

Washington Association of Conservation Districts

EMPLOYEE POLICY AND PROCEDURES

Adopted September 2011

The contents of this Handbook are a summary of current employment policies of the Washington Association of Conservation Districts (WACD). WACD reserves the right to amend or terminate any of the policies, plans, or benefits, described in this Handbook with two (2) weeks prior notice. Any such changes, once approved by the WACD Board and provided to you in writing, will supersede the current contents of this Handbook.

Washington is an "At Will" state regarding employment practices. This means that legally, any agency (or company) or any employee of any agency (or company) may terminate employment with or without notice and with or without cause. At WACD, we have a policy of providing the employee with notice and reason for termination and in most cases, a warning procedure and opportunity to demonstrate correct performance prior to any termination.

I, the employee, have read and understand the contents of this Handbook and that the contents do not constitute a contract of employment. I understand that the provisions in this Handbook supersede any prior employee handbooks or other descriptions of WACD's policies.

My signature below indicates that I have read and understood the foregoing, and that I have received a copy of WACD's Employee Handbook.

Employee's Signature: _____ Date: _____

Employee's Name (Printed) _____

DEFINITIONS

WACD Executive Board	WACD President, Vice President, Past President, Treasurer, National Director
WACD Executive Director:	WACD Chief Executive Officer
WACD-PMC:	WACD's Plant Materials Center
WACD-PMC Administrative Board:	Committee appointed by WACD President to advise on day-to-day PMC operations
Nursery Manager	PMC Nursery Manager
Office Manager/Bookkeeper	PMC Office Manager & WACD Bookkeeper

INTRODUCTION

This employee policy and procedure manual is intended to provide employees of WACD with a summary of key personnel policies for ease of use. You should read, understand, and comply with all provisions of the handbook. It describes your responsibilities as an employee and WACD's responsibilities as an employer.

No employee handbook can anticipate every circumstance or question about policy. As we continue to grow, the need to change policies described in the handbook may arise. Therefore, WACD reserves the right to revise, supplement, or rescind any policies or portions thereof, from time to time, as it deems appropriate, at its sole and absolute discretion with two (2) weeks prior notice. The only recognized deviations from the stated policies are those authorized and signed by the WACD Board. New policies or revisions may be distributed to all employees as a new or revised page of the Handbook. **It is your responsibility to read and understand the new or revised policies.**

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EMPLOYMENT PRACTICES

The following outlines WACD general employment practices.

Employment Applications

WACD relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process. Misrepresentations, falsifications, or omissions of materials in application data may result in the exclusion of the individual from further consideration for employment, or termination, if the person has been hired.

Employment Reference Checks

To ensure that individuals who join WACD are well qualified and have a strong potential to be productive and successful, WACD reserves the right to conduct background checks on all potential employees.

If WACD is asked to provide a reference for an employee, it will be limited to making known only the position held and dates of employment. No other information will be released, unless the employee has signed an authorization and release.

Letter of Appointment (Employee Agreement)

After selecting the most qualified applicant for the job opening, staff must provide the new employee with a Letter of Appointment or an Employee Agreement as part of the orientation process.

At the time the job is offered or shortly thereafter, employees should be advised of the following:

- Their Job Title
- Hiring Wage and Pay Range (if appropriate)
- Frequency of Performance Reviews
- Hours of Work
- Overtime Requirement
- Parking Information
- Benefits (medical, dental, life, et al)
- Leave (vacation, sick, leaves of absence)

All employees should receive an orientation packet on the first day of employment which includes:

- W-4 Form
- Immigration I-9
- WACD Personnel Policies and Procedures Manual
- Insurance Benefits Enrollment Packet

While WACD strives to follow these goals, the nature of the organization is such that all goals may not be met. Accordingly, employees of the WACD should not view these goals as a contractual agreement or obligation.

New Employee Orientation

WACD will provide an orientation for all new employees. Orientation includes the completion of all paperwork, an explanation of employee benefits, job description and a copy of WACD's Policies and Procedures Manual. Questions or comments should be addressed to the appropriate

management staff or WACD Executive Board designee.

The formal job description will summarize the knowledge, skills, and abilities required for that position. The statements contained in each job description reflect generalities to describe the principal's functions of the job and the level or knowledge and skill typically required. It should not be considered an all-inclusive list of work requirements. Employees may perform duties not specifically addressed in their job description.

Equal Employment Opportunity

WACD is an equal opportunity employer. This means that WACD does not discriminate in employment decisions or policies in violation of law on the basis of race, color, national origin, creed, religion, sex, age, marital status, physical or mental disability, sexual orientation, or status as a Vietnam-era or special disabled veteran. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, reduction in force, recall, transfer, leaves of absence, compensation, and training.

Any employee who feels that he or she has been discriminated in their work assignment, pay or working conditions because of race, religion, gender, and age should report the incident immediately to the WACD Board designee or appropriate management staff.

Anti-Harassment and Non-Discrimination Policy

WACD prohibits any form of unlawful harassment or discrimination in the workplace. Harassment or discrimination based on an individual's sex, race, color, national origin, religion, age, marital status, veteran's status, physical or mental disability, sexual preference, or any other characteristic protected by state, federal or local law is unacceptable and will not be tolerated.

Conduct that demonstrates mutual respect is expected of all employees in the workplace. Retaliation against any person who complains of harassment or discrimination in good faith, or who participates in an investigation in good faith, is also prohibited.

Sexual harassment is one form of unlawful harassment. Sexual harassment can be, but does not have to be, "sexual" in nature. Rather, sexual harassment is harassment that would not occur but for the gender of the person to whom it is directed. Sexual harassment may include requiring a person's submission to, or rejection of, sexual advances and/or sexual harassment may alter that person's terms or conditions of employment. Sexual harassment also includes a sexually abusive, intimidating, hostile, or offensive work environment. Such an environment can be created by unwelcome sexual advances, requests for sexual favors, gender harassment, the display of sexually suggestive objects or pictures or emails, or any other verbal or physical conduct that would not exist but for the gender of the person at whom it is directed and which has the effect of unreasonably interfering with an employee's work performance.

Other conduct that is not sexual in nature but will not be tolerated includes derogatory slurs, remarks or jokes about an individual's race, national origin, religion, age, marital status, physical or mental disability, sexual preference, or any other characteristic protected by federal, State or local law.

Reporting Discrimination and Harassment of Any Type

1. Any employee who believes that he or she has been subjected to objectionable conduct prohibited by this policy is encouraged (but not required) to let the offending person know immediately and firmly that the behavior is offensive.
2. Any employee who believes that he or she has been subjected to objectionable conduct prohibited by this policy must report it immediately to the Executive Director.
3. Each reported incident of unlawful harassment or discrimination will be investigated. Although we cannot guarantee confidentiality, reasonable efforts will be made to disclose information only as needed to investigate and resolve a complaint. If it is determined that a complaint is valid, appropriate remedial action will be taken promptly. When appropriate, the employee will be informed that remedial action has been taken but may not be told information that the WACD deems to be confidential.
4. Individuals reporting complaints or providing information in good faith in connection with an investigation will not be retaliated against for their participation in this procedure.

