



# Humanities MONTANA

## PERSONNEL POLICIES AND PROCEDURES MANUAL

Approved by the Humanities Montana  
Board of Directors on February 11, 2023

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# 1

## **WORKPLACE CONDITIONS AND PRACTICES**

## 1.01 Non-Discrimination/Anti-Harassment

### Policy

We expect employees to develop and maintain businesslike relationships free of bias, prejudice, and harassment. In keeping with this commitment, we will not tolerate unlawful harassment or discrimination of employees by anyone, including any supervisor, manager, coworker, vendor, client, contractor, customer, or other regular HM visitor. Employees have a responsibility to treat others with dignity and respect. Any employee found to have willfully exhibited inappropriate conduct or behavior against others may be subject to disciplinary action up to and including discharge.

Equal Employment Opportunity is a fundamental principle at HM, where employment is based upon personal capabilities without discrimination on the basis of any legally protected classification, such as race; color; religion; sex (including pregnancy, gender, and sexual orientation); national origin; age; disability when the reasonable demands of the position do not require distinction based on age, physical or mental disability, marital status, or sex; covered veteran status; or any other protected characteristic as established by federal, state, and local laws.

This policy applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, layoff, discharge, training, and all other terms, conditions, and privileges of employment. Questions or concerns should be referred to the executive director, who has overall responsibility for this policy, maintaining reporting and monitoring procedures.

## 1.02 Accommodation

Any employee who requires reasonable accommodations for any mental or physical disability or religious belief/practice, etc., either for their current job or for jobs for which they wish to apply, is to contact their supervisor or the executive director. It is important that employees notify us of their need for an accommodation. Once that is done, HM will work with the employee through an interactive process to evaluate and, if possible, arrange for a reasonable accommodation. Generally, a reasonable accommodation will be attempted unless it creates an undue hardship for the organization. A reasonable accommodation does not mean the elimination of an essential function of the job.

## 1.03 Harassment/Non-Discrimination

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status or any other characteristic protected by law. HM will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. Such harassment may include, for example, jokes about another person's protected status or kidding, teasing, or practical jokes directed at a person based on his or her protected status.

This policy applies to conduct occurring in the workplace and/or in other settings where HM employees may be in connection with their work, such as business trips and business-related social events. Further, these prohibitions apply not only to the spoken or written word but also to email, text messages, and social media posts.

Prohibited conduct also includes, but is not limited to:

- Epithets; slurs; negative stereotyping; threatening; use of hate words (such as the n-word); hostile, offensive, aggressive, or intimidating acts that are based on a person's protected status; and epithets, slurs, and rude or offensive comments not based on a protected status but intended to belittle, intimidate, humiliate, or embarrass another
- Written or graphic material circulated within or posted within the workplace, on organization time or using organization equipment by email, phone (including voice messages), text messages, social networking sites, etc. that shows hostility toward a person or group because of their protected status

The harassment policy applies equally to social media posts, tweets, etc., that are about or may be seen by other employees, constituents, clients, competitors, etc.

For example, an employee's Facebook account may be configured as private. But if coworkers are connected and see the posts, the posts are fair and eligible for corrective action if they cross these boundaries.

## 1.04 Sexual Harassment

All HM employees, other workers, and representatives (including vendors, constituents or speakers, and visitors) are prohibited from sexually harassing employees and other covered persons based on an individual's sex or gender. Sexual harassment may include subtle and not-so-subtle behaviors, may be directed toward individuals of the same or different gender, and may include explicit sexual propositions; sexual innuendo; commentary about an individual's body, sexual prowess or sexual deficiencies; sexually oriented "kidding" or "teasing"; "practical jokes"; jokes about obscene printed or visual material; staring, leering or whistling; insulting or obscene comments or gestures; and physical contact such as patting, pinching, or brushing against another person's body.

Sexual harassment includes unwelcome verbal or physical conduct of a sexual nature when:

- Submission to the conduct is implicitly or explicitly made a term or condition of employment;
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual; or
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Prohibited Sexual harassment also includes, but is not limited to:

- Harassment directed toward a person because of gender;
- Propositions or pressure to engage in sexual activity;
- Sexual assault;
- Display of magazines, books, or pictures with a sexual connotation; and
- Any harassing behavior, whether or not sexual in nature, directed toward a person because of the person's gender, including, but not limited to, hazing employees working in nontraditional work environments.

## 1.05 Retaliation

Neither HM nor any of its employees will retaliate against any applicant, employee, or past employee for opposing unlawful discriminatory practices or for reporting or assisting in making a harassment or discrimination complaint or cooperating in a harassment or discrimination investigation. Retaliation in any form is grounds for disciplinary action up to and including discharge.

### **Complaint Procedure**

All employees are responsible for helping ensure that HM avoids all forms of harassment, discrimination, and retaliation in the workplace. Whenever possible, any person who is experiencing unwelcome conduct of the type generally described above should inform the person engaging in the conduct that it is unwelcome and request that it stop. Employees who believe they have been subjected to discrimination, harassment, or retaliation, or who have witnessed such behavior, should immediately report this information to their supervisor or the executive director.

## 1.06 Corrective Action

Neither HM, nor any of its employees, will retaliate against any applicant, employee, or past employee for opposing unlawful discriminatory practices, reporting, or assisting in making a harassment or discrimination complaint or cooperating in a harassment or discrimination

## 1.07 Management's Rights

### **Policy**

The HM board of directors has the right to establish, change, and abolish its policies, practices, rules, and regulations; the right to select, hire, promote, demote, suspend, dismiss, assign, supervise, and discipline the executive director; to determine and modify the executive director's job description and job evaluation; and to assign duties to the executive director in accordance with the needs and requirements determined by the board.

