

# Franklin County Natural Resources Conservation District

## Personnel Policy

*Approved September 27, 2022*

### **1. Purpose**

The purpose of this Personnel Policy is to support the mission of the Franklin County Natural Resources Conservation District (District) by providing clear expectations and responsibilities for District employees and Supervisors.

### **2. Approval and Amendment**

This Personnel Policy shall be approved by the District Board of Supervisors and may be amended by vote of the Board at any time. It shall be reviewed, amended if needed, and re-approved at least annually.

### **3. Equal Opportunity Employment**

The District maintains a strong policy of equal employment opportunity. We ensure equal opportunity for all employees and applicants for employment. We hire, train, promote, compensate, and dismiss employees without regard to race, color, creed, religion, national origin, sex (including pregnancy, gender identity, and sexual orientation), marital status, status with regard to public assistance, membership or activity in a local human rights commission, protected veteran status, disability, age (40 or older), political affiliation, and genetic information.

### **4. Compensation**

#### **a. Employee Classification and Overtime**

District employees will generally be paid on an hourly basis and are not exempt from overtime. Staff can only be salaried and exempt from overtime payments if their position and responsibilities are in line with federal Fair Labor Standards Act and state law requirements.

Employees eligible for overtime must check with their supervisor(s) prior to working overtime hours. The District does not budget for overtime pay and expects employees to limit their hours to no more than 80 in a two week pay period. Unapproved hours worked over 80 may be compensated as compensatory time with District Manager approval.

Full time staff are those planning to work for the District on an ongoing basis for an average of at least 32 hours per week. Part time staff are those planning to work for the District on an ongoing basis for on average less than 32 hours per week.

Temporary staff are hired for a short, defined term, typically less than four months.

Employment at the District is for no specified time, regardless of length of service. We reserve the right to end our relationship with employees at any time, with or without notice, for any reason not prohibited by law.

It is the responsibility of each employee to promptly notify the District of any changes in personnel data, including home mailing address, telephone number, name and telephone number of dependents, and individuals to be contacted in the event of an emergency.

## **b. Wages & Raises**

District employees will generally be paid in one of three categories:

- **Technical staff:** Generally performing a narrowly defined set of tasks under direct supervision. Tasks generally require between one to three days of training and little other qualifications. Examples may include someone assisting with the Tree Sale or collecting water quality samples.
- **Project Technician:** Generally leading work tasks for one to several projects with close supervision by District Manager; supporting other major projects for the District as needed. This position does not typically include grant or financial management or other administrative duties.
- **Projects Coordinator:** Generally managing from one to several major projects or programs for the District. This position requires some administrative, grant, and financial management duties. Expected that this position will assist District Manager closely with new program and grant applications and ideas.
- **District Manager:** Performs many of the same duties as Coordinator staff and provides general operational oversight and leadership of the District. Manages several major projects and programs. Oversees work of all District staff by providing feedback, direction, and support. Manages District financials in collaboration with the Board and bookkeeper. Responsible for regular communication and coordination with the Board and oversees most administrative duties of the District. This position meets the “duties” qualifications for overtime exemption. Salaried versus hourly pay basis will be determined in conversation between the individual employee and the Board.

Each June, or as determined appropriate based on time spent at the District, all staff will be evaluated and considered for payment raises based on performance. Wage raises are subject to performance and availability of funds. The District Manager will conduct performance evaluations of staff and recommend any wage raises to the Board for approval; the District Manager may also elect to conduct additional check-ins and evaluations as they see fit. The Board is responsible for conducting performance evaluations of the District Manager.

At the start of each new calendar year, all District Employees will also be considered for a Cost of Living Allowance (COLA) wage increase. Contingent upon availability of funds, these increases shall follow the federal COLA adjustment for that year.

The District Manager will prepare, and the Board will review and approve, an annual budget that supports anticipated wages, raises, and benefits for the fiscal year. Grants and agreements will be written to provide necessary funding to support these wages.

