation days may be used with approval of the Executive Director and the President. If sick time and vacation time has been exhausted, the employee can request unpaid leave.

Sick days are to be reported on the Time Sheets and will be tracked by the Executive Director. Sick leave is a benefit only to be used during employment; there is no payment at termination of employment for unused sick leave.

4. Parental Leave

An employee who becomes a parent is eligible to take earned paid leave comprised of accrued and unused sick leave, holidays that fall within the parental leave period and earned vacation days. After one year of employment and with the Executive Director's approval, an employee may also take unpaid leave of absence for a total parental leave of up to 12 weeks (3 months). Parental leave is to be used within one year of birth or adoption.

5. Bereavement Leave

An employee may request a bereavement leave. Full and part-time employees are eligible for up to one (1) week each year, with pay, in the event of a death in the employee's immediate family. Immediate family is defined as spouse, domestic partner, child, parent, sibling, grandparent, and in-laws. The terms of any such leave shall be approved in writing by the Executive Director.

6. Jury Duty

Employees selected for jury duty and thus prevented from completing any part of their jobs will be compensated by GPMCT at their regular rate of pay (less compensation received for jury duty) for four (4) weeks. If jury duty continues for more than four (4) weeks, the Executive Director will evaluate GPMCT's ability to continue providing compensation.

7. Military Leave

Any employee who must be absent from work due to service in the uniformed services must notify the Executive Director as much in advance as possible, so that plans for the absence can be made. GPMCT complies with state and federal law regarding re-employment of persons who leave work to serve in the uniformed services. For more information about an employee's rights and responsibilities under this law, see the Executive Director.

8. Personal Leave

In the event of a personal emergency that requires time off from work, employees can request an unpaid personal leave. The reasons for such a leave must be specified. Personal leave will be considered after any unused vacation time provided by GPMCT to an employee has been exhausted. Any grant of personal leave is at the discretion of the Executive Director. Health care benefits and other employee benefits during any personal leave granted by GPMCT shall be discontinued.

9. Worker's Compensation

All employees of GPMCT are covered by worker's compensation insurance, as required by law. Employees must report any work-related injury or illness immediately to their

supervisor and fill out an Accident Report. Notice of Injury forms are available from the Executive Director for this purpose.

10. Health Insurance

GPMCT currently offers a health care compensation benefit to certain employees. The Executive Director will provide all eligible employees information on the current status of this health care compensation benefit, as well as a copy of any specific plan currently offered.

11. Retirement Plan: SIMPLE IRA

GPMCT has established a SIMPLE IRA plan by which it currently provides contributions in a calendar year to an individual retirement account (SIMPLE IRA) for each eligible employee. An eligible employee must be at least 21 years of age and must have been an employee of GPMCT for a period of 24 consecutive months, work at least 20 hours a week and earn a minimum of \$5,000 annually. GPMCT contributions in any given year will match each employee's contribution up to a ceiling of 3%. For the purposes of this paragraph, "compensation" is defined as the annual salary component of an employee's compensation only. More details of the SIMPLE-IRA plan are available upon request.

12. Professional Development

GPMCT recognizes that its employees may be presented with opportunities for career and personal development. GPMCT encourages staff to take advantage of training opportunities that are related to their job responsibilities, and will assist staff by making available limited funds for conference or workshop fees, travel and other costs associated with training. Reasonable time off, either paid or unpaid, for participating in career development opportunities will also be considered when possible and appropriate. Requests should be made to the Executive Director. To assist in planning and budget, staff is encouraged to discuss upcoming opportunities and interests in advance.

13. Paid Time Off for Civic Obligations

In recognition of the public and organizational benefits of community involvement, GPMCT encourages employees to be active in civic affairs. Although it is expected that these activities usually will occupy non-business hours, GPMCT will allow, with prior approval of the Executive Director, occasional paid time off to fulfill civic obligations during business hours.

V. Annual Performance Reviews

Formal, written performance reviews of employees will be conducted once a year. New employees will be informally reviewed at the end of the first three months. Copies of the written annual evaluation will become part of the employee's personnel file.