Supervisors and/or managers must report any incidents, or reports of incidents, of harassment or discrimination to one of the following individuals: the Executive Director or Executive Board.

Employees found to have engaged in conduct in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

Immigration Law Compliance

In compliance with the United States Immigration and Reform Control Act of 1986, WACD is committed to employing only citizens of the United States and permanent residents with authorization to work in the United States. As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Service Form 1-9. Before beginning work, a newly re-hired employee must also complete Form 1-9 if they have not previously filed one with WACD, if their previous 1-9 is over three years old, or if their previous 1-9 is no longer valid. (Check to be sure these forms and procedures are current)

In accordance with the United States Immigration and Naturalization Service's requirements, WACD will require verification of employment eligibility by requesting appropriate documents that verify identity and eligibility for employment in the United States. Appropriate documents may include a United States passport; driver's license and social security card; voter's registration and social security card; driver's license and alien card. All employees are required to submit this information within three days of their date of hire.

Nepotism

While the WACD has no prohibition against hiring relatives of other employees, close family members such as parents, children, spouses, siblings, significant others, or in-laws will not be hired into, or transferred from, positions where they directly or indirectly supervise or are supervised by another close family member or significant other. The WACD reserves the right to determine in all cases if a close relationship exists to prohibit a supervisory relationship.

Reduction-In-Force

The definition of Reduction in Force is as follows:

“A separation resulting from lack of funds, lack of work, or good faith reorganization for efficiency purposes. When a reduction-in-force, occurs, it is a separation from service without cause on the part of the employee.”

The WACD Board or their designees reserve the right to perform a reduction-in-force as deemed necessary under the above definition.

PAYMENT PRACTICES

Payroll Period

The Office Manager / Bookkeeper will make sure that all employee files are up to date, including a current W-4, I-9, emergency information sheet and any other required information.

1. Time sheets will be kept current.
2. Pay periods will be two per month.
3. First pay period begins the first day of the month and extends through the 15th of the month
4. The second pay period begins on the 16th of each month and extends to the last calendar day of each month.
5. Paydays:
 - a) Time sheets will be certified (initialed) by the assigned timekeeper on the last workday of each pay period or as soon as possible thereafter.
 - b) Checks will be issued (dated and signed) within 2 workdays following the last day of the pay period.
 - c) Checks will be available for employees within three (3) workdays following the last day of each pay period.

Payroll Deductions

The law requires that WACD make certain deductions from every employee's compensation. Among these are Federal income taxes, Social Security taxes (FICA), and state of Washington Industrial Insurance. Social Security taxes are deducted on each employee's earnings up to a specified limit that is called the Social Security wage base. WACD matches the amount of Social Security taxes paid by each employee.

COLA Increase

Each year, the WACD Executive Board will determine if a Cost of Living Increase (COLA) will be applied to each employee salary. This figure is based on regional information on COLAs and also on the budget. Salary planning is typically done in June with increases applying to salaries in July.

Performance Appraisal

The Executive Director will evaluate or facilitate evaluation of each WACD employee annually as part of an annual performance appraisal. The WACD Executive Board will evaluate the Executive Director annually as part of a performance appraisal. The annual Performance Appraisal is to be used as a mechanism whereby the employer and employee evaluate job performance, strengths and weaknesses, training needs and overall job performance. The performance appraisal and any follow-up actions needed will be documented and placed in the employee's personnel file. The employee will acknowledge that review of the appraisal has occurred by his/her signature at the culmination of the appraisal process.

Merit Increases

Merit increases may be considered as recommended by the performance appraisal reviewer. Merit salary increase recommendations are based on the Performance Appraisal. The recommended merit increases must be supported by the predicted budget for the upcoming year and must be approved by the WACD Executive Board. If employee is located at the Plant Material Center, the PMC Administrative Board will make a recommendation to the Executive Director and Officers of the Association for approval. Merit increases are usually effective July 1 of each year, unless a significant event takes place that warrants a mid-year increase.

Employee Classifications

All management and some technical/professional employees are considered exempt employees and are excluded from specific provisions of federal and state wage and hour laws. Employees who are not classified as *exempt* are classified as *non-exempt* and are subject to provisions of the Fair Labor Standards Act (FLSA). *Non-exempt employees* need to be aware of WACD's policies and procedures on overtime/exchange time.

In addition to exempt and non-exempt categories, each employee will belong to one of the following employment categories:

1. Regular full-time: An employee who is normally scheduled to work a standards forth (40) hours or more each work week. Generally, if are a regular full-time employee, you are eligible for WACD's benefits package, subject to the terms, conditions, limitations and eligibility requirements of each benefit program.
2. Regular part-time: An employee who is normally scheduled to work less than forth (4) hours per week, but at least twenty (2) hours per week. Regular part-time employees may be eligible for some benefits offered by the WACD, subject to the terms, conditions, limitations and eligibility requirements of each benefit program.
3. Temporary: An employee who is hired for a specific period of time and is not expected to establish a continuity of service. It is expected that a temporary employee should not remain in temporary job status longer than twelve (12) months and is generally not eligible for benefits offered by the WACD.

Overtime for Non-Exempt Employees

From time-to-time, it may be necessary for employees to perform additional or overtime work in order to complete a project. Non-exempt employees will be paid overtime for hours worked in excess of 40 hours per week. When it is necessary to work overtime, non-exempt employees **must obtain** approval from their supervisor or manager prior to working the overtime hours. ***Failure to obtain prior approval for overtime hours may result in disciplinary action, up to and including the termination of employment.***

Exchange Time for Exempt Employees

Exempt employees working in excess of 40 hours a week may accrue exchange time that can be used at a later date. It is WACD's policy that exchange time must be used in the calendar year that it was accrued and that no more than 40 hours may be used during a given pay period. No more than 120 hours may be accrued in a calendar year.

ADMINISTRATIVE PROCEDURES

Work Hours – WACD Executive Management Staff

Normal WACD office hours are 7:30 a.m. to 5:00 p.m. Monday through Friday. A standard work week for WACD employees not assigned to the WACD PMC is 40 hours for full-time employment. Individual work schedules may vary due to funding requirements and/or WACD program needs. This may include evenings and weekends. If the employee accepts the job position with a non-standard work week, then they must work with the WACD Executive Director to adhere to the 40 hour work week. Each employee is allowed a one half (1/2) hour to one hour unpaid lunch break and two fifteen (15) minutes paid breaks per day. Break time cannot be accumulated or used for any purpose other than daily breaks. Lunch time and break time(s) are classified as “personal time”.

Work Hours – Plant Materials Center

The normal work schedule for all regular full-time employees assigned to the WACD PMC is 7:30am to 4:00pm, Monday through Friday. Each employee is allowed a one-half (1/2) hour unpaid lunch break and two (2) fifteen minute paid breaks per day.