The executive director of HM has the right to exercise all functions of management necessary and appropriate for implementation of the policies of the board of HM. These include, but are not limited to, the right to manage and control the premises and equipment; the right to select, hire, promote, demote, suspend, dismiss, assign, supervise, and discipline employees; to determine and change the size, composition, and qualifications of the work force needed to implement board policies; to determine and modify job descriptions, job evaluations, and job classifications; to determine and change methods and means by which its operations are to be carried out in order to implement board policies; to assign duties to employees in accordance with the needs and requirements determined by the board; and to carry out all ordinary functions of management.

## 1.08 Standard Office Hours

### Policy

The HM offices will normally be open from 9:00 a.m.–5:00 p.m. Monday–Friday.

## 1.09 Equipment Use

### Policy

Employees are expected to use HM's equipment carefully and its supplies prudently. HM's electronic resources, including but not limited to computers, telephones, photocopiers, electronic mail, internet access, and voicemail, are organization property provided solely to assist employees in furthering HM's mission. As part of the cooperative arrangement with the University of Montana, Board of Regents/University of Montana Policies related to network use and security apply to HM when computers or devices are using the UM Network.

### Procedure

1. HM's time and resources are to be used for HM's business. While minor, incidental, non-business use of HM resources is permitted, such use should be limited to that which is appropriate for a professional business environment.
2. In cases of obvious misuse of equipment or supplies, an employee may be expected to pay all or a part of the replacement and/or repair costs.
3. Excessive non-business use or misuse of HM's electronic resources will result in discipline up to and including termination.
4. The following are strictly prohibited:
  - Displaying, downloading, creating, or transmitting explicit, vulgar, profane, or obscene images or messages which could be perceived to be discriminatory, harassing, disparaging, or otherwise offensive to others
  - Soliciting or addressing others for commercial, charitable, religious, or political causes
  - Transacting business unrelated to HM's work

- Any other communication or conduct that is illegal, unethical, or inconsistent with HM's business, professional image, and/or policies
- 5. Humanities Montana reserves the right to inspect, access, retrieve, and monitor any use of its electronic resources with or without notice to its employees. Employees should have no expectation of privacy when using any organization resources. Toward this end access credentials such as usernames and passwords to any computers, networks, online services, etc. will be disclosed to the executive director and other staff as appropriate.

## 1.10 Drug Free Workplace

### Policy

It is the policy of HM to provide a drug-free workplace for its employees. HM employees shall not engage in the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances (drugs) on the job or in conducting any activities with federal funds. Any employee found to have violated this rule will receive a warning from the executive director and will be expected to cease and desist manufacturing, distributing, dispensing, or holding controlled substances immediately. If an employee is found to be using a controlled substance, s/he must enroll in a drug rehabilitation program as soon as possible. Non-compliance may result in job termination.

### Procedure

Employees of HM shall be required, as a condition of their employment, to abide by the terms and conditions of the [Drug-Free Workplace Act](#).

## 1.11 Smoking

### Policy

There will be no smoking in the administrative offices. Employees shall abide by the smoking rules of the University of Montana elsewhere in Brantly Hall and on the campus.

## 1.12 Firearms/Weapons

### Policy

Possession of firearms, handguns, or any related items, weapons, or materials while on HM business or while on organization premises, or in an organization-owned vehicle is prohibited. Any employee in violation of this policy will be subject to prompt disciplinary action, up to and including discharge.

## 1.13 Conflict of Interest

### Policy

Employees of HM must be careful to undertake no actions that constitute a conflict of interest or appear to constitute a conflict of interest. A conflict of interest can exist when an employee or a family member:

- Serves in a leadership role with, or otherwise makes significant contributions of time or money to, an organization that applies for funding from HM
- Has a financial or other interest in a business or organization that supplies goods and services to HM
- Receives compensation from HM other than expense reimbursement, salary, wages, and benefits
- Receives compensation, gifts, discounts, or anything else of value from a person, business, or organization that receives funding from or transacts business with HM
- Shares information about internal HM funding or purchasing decision-making that might result in preferential consideration for any individual, business, or organization with whom the employee or family member has a relationship

Employees shall disclose any such conflicts of interest or potential conflicts of interest annually as well as immediately at such time during the year that a conflict or apparent conflict arises. Disclosure shall take place on forms prescribed by HM.

It is the responsibility of the executive director (or the board chair, in the case of a conflict of interest involving the executive director) to review conflict of interest disclosures and work with the employee to eliminate or minimize the conflict of interest as appropriate. Failure to disclose a conflict of interest or to follow the guidance of the executive director with regard to a disclosed conflict can result in disciplinary action up to and including termination.

This policy is intended to supplement, but not replace, applicable federal and Montana laws, circulars, statutes, rules, and regulations applicable to HM as a not-for-profit, tax-exempt entity and as a recipient of NEH and other federal, state, and private funding.

### Procedure

1. A conflict-of-interest form shall be created for employees to disclose conflicts of interest and potential conflicts of interest. This form shall be completed by December 31 each year by all employees. An employee must complete an additional form whenever a conflict of interest arises during the year. The form asks for the organization, business, or person with whom the conflict may exist, the nature of the conflict, and proposed resolution of the conflict.
2. The executive director (and the board chair in the case of a conflict of interest disclosed by the executive director) shall review all disclosure forms and discuss each disclosed conflict with the employee. The executive director or board chair shall approve or amend the resolution of each conflict and share that with the employee in writing. The conflict resolution decision of the executive director or

- board chair may be grieved under the section 3 Grievance Procedures.
3. Failure to disclose a conflict of interest or to follow the resolution decision of the executive director or board chair with regard to a disclosed conflict can result in disciplinary action as detailed in these policies.
  4. Employees may not benefit from a HM grant for up to six months following the termination of their employment with HM.

