

BLUE HILL
HERITAGE TRUST



Personnel Policy and Benefits Plan

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

Revised by Board of Directors on **June 13, 2022**

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Appendix A Acknowledgment Form
To be completed by each employee and returned to BHHT

Appendix B Confidentiality Agreement
To be completed by each employee and returned to BHHT

Appendix C Conflict of Interest Certification of Compliance
To be completed by each employee and returned to BHHT

I. Introduction

Blue Hill Heritage Trust (BHHT) is a nationally accredited nonprofit, donor-based land conservation organization founded in 1985 by residents of the Blue Hill Peninsula in coastal Maine. The mission of BHHT is:

- To lead in conserving land, water, and wildlife habitat on the greater Blue Hill Peninsula.
- To teach and practice a stewardship ethic.
- To promote ecological, economic, and community health for this and future generations.

BHHT works to conserve the farmland, forest, wetlands, and wildlife habitat needed to sustain ecological and community health in a changing climate. Our goal is to protect the resources and sense of place upon which traditional livelihood depends, and to work with our communities to embrace a stewardship ethic. We recognize the value of conserving land and water for its own sake, as well as valuing the recreational, economic, and quality-of-life benefits of conservation. By advancing this vital connection between healthy land and healthy communities, BHHT strives to be fully involved in peninsula communities through strong collaborations with our partners. To date BHHT has protected over 11,000 acres of land that will be forever stewarded for wildlife, recreation, scenic beauty, sustainable use, and historical importance.

Because of its charitable mission and the public support, BHHT believes its employees have a special responsibility to adhere to the highest standards of ethics and professionalism in representing the organization and carrying out its mission. Accordingly, BHHT is committed to providing a rewarding and enjoyable place to work and recognizes that its employees need a competitive salary and benefits package.

This *Personnel Policy and Benefits Plan* describes the benefits BHHT is currently able to offer its employees and outlines a framework for your employment. Please use this plan as a resource and reference.

II. Purpose of this Plan

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

BHHT reserves its right to make changes, from time to time, with or without advance notice, in the policies and practices described in this *Personnel Policy and Benefits Plan*. Moreover, because it is impossible to anticipate every situation that will arise, BHHT reserves its right to address a situation in a manner different from that described in this Policy and Plan.

If you have questions about the policies and procedures described in this Policy and Plan, or suggestions for improvement, please see the Executive Director or the President of the BHHT Board of Directors (President).

III. Equal Employment Opportunity

BHHT does not discriminate in the terms, conditions, or privileges of employment on account of race, color, religion, national origin, sex, age, physical or mental disability, sexual orientation, gender identity, status as a recipient of workers' compensation benefits, whistleblower status, or as otherwise prohibited by federal and state law. Any employee that believes they or any other employee of BHHT has been discriminated against must report this concern promptly to the Executive Director and the President (see *Section X* for exceptions). BHHT also has a policy prohibiting discriminatory harassment, including sexual harassment. This policy is described in *Sections VIII* and *IX* on the following pages.

IV. Terms and Conditions of Employment

A. AT-WILL STATUS

The employees of BHHT are terminable-at-will, meaning that either the employee or BHHT may terminate the employment relationship at any time, with or without cause. The only exception to this rule would be an employee who, due to unusual circumstances, has been provided a promise of employment for a particular length of time, which is in writing and signed by the Executive Director.

B. CLASSIFICATION OF EMPLOYEES

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

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

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

C. EXEMPT/NON-EXEMPT EMPLOYEES — OVERTIME PAY

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

1. Non-Exempt Employees and Overtime

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

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

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

2. Exempt Employees and Overtime

Exempt employees are responsible for working as many hours as necessary to get the job done. They may need to adjust their hours and work schedules to accommodate night meetings, travel necessary for the job, and otherwise long workdays. If you are having difficulty accomplishing your responsibilities within a reasonable work week or believe that you need to work excessive hours, please discuss this with the Executive Director immediately.

D. TIME SHEETS

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

E. REPORTING TO WORK

The standard, full-time, work schedule is generally expected to be between 8:30 am and 5:00 pm with a 30-minute lunch break. BHHT will consider requests for work schedules that depart from the regular office hours of 8:30 a.m. - 5:00 p.m. Requests for flexible hours should be discussed with the Executive Director.

All staff may occasionally be required to work weekends or evenings in order to participate in a BHHT event or otherwise fulfill their job responsibilities. Staff that work part-time are also likely to need to adjust their regular schedules from time to time in order to fulfill their job responsibilities.

If an employee expects to miss work or otherwise deviate from their standard work schedule and has not given prior notice, they are expected to call the office as soon as possible to report the absence or lateness. Absence without notice for three (3) days may be considered a voluntary quit. Schedules for part-time employees will be set on an individual basis depending on the requirements of the job.

F. TELEPHONE USE

Employees are asked to keep incoming personal calls on the Trust's phonelines to a minimum. If you need to make a personal call during work hours, please use your personal cellphone.

G. E-MAIL AND INTERNET

BHHT uses e-mail and the Internet as part of its conservation work. Employees will be assigned an e-mail address for BHHT use.