Staffing needs and operational demands may, from time to time, necessitate variations in starting and ending times as well as variations in the total hours that may be scheduled each day and week. Individual work schedules may vary as determined by the **Nursery Manager**.

Salaried employees assigned to the WACD PMC are exempt and overtime must be approved by the Nursery Manager prior to accumulating. Overtime is reimbursed in the form of compensatory time on an hour-for-hour basis.

Employee Health and Safety

The WACD is committed to providing a safe and healthy work environment for all employees. WACD asks that employees do their part to meet this commitment by consistently practicing safe working habits and exercising caution on the job. Employees are asked to report to the Executive Director, Nursery Manager or assigned supervisor, in a timely manner, any safety problems or unsafe working practices they observe. All accidents resulting in an injury must be reported to the Executive Director, Nursery Manager or assigned supervisor immediately, regardless of how insignificant the injury may appear. Reporting is necessary to comply with the law to initiate industrial injury and workers' compensation if necessary.

Drug Free Work Place

The unlawful manufacture, distribution, dispensing, possession or abuse of controlled substances in the workplace is prohibited.

Employees are required to report to the WACD Executive Board and Executive Director, within five days, any criminal drug conviction for a violation that occurred in the workplace. Appropriate action will take place against employees convicted of a violation that occurs in the workplace. Appropriate action may include dismissal. (See <http://www.dol.gov/elaws/asp/drugfree/drugs/screen1.asp>)

No Smoking Policy

In keeping with the WACD's commitment to provide a safe and healthy work environment, smoking is prohibited throughout the workplace. There are designated an outside areas for smoking.

Mileage and Expense Reimbursement

Employees who are authorized to use their cars for company business will receive reimbursement of mileage equal to the current Washington State rate. To be reimbursed, you must submit a reimbursement form (including date, purpose of trip, and mileage) to the Office Manager/Bookkeeper.

If you use your car for organization business, your personal insurance is in force and you must carry liability insurance. Approved expenses incurred by an employee will be reimbursed at the end of each month. An expense reimbursement form must be completed. Meals will be reimbursed with copies of receipts based on actual costs.

Company Vehicles

WACD-owned vehicles or those rented by the WACD are for work only and may not be used for personal business. Only WACD Employees, and WACD Board Members (OR their designated representatives) are authorized to drive WACD owned or rented vehicles.

Cell Phone Policy

It is the policy of WACD to provide employees with efficient, cost-effective telephone communication equipment and services. The purchase and utilization of cellular telephones shall be limited to the requirement and specification contained in this policy. The purchase of cellular telephones shall be subject to approval by the Executive Director.

Use of Cellular Phones

Cellular transmissions can be heard by others. Discretion is to be used in discussing confidential information using cellular communication. Employees are responsible for taking reasonable precautions to prevent theft and/or vandalism of cellular equipment.

Personal Use

WACD recognizes that occasions arise in which personal calls need to be made or received on a cellular telephone. Occasional or incidental personal use is permitted if messages are not used to: (1) solicit others for non-WACD sponsored profit or non-profit oriented sales, ventures or fund raisers; (2) for religious or political causes, (3) to promote or distribute information about non-WACD affiliated organization, (4) to commit any illegal acts, or (5) to make international calls. Calls home or to the family, etc., by WACD staff when required to work extended hours shall be considered business calls. The WACD reserves the right to monitor the billing and use of all WACD-owned cellular telephones.

Reimbursement for Personal Calls

Currently, the WACD cellular phone plan provides unlimited calls, text messages and data access (on specific phones) for a flat fee. Therefore, employees will not be asked to reimburse the WACD for personal calls that comply with the Personal Use policy above. In the event the WACD's cell phone plan changes and calls are charged on a call-by-call basis, then employees will be required to enter into a reimbursement agreement with the WACD, which requires the prompt reimbursement for the cost of personal calls on WACD-owned cellular phones.

Termination of Use of WACD-Owned Cellular Phones

If the conditions of this policy are violated by the employee, the Executive Director shall terminate the use of WACD-owned cellular phones by the employee. All cell phones provided for an employee's use must be promptly returned to the organization when such equipment is no longer

required, or immediately upon the employee's departure from the WACD. All equipment must be returned in good condition. Any damage beyond reasonable wear and tear shall be the financial responsibility of the employee.

Policy for Employee-Owned Cellular Phones

WACD employees may opt to utilize their own personal cellular phones to conduct WACD business with approval of the Executive Director. In this instance, the employee may submit a reimbursement request for calls made and received while conducting WACD business. Other reimbursement scenarios such as payment of data packages, etc., will be reviewed and approved on a case-by-case basis.

Credit Card Policy

WACD will provide WACD credit cards to senior staff for purchases for official WACD business. Staff will be expected to retain receipts for all purchases, and provide to WACD Bookkeeper on a monthly basis. Exceptions will be granted for purchases where receipts are not able to be obtained. Credit and purchase limits will be established for each staff member, and recorded with the WACD Bookkeeper. Exceeding the credit and purchase limits will need to be prearranged with the Executive Director or PMC Manager on a case-by-case basis.

Electronic Communication and Technology Policy

WACD respects the individual privacy of its employees. However, employee privacy does not extend to employee's work-related conduct or to the use of company provided equipment supplies. Employees should be aware that the following policy might affect their privacy in the workplace.

It is the policy of WACD to provide the communication services, computers, and other equipment necessary for the conduct of its business. It is the further policy of WACD to reserve the right to monitor its employees' use(s) of these communication services, computers, and other equipment to ensure that professional and business performance and conduct standards are maintained.

WACD communication services, computers, and all other electronic systems are for the sole purpose of conducting the company's business. These systems are not intended to be used by employees for conducting personal business, playing electronics or video games, storing personal documents, etc., or for any other personal reason. Inappropriate use of the company's communications and/or computer systems may result in disciplinary action, up to and including termination of employment.

All information stored in the computers and other electronic record-keeping devices is the property of WACD. Specifically, but without limitation, all documents, data, software, hardware, tapes, taped messages, voice mail, electronic mail, etc., stored in the company's communications and company systems are the property of WACD and may be used and accessed by the company at any time, in any manner it deems appropriate.

WACD reserves the right to access, alters, save, copy, recreate, print, and/or use this electronic data for any purposes not prohibited by Law. WACD may and can monitor employee activity on its communication systems, its computers, its electronic record-keeping and/or storage systems as it deems necessary, without prior notification to the employees who customarily use these systems.

All electronically based computer programs and software are owned and licensed to the WACD Plant Materials Center and may not be used or copied for personal use or for any non-company

business purpose. Employees are prohibited from installing any unauthorized software onto computers owned by WACD.

No employee, unless authorized in writing by the Executive Director or Nursery Manager as appropriate, may remove or download any records maintained in the computer system or other electronic record-keeping and/or storage devices.

All portable equipment provided for an employee's use, such as laptops, fax machines, wizards and cellular phones, must be promptly returned to the company when such equipment is no longer required or immediately upon the employee's departure from WACD. All equipment must be returned in good condition. Any damage beyond reasonable wear and tear shall be the financial responsibility of the employee.