## 1.14 Worker's Compensation

### Policy

HM purchases workers' compensation insurance for all employees in case of work-related injury. It is in the best interest of both HM and the injured employee for the employee to return to work as soon as possible, which may include temporary work modifications as recommended by the employee's doctor.

Workers' compensation medical practitioner payments and wage-loss compensation benefits vary according to the nature and extent of injury and any subsequent disability. Employees are not eligible for both HM health insurance coverage and workers' compensation medical practitioner payments for the same work-related injury. Employees are not eligible for both sick leave and workers' compensation wage-loss benefits simultaneously.

HM will continue to make health insurance contributions for an employee receiving workers' compensation wage-loss benefits for up to four consecutive months.

### Procedure

1. An injured employee should notify the executive director (or other supervisor, in their absence) of a work-related accident or injury no later than the next business day after its occurrence unless precluded by emergency medical treatment. An injured employee requiring medical attention should also notify the executive director of their treatment as soon as possible and include the name and phone number of the medical provider.
2. Under any circumstances, an employee or their representative must formally report any work-related injury no later than 30 days of the injury to executive director to be eligible for workers' compensation coverage.
3. The executive director (or other supervisor receiving the report of injury) should complete and submit the requisite injury report (paper, phone, or online), with the assistance of the injured employee if possible, to the insurer within 24 hours of receiving notification of the injury to the workers' compensation insurer. Under any circumstances, the executive director (or other supervisor receiving the report of the injury) must file a report within six days of receiving the notification of the injury.
4. Under any circumstances, an employee must submit any claims for medical care or wage loss within 12 months of the accident to be eligible for workers' compensation coverage.

## 1.15 Overtime

### Policy

Non-exempt employees will attempt to arrange alternative work schedules, with the written approval of the executive director, so that overtime hours are kept to a minimum. However, when approved overtime hours are incurred, non-exempt employees will be compensated as provided by state and federal law.

### Procedure

1. The standard work week is Monday through Sunday.
2. Overtime hours are those worked in excess of 40 hours in any given work week.
3. Hours worked include hours in the office and hours outside the office where the employee is expected to be working or in attendance.
4. Hours worked do not include travel and meals, unless the employee has an official function during these times (e.g., speaker, supervising caterer, designated driver, etc.).
5. Employment contracts will specify if an employee is an overtime-exempt or non-exempt employee.
6. Employees must obtain the written approval of the executive director prior to working any additional time that constitutes overtime. The executive director is responsible for insuring that employees do not work any unauthorized overtime. The employee is responsible for limiting overtime to that which is approved by the executive director and for obtaining the approval of the executive director for any overtime worked.
7. Non-exempt employees are to be compensated at a rate of one-and-one-half times their hourly rate for any overtime hours worked.

## 1.16 Employee Development

### Policy

HM makes every effort to further an employee's career by providing professional and personal development through in-service education, on-the-job training, and workshops, when its budget makes this possible.

### Procedure

1. When in-service education, workshops, and on-the-job training are required by the supervisor and approved in advance, HM will pay reasonable expenses.
2. Employees will be paid for attendance at workshops, in-services, and on-the-job training approved in advance by the supervisor.

## 1.17 Paycheck Distribution

### Policy

Paychecks will be distributed to employees no later than the last business day of each month.

## 1.18 Travel

### Policy

All travel in conduct of HM business must be approved by the executive director in advance. The HM expense voucher is intended to reflect total reimbursable expenditures related to a trip. When travel involves prepayment by HM of transportation tickets, registration fees, or lodging, those related expenditures should not be reflected on the expense voucher.

### Procedure

1. Expense vouchers must include the original lodging receipt from a licensed facility, original receipts for miscellaneous expenses, and original receipts for transportation tickets purchased with personal funds.
2. Completed expense vouchers should be given to the fiscal officer for processing. Payable checks are disbursed on the 5th or 20th days of each month.
3. HM adopts travel reimbursement rates for the fiscal year as part of the board approval of the annual operating budget. Rates generally follow the State of Montana rates for reimbursement of personal car mileage and meal expenses:
  - Actual personal car mileage is reimbursed at the adopted rate.
  - Per diem at the adopted rate: If claiming more than per diem for meals, original receipts must accompany the expense voucher.
4. Use of the employee's personal car for work-related errands must be approved by the executive director in advance and will be reimbursed at the current rate-per-mile.

## 1.19 Vehicle Use

### Policy

Any employee who operates a motor vehicle (either personally owned or organization-provided, including rental vehicles) while on HM business is held strictly responsible for compliance with HM policies and all traffic regulations of the city, county, and state. If a personal vehicle is used for organization business, proof of insurance shall be required.

Any employee who operates a vehicle on behalf of HM must maintain an unrestricted,

appropriate operator's license and shall maintain insurability status with our HM-provided insurance carrier to operate an organization-owned vehicle. Failure to maintain an unrestricted, appropriate driver's license or insurability may be cause for suspension or discharge.

All employees who drive organization vehicles and personal vehicles for organization business shall use and ensure that all passengers use available safety belt equipment installed in the vehicle being operated.