H. OFFICE ENVIRONMENT

BHHT strives to maintain professional, orderly, clean, healthy, and friendly workspaces for its employees — as well as our directors, clients, partners, and members of the public that visit our offices. All employees are requested to participate in welcoming and directing visitors, and to maintain their individual workstations and offices. In addition, while the office is cleaned professionally on a biweekly basis, everyone is requested to participate in daily needs in upkeep of communal work and meeting areas, kitchens, and bathrooms. Questions or suggestions for improvement should be directed to the Executive Director.

V. Compensation and Benefits

A. PAY

Employees are paid semi-monthly. Paychecks will be deposited directly to their bank by payroll services, or mailed to employees if they opt out of direct deposit. Contact the Executive Director with any questions.

B. EXPENSES

Employees will be reimbursed for reasonable expenses incurred as part of their job. This includes mileage for work-related travel, parking, tolls, certain meals and, when no other arrangements can be made, overnight lodging. BHHT provides a form for this purpose. Approved expenses should be documented, with receipts attached, and submitted on a timely basis to the Executive Director.

1. Mileage Reimbursement

BHHT provides mileage reimbursement for approved travel based on the current published IRS rate. Employees are encouraged to calculate the cost effectiveness of renting a vehicle vs. using their own car. If an employee chooses to use their own car for convenience purposes and the cost-effective mode of transportation is a rental vehicle, the employee will only be reimbursed the equivalent of a rental car plus gas.

2. Business Meal Expenses

BHHT will reimburse employees for business meals taken with guests, colleagues, or donors, during which focused business discussions take place.

Employees are expected to use discretion regarding food and beverage costs incurred. The Internal Revenue Code requires specific details for business meal expenses. These details must be provided with the expense report, in order to obtain reimbursement:

- Amount
- Date
- Name and location of establishment

- Purpose, including the nature of discussion
- Names, titles, and business relationships of all attending

3. Travel Meal Expenses

BHHT provides a travel meal and incidental expense (M&IE) based on current published General Services Administration rates for the travel location. During the first and last day(s) of travel, the maximum M&IE will equal 75% of the total M&IE.

4. Rally Expenses

BHHT annually establishes a reasonable budgeted allowance for certain staff to attend the Maine Land Trust Conference or the National Land Trust Alliance Rally. Staff who are authorized to attend are responsible for staying within budget limits or will need to take personal responsibility for any overages. Employees will need to submit receipts to the Executive Director along with an expense report for reimbursement.

C. BENEFITS

Unless otherwise described in a written employment agreement, this section describes the fringe benefits currently offered to regular full-time and regular part-time BHHT employees who are regularly scheduled to work at least 20 hours per week.

Please Note: Part-time employees, working at least twenty (20) hours/week, are eligible for all the outlined benefits on a pro-rated basis, unless otherwise noted in the specific section below.

This section does not apply to temporary employees, whose benefits, if any, will be limited to those stated in writing by the Executive Director.

Some of these benefits are described in more detail in plan documents that have been provided by the specific providers. These documents contain important information that you, as the beneficiary of the plans, will need to be familiar with including eligibility, coverage, deductibles, pension requirements, and applicable fees. Please read these documents carefully as they govern your coverage. If there is a discrepancy between this Benefits Plan and your official plan documents, the official plan documents will supersede.

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

1. Paid Holidays

The following thirteen (13) holidays are offered to full-time employees:

- New Year's Day
- Birthday of Martin Luther King, Jr.
- Presidents' Day
- Patriots' Day
- Memorial Day
- Juneteenth National Independence Day
- Independence Day
- Labor Day
- Indigenous Peoples' Day
- Veterans Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day

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

Full-time employees are paid for each observed holiday (or substituted day off as mentioned above). Part-time employees are entitled to be paid for only those designated holidays, substituted days off, or portions thereof on which they would ordinarily work, according to their regular approved schedules. Employees may not change their regular work schedule for a short period of time in order to receive a paid holiday.

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

2. Vacation

New full-time employees earn up to two (2) weeks (10 days) of paid vacation per calendar year. During the first calendar year of employment, paid vacation time will be prorated based on the date of hire; thereafter, vacation time will be accrued on an annual basis

beginning on January 1. Vacation hours for part-time employees working at least twenty (20) hours a week accrue in a pro-rated manner, as with other benefits. Employees may take their vacation days as they are earned, subject to prior approval by the Executive Director.

After 24 months of consecutive employment, full-time employees are eligible for up to (3) weeks (15 days) of paid vacation per calendar year.

Also, after the first 12 months of employment, employees may carry over up to one (1) week of vacation per calendar year, with a maximum of five (5) weeks held in reserve. Earned but unused vacation time exceeding this one week per year will be forfeited. Rolled-over, but unused, vacation time that exceeds the four-week “bank” will be forfeited.

When a holiday falls within a vacation, employees will receive that day as a paid holiday (subject to applicable limits for part-time employees). Employees will be paid for any accrued, unused vacation days upon termination of their employment with BHHT. Employees that terminate their employment and have taken more vacation time in that year than earned, will be required to make up that time or otherwise compensate BHHT.