## **c. Benefits**

### **i. Health Care**

The purpose of the Health Benefit is to ensure all staff members have basic access to health care.

All full time District staff electing to purchase insurance through the District’s small group plan shall receive full health benefits consisting of \$600/month in FY2023 and adjusted annually in proportion to rate increases approved by the Green Mountain Care Board for Blue Cross and Blue Shield of Vermont. The actual amount of the benefits will be approved by the Board in the annual budget, pending availability of funds. Permanent part time staff (averaging <32 hrs/week) will receive pro-rated health benefits proportional to their hours. The health benefit can be applied to a health insurance plan with Blue Cross Blue Shield of Vermont through the Franklin County NRCD’s small group plan, and

any benefit not used can be contributed to a pre-tax Health Savings Account or taken as a taxable stipend. Temporary employees are generally not eligible for health benefits, but individual arrangements outside this policy may be approved by the Board.

## **ii. Paid Leave**

The District offers combined paid leave. Uses of paid leave include, but are by no means limited to, vacation, sick leave, family and medical leave, holidays, bereavement, mental health, and any other purpose. It can be used for the employee's illness or injury, for a dependent's illness or injury, to address the effects of domestic violence, sexual assault, or stalking, or to care for a family member because the school or business where the family member is located is closed for public health or safety reasons. Paid leave of five or more consecutive days must receive prior approval from the District Manager (or from the Board, for the District Manager.) Paid leave of five or more consecutive days should be scheduled with as much advance notice as possible so that workloads may be reallocated as necessary.

Employees accrue one hour of combined paid leave for every ten hours worked. "Hours worked" excludes paid leave hours used. Employees may borrow up to one week's paid leave before it has been accrued. However, if an employee terminates employment before borrowed vacation is earned, the value of the unearned leave will be deducted from the employee's final paycheck (exemptions may be granted in the event of leave borrowed for illness, bereavement, or other personal crises). Employees may carry forward up to 160 hours of paid leave from one calendar year to the next; any hours acquired above 160 will be reviewed on a case-by-case basis by the Board. In the event of termination, the District will compensate the employee for paid leave accrued but not taken up to a maximum of 80 hours.

Compensatory time may be accrued at a 1.5x rate across pay periods if the number of hours worked exceeds 80 hours in a pay period. Compensatory time will be paid out in full in the event of termination; compensatory time should be used prior to hours from an employee's PTO bank. Compensatory time may be carried across calendar and fiscal years in any amount. Use of compensatory time as paid time off should be discussed with the District Manager in advance as possible.

## **iii. Unpaid Leave of Absence**

In recognition that employees may require more leave than can be accommodated under the District's Paid Leave policy, the District has adopted a flexible unpaid leave policy. For unpaid leave of five or more consecutive days, employees should review their job description and hire letter, and the hours and responsibilities agreed to therein. Unpaid leave of five or more consecutive days must receive prior approval from the District Manager (or from the Board, for the Manager.) Approval will be based on the District's expected ability to fulfill its responsibilities during the employee's absence without placing undue burden on other staff. The District will make every reasonable effort to continue full payment of health care benefits during unpaid leave. Provision of benefits and other terms of such longer-term unpaid leave will be determined on a case-by-case basis.

## **iv. Retirement**

After completing six months of successful employment, District staff are eligible to start accruing retirement benefits. The retirement benefit shall be in the amount of a taxable \$1150 stipend annually in FY2023. Increases to retirement contributions will be considered annually and adjusted with reference to variables such as changes in state or federal law and budgetary considerations.

## **v. Family and Medical Leave**

At this time, the District does not offer paid parental leave benefits but will support employees in accessing external benefits related to parental leave such as short-term disability plans. For employees who have worked for the District for at least 12 months (does not need to be consecutive), the District will provide 12 weeks of unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave as required by the Family Medical Leave Act of 1993. Additional unpaid time off beyond the base 12 weeks may be approved on a case-by-case basis.