## Procedure

### **Safety Expectations When Using Mobile Electronic Devices:**

1. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs. Employees whose job responsibilities include regular or occasional driving are expected to refrain from using mobile devices while driving. Safety must come before all other concerns. Regardless of circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options, refrain from discussion of complicated or emotional issues, and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather, or the employee is driving in an unfamiliar area.
2. Employees who are charged with traffic violations while driving will be solely responsible for all liabilities resulting from such actions.
3. HM-owned or rented equipment and vehicles must be used for organization business only and not for personal business or pleasure unless pre-authorized by management. The vehicle issued to you is for work and to drive directly to and from work and home. Employees are not permitted to allow members of family or others to drive or use an organization vehicle.
4. Accidents and/or traffic violations while on HM business must be reported immediately to management or the employee's supervisor.
5. Employees are reimbursed for any business travel expenses. Proper receipts and validation are necessary for reimbursement.

## 1.20 Telecommuting

### **Policy**

Telework, Telecommuting and Flexible Work Arrangements: HM considers telecommuting to be a viable work option for specific circumstances under which employees work at a location outside of or away from their traditional workplace. HM specifically limits this type of work arrangement to situations where such opportunities maintain needed flexibility and benefit the functions of the work unit. Telework arrangements will only be approved if the needs of both internal and external constituents can be met without adverse impact to the organization. All Telework arrangements are to be considered temporary unless noted as permanent by the written telework agreement.

Telecommuting may be appropriate for some employees and roles but not for others. Telecommuting is not an entitlement, it is not an organization-wide benefit, and it in no way changes the terms and conditions of employment with HM.

## **Procedure**

HM will consider the following telework arrangements, both of which require a written request to telecommute to the Executive Director and a signed telecommute work agreement:

### **Telework Considerations:**

1. **Informal telework:** Temporary telecommuting arrangements may be approved for circumstances such as emergency closing due to inclement weather or special projects. These arrangements are considered on an as-needed basis only, with no expectation of ongoing continuance.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization and safety.

2. **Routine telework:** This is permitted only under the terms of a signed telecommute work agreement.

Telework arrangements will be reviewed on a case-by-case basis and can only be approved by the executive director.

Any telecommuting arrangement is considered to be on a trial basis and may be discontinued at any time at the request of either the telecommuter or the organization. Every effort will be made to provide reasonable notice of such change to accommodate commuting, childcare, and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

Telecommuting is not designed to be a replacement for childcare or caregiving. Although an individual employee telecommuting from their home may be more accessible to loved ones, their focus of the arrangement must remain on satisfactory job performance, meeting business demands, and providing work services during scheduled hours/days. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

### **Eligibility:**

Before entering into any telecommuting agreement, the employee and the executive director will evaluate the suitability of such an arrangement, reviewing the following areas:

- **Employee suitability:** The employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- **Job responsibilities:** The employee and manager will discuss the job responsibilities

and determine if the job is appropriate for a telecommuting arrangement. Telework agreements may be approved only if a portion of the employee's workload can be completed outside of the office.

- Equipment needs, workspace design considerations, and scheduling issues: The employee and supervisor will review the physical workspace needs and the appropriate location for the telework.
- Tax and other legal implications: The employee must determine any tax or legal implications under IRS, state, and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

**Time Worked:**

- Employees who telework are expected to be available during regular business hours via email and have functioning phone service and internet.
- Telecommuting employees will be required to accurately record all hours worked using HM's time-keeping system. Hours worked in excess of those scheduled per day and per work week require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.
- Unless agreed-to by the executive director in writing, all non-exempt employees who telework are expressly prohibited from working any additional hours beyond their regularly scheduled hours, shift, and/or regular business day.

**Staffing:**

The telecommuting employee's supervisor is responsible for ensuring adequate staffing coverage at the program's offices during core business hours and while other program staff are away from the office conducting outreach. The supervisor is responsible for ensuring that the relevant staff calendars are coordinated and managed effectively.

**Security:**

Consistent with the organization's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary organization and constituent information accessible from their home office. The employee must take appropriate safeguards to secure confidential data and information. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

**Safety:**

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with their regular work duties are normally covered by the organization's workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to their home worksite.

**Equipment and Reimbursement:**

HM will provide the following equipment:

- Laptop computer and power cord

HM may reimburse employee(s) for certain expenses relating to the teleworking arrangement. For qualifying reimbursements and amounts, employees are asked to coordinate with the executive director. Employees will submit a receipt (proof of purchase) for any expense reimbursement request.

**NOTE: The Telecommute Work Agreement may be altered or ended for any business necessity that requires so, or if the employee violates or abuses this policy.**

# 2

## **EMPLOYMENT PROCEDURES**

## 2.01 Board and Staff Relations

1. Executive director: The executive director of HM is selected by secret vote of the board of HM, following a search and recommendation made by a search committee.
2. Review of executive director: HM will attempt to conduct periodic reviews of its executive director. The reviews will occur on or around the conclusion of the executive director's first six months of employment, and annually thereafter.

The board chair will form an evaluation committee (which may be the executive committee of the board). The executive director will prepare a report to the board concerning his or her performance for the period under review. Copies of this report and of an evaluation questionnaire will be distributed to all members of the board. Each member will complete the questionnaire and add written evaluative comments. The questionnaire will permit all members of the board to contribute to the review, confidentially if they so wish. Members will then return the completed questionnaires and comments directly to the chair of the evaluation committee.

The committee chair will summarize the comments and results of the questionnaire and present these for discussion to all members of the evaluation committee. Once the committee has reached consensus on the evaluation results, the committee chair will forward the summary to the board chair. Whenever possible, the board chair will discuss the findings with the full board prior to meeting with the executive director. The board chair will then forward the evaluation report to the executive director and they will subsequently discuss the findings in person or by phone. The file of questionnaires and other documents relating to the review will be maintained by the board chair.