Employees may not use WACD voice mail, electronic mail, desktop computer, fax machine or the Internet in any way that may be seen as insulting, disruptive, or offensive by other persons. Examples of forbidden transmittals include sexually explicit messages, cartoons or jokes; unwelcomed propositions or love letters'; ethnic or racial slurs' or any other messages or files that can be construed to be unlawful, discriminatory, or harassment of others based on their race, color, national origin, religion, age, sex, sexual orientation, marital status, veteran's status, physical or mental disability or any other characteristic protected by state, federal or local laws.

Internet may not be used for personal usage during company time except on the employee break or lunch hour.

It is the responsibility of each employee to back-up their computer. If data is lost, it is the employee's responsibility to re-enter the lost data. The employee may or may not be paid for the time it takes to re-enter the missing data. The employee shall back up their computer on a weekly basis using flash drives or other storage devices provided by WACD. The storage devices should be stored at the employees' home for safe-keeping.

My signature below indicates that I have read and understood the Electronic Communication and Technology Policy.

Employee Signature

Date

Document Retention Policy

All short term and long term storage of administrative and financial records are provided in a safe, secure and confidential manner. Depending upon the type of record, the appropriate length of time for retention complies with legal and fund requirements. Records relevant to foreseeable or pending judicial or administrative investigations or proceedings are preserved until the actions are concluded.

Procedures:

Physical Records: At least annually, physical document and files are transferred from active files to inactive storage and retention dates are noted on the files. Confidential files are clearly designated as such. Files in storage are placed in a secure, dry place.

When files are past retention requirements, documents shall be destroyed in a method that maintains confidentiality (i.e. shredding). Do not place in dumpsters.

Long term storage of electronic records: All electronic files are backed up weekly. Backups are moved off-site monthly. The retention periods are consistent with those for physical records.

The following table provides the minimum requirements for WACD documents.

Type of Document	Minimum Requirement
Accounts payable ledgers and schedules	7 years
Audit reports	Permanently
Bank reconciliations	2 years
Bank statements	3 years
Checks (for important payments and purchases)	Permanently
Contracts, mortgages, notes and leases (expired)	7 years
Contracts (still in effect)	Permanently
Correspondence (general)	2 years
Correspondence (legal and important matters)	Permanently
Correspondence (with customers and vendors)	2 years
Deeds, mortgages and bills of sale	Permanently
Depreciation schedules	Permanently
Donation records	3 years
Duplicate deposit slips	2 years
Employment applications	3 years
Expense analysis/expense distribution schedules	7 years
Yearend financial statements	Permanently
Insurance policies (expired)	3 years
Insurance records, current accident reports, claims, policies, etc.	Permanently
Internal audit reports	3 years
Inventories of products, materials and supplies	7 years
Invoices (to customers, from vendors)	7 years
Membership records	2 years
Minute books, bylaws and charter (Articles of Incorporation)	Permanently
Patents and related papers	Permanently
Payroll records and summaries	Permanently
Personnel files (terminated employees)	7 years
Retirement and pension records	Permanently
Tax returns and worksheets	Permanently
Timesheets	7 years

Trademark registrations and copyrights

Permanently

Withholding tax statements

7 years

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COMPENSATION AND BENEFITS

It is WACD's policy to offer eligible employees a comprehensive plan of benefits. A number of the programs (Unemployment Insurance, Workers' Compensation, and Social Security) cover all employees as prescribed by law. WACD's benefit package includes vacation benefits, paid holidays, medical insurance, and life insurance. WACD reserves the right to change the benefit plans at anytime to ensure quality plans at reasonable cost. Each of these plans is set forth in more detail as follows:

Vacation Leave

All regular, full-time employees are eligible for paid vacation according to the guidelines set forth below. Part-time employees accrue vacation time on a pro-rated basis. Temporary employees are not eligible for vacation leave.

Vacation leave for full-time employees will accumulate at the following rate:

<u>Continuous Service</u>	<u>Monthly Rate</u>	<u>Annual Rate</u>
Less than 5 years	8 hours per month	96 hours
* 5 – 10 years	10 hours per month	120 hours
11 years and more	12 hours per month	144 hours

* Please note for those current (as of 5/2011) employees who have more than 5 but less than 10 years of service as of the date of this revision (5/11) AND have operated under the original policy of providing 12 hours per month with 5 or more years of service will be grandfathered in under this new policy.

Employees hired in mid-month shall accrue one hour for every three (3) full days worked during their first month of employment. Vacation leave may be used in one-hour increments only.

Employees may accumulate up to 240 hours of vacation leave. Employees are strongly encouraged to take earned paid leave during the benefit year. In the event that employees do not use all their vacation benefits by the end of the calendar year, 240 hours may be carried over to the next year. Time accrued in excess of 240 hours will be forfeited unless otherwise approved by the WACD Executive Director and/or WACD Executive Board. Upon termination of employment, employees will be paid for vacation leave that has accrued through their last day of work up to 240 hours. Accrued vacation may not be paid if an employee fails to give reasonable notice of termination (two weeks).

Sick Leave

Regular full-time employees accrue sick leave after their first full month of employment. Sick leave is accrued at the rate of eight (8) hours per month. Sick leave may be used in one-hour increments and cannot be used before it is accrued. Unused sick leave may accumulate from year to year.

WACD provides sick leave benefits to all regular full-time and regular part-time employees for period of temporary absences due to illness or injuries. In addition, regular employees may elect to take accrued sick leave time to care for a child of the employee with a health condition that requires treatment or supervision; a spouse, parent, parent-in-law, or grandparent of the employee with a serious health condition or an emergency condition. Extended sick leave beyond three (3) consecutive days will need documentation from a primary health care provider. Sick leave may not be used during previously scheduled annual leave.

Upon termination of employment, employees will not be paid for any unused sick leave that has accrued through their last day of work. If an employee is hurt on the job, State Industrial Insurance will cover the injury. In that case, sick leave cannot be used in conjunction **or accumulated**.

Maternity Leave

A leave of absence will be granted to an employee for the period of time that she is actually ill or disabled due to pregnancy or childbirth. The employee shall provide medical documentation from her physician setting forth the medical necessity for the leave and the expected duration of the leave.

An employee taking a leave of absence for the period of disability relating to pregnancy and childbirth has the right to return upon expiration of such leave to the same position, or a similar position of comparable pay and benefits unless business necessity prevents the organization from returning the employee to such position. If an employee extends her pregnancy-related leave beyond the period of actual disability, the employee has no right to return to the same or similar position upon expiration of such leave.

Maternity leave is unpaid but an employee may elect to use all accrued sick leave and accrued vacation leave during the maternity leave. The WACD may request that the employee pay employee benefits during this leave.

The request for maternity leave should be made in writing to the Executive Director at the earliest possible date.