Performance reviews are intended to identify both those aspects of the job being performed well and those aspects that need attention. They are also a formal opportunity for an employee to express concerns s/he might have about the job or about employment with GPMCT. However, if an employee has concerns prior to the scheduled review, s/he is encouraged to schedule time to

discuss these with his or her supervisor or the President; both are available throughout the year to meet with employees about issues, problems, or questions related to employment.

Performance reviews may include the following elements:

- Reviewing work completed the previous year (both planned and unplanned)
- Clearly informing the employee of areas needing improvement and assisting the employee in finding ways to achieve expectations for improvement
- Revising work plans to reflect changed circumstances or to help staff member address issues and/or improve performance to meet objectives
- Reviewing corrective action taken by employee to address any previous performance issues
- Setting goals (e.g. training, networking) and objectives for the coming year
- Discussing resources needed to meet objectives
- Anticipating and discussing challenges to reach objectives
- Agreeing on expectations and timeline for meeting objectives.

VI. Employee Conduct

In addition to expecting employees to perform their jobs competently and reliably, GPMCT expects employees to conduct themselves in a professional, ethical, and responsible manner that reflects well upon the organization, that promotes a spirit of cooperation and teamwork among employees, and is respectful of the members, volunteers, and public with whom GPMCT interacts. Failure to do so may lead to corrective action, including dismissal.

Although it is impossible to anticipate in advance every possible kind of misconduct that would be of concern to GPMCT and that could lead to corrective action, including dismissal, the following conduct is prohibited. This list of prohibited conduct is illustrative only and is not intended to be exhaustive:

1. Violation of any of the policies described in this Handbook or otherwise communicated to employees.
2. Conduct, including speech, which harms or threatens others or that is abusive to or disrespectful of GPMCT's directors, employees, contractors, clients, volunteers or other persons involved with GPMCT.
3. Failure to adhere to the work schedule that has been established for you. This includes absence without notice to GPMCT except where an emergency prohibited the giving of notice and notice was given as soon as reasonably possible.
4. Failure to be honest in your communications with GPMCT and/or falsifying records or other documents.
5. Theft or misappropriation of property owned by GPMCT, a co-worker, a client, or anyone else who has property that you may come into contact with through your employment.
6. Unlawful conduct during non-work hours that might lead our clients or the public to lose confidence in you or in GPMCT
7. Insubordination.
8. Failure to conduct yourself in a professional and cooperative manner while carrying out your duties.

9. Neglect of duty; failure to perform your responsibilities in a manner acceptable to GPMCT.
10. Misrepresentation of GPMCT's policies or advocacy of any issue not approved by the Board.

VII. Corrective Action; Dismissal

When performance issues are identified with respect to an employee, when instances of unacceptable conduct occur, or when for any reason the employment relationship has become problematic from the point of view of GPMCT, any one of a variety of steps might be taken, up to and including termination of employment. In some cases, the employee might be given an oral or written warning. In other cases, immediate probation, suspension (with or without pay), demotion, termination of employment or other corrective action might take place. GPMCT reserves its right to determine what it believes is an appropriate response, and to implement it.

VIII. Separation from Employment

As stated above, all employees of GPMCT are employed at will, meaning that they or GPMCT may terminate the employment relationship at any time, with or without cause. The following policies apply to those who are separating from GPMCT's employment.

A. Notice

Employees are asked to give at least two weeks notice of resignation. Some employees, upon hiring, may be asked to give more notice than this because of the nature of their employment. GPMCT reserves the right to pay a resigning employee for the notice period, but to prohibit the employee from working for GPMCT during that time.

B. Lay-offs

There may be times when GPMCT determines that it is necessary to make cutbacks or reductions in staff, leading to the lay-off of one or more employees. In determining which employee(s) shall be laid off, GPMCT may consider any and all factors that it deems relevant, including, without limitation: the needs of GPMCT as a whole; the skills, qualifications and performance histories of individual employees; anticipated changes in funding received or services to be provided by GPMCT; seniority; budgetary constraints; and any restrictions or guidelines imposed by law or by funding sources.

C. Pay Upon Termination

Upon voluntary or involuntary termination of the employment relationship, regardless of the reason, the employee will be paid any wages earned but not yet paid, and pay for any accrued but unused vacation time.