The review process is intended to assist in strengthening the performance of the executive director and ensure open communication, as well as to serve as a basis for compensation consideration, redefinition of the position, termination, or other action. The board may undertake other means of review (for example, peer review or survey of constituencies) as circumstances warrant.

3. Staff: The executive director of HM is responsible for hiring and supervising the work of other staff. The executive director has the authority to terminate the employment of other staff members for good cause.

## 2.02 Staff Classifications

### Policy

HM strives to designate employees properly to assure equitable treatment and pay. Employee classification will be in accord with applicable state and federal policies.

### Procedure

- Upon initial hiring, employees will be designated as either exempt (salaried) or non-exempt (paid at an hourly rate) based upon the Federal Fair Labor Standards Act and other applicable federal and state requirements.

- Upon initial hiring, employees will be designated as full- or part-time and their weekly work hours specified. All employees working an average of at least 30 hours per work week will be considered full-time.
- Upon initial hiring, employees will be designated as temporary or regular..

## 2.03 Probationary Work Period

### Policy

All new and rehired employees work on a probationary basis during the first 12 months (365 days) of employment (or as determined by state law). All new regular employees may be evaluated on or around one month, three months, six months, and 12 months following their first day of work. During this period, the new employee will have the chance to become familiar with the work; the executive director will also have an opportunity to see how well the new employee is suited for assigned duties and responsibilities. New employees may be formally evaluated at the conclusion of each of these periods of time.

### Procedure

1. During a probationary period of employment, either the employee or HM may end the employment relationship at will at any time, with or without cause or advance notice. Probationary employees do not have access to the grievance process to appeal disciplinary action or discharge. During the probationary period, new and rehired employees are eligible for the benefits required by law. Employees may be eligible for other organization-provided benefits, subject to the terms and conditions of each benefit program. Employees shall be informed of the details of specific benefits programs as they become eligible.
2. This probationary period may be extended at the discretion of the executive director.

## 2.04 Performance Evaluations

### Policy

Purpose of Performance Reviews: HM attempts to conduct annual performance reviews of all employees. Performance reviews help management ensure that:

- Employees meet reasonable workplace standards and goals
- Supervisors may have an opportunity to assess employee achievement and areas needing improvement with respect to these standards and goals
- Employees may be on notice about supervisor assessments

### Procedure

Review Process: The performance review process generally functions as described below,

but the organization reserves the right to modify or eliminate all or any part of this process, in its discretion, at any time.

**Self-Assessment:** HM may begin the review process with a self-assessment. The self-assessment provides an opportunity for employees to characterize accomplishments since their hire or last review date. These may include goals met or additional achievements above and beyond expectations. The self-assessment also gives employees a chance to describe challenges overcome, lessons learned, and suggestions for how management or supervisors can provide additional support.

**Organization Performance Ratings:** Employees are evaluated against a set of criteria. Supervisors will assess, across a variety of indicators, whether employees exceed, meet, or fail to meet expectations.

Examples of areas of assessment include:

- Knowledge of the job
- Communication skills
- Productivity and work quality
- Adaptability to changing circumstances
- Professionalism
- Initiative and creativity
- Time management and reliability
- Interpersonal skills
- Leadership abilities
- Management

**Goals:** Working with supervisors, employees may have an opportunity to set goals for the coming review period. Subsequent reviews may take into consideration goals articulated in prior reviews.

**Training and development needs:** Supervisors may suggest, as appropriate and in conjunction with the employee, additional training and development that can be used to help the employee improve performance.

**Employee comments:** Finally, the employee may have an opportunity to provide personal commentary and will be asked to sign and date the review, along with the supervisor or another employer representative.

## 2.05 Personnel Files

### Policy

To assure accuracy and fairness, the executive director will maintain current, complete personnel files for each full-time employee.

### Procedure

1. The personnel file will contain the employee's current resume, letter or contract of appointment, all submitted work plans, the employee's annual self-evaluations, the supervisor's annual reviews, and any other documents deemed relevant to evaluating the employee's performance. Employees will have access to their personnel files upon request. The file must remain in the executive director's office, but documents from the file can be copied with permission of the executive director.
2. The executive director's personnel file will be kept by the current board chair as part of the board chair handbook. Copies of all materials will be kept in the executive director's office.

## 2.06 Protected Health Information

### Policy

Due to privacy standards and protected health issues, HM will use reasonable and appropriate safeguards to protect employees' health information.

### Procedure

Health information will be kept in a secure location, and it will only be accessible on a need-to-know basis for proper management and administration of the organization. The executive director has been assigned as the privacy officer. Employees have certain rights regarding their private health information (PHI). Please direct questions to the executive director.

## 2.07 Disciplinary Action

### Policy

It is the policy of HM to initially encourage and support employees to self-correct performance problems, minor rule violations, and other minor forms of misconduct. Discipline is at the discretion of HM and shall be decided on a case-by-case basis. **An employee who disagrees with any disciplinary action is required to follow the internal complaint process.**

Any employee conduct interfering with the effective operation of HM's business is prohibited. The performance standards listed below, and others which may be established from time to time, are not all-inclusive. Rather, they are published to provide a general understanding of what HM considers unacceptable conduct. These performance standards are merely examples of the types of misconduct for which employees may be disciplined or dismissed.