#### **vi. Reimbursement**

The District reimburses employees for mileage expenses when using their own vehicle for work purposes, however, this should be avoided whenever possible through use of government vehicles as allowed under the District's Memorandum of Understanding (MOU) with NRCS. The reimbursement rate is determined annually based on the federal rate. This does not include commuting to and from the office. Employees must provide information to justify their mileage claims including to and from locations, round trip mileage, and the purpose of the trip.

The District reimburses employees for other expenses such as supplies, transportation, lodging, meals, etc. upon presentation of receipts, explanation of purpose, and with supervisor approval.

#### **vii. Tuition Reimbursement**

The District offers a Tuition Reimbursement Policy, outlined in a separate document, to support staff members in continuing their education as it pertains to the work of the District. As of FY2023, the tuition reimbursement is capped at a maximum of \$2,500 for each Employee per calendar year. See the "Franklin County Natural Resources Conservation District Tuition Reimbursement Policy" for the most accurate details about this benefit.

#### **vii. Short-Term and Long-Term Disability and Life Insurance**

The District has a Group Policy with Madison National Life Insurance Company via VLCT for Group Short Term Disability Insurance, Group Long Term Disability Insurance, and Life Insurance. Details about these policies can be found in the corresponding documents in the FCNRCD Policies folder on the USDA server. A brief overview of the policies is as follows:

- Short Term Disability
  - 60% of base pay up to \$500/week up to 26 weeks
- Long Term Disability
  - 60% of base pay up to \$4000/month beginning at the end of Short Term Disability coverage to age 65 for employees disabled before age 59
- Life Insurance and Accidental Death & Dismemberment Insurance
  - Coverage up to \$10,000

\*Additional conditions and restrictions do apply; see policy documents for full information.

## **5. Behavior in the Workplace**

The District desires to maintain a workplace that is safe and professional. All employees are expected to conduct themselves in a courteous, professional manner that is respectful to customers, partners, and other employees. As a general guideline, in addition to the specific policies set forth in this policy, the following conduct is prohibited in the workplace and at District sponsored functions:

- Conduct which is disruptive or destructive towards fellow employees, partner employees, customers.
- Unauthorized handling or use of another person's workplace or property.
- Crude, foul, or inappropriate language, gestures, or conduct.

The District expects its employees to conduct themselves in a safe manner, to use good judgment and common sense in matters of safety, to observe safety rules posted in various locations, and to follow all OSHA and state safety regulations.

An employee's failure to comply with these professional conduct rules will be subject to sanctions appropriate to the circumstances, ranging from a verbal warning, up to and including dismissal.

### **i. Drug-Free Workplace**

Employment at the District is conditioned upon compliance with the following requirements:

- A. The manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in your workplace.
- B. Consuming alcohol or any controlled substance before or during work activities; being under the influence of alcohol or any controlled substance during work or work hours activities; or returning to a work site after having consumed alcohol or any controlled substance is prohibited.
- C. Conviction of any criminal drug statute occurring in the workplace must be reported in writing to the District Manager and/or Board of Supervisors within five days.

### **ii. Discrimination/Harassment Policy**

The District prohibits discrimination based on race, color, creed, religion, national origin, sex (including pregnancy, gender identity, and sexual orientation), marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, age (40 or older), protected veteran status, political affiliation, and genetic information.

Harassment based on the protected class status listed in the paragraph above is also prohibited, including both overt acts of harassment and those acts that create a negative work environment.

Discriminatory harassment is any behavior based on protected class status which is unwelcome and personally offensive and, thereby, may affect morale and interfere with the staff member's ability to perform. For example, harassment based on national origin has been defined by the U.S. Equal Employment Opportunity Commission as "Ethnic slurs and other verbal or physical conduct relating to an individual's national origin."

