

Coastal Mountains Land Trust Personnel Handbook

Date of Original Adoption

by

Board of Directors:

16 September 98

Revised by Board of Directors:

17 January 2001 re: V.D.9. Health Insurance

21 March 2001 re: V.D.9. Health Insurance

28 January 2003 re: V. 10. Retirement Benefit

16 September 2008 re: XI. Discriminatory Harassment

16 September 2008 re: XVI. Video Display Terminal Use and Training

18 November 2008: re: XVII. Whistleblower Protection

27 January 2009: Revision following Complete Attorney Review

17 March 2009: re: V.D.9. Health Insurance

23 March 2010: re V. D. 10. Retirement Benefit

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I. Welcome to Employees and Introduction

Coastal Mountains Land Trust welcomes you as a new employee. Coastal Mountains Land Trust is a nonprofit, charitable 501(c)(3) tax-exempt conservation organization founded in 1986 to conserve lands in the coastal mountains region of western Penobscot Bay. The mission of Coastal Mountains Land Trust is to permanently conserve land to benefit the natural and human communities of western Penobscot Bay.

The primary funding sources that support the work of Coastal Mountains Land Trust include membership contributions, income from special fundraising events, foundation grants, and contracts for service with governmental agencies.

Coastal Mountains Land Trust has a Board of Directors comprised of members of the community who are elected for 3 year terms. The Board of Directors establishes Coastal Mountains Land Trust's mission and policies and hires and supervises the Executive Director to implement them. It is the Executive Director's responsibility to hire, supervise and make personnel decisions regarding all other employees, although the Executive Director may choose to delegate some of these responsibilities to other managerial staff within Coastal Mountains Land Trust.

Because of our charitable mission and our public support, we believe that Coastal Mountains Land Trust's employees have a special responsibility to adhere to the highest standards of ethics and professionalism in representing Coastal Mountains Land Trust and carrying out our mission.

II. Purpose of This Employee Handbook

This Employee Handbook is intended to serve as a guideline, describing the basic personnel policies and practices ordinarily applied by Coastal Mountains Land Trust. It is not intended to create, and is not a contract of employment. No contractual rights are conferred on the employee by this Personnel Handbook; its provisions shall not constitute contractual obligations enforceable against Coastal Mountains Land Trust. The employees of Coastal Mountains Land Trust are terminable-at-will, meaning that either the employee or Coastal Mountains Land Trust may terminate the employment relationship at any time, with or without notice or cause.

Coastal Mountains Land Trust reserves the right to make changes, from time to time, with or without notice, in the policies and practices described in this Handbook. Moreover, because it is impossible to anticipate every situation that may arise, Coastal Mountains Land Trust reserves its right to address a situation in a manner different from that described herein if, in Coastal Mountains Land Trust's discretion, the circumstances so warrant.

If an employee has questions about the policies and procedures described in this Handbook, or suggestions for improvement, he/she is directed to discuss the questions with the Executive Director.

III. Equal Employment Opportunity

Coastal Mountains Land Trust is committed to a policy of equal employment opportunity for all applicants and employees, and does not discriminate in the terms, conditions, or privileges of employment on account of race, color, religion, national origin, sex, sexual orientation, age, physical or mental disability, status as a recipient of workers' compensation benefits, whistleblower status, or otherwise as may be prohibited by federal and/or state law. Coastal Mountains Land Trust offers reasonable accommodation to applicants and to qualified individuals with disabilities. Coastal Mountains Land Trust does not permit retaliation for the exercise or assertion of equal employment opportunity rights or claims.

Any employee who believes that he/she or any other employee of Coastal Mountains Land Trust has been discriminated against is strongly encouraged to report this concern promptly to the Executive Director or the President of the Board of Directors.

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

IV. Terms and Conditions of Employment

A. At-Will Status

Employees of Coastal Mountains Land Trust are employed at will, which means that they are not hired for any definite period of time and either they or Coastal Mountains Land Trust may terminate the employment relationship at any time, with or without notice or 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.