D. Use of Grievance Procedures in Cases of Termination

Employees (other than temporary employees) who have been employed for at least six consecutive months and who are dismissed from employment may use the Grievance Procedures described in Section IX. below to challenge the dismissal. However, GPMCT

is not required to keep such employees on the payroll or enrolled in any benefits pending completion of the grievance process.

IX. Grievance Procedure

If an employee who has been continuously employed by GPMCT for at least six consecutive months, and is not a temporary employee, feels that inappropriate corrective action has been taken against him/her, and the employee has been unable to resolve the matter informally by speaking with the supervisor, the employee may file a written grievance with the supervisor of the person who took the action within 10 business days of the taking of the action. The person with whom the grievance has been filed will conduct an investigation of the incident, where appropriate, and will generally provide a written response to the employee within 20 business days. If more time is needed to respond to the complaint, the person filing the complaint will be so notified. If the issue is not resolved at this level, the employee may petition the Board President to appoint a Board Grievance Committee whose decision will be final.

The filing of a grievance does not operate to suspend the action being complained of. For instance, if the employee is complaining that s/he was unfairly suspended without pay, s/he will remain suspended without pay for the period initially determined, unless and until the person with whom the grievance was filed reverses the decision leading to the suspension. Similarly, GPMCT has no obligation to keep a terminated employee on the payroll or enrolled in any benefits not ordinarily available to terminated employees, pending completion of the grievance process. However, if the action is reversed, the person with whom the grievance was filed may determine, in his/her discretion, that the employee should be reimbursed for some or all of the pay and/or benefits lost during the interim.

Temporary employees and employees who have not completed at least six months of continuous employment with Great Pond Mountain Conservation Trust are not entitled to use the formal Grievance Procedure outlined above, but are encouraged to discuss any concerns they may have with their supervisor.

X. Discriminatory Harassment

GPMCT's equal employment opportunity policy is described above in Section II.

Anti-Harassment Policy

It is a violation of both federal and state law to harass anyone at work because of their race, color, age, religion, sex, sexual orientation, disability, ancestry or national origin. GPMCT is committed to maintaining a workplace that is free of harassment, and will not tolerate harassment on any basis.

If you believe that you have been subject to discriminatory harassment by a co-worker, supervisor, volunteer, client or vendor, or by anyone else during the course of your employment, please report your concerns immediately to the Executive Director, the President, or the most senior officer not a party to the complaint.

Retaliation against an employee by any person under GPMCT's employment for opposing such harassment, for filing a bona fide complaint of discriminatory harassment, or for providing information in good faith regarding another employee's complaint, will not be tolerated. In addition, legal protection exists for complainants against retaliation for exercising their rights.

Any employee who is determined to have committed discriminatory harassment or retaliation or who fails to cooperate with a GPMCT-sponsored investigation of discriminatory harassment or retaliation will be subject to disciplinary action, up to and including termination.

XI. Sexual Harassment

Sexual harassment is a form of discriminatory harassment and will be treated in accordance with the discriminatory harassment policy outlined above.

Sexual harassment is unwelcome conduct of a sexual nature when:

1. Submission to such conduct is made (explicitly or implicitly) a term or condition of the individual's employment;
2. Submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual;
3. The conduct has the purpose or effect of unreasonably interfering with the individual's job performance or creating an intimidating, hostile, or offensive working environment.

Examples of some of the kinds of conduct that violate our Sexual Harassment policy include:

1. Sexual assaults, including rape and molestation, and attempts or threats to commit these assaults;
2. Unwanted intentional contact of a sexual or suggestive nature, such as touching, pinching, patting, grabbing, kissing, brushing against or poking a person's body;
3. Unwanted sexual advances, propositions or comments, including sexually oriented gestures, jokes or comments about a person's sexuality or sexual experience;
4. Preferential treatment or the promise of preferential treatment to an employee for engaging in sexual conduct;
5. Displaying or publicizing pictures, posters, reading materials, calendars, objects, etc., that are sexually suggestive, sexually demeaning or pornographic;
6. Disciplining or retaliating against an employee in any way because s/he has resisted harassment, or reported or complained about sexual harassment.