Paid Holidays

PMC will be closed for ten holidays per year. Employees who would normally have been scheduled to work will receive a paid day off for the following holidays:

- New Years Day
- Martin Luther King Day ¹
- Presidents Day
- Memorial Day
- Independence Day
- Personal Holiday ²
- Labor Day
- Veterans Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day

¹ Employees may choose to take off this day or use it as a paid personal day during the calendar year.

² A paid day off of the employee's choosing. Employees must request approval from their manager, at least one week in advance of the desired date.

A holiday that falls on a Saturday will be observed on the preceding Friday and a holiday that falls on a Sunday will be observed on the following Monday.

Medical Benefits

All WACD permanent, full-time employees are eligible for medical insurance. Annually, each eligible employee will select either inclusion into the WACD Group Policy, or a medical stipend valued at, or below, the value of the Group Premium. The actual value of the medical stipend will be determined by the WACD Executive Board. If the employee selects the medical stipend, it can only be used for medical insurance premiums. The employee will provide documentation (receipts) to qualify for the medical stipend (this addition approved by the Executive Board on 4/26/2011). See the Executive Director and/or Office Manager/Bookkeeper for more information.

Bereavement Leave

In the event of a death in the employee's immediate family, regular full-time employees will be allowed up to three (3) days leave with pay (not to be deducted from sick or annual leave). Immediate family is defined as the employee's spouse, child, grandchild, parent, brother, sister, in-laws, grandparents, guardian of the employee or the death of any person residing with or is legally dependent upon the employee.

Additional Benefits

In extraordinary circumstances, additional time off may be approved by the Executive Director in consultation with the Executive Board and charged to compensatory time, vacation time, or sick leave time earned. If there is no sick leave available, the employee may use vacation leave, personal holiday, accrued compensatory time, or leave without pay with the permission of the WACD Executive Director in consultation with the Executive Board or their designees.

State or federal law requires several benefits. Eligible employees should be aware that these benefits have been paid for by WACD and are available should the need arise.

Workers Compensation Insurance. WACD provides comprehensive Workers' Compensation insurance as mandated by state law. This program covers any injury or illness sustained in the course of employment requiring medical, surgical, or hospital treatment. Employees who sustain a work-related injury or illness should inform management immediately as this enables an eligible employee to qualify for coverage as quickly as possible.

Administrative Leave

Employees may be granted administrative leave when conditions cause closure of the office. The WACD Board or their designee's will also have the authority to declare administrative leave for any such period as necessary. Full pay and benefits will continue during administrative leave.

Leave without Pay

The Executive Director in consultation with the Executive Board may approve leave without pay for up to ninety days (90), when such leave is not expected to be detrimental to the operations of the organization. The Executive Director reserves the right to initiate a leave of absence if, at their discretion, they conclude that an employee's attendance, ability to perform, working practices, or quality and quantity of work have been adversely affected by a condition, medical or other, that will require time off for treatment or care. Leaves of absence are subject to the following conditions:

1. Any employee who applies for or engages in work for compensation while on a leave of absence from WACD is subject to immediate termination, unless the WACD Executive Board, WACD Executive Director and/or Nursery Manager as appropriate has given prior written consent to the Arrangement.
2. Any employee who applies for unemployment benefits while on a leave of absence will be subject to immediate termination.
3. Any employee on leave for personal illness or injury who is found to engage in activities that violate restrictions imposed by a physician or other recognized medical provider, and which might delay return to regular employment, will be subject to disciplinary action, including termination.
4. WACD will provide insurance benefits until the end of the month in which the leave begins. At that time employees must pay the full cost of their insurance benefits. WACD will resume payment of the costs of these benefits when the employee returns to active employment. Insurance continuation through COBRA must be arranged in advance. The employee on leave is responsible for prompt payment of insurance or benefits will be terminated.

Please note: Group health plans for employers with 20 or more employees on more than 50 percent of its typical business days in the previous calendar year are subject to COBRA. Both full and part-time employees are counted to determine whether a plan is subject to COBRA. For more information, please see Appendix A.

Generally, accruals of benefit calculations such as paid leave or holiday benefits will be suspended during the leave and will resume upon return to active employment.

Treatment for Substance Abuse

An employee may be granted an unpaid leave of absence to undergo a company approved program for the treatment of drug and alcohol abuse, providing that documentation of enrollment is provided and that the employee is following a specified rehabilitation program. Medical certification must also be provided to WACD Board and Executive Director that the employee can safely return to work.

Employee Assistance Program

The WACD does not have a formal Employee Assistance Program whereby counseling services can be offered free of charge. However, in an event an employee needs professional counseling regarding drugs/alcohol, family/marriage, personal or work, legal, social, medical, or special therapy, the WACD Executive Board or their designees will work with the employee to find the appropriate services.

Jury Duty

WACD encourages employees to fulfill their civic responsibilities by serving on jury duty when required to do so. Employees who are absent from work to serve on jury duty will receive their regular compensation. In addition, employees may keep all jury duty pay and expense money received for jury service. The employee must report jury pay on Form 1040 if he/she elects to retain the compensation. Time spent away from work for jury duty will not be deducted from vacation or sick leave accruals. Employees must notify the **WACD Executive Board, Executive Director or WACD PMC Nursery Manager** as appropriate immediately when called

to jury duty so that arrangements can be made to accommodate the employee's absence. Employees are expected to report for work whenever the court schedule permits. Either WACD or the employee may request an excuse from jury duty if, in the judgment of WACD, the employee's absence from work would create serious operational difficulties.

Military Leave

Military leave will be granted to any employee who is a member of a reserve unit of the United States armed forces and will be placed upon unpaid leave for their annual 2-week duty. Benefit programs will be unaffected and the employee may elect to use any paid leave entitlements they have accrued. Training leaves will not normally exceed two weeks annually, plus reasonable travel time. The employee will not be paid for military leave.

Military leave will be granted to any employee who is called to active duty in any branch of the United States armed services. WACD will continue medical insurance until the first of the month following 30 days. After that, employees may continue medical insurance under the COBRA program at their own expense. To the extent possible, employees will be reinstated to their former position or to a comparable position if application for re-employment is made within 90 calendar days of the date of an honorable discharge or the date of release from hospitalization following discharge.

Family and Medical Leave

Employees who have been employed for at least one year and who have worked a minimum of 1,250 hours during the prior 12 months are entitled to 12 weeks of unpaid leave to be taken during any 12-month period. Leave may be granted to eligible employees for one or more of the following reasons:

- The birth of a child and a reasonable amount of time to care for that child.
- The placement of an adopted child or a foster child.
- A serious health condition, illness, or injury to the spouse, child, or parent of an employee.
- A serious health condition, illness, or injury to an employee that renders the employee unable to perform in the workplace.