Only the Executive Director has the authority to make any promises to employees regarding the duration of employment; to be binding, such promises must be in writing and signed by the Executive Director. If you believe that you have been made any promises to the effect that your employment will continue for some definite period of time, and that you are not an at-will employee, please consult with the Executive Director immediately.

B. Classification of Employees

Full-time employees are those employed to work on a regular basis for at least 30 hours per week. They are eligible for all benefits described in this Handbook, 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 30 hours per week. They are eligible for only those benefits that they have been promised in writing, signed by the Executive Director, or that are stated in this Handbook to be available to part-time employees.

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 for only those benefits that have been agreed upon in writing signed by the Executive Director.

All employees of Coastal Mountains Land Trust, whether full-time, part-time or temporary, are employed at will. See previous section regarding at-will employment.

C. Exempt/Non-exempt Employees; Overtime Pay

When employees are hired, they will be told whether their position is "exempt" (meaning, among other things, that the employee is exempt from the overtime pay requirements of the Fair Labor Standards Act) or "non-exempt" (meaning that the employee is 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.

1. Non-exempt employees and overtime

Employees who are non-exempt will be paid overtime, at the rate of one and one half times his/her regular hourly rate of pay, for any hours worked beyond 40 hours in a given work week. However, non-exempt employees must obtain advance permission from the Executive Director before working more than 40 hours in a work week.

For overtime purposes, the work week begins Sunday at 12:01 a.m. and ends Saturday at midnight. 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, bereavement leave or military 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. For instance, if this week an employee works 12 hours on Monday, it is permissible (with the advance consent of his/her supervisor) to work only 4 hours on Tuesday, so that by the end of the week the employee will not have worked over 40 hours. In fact, his/her supervisor may require that the employee take such compensatory time. However, the employee may not wait until next week to take the four hours off and use that in lieu of overtime pay.

2. Exempt employees and overtime

Exempt employees are responsible for working as many hours as necessary to get the job done, but may check with their supervisors during extraordinarily busy times to arrange for compensatory time, which may be granted when, in the supervisor's discretion, it is appropriate and circumstances permit.

D. Time Sheets

All employees (including exempt, non-exempt, full-time, part-time and temporary) are responsible for accurately completing and submitting time sheets in a timely manner; if an employee is unaware of the procedures for doing so, he/she should ask the Executive Director. These time sheets are used to compute earnings and therefore must accurately reflect time worked. Each employee is responsible for completing his/her own time sheet within the time period designated by the Executive Director. Completing another employee's time sheet or altering the employee's own or another employee's time sheet is prohibited unless express permission to do so has been given by the Executive Director. Violations of this policy may result in discipline, including termination.

E. Reporting to Work

The regular, full-time work day is from 8:30 a.m. to 5:00 p.m. Employees are allowed to take one hour for lunch, half of which is paid time and half of which is not paid.. If you are out of work or late for any reason and have not received advance permission for the absence, please call your supervisor before 8:30 a.m. to report your absence or lateness. Absence without notice for three days may be considered a voluntary resignation.

V. Compensation and Benefits

A. Pay

Employees are paid twice per month, on or on the last normal work day before the 15th and the last day of the month. Pay checks will be distributed by the Executive Director.

B. Bonuses

Bonuses, when paid, are a matter of discretion, not of right. That is, whether a bonus will be paid in a particular year will depend upon a number of factors to be considered by the Executive Director and/or Board of Directors. Coastal Mountains Land Trust makes no promise regarding the payment of bonuses, and employees should not expect to receive a bonus. 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.

C. Expenses

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, and submitted within 31 days of the date on which they were incurred.

Categories for reimbursement of approved expenses include, but are not limited to, mileage, tolls, parking, meals, and lodging. Coastal Mountains Land Trust will not reimburse an employee for purchase of alcoholic beverages. Coastal Mountains Land Trust will reimburse mileage expenses for use of the employee's vehicle on business of Coastal Mountains Land Trust at the standard mileage rate approved by the Internal Revenue Service for the respective year.