If you feel that you have been sexually harassed during the course of your employment, or if you believe you have witnessed another employee being sexually harassed, report your concerns immediately, as described above in the "Discriminatory Harassment" section. The procedures outlined in that section will apply.

XII. Whistleblower Protection

It is illegal for GPMCT to fire you, threaten you, retaliate against you or treat you differently because:

1. You reported a violation of the law;
2. You reported something that risks someone's health or safety;
3. You have refused to do something that will endanger your life, or someone else's life and you have asked GPMCT to correct it; or
4. You have been involved in an investigation or hearing held by the government.

You are protected by this law ONLY if:

1. You tell the Executive Director or Board President about the problem and allow a reasonable time for it to be corrected; or
2. You have good reason to believe that GPMCT will not correct the problem.

To report a violation, unsafe condition or practice or an illegal act at GPMCT, contact the Executive Director or Board President.

XIII. Smoking Policy

Because GPMCT is responsible for providing a healthy environment for all of its staff, volunteers and clients, smoking is prohibited throughout our office.

XIV. Drug-Free Workplace

GPMCT is committed to the well-being of our employees, to the safety of the workplace, and to provision of high-quality services to our clients. For all of these reasons, GPMCT will not tolerate the unlawful possession, use, manufacture, distribution, or dispensation of controlled substances in the workplace or during work time. Moreover, employees must come to work free from the influence of alcohol, marijuana, illegal drugs, and unlawfully used prescription medications.

Any employee who violates this Drug Free Workplace Policy will be subject to disciplinary action, up to and including dismissal. Legal consequences may follow, as well.

Under federal law, any employee who is convicted of a criminal drug statute violation occurring in the workplace must notify his/her employer of the conviction within 5 days. GPMCT, in turn, would be required to notify the federal organization that provides grant money or a contract.

XV. Electronic Mail ("E-MAIL")

A. No Right to Privacy

Any computer files or electronic mail ("e-mail") messages maintained, stored, received or transmitted on or from GPMCT'S computer systems are and shall remain property of GPMCT and are subject to being monitored and/or disclosed at any time by GPMCT.

Employees of GPMCT have no privacy interests in e-mail messages or passwords, are deemed to consent to GPMCT's monitoring and disclosure of e-mail messages, and will make no claim against GPMCT for monitoring e-mail, for disclosing e-mail, or for any other issues relative to GPMCT's e-mail system.

B. General Restrictions on Consent of E-Mail Messages

The e-mail system will be installed by GPMCT for use in the conduct of its business. GPMCT recognizes, however, that employees may desire to use the e-mail system occasionally for personal purposes. GPMCT will permit such occasional, personal use of the e-mail system, provided that:

1. Such use does not result in additional costs to GPMCT;
2. Such use is not excessive or abused by employees; and
3. Employees understand (and are hereby informed) that all messages transmitted or received on the e-mail system, of whatever nature, remain fully subject to all of the provisions of this e-mail policy (thus, for example, even personal messages on the e-mail system constitute GPMCT'S property in which employees have no right of privacy and which may be stored, monitored, or disclosed at any time by GPMCT).

The e-mail system shall not be used to transmit messages, either within GPMCT or in communications transmitted outside GPMCT, that might reflect poorly on GPMCT, including language or material of a sexual or otherwise inappropriate nature, or that may be construed as harassment or disparagement of others based upon their race, color, national origin, sex, sexual orientation, age, marital or familial status, physical or mental disability, religious or political beliefs, or any other characteristic of people protected by federal or state law.

The e-mail system shall not be used to transmit personal endorsements or advocacy for issues in a way that misconstrues those endorsements as those of GPMCT. For example, employees may not use the office's e-mail system to add their personal signature to petitions or other political action documents.

The e-mail system shall not be used for sending information outside of GPMCT that constitutes the confidential or proprietary information of GPMCT (except with the express permission of GPMCT), nor for the unauthorized receipt of the confidential or proprietary information of others. Employees shall promptly notify the President in the event an e-mail transmission containing the confidential or proprietary information of another party is received without the express permission of that party.