## Procedure

HM may impose disciplinary action in those instances where management decides it is appropriate. Disciplinary action includes, but is not limited to, oral warnings, written warnings, suspension, or discharge. HM retains the right to determine what discipline may be imposed in each individual situation. The fact that HM has or has not utilized any of these forms of discipline does not set any precedent and should not be relied upon in future disciplinary situations by any employee.

Violation of any of the following performance standards may result in disciplinary action and/or immediate discharge: (NOTE: THIS LIST IS NOT ALL-INCLUSIVE.)

1. Failure to satisfactorily perform job duties
2. Failure or refusal to follow the written or oral instructions of a supervisor or manager
3. Insubordination
4. Neglecting job duties and responsibilities
5. Engaging in unauthorized personal business during work hours
6. Falsifying or misrepresenting organization or employment records
7. Discourtesy or rudeness in dealing with HM's employees and/or representatives of our clients or prospects
8. Failure to give proper notice when unable to report for or continue work as scheduled
9. Unexcused or excessive absenteeism
10. Theft, abuse, or misuse of HM's property, materials, or supplies
11. Unauthorized use of HM's property and equipment.
12. Threatening, harassing, or inflicting bodily harm on fellow employees or others at any time while on the job
13. Making false and malicious statements concerning employees or HM
14. Intentionally discriminating against employees in violation of applicable laws and/or engaging in the harassment of, or retaliation toward, any fellow employee
15. Possession, use, purchase, consumption, transfer, or sale of alcoholic beverages, controlled substances, or illegal drugs at any time during working hours, on HM's premises or job site or while representing the organization, or reporting to work under the influence of alcohol, controlled substances, or illegal drugs
16. Violation of HM safety rules and policy
17. Violating any HM policies, rules, regulations, or practices
18. Disruption of the employer's operation

## 2.08 Notice of Voluntary Termination of Employment

### Policy

If it is necessary for employees to voluntarily terminate their employment, they are to give written notice.

### Procedure

1. Acceptable notice will be:
  - Two months' notice for the executive director
  - Two weeks' notice for all other personnel
2. Failure to give notice and failure to work during the notice period will reflect unfavorably upon eligibility for reemployment.

## 2.09 Leaves of Absence

### Policy

Leaves of absence may occur with or without notice, depending upon the circumstances.

### Procedure

**Jury Duty:** An employee will not lose compensation, vacation accrual, or other benefits when called upon to act as a juror or witness in a court of judicial proceeding. Employees will receive full compensation from HM for normal working hours while absent on jury duty. Compensation checks received from the Clerk of Court will be endorsed over to HM.

**Maternity Leave:** An employee requiring maternity leave shall provide HM with reasonable notice of the expected date of leave. HM will not terminate a female employee because of pregnancy. HM will grant a request by a female employee for a reasonable pregnancy-related leave of absence. HM requires that disability as a result of pregnancy be verified by medical certification that the employee is not able to perform employment duties.

Upon signifying an intent to return at the end of a pregnancy-related leave of absence, the employee will be reinstated to the employee's original job or to an equivalent position with equivalent pay and accumulated seniority as of the date leave began, retirement, fringe benefits, and other service credits, unless, the employer's circumstances have so changed as to make it impossible or unreasonable to do so. Contact the executive director for questions related to maternity leave.

Please refer to the summary plan description for information on group insurance benefits during a leave of absence.

Any employee on maternity leave will only accrue vacation time or sick hours on available compensated time. Employees will not earn vacation time or sick hours on leave without pay.

If an employee fails to return to work after a leave of absence, HM may require repayment of the employer's portion of the applicable insurance premium(s) paid.

**Parental Leave:** HM will provide up to six months of unpaid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of unpaid parental leave is to enable the employee to care for and bond with a newborn, newly adopted, or newly

placed child. Please refer to the summary plan description for information on group insurance benefits during a leave of absence.

Any employee on parental leave will only accrue vacation time or sick hours on available compensated time. Employees will not earn vacation time or sick hours on leave without pay.

**Military Leave:** An employee who is a member of the organized militia of this state or who is a member of the organized or unorganized reserve corps or military forces of the United States, and who has been an employee for a period of at least 12 months, shall be given leave of absence with pay for a period of time not to exceed 15 working days in a calendar year for performance of required duties. When ordered for duty, the employee has the option of taking vacation or leave without pay. Any employee on military leave will only accrue vacation time or sick hours on available compensated time. Employees will not earn vacation time or sick hours on leave without pay.

**Public Service Leave:** An employee elected or appointed to public office is entitled to a leave of absence without pay, not to exceed 180 days per year, while performing public service.

**Leave of Absence Without Pay:** An employee may request a leave of absence without pay, which may be granted at the discretion of the executive director. A leave of absence without pay which exceeds five days should be requested in writing. The maximum leave of absence shall not exceed six months but may be extended at the discretion of the executive director, not to exceed one calendar year in total. The executive director shall request a leave of absence through the board.

**Medical Leave:** After completion of one year of continuous full-time employment, leaves of absence, not to exceed **30 days** within any 12-month period, may be granted for reasons of bona fide illness. All leaves are to be requested in writing to HM's executive director stating the anticipated start and end dates of the leave of absence. HM reserves its right to request a doctor's certification for medical-related leaves, before granting the requested leave.

If the employee has accrued or earned paid leave, the employee must use paid leave first and take the remainder of the time as unpaid leave. Employees unable to work due to a work-related illness or injury will be granted leave under this policy and may use accumulated leave time only for the purpose of satisfying any waiting period. Absences in excess of the employee's accumulated leave days will be treated as leave without pay.

Please refer to the summary plan description for information on group insurance benefits during your leave of absence.

Any employee on medical leave does not accrue vacation time or sick hours and is not eligible for holiday pay.