D. Benefits

This section describes the fringe benefits currently offered to employees of Coastal Mountains Land Trust. Except where indicated, these benefits are available only to full-time employees. 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 official plan documents, such as the certificates of coverage prepared by insurance companies. The official plan documents contain information about eligibility, coverage, deductibles, and premiums. Please read these documents carefully; if there is a discrepancy between this Handbook and the official plan documents, the official plan documents will supersede.

Coastal Mountains Land Trust reserves the right, in its discretion, 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, Coastal Mountains Land Trust 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.

Coastal Mountains Land Trust has ten paid holidays per year, which are New Year's Day, Martin Luther King, Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving Day, Friday after Thanksgiving Day, and Christmas Day. When Independence Day, Christmas Day, or New Year's Day fall 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.

Full-time employees are paid for each observed holiday. Part-time employees are entitled to be paid for only those designated holidays, or portions thereof, on which they would ordinarily work, according to their regular, approved schedules. However, neither full-time non-exempt employees nor part-time non-exempt employees will be paid for a holiday unless they either worked on their regularly scheduled work days immediately preceding and immediately following the holiday, or they were out on approved vacation or sick leave on those days.

In addition to the holidays designated by Coastal Mountains Land Trust, full-time employees are entitled to two floating holidays, which are paid days off that the employee may take at any time (with at least two weeks' advance notice and the employee's supervisor's permission), in order to celebrate religious or other holidays not on our holiday list, attend to personal business, or for any other purpose. Part-time employees are entitled to one floating holiday per year for such purposes.

2. Vacation Leave Benefit.

All full-time and part-time employees who have successfully completed their six-month probationary period are eligible for accrued Vacation Leave. Vacation leave is progressively accrued in proportion to work time served during the fiscal year; employees may request use of vacation time that has not yet been accrued, but approval is solely the decision of the Executive

Director and will be based on the needs of the Land Trust for delivery of its programs. Eligible employees are entitled to paid Vacation Leave after completion of six months of continuous employment. Although employees are not eligible for Vacation Leave time during their probationary period, their six months of probationary employment are credited toward their Vacation Leave Benefit. Vacation Leave must be pre-approved by the Employee's supervisor.

New full-time employees will accrue fifteen vacation days per full fiscal year of employment. Part-time employees will accrue prorated Vacation Leave Benefit based on the agreed, regularly scheduled hours of work.

Any employees with five full fiscal years of consecutive employment at Coastal Mountains Land Trust will accrue twenty vacation days per year of employment starting the following April 1st.

The Vacation Leave Benefit time of newly hired employees will be prorated based on the date of hire during the first fiscal year of their employment; thereafter, their time will be accrued on an annual basis beginning on April 1st.

Paid holidays that fall within an approved Vacation Leave by an employee will not be counted as Vacation Time.

Five days of accrued Vacation Time may be carried forward to the following fiscal year.

When employment is terminated, the terminated employee will be compensated for any approved remaining unused accrued Vacation time.

3. Sick/Medical Appointment Leave Benefit.

All employees are expected to inform their supervisor promptly of absences from work caused by illness and will keep the supervisor informed of the anticipated date of return to work.

At the supervisor's discretion, the need for Sick/Medical Appointment Leave will be evidenced by a Doctor's or Dentist's appointment slip, orders for treatment, or other written document confirming the diagnosis and need for absence from work. Such evidence must be provided by the employee to her/his supervisor as promptly as possible following the absence.

All full-time and part-time employees who have successfully completed their six-month probationary period are eligible for accrued Sick/Medical Appointment Leave Benefit. Sick/Medical Appointment leave is progressively accrued in proportion to work time served during the fiscal year. Eligible employees are entitled to paid Sick/Medical Appointment Leave after completion of six months of continuous employment. Although employees are not eligible for Sick/Medical Appointment Leave time during their probationary period, the employee's six months are credited toward his/her Sick/Medical Appointment Leave Benefit.

Full-time employees will accrue six Sick/Medical Appointment Leave days per full fiscal year of employment. Part-time employees will accrue prorated Sick/Medical Appointment Leave time based on the agreed, regularly scheduled hours of work.

Sick/Medical Appointment Leave can be carried forward to the following fiscal year. No more than twenty days of Sick/Medical Appointment Leave Benefit may be accumulated.