C. Periodic Deletion of E-Mail Messages

Under normal circumstances, GPMCT may periodically delete all electronic media copies of e-mail messages. However, GPMCT may suspend the regular deletion of all or part of e-mail messages for an indefinite period, without notice, whenever GPMCT deems the same advisable. (This could occur, for example, in the event GPMCT becomes involved in an investigation, litigation, or any other proceeding that may necessitate the review or production of GPMCT's records.)

D. Violation of E-Mail Policy May Result in Discipline

Violation of this e-mail policy may result in discipline up to and including immediate termination of employment.

XVI. Confidentiality

The confidential nature of some of GPMCT's activities makes it imperative for all employees to preserve the confidentiality of non-public information regarding donors, customers, employees, members of the Board of Directors, suppliers, and other sensitive matters. Only in appropriate circumstances of official business should names and addresses of our donors and customers be given.

Employees are prohibited from copying or altering files, computer disks, or other documents of GPMCT in any manner other than through standard operating procedures.

Violations of this Confidentiality Policy are considered very serious, and may result in disciplinary action, up to and including dismissal.

Employees are required to sign a confidentiality agreement at the start of employment (see Appendix B).

XVII. Conflict of Interest

GPMCT has a separate Conflicts of Interest Policy that requires each employee to sign a certification of compliance (see Appendix C) affirming that the employee has read and understands the policy and has agreed to comply with the policy.

APPENDIX A

ACKNOWLEDGEMENT

I have received a copy of the GPMCT Personnel Policy and Plan, have reviewed it, and had the opportunity to ask my supervisor questions about it. I understand the policies described in the Personnel Policy and Benefits Plan and agree to abide by them.

I understand that this Personnel Policy and Benefits Plan does not represent a contract of employment, but rather serves as a guideline.

I acknowledge that no representative of GPMCT has promised me employment for any definite period of time, and that no one is authorized to make such promises to me unless they are in writing signed by the President or Executive Director. I understand that as an employee of GPMCT, I am employed at will, meaning that either I or GPMCT may terminate my employment at any time, with or without cause.

I understand that this Personnel Policy and Benefits Plan, and the policies and benefits described in it, may be changed from time to time, with or without advance notice, at GPMCT's discretion.

Signed _____

Print Name _____

Title _____

Date _____

Please return this form to the Executive Director. Thank you.

APPENDIX B

Confidentiality Agreement

- 1) I, _____, am aware that it is essential to maintain the confidential nature of information regarding supporters, potential supporters, and fundraising strategies at GPMCT, and to protect sensitive information regarding active and potential land projects with guidance from the Executive Director.

- 2) I will not share sensitive information regarding supporters, potential supporters, active or potential land projects at GPMCT, without the guidance of the Executive Director. _____ (Initial & date)

- 3) I understand that my continuing employment by GPMCT is dependent on my good-faith compliance with this policy. _____ (Initial & date)

- 4) I understand that failure to comply with this agreement may result in my immediate termination at GPMCT. _____ (Initial & date)

- 5) I understand that I am ethically bound to this agreement even after I have terminated my contractual employment with GPMCT. _____ (Initial & date)

- 6) I understand that my failure to comply with this agreement may impact my professional reputation and references, and may subsequently be disclosed by the Trust to potential employers upon request. _____ (Initial & date)

Signed _____

Print Name _____

Title _____

Date _____

Please return this form to the Executive Director. Thank you.

APPENDIX C

Certification of Compliance with GPMCT's Conflicts of Interest Policy

Name: _____

I hereby certify that:

- 1. I have read the Conflicts of Interest Policy (the "Policy") and understand its requirements.**
- 2. To the best of my knowledge, I am in full compliance with the Policy.**
- 3. I have not been involved during the preceding year in any activity or relationship, business or otherwise, which might be interpreted as a possible conflict of interest with my role and responsibilities to the Trust or which has not been fully and promptly disclosed in accordance with requirements of the Policy.**
- 4. I fully intend to comply with the Policy in the forthcoming year and undertake to disclose any facts or circumstances that might constitute a conflict of interest under the Policy at the earliest possible instance.**

Signature _____

Date: _____

Please return this form to the Executive Director. Thank you!