If an employee fails to return to work after leave of absence, HM may require repayment of the employer's portion of the applicable insurance premium(s) paid during the leave of absence.

Upon expiration of the leave, or upon the employee's notification of employee intent to return, HM will reinstate the employee to the next available job opening in employee classification. If an employee on leave does not report to HM upon the expiration of employee leave, the employee shall be considered as having voluntarily given employee resignation.

When an employee returns from a medical leave, the employee must provide a release from a physician stating that the employee is medically fit for duty and can perform the essential functions of the job, with or without an accommodation. HM, at its discretion, may require an employee to be examined by a physician designated by the organization before the employee is permitted to return to work from a disability leave.

If an employee returning from a leave of absence requires an accommodation due to a disability, HM will engage with the employee in the interactive process to determine if a reasonable accommodation is available and/or can be provided, unless doing so will result in an undue hardship. The final decision on whether an employee is ready to return to work rests with the organization.

## 2.10 Bereavement

### Policy

It is the policy of HM to allow employees reasonable time off for bereavement of family members and close friends, death or funeral attendance for an immediate family member, and, at the supervisor's discretion, for another person.

### Procedure

1. The employee must notify their immediate supervisor of the need for bereavement leave.
2. Each circumstance can be different; therefore, the length of leave will be dependent upon the needs of the individual. The maximum acceptable leave will be two weeks.
3. Bereavement leave will be paid up to two weeks.

## 2.11 Victims of Crimes Leave

### Policy

An employee who has been a victim of (or witness to) a crime, or who is an immediate family member of a victim (as defined by the State of Montana), is welcome to request leave (absences from work) to attend and cooperate with the judicial proceedings. HM is aware that the employee may request support from law enforcement or a prosecuting attorney to communicate the need for such absences from work, if necessary. If employees have any questions about this leave or whether it applies to their

circumstances, they should contact the executive director.

# 3

## **GRIEVANCE PROCEDURES**

## 3.01 Internal Compliant Process for all Staff Other Than Executive Director

If an employee has a problem or complaint, the employee may present a written statement of his or her complaint, problem, suggestion, or grievance to their supervisor or the executive director. If the situation is not resolved or the employee is uncomfortable taking the issue to their supervisor or the executive director, they may contact the board chairperson, who will consider the written statement and take such action as deemed appropriate (see below).

If an individual employee wishes to appeal discharge, layoff, or a change in working conditions, they must present a written statement to their supervisor or the executive director within 10 days after they are informed of the discharge or change in the working condition. The written statement must contain the facts the employee believes should be considered and shall state the resolution the employee believes is appropriate.

If the decision is not satisfactory to the individual employee, the employee or terminated employee must present a written statement to the board chairperson within 10 days after they are notified of the decision of the supervisor or executive director. The written statement must contain the facts the employee believes should be considered and shall state the resolution the employee believes is appropriate. The board chairperson shall consider and advise the employee or former employee of the final decision regarding the employee's complaint or grievance within 90 days after the employee initiates the process.

If an individual employee does not agree with the resolution proposed by the supervisor or executive director or if the initial complaint is about the executive director, the employee may contact the board chairperson with the written complaint, and the board chairperson may take the following steps:

1. Within 10 working days of receiving the grievance, the chairperson will respond in writing to (a) acknowledge receipt of the grievance, and (b) establish procedures for the executive committee.
2. Within 30 days of receiving the written complaint, the board chairperson shall convene the executive committee to hold a formal hearing. Within 10 working days after the hearing, the committee will make its judgment known (in writing) to all concerned parties. If the committee determines that the grievance is legitimate, it will recommend whatever remedial steps it thinks are warranted to the HM board of directors.
3. Within 10 working days following receipt of the recommendation of the executive committee, the full membership of the HM board will vote to accept or reject the recommendation. A simple majority of those voting will be sufficient to accept or reject.

## 3.02 For the Executive Director

Within 15 working days of the discovery or occurrence of the action being grieved, the executive director filing the grievance must inform the chairperson of the HM board in writing of (a) the nature of the grievance, and (b) the executive director's request for a formal hearing.

Within 10 working days of receiving the grievance, the chairperson will respond in writing to (a) acknowledge receipt of the grievance, and (b) establish procedures for the executive committee.

Within 30 days of notification, the executive committee will hold a formal hearing. Within 10 working days after the hearing, the committee will make its judgment known (in writing) to all concerned parties. If the committee determines that the grievance is legitimate, it will recommend whatever remedial steps it thinks are warranted to the HM board. One possible remedial action may be a recommendation by the executive committee to assess the HM board for the cost of representation for the director.

Within 10 working days following receipt of the recommendation of the executive committee, the full membership of the board of HM will vote to accept or reject the recommendation. A simple majority of those voting will be sufficient to accept or reject.



# 4

## **EMPLOYEE BENEFITS**

## 4.01 Group Health Insurance

### Policy

All full-time regular employees are eligible for health insurance coverage under a policy selected by HM.

### Procedure

1. HM will pay up to \$1,500 monthly through the policy options selected by the organization for each employee to cover health, dental and vision insurance. If an employee has any remaining balance of the \$1,500, the amount can go to spouse/dependent health, dental and vision insurance premiums, or a health savings account.
2. HM will also provide 100% of basic coverage for long-term disability and term life insurance through a carrier selected by the organization.
3. All eligible employees are required to complete an annual insurance enrollment form, whether or not they desire health insurance coverage.
4. The HM executive director is responsible for enrolling employees in the insurance program.