Employees requesting family and medical leave, either for themselves or to care for a family member, must provide certification of the illness or injury from a physician or other licensed health care provider. The certification must include the date on which the injury or illness began, the diagnosis and prognosis of the injury or illness, a statement that the employee is unable to perform his or her job functions, or a statement that the employee is needed to care for a spouse, child, or parent. To the extent possible, employees returning from family and medical leave will assume their former position or will be offered the first available comparable position for which they are classified. Accrual of benefits, such as vacation and holiday time, will be suspended during the leave and will resume upon return to active employment. WACD will maintain health insurance for the duration of the leave. If an employee does not return to work, that employee will be responsible for reimbursing WACD for health insurance premiums paid during the absence and may be collected from unused annual leave.

Please note: FMLA only applies if the organization employs 50 or more people. To determine if WACD is a covered employer during any portion of the calendar year for seasonal employment, the following shall apply:

The determination of whether an organization meets this 50-employee requirement is not an easy one, though, especially for employers with a high turn-over rate and employers who utilize temporary or seasonal help. Here's a short breakdown of the analysis to help you determine if your organization is a "covered employer" for purposes of the FMLA.

- Start with the correct time period. You should look to the payroll records of the current and preceding calendar year. (For example, if we were to perform the calculation today, we would need to look at the records for 2008 and 2009).
- For this period, determine how many employees the organization had who were employed for a total of 20 or more weeks. The week is based on a calendar workweek. Workweeks need not be consecutive.
- From this number, remove employees who were subject to layoff, whether temporary, indefinite, or long-term.
- Do not remove an employee who was on leave of absence or suspension but who has a reasonable expectation of returning to active employment.
- Remove any employee working at a location outside of 75 miles from the location for which the determination is being made.



Once a private employer satisfies the 50-employee and 20-week threshold, the employer remains covered until it no longer has 50 employees during 20 workweeks in both the current and preceding calendar years.

EMPLOYEE CONDUCT

WACD does not tolerate conduct that interferes with company operations or is offensive to customers or other employees. Employees are expected to conduct themselves in a professional manner.

Disciplinary Action

Any employee may be dismissed for failure to perform assigned duties, failure to conform to WACD Policies/Employee Manual, illegal use of drugs or alcohol, and commission of a crime against WACD. An employee may be dismissed for any of the above only after a review has been performed by a quorum of the WACD Executive Board.

Employees may be put on administrative leave or leave without pay pending an investigation of a crime committed against WACD or while in performance of their duties or any action, which may jeopardize the employees ability to properly, perform their tasks.

Disciplinary Procedure

The employee(s) shall be furnished with specified charges, in writing, fifteen (15) calendar days prior to the effective date of action.

The notification shall be furnished directly to the employee during working hours, or if this is not possible because the employee is absent on a regularly scheduled working day, a certified letter will be mailed to the employee's last known address.

During the fifteen (15) day period after notification of intended action, the employee will be given the opportunity (except in suspension) to improve his/her performance to acceptable standards. If during the fifteen (15) day period performance does improve to acceptable standards the Board may so notify the employee in writing of the decision to rescind the previous notification.

When an employee violates a rule or policy, the Executive Director or appropriate management staff in consultation with the Executive Board will normally follow this process:

First Violation – A meeting will be held with the employee at which time the nature of the offense will be explained to the employee. The employee will be warned that any repetition could lead to a suspension or discharge. A formal written warning of the offense, including a reference to the prior incident will be issued. A copy will be given to the employee and one sent to the personnel file.

Second Violation – The employee will be placed on leave without pay for up to three days. The employee will be notified that he or she will be on probation for a period to be determined by the WACD Board, during which time the employee will be given the opportunity to improve his/her performance. The employee will be warned that a single further offense is grounds for immediate discharge.

Third Violation – The employee will be discharged, observing the procedures outlined below for involuntary termination.

Suspension

An employee who is to be dismissed for cause may be suspended without pay for the period between notice and the effective date of the dismissal, if the WACD Executive Board believes the good of the WACD requires the immediate separation of the employee. The employee shall be notified in writing of the suspension at the same time the notice is given. The notice shall state the justification for immediate removal in addition to the specified cause(s) for dismissal, or other action.

An employee on suspension may appeal the decision to the WACD Board during the suspension and ask for a hearing before the WACD Board.

Discharge

Before discharge for any reason, the employee's length of service and past contributions to the WACD will be considered. Reassignment or early retirement will be considered, if possible. The final approval for involuntary termination rests with the WACD Board.

Termination Process

After receiving approval for involuntary termination, the Board will inform the employee at a termination interview. The WACD Board will present to the employee a final written report of disciplinary action outlining the reasons for the action and the effective date. A copy will be placed in the employee's personnel file. All keys will be turned in to the Executive Director or assigned Management Staff.

Sanctions for Inappropriate Behavior

WACD reserves the right to determine what conduct is not appropriate and what level of discipline such conduct warrants. Questions concerning this policy must be directed to the WACD Board.

Grievance Procedure

Employee's who have a grievance concerning assignments, work conditions, pay, or other items concerning their work shall following the chain of command if satisfactory results cannot be obtained by first discussing the matter with the individual's work supervisor. When the work supervisor is unable to or unwilling to make changes desired, the next step is for the person to

go to the **Executive Director or Nursery Manager as appropriate**. If the **Executive Director or Nursery Manager** is unable or unwilling to give satisfactory results the WACD Executive Board is the next step. For the WACD Board to adequately review the complaint, the employee shall put the grievance in writing and deliver it to the WACD President in a timely manner.

Conflicts of Interest and Kickbacks

Employees are prohibited from performing work, which could be construed as a "conflict of interest" by using WACD and/or the WACD Plant Materials Center name, equipment, or facilities for personal gain.

Employees are prohibited from receiving any fee, commission, or gift in return for award of a bid, contract, subcontract, etc. Discipline for such actions may include dismissal. For more information see Anti-Kickback Act, 18 U.S.C. 874, 40 U.S.C. 276b, 276c, 41 U.S.C. 51-54

FINANCIAL POLICIES AND PROCEDURES

Cash Receipts

Someone other than the Office Manager/Bookkeeper will open the mail. When opening the mail, a separate cash receipt record should be prepared. PMC and the association receipts will be kept separate. The checks will be stamped on the back and recorded prior to giving to the bookkeeper. The checks will then be given to the Office Manger/Bookkeeper who will record them in a receipt book. A copy of the receipt and check will then be stapled to the invoice and filed. Copies of the receipt, check and the deposit slip are to be filled in a separate notebook. The cash receipt from the bank shall be stapled to the carbon copy in the deposit book.

The cash receipt record should be compared on a monthly basis with the actual cash deposits listed on the bank statement for each account.

Cash Disbursements

The "Nursery Manager" ensures that the signatories are officially listed on the PMC checking account. Each check requires two signatures. Only account signers with approval of the WACD Board can authorize bank transfers.

The Plant Materials Center is authorized to disburse funds up to the budget without WACD Board approval, but must get pre-approval for any expenditure beyond the budget. Aside from purchases of brokered stock, there is a policy requiring board approval of all major purchases of \$300 or more.