The Sick/Medical Appointment Leave Benefit time of newly hired employees will be prorated based on the date of hire during the first fiscal year of their employment; thereafter, their time will be accrued on an annual basis beginning on April 1st.

Vacation Leave Benefit may be used for Sick/Medical Appointment Leave if the latter is exhausted. However, Sick/Medical Appointment Leave time may not be used for vacation time or reasons other than absences caused by or related to sickness and/or medical appointments of the employee.

When employment is terminated, the terminated employee will not be compensated for any accrued but unused Sick/Medical Appointment Leave time.

4. Bereavement leave.

Full-time and part-time employees who have completed at least three months of continuous employment and who experience the death of a parent, parent-in-law, spouse, sibling, child, grandchild, step-parent, step-sibling, step-child, step-grandchild, grandparent, or step-grandparent may take up to 3 days of paid bereavement leave.

5. Jury duty/Witness service.

If an employee is selected for jury duty, he/she may take an administrative leave to comply with the service. The employee must present any summons for jury duty to his/her supervisor or the Executive Director on the first working day after receiving the notice. If he/she reports for jury duty but is not required to serve on a day he/she is normally scheduled to work or if he/she is excused from jury duty before the end of his/her regularly scheduled work day, he/she is expected to report for work unless otherwise excused by the Executive Director.

In the event the employee does serve on jury duty, during the first four weeks of this leave period Coastal Mountains Land Trust will pay him/her the difference between the employee's normal pay and the amount paid for serving as a juror, so long as the employee gives his/her supervisor reasonable notice of his/her selection for jury duty. In the event the employee's jury service lasts longer than four weeks, he/she may remain on leave but the time will be unpaid.

If an employee is subpoenaed to appear in court as a witness for reasons other than at the request of Coastal Mountains Land Trust, he/she may be excused from work with unpaid leave in order to do so.

6. Military leave.

If an employee must be absent from work due to service in the uniformed services, he/she must notify his/her supervisor as much in advance as possible, so that plans for the absence can be made. Coastal Mountains Land Trust 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.

7. Unpaid leave.

Full-time employees may request unpaid leave, not covered by any of the other policies included herein, by filing a written request with the Executive Director. The Executive Director may grant or deny the request, in his/her discretion, depending on the circumstances of the request and/or the needs of Coastal Mountains Land Trust, including the need for the leave, the duration of the requested leave, the employee's work record, and the needs of Coastal Mountains Land Trust at that time. An employee does not accrue vacation leave or sick leave while on unpaid leave. During the period of leave, the employee must first utilize all available accrued vacation leave, and if appropriate to the need for the leave, accrued sick leave; normal compensation will be paid to the employee for use of such accrued leave. If a request for unpaid leave is granted, Coastal Mountains Land Trust will, in its discretion, determine whether any benefits will continue through the leave, and at what cost, if any, to the employee. This will depend upon a number of factors, including the nature and extent of the leave. The maximum leave available is three months. An employee on such unpaid leave does not have a guarantee of returning to his or her position; while Coastal Mountains Land Trust will attempt to keep the employee's position open for them, this may not always be possible. In the event the employee's prior position is no longer available, the employee will be considered for any other available position for which they are qualified.

8. Worker's compensation.

All employees of Coastal Mountains Land Trust are covered by worker's compensation insurance, as required by law. Employees must report any work-related injury or illness immediately to his/her supervisor. Notice of Injury forms are available from his/her supervisor for this purpose.

9. Health insurance.

The Land Trust will provide a health insurance benefit for all full-time employees who have satisfactorily completed the first two months of their employment and are eligible to receive this benefit under the terms of the policy contract with the insurance company. The benefit is provided under the following general terms:

- an insurance company and specific health insurance plan will be selected by the Executive Committee;
- the Land Trust will pay up to the full cost of the health insurance premium for each employee as set by the selected health insurance plan;
- the employee will pay all additional costs of their health insurance premium due to coverage of other family members and/or the employee's choice of another health insurance plan offered by the same insurance company;
- all premium payments will be withheld from the employee's paycheck in a portion equally divided throughout the pay periods of the year; and
- the Land Trust will administer the provision of the health insurance benefit as required under the terms of the policy contract with the insurance company.