The District is opposed to and prohibits sexual harassment. Sexual harassment violates an individual's basic civil rights, undermines the integrity of the service location, and adversely affects members, workers, Supervisors, and clients alike. Sexual harassment is a form of discrimination on the basis of sex and is, therefore, prohibited at service locations by both state and federal law. It is also unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment. Report any issues of this nature immediately to the District Manager or member of the Board of Supervisors.

Discriminatory harassment may occur: 1) among peers or coworkers, 2) between managers, Supervisors, and subordinates, or 3) between members and the public.

Each staff and Supervisor are responsible for complying with this policy. The District staff and Supervisors will undertake annual trainings on discrimination and harassment, and other relevant topics. Varying degrees of discriminatory harassment violations may occur and require varying levels of discipline. Individuals who instigate harassment are

subject to serious disciplinary actions up to and including release from employment. Additionally, inappropriate behaviors that do not rise to the level of discriminatory harassment, but are nonetheless disruptive, should be corrected early and firmly in the interests of maintaining a harassment and discrimination-free workplace. Any unintentional or deliberate violation of this policy by an employee or Supervisor is cause for appropriate disciplinary action.

It is unlawful to retaliate against any person who, or organization that, files a complaint about such discrimination. Complaints may be filed with local and state agencies that are responsible for resolving discrimination complaints.

### **iii. Confidentiality**

The District and its technical partners provide employees access to a significant amount of confidential information including, without limitation, information regarding customers and the finances, management, and operations of the District. This information is confidential. An employee who divulges confidential information may be terminated. Employees should continue to hold in confidence, after termination of employment for any reason, confidential business or customer information obtained during the course of their employment.

### **iv. Gifts**

District employees may not accept gifts in cash or in-kind worth more than \$25 from customers or program participants, nor benefit financially through any dealings with customers.

## **6. Reasonable Accommodation**

Staff members with mental or physical disabilities have the right to request reasonable accommodations. A reasonable accommodation is any modification or adjustment to a job, practice, or service environment that makes it possible for an individual with a physical or mental disability to perform the essential functions of a job. It is the policy of the District to accommodate such individuals upon request unless the accommodation would impose an undue hardship on the organization.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying examinations and training materials; making facilities readily accessible; job restructuring; modifying service schedules; providing qualified readers or interpreters.

An individual with a disability is defined for purposes of this policy as a person who:

- has a physical or mental impairment that substantially limits one or more major life activities
- has a history of such an impairment
- is perceived or “regarded as” having such an impairment, even when the impairment does not exist

Requesting reasonable accommodations: A staff member with a disability may request a reasonable accommodation from the District Manager. The District Manager will meet with the staff member and, in consultation, discuss: 1) the nature of the impairment, the life activity that is substantially limited, and how the life activity is limited, 2) the effect of the impairment on the ability to perform the job, 3) the type of accommodation requested, and 4) the effect of the accommodation on performing the essential functions of the job.

## **7. Grievance Policy**

Grievances are situation where an employee feels that actions of the employer are in violation of this policy, place the employee in an unsafe environment, or are a violation of local, state, or federal laws.

- Informal Grievance Procedure
  - Any employee with a grievance should first discuss the grievance with their direct supervisor or any Supervisor on the Board (direct supervisor for District Manager is the Board Chair). Notes should be taken by the supervisor to establish a record of the conversation. If the discussion does not satisfactorily resolve the grievance, the employee may follow the Formal Grievance Procedure.
- Formal Grievance Procedure
  - In a Formal Grievance Procedure, the grievance must be presented in writing to the direct supervisor for submission to the Board.
  - The employee shall have the right to request that the Board convene a hearing on the complaint.
  - The Board shall hold a hearing within two (2) weeks of receipt of the written request.
  - The decision of the Board is final.

*Amended and approved by the Franklin County NRCD Board of Supervisors on September 27, 2022*