Accounts Payable

All purchases require a receipt. The receipt is coded and given to the bookkeeper. When a the invoice is received, each item on that invoice is checked for a corresponding receipt, packing slip, delivery slip or some other authorization that the service or product has been received or performed. These receipts are stapled to the bill or statement.

The invoice is then entered into the computer. When entered into the computer, close attention is paid to the invoice date, invoice number, due date, terms, and account code (expense category). The invoice or statement is then stamped "entered", dated and initialed. The invoice is then filed in the Accounts Payable drawer in the correct vendor file.

When an invoice is paid; the bottom third of the check is removed and attached to the invoice. If multiple invoices are paid on one check, the date, check number and amount is noted on EACH invoice. The check is stapled to the invoice(s) with all supporting receipts or documents when it is presented for signature.

Once checks have been signed and attached to the supporting documents, they are filed.

Customer Deposits on Plants

The Bookkeeper will design and maintain a spreadsheet to track all deposits in this account. The Bookkeeper will reconcile to the general ledger no less than monthly, along with all other monthly closing procedures.

Inventory

When a sales order is ready to be shipped, a pick list is pulled and given to the Shipping Supervisor.

1. The Bookkeeper will create a detail ledger to track ins and outs to/from the cooler.
2. The data to facilitate this will come from the following places: 1) to track into the cooler, there needs to be accurate harvest records and/or packing records showing the date, quantity and product into the cooler and 2) at the time of shipping, there needs to be an accurate shipping document which then makes its way back into the office for entry into the detail ledger.
3. The bookkeeper will have a system in place to do an independent comparison of: 1) orders shipped to orders billed (to verify that everything shipped was billed properly or that revenue for the current month can be tied directly to orders shipped) and 2) the bookkeeper detail cooler ledger should approximate the inventory ledger kept by Shipping Supervisor.
4. The bookkeeper will prepare a comparison at the end of each season showing product harvested, product sold and product remaining.
5. Due to the high value of seed, the seed should be placed under a lock and with restricted access.

Sales

All write-offs' on accounts receivable and customer accounts will require board approval. The WACD Plant Materials Center Administrative Board will review the accounts receivable general ledger at each meeting to verify that there have been no unauthorized credits to the AR general ledger account. Customer statements will be mailed monthly.

Conflict of Interest Policy and Procedures

The Washington Association of Conservation Districts (WACD) Plant Materials Center (PMC) is a nonprofit, tax exempt organization. Maintenance of its tax exempt status is important both for its continued financial stability and for public support. Therefore, the IRS as well as state regulatory and tax officials view the operation of the WACD Plant Materials Center as a public trust, which is subject to scrutiny by and accountable to these authorities, as well as, to members of the public.

I. Application of Policy

This policy is intended to supplement, but not replace, federal and state laws governing conflicts of interest applicable to nonprofit corporations. It applies to board members, as well as their relatives and associates, and to who are hereinafter referred to as "interested parties."

II. Definition of Conflict of Interest

A conflict of interest may exist when the interests or concerns of an interested party may be seen as competing with the interests or concerns of the WACD PMC. The variety of situations that raise conflict of interest concerns include, but are not limited to, the following:

A. Financial Interests - A conflict may exist where an interested party directly or indirectly benefits or profits as a result of a decision, policy or transaction made by the WACD PMC. Examples include situations where:

- WACD Plant Material Center contracts to purchase/lease goods, services, or property from an interested party.
- WACD Plant Material Center offers employment to an interested party, other than a person who is already employed by WACD Plant Material Center.
- An interested party uses their relationship with a WACD Plant Material Center client to obtain employment, a contract or other benefit.
- An interested party is provided use of the facilities, property, or services of WACD Plant Material Center in a manner that would not be available to other community members.
- WACD Plant Material Center adopts a policy that specifically creates a financial benefit to an interested party.

B. Other Interests - A conflict also may exist where an interested party obtains a non-financial benefit or advantage that he/she would not have obtained absent his/her relationship with WACD PMC.

Examples include where:

- An interested party seeks to make use of confidential information obtained from WACD Plant Material Center or a WACD Plant Material Center client for his/her own benefit (not necessarily financial).
- WACD Plant Material Center adopts a policy that provides a significant nonfinancial benefit to an interested party.

A conflict of interest exists only when the WACD Board decides there is a conflict.

III. Disclosure of Potential Conflicts of Interest

An interested party is under a continuing obligation to disclose any potential conflict of interest as soon as it is known or reasonably should be known.

- WACD Board members, WACD PMC Board Members and the Nursery Manager complete an Affirmation of Compliance form (Appendix B) when they join the Board(s) or staff and annually thereafter.
- Any interested party completes the Disclosure of Potential Conflict of Interest Statement (Appendix A) to disclose any potential conflicts of interest. Disclosure Statements and Affirmations of Compliance will be submitted as follows:
 - For PMC Board members, the disclosure statements will be provided to the Board chair.
 - The PMC's Board chair's disclosure statement shall be provided to WACD's President.
 - In the case of staff and consultants/volunteers, the disclosure statements shall be provided to the Nursery Manager.
 - In the case of the Nursery Manager, the disclosure statement shall be provided to the chair of the PMC Board.

The WACD President or the person designated by the WACD Board as the reviewing official is responsible for bringing potential conflicts to the attention of the WACD Board or the Nursery Manager. The WACD President shall file copies of all disclosure statements with the official corporate records of WACD Plant Material Center

IV. Procedures for Review of Potential Conflicts

whenever, there is reason to believe that a potential conflict of interest exists, the WACD Board shall determine the appropriate response. The WACD President or designated reviewing official has a responsibility to bring a potential conflict of interest to the attention of the WACD Board for action at the next regular meeting or during a special meeting called specifically to review the potential conflict of interest. WACD shall refrain from acting until such time as the proposed action, policy or transaction has been approved by the disinterested members of the WACD Board. Whenever there is reason to believe that a potential conflict of interest exists between WACD Plant Materials Center and a consultant/volunteer, the Nursery Manager shall determine the appropriate response. The Nursery Manager shall report to the WACD Executive Director the results of any review and the action taken. The WACD Board shall determine whether any further board review or action is needed.

V. Procedures for Addressing Conflicts of Interest

The following procedures shall apply to all WACD employees:

1. An interested party who has a potential conflict of interest with respect to a proposed action, policy or transaction of the corporation shall not participate in any way in, or be present during, the deliberations and decision-making vote of WACD. However, the interested party shall have an opportunity to provide factual information about the proposed conflict and/or action, policy or transaction. Also, the WACD Board may request that the interested party be available to answer questions.
2. The disinterested members of the WACD Board may approve the proposed action, policy or transaction upon finding that it is in the best interests of WACD. The WACD Board shall consider whether the terms of the proposed action, transaction or policy are fair and reasonable to WACD and whether it would be possible, with reasonable effort, to find a more advantageous arrangement with a disinterested party.
3. Approval by the disinterested members of the board shall be by vote of a majority of directors in attendance at a meeting at which a quorum is present. An interested party shall not be counted for purposes of determining whether a quorum is present, or for purposes of determining what constitutes a majority vote of directors in attendance.
4. The minutes of the meeting shall reflect that the conflict disclosure was made to the board, the vote taken and, where applicable, the abstention from voting and participation by the interested party. Whenever possible, the minutes should frame the decision of the board in such a way to provide guidance for consideration of future conflict of interest situations.