Participation in this health insurance benefit by qualified employees will be determined annually during an enrollment period set by the policy contract with the insurance company. Employees who become eligible for coverage at other times of the year will be able to apply for coverage under the terms of the policy contract. Payment by the Land Trust of an employee's health insurance premium for this benefit will terminate at the time the employee ceases his/her employment by the Land Trust.

If employees wish to establish and contribute to a Health Savings Account (hereafter, "HSA"), the Land Trust is willing to assist under the following terms:

- each employee's HSA and the funds in it are entirely owned by the employee;
- it is each employee's choice as to whether or not to establish and contribute to a HSA;
- for any employee electing to contribute to their HSA through withholding from his/her pay, the Land Trust will withhold such contributions in the amount set by the employee and by installments equally divided throughout the pay periods of the year; and
- the Executive Committee will designate the bank in which the Land Trust will deposit the withholding amounts for those employees who wish to contribute to his/her HSA through withholding from his/her pay.

All involvement of the Land Trust concerning an employee's HSA will terminate at the time the employee ceases his/her employment by the Land Trust.

10. Retirement Benefit

Coastal Mountains Land Trust will provide a retirement benefit under a Simple IRA Plan for all employees who qualify under Federal regulations governing such Plans. Employees will be provided with a full copy of the Simple IRA Plan upon becoming qualified for coverage. Under the Plan, each employee will determine in December the annual amount of his/her contribution to his/her Simple IRA, such amount to be withheld from his/her compensation as prorated to each pay period. The Land Trust will match each employee contribution to his/her Simple IRA on a 1-to-1 basis, not less than 1% nor greater than 3% of the employee's gross wages, such percentage to be determined by the Board of Directors as part of its approval of the annual operating budget. Employee participation in the retirement benefit will be governed by the terms of the Simple IRA Plan offered by the Land Trust.

VI. Job Performance and Conduct As Employee

Generally, performance reviews of employees will be conducted on an annual basis, although all new employees will be reviewed at the end of the first six months of employment. Performance reviews are intended to identify both those aspects of the job which are being performed well and those aspects that need attention. They are also a formal opportunity for the employee to express any concerns he/she might have about the job or about his/her employment with Coastal Mountains Land Trust. However, if the employee does have concerns, there is no need to wait until the employee's next review to express them; his/her supervisor is available throughout the year to meet about issues, problems or questions related to his/her employment.

In addition to expecting employees to perform their jobs competently and reliably, Coastal Mountains Land Trust expects employees to conduct themselves in a professional, ethical and responsible manner that reflects well upon Coastal Mountains Land Trust, that promotes a spirit of cooperation and teamwork among employees, and that is respectful of the Board of Directors, volunteers, and members of the public with whom we interact. 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 Coastal Mountains Land Trust and that could lead to corrective action, including dismissal, the following conduct is prohibited and will not be tolerated by Coastal Mountains Land Trust. 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, that physically harms or threatens others or that is abusive to or disrespectful of Coastal Mountains Land Trust's directors, employees, contractors, clients, volunteers or other persons involved with Coastal Mountains Land Trust.
3. Failure to adhere to the work schedule that has been established for the employee. This includes absence without notice to Coastal Mountains Land Trust, except where an emergency prohibited the giving of notice and notice was given as soon as reasonably possible.
4. Failure to be honest in communications with Coastal Mountains Land Trust and/or falsifying records or other documents.
5. Theft or misappropriation of property owned by Coastal Mountains Land Trust, a co-worker, a client, or anyone else who has property that an employee may come into contact with through his/her employment.
6. Unlawful conduct during non-work hours that might lead clients or the public to lose confidence in the employee or in Coastal Mountains Land Trust.
7. Insubordination.
8. Failure to conduct him/herself in a professional and cooperative manner while carrying out his/her duties.
9. Neglect of duty; failure to perform his/her responsibilities in a manner acceptable to Coastal Mountains Land Trust.