## 4.02 Retirement

### Policy

HM will contribute an amount equal to 10% of the full-time permanent employee's salary to a retirement annuity with TIAA-CREF. The employee has a choice of various investment vehicles within TIAA-CREF. The employee may also choose to have additional amounts (subject to federal tax code constraints) withheld for a supplemental retirement annuity.

## 4.03 Holidays

### Policy

Full-time regular employees are granted time off work without loss of their regular compensation in order to observe designated holidays as defined by the U.S. federal government, as well as the employee's birthday and the week between Christmas Day and New Year's Day.

### Procedure

1. The designated holidays are:
  - New Year's Day – January 1
  - Martin Luther King Jr. Day – Third Monday in January
  - Presidents Day – Third Monday in February
  - Memorial Day – Last Monday in May
  - Juneteenth – June 19
  - Independence Day – July 4
  - Labor Day – First Monday in September
  - Veterans Day – November 11
  - Thanksgiving Day – Fourth Thursday in November
  - Friday after Thanksgiving Day – Fourth Friday in November
  - Christmas Day – December 25
2. Employees will also be granted time off without loss of regular compensation during the week between Christmas Day, New Year's Day, and in observance of their birthday each year..
3. If a holiday falls on a Saturday, the holiday will be observed on the Friday before. If a holiday falls on a Sunday, it will be observed on the Monday after or as otherwise specified by the U.S. federal government.

## 4.04 Vacation

### Policy

Full-time and part-time regular employees are eligible for paid vacation.

### Procedure

1. Regular employees earn vacation from the first day of employment. Vacation hours are credited at the end of each monthly pay period, but accrued leave is available for use during the calendar month in which it is accrued and may be requested after 90 days of employment. 10 hours are accrued per month for full-time employees and six hours are accrued per month for part-time employees.
2. Accrued vacation will be paid to employees at termination.
3. Vacation days may be accumulated not to exceed 240 hours (the equivalent of 30 8-hour workdays). Balances are provided on each monthly pay stub.
4. No vacation hours are earned on overtime hours or leaves of absence.

Full-time and part-time employees earn paid vacation time based upon the number of hours worked and length of service, as determined by their individual hire date. Temporary employees are not eligible for paid vacation leave.

Employees who normally work a schedule of 40 hours per week or more on a regular basis are considered full-time for the purposes of this policy and receive vacation hours based upon the chart below. Employees who work a schedule of less than 40 hours per week on a regular basis are considered part-time and are eligible for

vacation hours on a pro-rated basis.

Employment Status	Hours per Pay Period	Days per Month
Full-time	10 hours	1.25 days
Part-time	6 hours	0.75 days

Employees may not accumulate above the maximum number of 240 hours (the equivalent of 30 8-hour workdays). If an employee reaches the maximum accrual amount, their accrual will stop until their vacation hours have dropped below the maximum accrual amount.

Employees are required to take their earned vacation in order to receive vacation pay. No payments will be made in lieu of taking vacation, except for earned, unused vacation time at the time of termination.

## 4.05 Sick Leave

### Policy

Full-time and part-time regular employees are eligible for sick leave. Sick leave is necessary absence from work for one of the following conditions: illness; injury; medical disability; maternity-related disability, including prenatal care, birth, miscarriage, abortion, or other medical care for either employee or child; quarantine resulting from exposure to contagious disease; medical, dental, or eye examination or treatment; or care of or attendance to an immediate family member or, at the supervisor's discretion, for another person.

### Procedure

1. Immediate family is defined as the employee's spouse, any member of the employee's household, or any parent, child, sibling, grandparent, grandchild, corresponding in-law, significant other, partner, or life companion.
2. Employees earn sick leave from the first day of employment. Sick leave is earned at the rate of one working day for each month of full-time service without restriction on the number of days which can be accumulated. Employees earn sick leave from first day of employment and may be used after 30 days of employment. Part-time permanent employees earn hours on a pro-rated basis. No sick leave is accrued to an employee on leave without pay.
3. One quarter of accrued sick leave is paid at termination, provided the employee has completed the 12-month probationary period.
4. Abuse of sick leave is cause for dismissal. Abuse occurs when there is misrepresentation of the actual reason for charging an absence to sick leave, when an employee uses sick leave for unauthorized purposes, or when an employee neglects to report sick leave.
5. Accrued sick leave may be donated to another employee who has exhausted their sick leave, provided a minimum balance of 80 hours is maintained by the donor.

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Employee's Name (Please Print)

Employee, please initial each provision and sign below.

1. \_\_\_\_\_ I hereby acknowledge that I have received a copy of HM's Employee Handbook dated \_\_\_\_\_, which provides guidelines on the policies, procedures, and programs affecting my employment with this organization..
2. \_\_\_\_\_ I understand that the procedures, practices, policies, and benefits described there supersede all prior policies and procedures and may be modified or discontinued from time to time, and that HM will try to inform me of any changes as they occur.
3. \_\_\_\_\_ Furthermore, I acknowledge that this handbook is not a contract of employment, and nothing in the handbook creates an express or implied contract of employment.
4. \_\_\_\_\_ I accept responsibility for familiarizing myself with the information, seeking clarification of its terms or guidance, where necessary, and complying with the content.
5. \_\_\_\_\_ I have read and understand the Drug Free Workplace policy as written in the HM Employee Handbook and will notify HM within five (5) days of any criminal drug statute conviction for a violation occurring in the workplace.
6. \_\_\_\_\_ I understand that I should consult the executive director if I have any questions that are not answered in this handbook.

EMPLOYEE SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

Note: This form will be retained in the Employee's Personnel File.



Humanities  
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