VI. Violations of Conflict of Interest Policy

If the WACD Board or WACD Executive Director (for staff /volunteers) has reason to believe that an interested party has failed to disclose a potential conflict of interest, it shall inform the person of the basis for such belief and allow the person an opportunity to explain the alleged failure to disclose.

If the WACD Board or General Manager (for staff/volunteers) decides that the interested party has in fact failed to disclose a possible conflict of interest, the board shall take such disciplinary and corrective action as the WACD Board shall determine.

COBRA Continuation Health Coverage FAQ

Q: What is COBRA continuation health coverage?

Congress passed the landmark Consolidated Omnibus Budget Reconciliation Act (COBRA) health benefit provisions in 1986. The law amends the Employee Retirement Income Security Act, the Internal Revenue Code and the Public Health Service Act to provide continuation of group health coverage that otherwise might be terminated.

Q: What does COBRA do?

COBRA provides certain former employees, retirees, spouses, former spouses, and dependent children the right to temporary continuation of health coverage at group rates. This coverage, however, is only available when coverage is lost due to certain specific events. Group health coverage for COBRA participants is usually more expensive than health coverage for active employees, since usually the employer pays a part of the premium for active employees while COBRA participants generally pay the entire premium themselves. It is ordinarily less expensive, though, than individual health coverage.

Q: Who is entitled to benefits under COBRA?

There are three elements to qualifying for COBRA benefits. COBRA establishes specific criteria for plans, qualified beneficiaries, and qualifying events:

Plan Coverage -

Group health plans for employers with 20 or more employees on more than 50 percent of its typical business days in the previous calendar year are subject to COBRA. Both full and part-time employees are counted to determine whether a plan is subject to COBRA. Each part-time employee counts as a fraction of an employee, with the fraction equal to the number of hours that the part-time employee worked divided by the hours an employee must work to be considered full time.

Qualified Beneficiaries -

A qualified beneficiary generally is an individual covered by a group health plan on the day before a qualifying event who is an employee, the employee's spouse, or an employee's dependent child. In certain cases, a retired employee, the retired employee's spouse, and the retired employee's dependent children may be qualified beneficiaries. In addition, any child born to or placed for adoption with a covered employee during the period of COBRA coverage is considered a qualified beneficiary. Agents, independent contractors, and directors who participate in the group health plan may also be qualified beneficiaries.

Qualifying Events -

Qualifying events are certain events that would cause an individual to lose health coverage. The type of qualifying event will determine who the qualified beneficiaries are and the amount of time that a plan must offer the health coverage to them under COBRA. A plan, at its discretion, may provide longer periods of continuation coverage.

Qualifying Events for Employees:

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in the number of hours of employment

Qualifying Events for Spouses:

- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee
- Covered employee's becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Qualifying Events for Dependent Children:

- Loss of dependent child status under the plan rules
- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee
- Covered employee's becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Q: How does a person become eligible for COBRA continuation coverage?

To be eligible for COBRA coverage, you must have been enrolled in your employer's health plan when you worked and the health plan must continue to be in effect for active employees. COBRA continuation coverage is available upon the occurrence of a qualifying event that would, except for the COBRA continuation coverage, cause an individual to lose his or her health care coverage.

Q: What group health plans are subject to COBRA?

The law generally covers health plans maintained by private-sector employers with 20 or more employees, employee organizations, or state or local governments.

Q: What process must individuals follow to elect COBRA continuation coverage?

Employers must notify plan administrators of a qualifying event within 30 days after an employee's death, termination, reduced hours of employment or entitlement to Medicare.

A qualified beneficiary must notify the plan administrator of a qualifying event within 60 days after divorce or legal separation or a child's ceasing to be covered as a dependent under plan rules.

Source: U.S. Department of Labor

Appendix B

Potential Conflict of Interest Disclosure Statement

Please complete the questionnaire below, indicating any potential conflicts of interest. If you answer "yes" to any of the questions, please provide a written description of the details of the specific action, policy or transaction in the space allowed. Attach additional sheets as needed.

A conflict may exist where an interested party directly or indirectly benefits or profits as a result of a decision, policy or transaction made by the WACD Plant Materials Center. The interested party would not have obtained this benefit were it not for his/her relationship with the WACD Plant Materials Center.

- Has the WACD proposed to contract or contracted to purchase or lease goods, services, or property from you or from any of your relatives or associates?
- WACD Board members and their appointed representatives, WACD Executive Director and Nursery Manager only: Has WACD at the Plant Materials Center offered employment to any of your relatives or associates?
- Have you used your relationship with the WACD to obtain a contract, employment for yourself or any of your relatives or associates, from a person or entity that does business with the WACD?
- Have you or any of your relatives been provided use of the facilities, property, or services of the WACD in a way that is not available to others who benefit from the organization's services?
- Have you, a relative or an associate been in a position to benefit financially from an action, policy or transaction made by the WACD?

Other issues or situations not addressed above:

Name (Please print) _____

Signature _____ Date _____

Conflict of Interest Affirmation of Compliance

I have received and carefully read the Conflict of Interest Policy for WACD Board members, their appointed representatives, the WACD Executive Director and Nursery Manager. I have considered not only the literal expression of the policy, but also its intent. By signing this affirmation of compliance, I hereby affirm that I understand and agree to comply with the Conflict of Interest Policy. I further understand that the WACD is a nonprofit organization and that in order to maintain its federal tax exemption it must engage primarily in activities that accomplish one or more of its tax-exempt purposes without personal inurnment or benefit by board members., consultants/volunteers or staff (other than by salary).

I hereby state that I do not have any conflict of interest, financial or otherwise that may be seen as competing with the interests of the WACD, nor does any relative or associate have such a potential conflict of interest.

If any situation should arise in the future that I think may involve me in a conflict of interest, I will promptly and fully disclose in writing the circumstances to the WACD President, WACD Executive Director or to the Nursery Manager, as applicable.

I further certify that the information set forth in the Disclosure Statement and attachments, if any, is true and correct to the best of my knowledge, information and belief.

Name (Please print) _____

Signature _____ Date _____

Annual Review and Reaffirmation

Signature _____ Date _____

Signature _____ Date _____

Signature _____ Date _____

Whistleblower Policy and Procedures

WACD encourages employees, volunteers and others related to the organization to report any violation of policy, procedure, or ethics; illegal activity; or other misconduct by employees, volunteers, or others related to the organization. No person who in good faith reports a violation shall suffer harassment, retaliation or adverse employment consequence. An employee, board member, or volunteer who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Procedures:

Reports can be made directly to the WACD President, the WACD Executive Director, and/or WACD Nursery Manger.

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