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 Coastal Mountains Land Trust, any of a variety of steps might be taken, up to and including termination. 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 or other corrective action might take place. Coastal Mountains Land Trust 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 Coastal Mountains Land Trust are employed at will, meaning that they or Coastal Mountains Land Trust may terminate the employment relationship at any time, with or without notice or cause. The following policies apply to those who are separating from Coastal Mountains Land Trust'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. Coastal Mountains Land Trust reserves the right to pay a resigning employee for the notice period, but to prohibit the employee from working for Coastal Mountains Land Trust during that time.

B. Lay-offs

There may be times when Coastal Mountains Land Trust 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, Coastal Mountains Land Trust may consider any and all factors that it deems relevant, including, without limitation: the needs of Coastal Mountains Land Trust as a whole; the skills, qualifications and performance histories of individual employees; anticipated changes in funding received or services to be provided by Coastal Mountains Land Trust; seniority; budgetary constraints; and any restrictions or guidelines imposed by law or by funding sources.

C. Severance Pay

Severance pay is not available to employees who are dismissed for reasons related to misconduct as an employee, including violations of Coastal Mountains Land Trust's policies.

Full-time employees who have completed at least one year of full-time employment with Coastal Mountains Land Trust and who are laid off because of cutbacks or reductions in staff, or terminated involuntarily for reasons not connected with misconduct, are entitled to severance pay calculated at the rate of one week's pay for every two years of employment, so long as they:

1. continue to work until the last day scheduled for their employment, unless this requirement is expressly waived by the Executive Director or, in the case of the Executive Director, by the President of the Board of Directors;
2. turn in all reports and paperwork required to be completed by them when due and no later than the last day of work;
3. return any files, documents, equipment, keys, software or other property belonging to Coastal Mountains Land Trust, and pay any money they owe to Coastal Mountains Land Trust;

4. participate in an exit interview, upon the request of their supervisor; and
5. agree to sign a release of employment-related claims against Coastal Mountains Land Trust, upon the Executive Director's request or, in the case of the Executive Director, upon the request of the President of the Board of Directors.

Notwithstanding the above, employees who violate Coastal Mountains Land Trust's policies or who demonstrate unacceptable conduct (including insufficient effort on the job) during the remainder of their employment following notice of the termination or lay-off may be denied severance pay and/or may be dismissed prior to the agreed-upon termination date, in the discretion of the Executive Director or, in the case of termination of the Executive Director, in the discretion of the President of the Board of Directors.

D. 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 any accrued but unused vacation pay. The employee will not be paid for accrued but unused sick leave, personal days or other paid leave. Severance pay will be paid only as authorized in Section VIII.C, above.

E. 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, Coastal Mountains Land Trust 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 Coastal Mountains Land Trust 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. The decision of the person with whom the grievance was filed is 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, Coastal Mountains Land Trust 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 Coastal Mountains Land 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. Confidentiality

The confidential nature of some of Coastal Mountains Land Trust'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 Director, 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 Coastal Mountains Land Trust in any manner other than through standard operating procedures.

Violations of Coastal Mountains Land Trust's Confidentiality Policy are considered very serious, and may result in disciplinary action, up to and including dismissal.

XI. Discriminatory Harassment

Coastal Mountains Land Trust is committed to maintaining a workplace that is free of any discriminatory harassment based on gender, race, religion, color, sexual orientation, age, national origin, or any other status protected by state and/or federal law that creates a hostile, offensive, or intimidating work environment, or that substantially interferes with an employee's work environment. Harassing actions can include repeated unwelcome or unwanted verbal or physical conduct based on those categories mentioned above or any legally protected status. Further, harassment based on sex can include attempts to control, influence, or affect the career, compensation, or job of an individual in exchange for sexual favors or the creation of a hostile, offensive, or intimidating environment based on unsolicited and unwelcome sexual overtures or conduct, either verbal or physical.

If an employee believes that he/she has been subject to discriminatory harassment by a co-worker, supervisor, volunteer, client or vendor, or by anyone else during the course of his/her employment, he/she must report his/her concerns immediately to the Executive Director or President of the Board of Directors. He/she may also report such concerns directly to the Maine Human Rights Commission, 51 State House Station, Augusta, ME 04333-0051; (207) 624-6050. Retaliation against an employee by any person under Coastal Mountains Land Trust's control 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.

Once a complaint of discriminatory harassment has been filed, an investigation will be conducted. The nature and extent of the investigation will depend upon the complaint. The intent is to obtain further information about the events/conduct complained of, to enable the person(s) named in the complaint to tell their side of the story, to determine whether discriminatory harassment has in fact occurred, and to develop an appropriate resolution. The employee may be asked to put his/her complaint in writing, or the person with whom he/she discusses his/her complaint might take notes and ask the employee to sign them. All employees are expected to cooperate with any Coastal Mountains Land Trust-sponsored investigation of a complaint of discriminatory harassment, upon the request of the Executive Director.

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

XII. Sexual Harassment

Sexual harassment is a form of discriminatory harassment and will be treated in accordance with the discriminatory harassment policy outlined above. However, because it is the subject of a great deal of controversy and misunderstanding, we have chosen to define it in more detail in this Handbook.

Sexual harassment is unwelcome conduct of a sexual nature when:

- (a) submission to such conduct is made (explicitly or implicitly) a term or condition of the individual's employment;
- (b) submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual; or
- (c) 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; and
6. Disciplining or retaliating against an employee in any way because he/she has resisted, reported or complained about sexual harassment.

If an employee feels that he/she has been sexually harassed during the course of his/her employment, or if he/she believes he/she has witnessed another employee being sexually harassed, the employee should report his/her concerns immediately, as described in Section XII, above, "Discriminatory Harassment". The procedures outlined in that section will apply.

XIII. Smoking Policy

Because Coastal Mountains Land Trust wishes to provide a healthy environment for all of its staff, volunteers and clients, smoking is prohibited throughout its offices.

XIV. Drug Free Workplace

Coastal Mountains Land Trust is committed to the well-being of its employees, to the safety of the workplace, and to provision of high-quality services to its clients. For all of these reasons, it cannot 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, 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. We, 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 Coastal Mountains Land Trust's computer systems are and shall remain property of Coastal Mountains Land Trust and are subject to being monitored and/or disclosed at any time by Coastal Mountains Land Trust. Employees of Coastal Mountains Land Trust have no privacy interests in e-mail messages or passwords, are deemed to consent to Coastal Mountains Land Trust's monitoring and disclosure of e-mail messages, and will make no claim against Coastal Mountains Land Trust for monitoring e-mail, for disclosing e-mail, or for any other issues relative to Coastal Mountains Land Trust's e-mail system.

B. General Restrictions on Consent of E-Mail Messages

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

1. such use does not result in additional costs to Coastal Mountains Land Trust;
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 Coastal Mountains Land Trust's property in which employees have no right of privacy and which may be stored, monitored, or disclosed at any time by Coastal Mountains Land Trust).

The e-mail system shall not be used to transmit messages, either within Coastal Mountains Land Trust or in communications transmitted outside Coastal Mountains Land Trust, that might reflect poorly on Coastal Mountains Land Trust, 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 for sending information outside of Coastal Mountains Land Trust that constitutes the confidential or proprietary information of Coastal Mountains Land Trust (except with the express permission of Coastal Mountains Land Trust), nor for the unauthorized receipt of the confidential or proprietary information of others. Employees shall promptly notify the Executive Director 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 Message

Under normal circumstances, Coastal Mountains Land Trust may periodically delete all electronic media copies of e-mail messages. However, Coastal Mountains Land Trust may suspend the regular deletion of all or part of e-mail messages for an indefinite period, without notice, whenever Coastal Mountains Land Trust deems the same advisable. (This could occur, for example, in the event Coastal Mountains Land Trust becomes involved in an investigation, litigation, or any other proceeding that may necessitate the review or production of Coastal Mountains Land Trust'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. Video Display Terminal Use and Training

Coastal Mountains Land Trust will provide training and education for employees who are regular users of video display terminals concerning safe and proper use of such terminals. Any employee whose assigned duties require the employee to work at such a terminal for four or more consecutive hours on any day will be considered a terminal operator and subject to the provisions of this policy. Training and education will include:

- An explanation or description of the proper use of terminals and the protective measures that the operator may take to avoid or minimize symptoms or conditions that may result from extended or improper use of terminals.
- Instruction related to the importance of maintaining proper posture during terminal operation and a description of methods to achieve and maintain this posture, including the use of any adjustable work station equipment used by the operator.
- A written explanation of the rights and duties accorded to a terminal operator under State and Federal laws as well as the conspicuous posting of the latest laws in the work place.

Coastal Mountains Land Trust will provide basic ergonomic equipment and supplies for each employee, appropriate to the position each employee fills, which may include, upon request of the employee:

- Monitor glare screen
- Copy holder
- Ergonomic chair
- Mouse pad with wrist rest
- Keyboard wrist rest

Additional ergonomic equipment and/or supplies may be requested from the Executive Director in writing. In some instances, a workstation evaluation may be conducted by an independent third party. Costs incurred by having an independent third party conduct a workstation evaluation will be paid by the organization.

XVII. Whistleblower Protection

Coastal Mountains Land Trust intends to adhere to all laws, rules, regulations, and public policies that apply to the organization. The objective of this policy is to support the organization's goal of such compliance. Support by all employees is necessary to achieving compliance. Support can be provided by each employee observing compliance by the Land Trust and reporting instances of non-compliance.

Any employee who reasonably believes that the Land Trust is in violation of a law, a rule, or a regulation pursuant to law, or is acting in violation of a clear mandate or public policy concerning health and safety of people or protection of the environment, should immediately deliver a written report on the said violation to the Executive Director of the Land Trust.

Pursuant to the Whistleblower's Protection Act (Maine Law, Title 26, MRSA subsection 839), the Land Trust will not retaliate by treating differently, threatening, or firing an employee making such a report. The employee making such a report must provide the Land Trust with a reasonable opportunity to investigate and correct the alleged non-compliant activity. Should the non-compliant activity continue beyond a reasonable time, the Land Trust will not retaliate against an employee who discloses to the public his/her report on the alleged non-compliant activity.

XVIII. Vehicle Use

If an employee's work requires operation of a motor vehicle, he/she must present and maintain a valid vehicle operator's license that is neither suspended nor revoked and must be able to provide proof of adequate insurance coverage. Any changes to his/her driving record or license status must be reported to the Executive Director immediately. Where applicable, failure to maintain a valid driver's license may be sufficient cause for immediate termination.

While operating a vehicle on behalf of Coastal Mountains Land Trust, employees must wear a seatbelt and ensure that all passengers also wear seatbelts. Employees must comply with all state, federal, and local traffic rules and regulations. Coastal Mountains Land Trust is not responsible for and will not reimburse an employee for any fine incurred by the employee for violating a traffic or criminal law while traveling on behalf of the entity.

Employees must report any accident, no matter how minor, which occurs while operating a vehicle on Coastal Mountains Land Trust business.

Employees who operate personal vehicles on business are strictly prohibited from operating such vehicles under the influence of alcohol or controlled substances, except for prescription medication authorized by a physician which does not cause unsafe performance.

Failure to follow these rules may result in disciplinary action, up to and including immediate termination.

ACKNOWLEDGMENT BY EMPLOYEE

I have received a copy of the Coastal Mountains Land Trust Personnel Handbook, have reviewed it and had the opportunity to ask my supervisor questions about it. I understand the policies described in the Handbook and agree to abide by them.

I understand that this Handbook does not represent a contract of employment, but rather serves as a guideline.

I acknowledge that no representative of Coastal Mountains Land Trust 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 Executive Director. I understand that as an employee of Coastal Mountains Land Trust, I am employed at will, meaning that either I or Coastal Mountains Land Trust may terminate my employment at any time, with or without notice or cause.

I understand that this Personnel Handbook, and the policies and benefits described in it, may be changed from time to time, with or without advance notice, in Coastal Mountains Land Trust's discretion.

Signed _____

Please Print Name _____

Date _____