3. Personal Time

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

The Executive Director should be notified as soon as possible, preferably by the beginning of each workday when the employee is unable to work. Should the length of needed leave exceed accrued personal time, earned vacation days may be used with approval of the Executive Director. If personal time and vacation time has been exhausted, the employee can request unpaid leave.

Personal time is to be reported on the Time Sheets and will be tracked by the Executive Director. Personal Time is a benefit to be used only during employment; there is no payment at termination of employment for unused personal time.

4. Parental Leave

BHHT provides Paid Parental Leave (“PPL”) in order to assist and support new parent relationships and to assist with balancing work and family. PPL is intended to provide

Eligible Employees the time and financial support to adjust to the addition of a new family member during the period of time immediately prior to and immediately following the birth or adoption of a child. This policy provides Eligible Employees with a period of paid time off for activities related to the care and well-being of themselves, their family, and their newborn or adopted child.

BHHT will provide up to twelve consecutive weeks of PPL to an Eligible Employee, such twelve-week period to be determined and agreed with the Executive Director, but in no case shall it extend beyond the end of the twelve-week period immediately following birth or physical adoption.

An Eligible Employee is defined as a biological parent, the same-sex spousal equivalent, or a new adoptive parent. In addition, unless otherwise determined by the Board, an Eligible Employee must:

- Have been a full-time employee of BHHT for at least six consecutive months at the commencement of PPL;
- Have given notice for PPL no less than three months prior to the expected leave start date; and
- Meet one of the following:
 - Have given birth or will give birth to a child.
 - Be a spouse or committed partner of a person who has given birth to a child.
 - Have adopted a child. (An individual who adopts a spouse or partner's existing child(ren) is not eligible for this benefit.)

The Eligible Employee will be paid their regular salary on their regular payroll dates during the PPL period.

BHHT will maintain all benefits for an Eligible Employee during the PPL period.

The Eligible Employee may not use accrued time in the form of vacation, sick leave, discretionary/designated holidays, vacation, or PTO to extend PPL. If a BHHT holiday occurs while the employee is on PPL, such day will be charged to holiday pay but will not extend the total PPL entitlement.

5. BEREAVEMENT LEAVE

An employee may request a bereavement leave. Full and part-time employees are eligible for up to one (1) week each year, with pay, in the event of a death in the employee's immediate family. Immediate family is defined as spouse, domestic partner, child, parent,

sibling, grandparent, and in-laws. The terms of any such leave shall be approved in writing by the Executive Director.

6. JURY DUTY

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

7. MILITARY LEAVE

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

8. PERSONAL LEAVE

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

9. Worker's Compensation

All employees of BHHT are covered by worker's compensation insurance. Employees must report any work-related injury or illness immediately to the Executive Director. "Notice of Injury" forms are available from the Executive Director for this purpose.

BHHT takes workplace safety very seriously and encourages staff to bring any concerns to the attention of the Executive Director.

10. Health Insurance

BHHT seeks to ensure that each full-time employee, at a minimum, has some form of health insurance coverage. Currently, this comprises a "stipend" toward individual purchase of coverage on the healthcare exchange. This may include creation of a small group policy, participation in already established group or individual coverage. Because of the volatility in the health insurance market, the types and forms of coverage that can

be arranged or offered may change regularly. BHHT reserves the right to change the carrier and the coverage offered at any time, as well as its share of the premium costs. BHHT also reserves the right to eliminate this benefit if the costs of providing it become prohibitive.

The Executive Director will provide all employees information on the current status of this health insurance benefit, as well as a copy of any specific plan currently offered.

11. Long-term Disability Insurance

BHHT does not currently provide long-term disability insurance for employees.

12. Pension Plan

BHHT has established a simplified employee pension (SEP) plan by which it may provide discretionary contributions in a calendar year to an individual retirement account (SEP-IRA) for each eligible employee. An eligible employee must be at least 21 years of age and must have been an employee of BHHT for a period of twelve (12) consecutive months. Contributions in any given year will be at the discretion of the Board of Directors through the annual budgeting process, will be based on BHHT's financial capacity, and will be at the same percentage of compensation for each eligible employee. For the purposes of this paragraph, "compensation" is defined as the annual salary component of an employee's compensation only. More details of this SEP-IRA plan are available on request.

13. Professional Development

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

14. Paid Time Off for Civic Obligations

In recognition of the public and organizational benefits of community involvement, BHHT encourages employees to be active in civic affairs. When this involvement overlaps with working hours, the activity should be discussed with the Executive Director, who will determine if the activity is eligible for paid time off.

VI. Employee Performance Review & Management Process

The Executive Director will conduct performance reviews with employees once a year. These reviews are intended to identify both those aspects of the position that are being performed well and those aspects that need attention. They are also a formal opportunity for the employee to provide feedback to the Executive Director and to express any concerns that they might have about the position or about his/her employment with BHHT. If the employee does have issues, problems, or questions related to his/her position or employment with BHHT or, indeed, related to any other work environment issues, the employee should address them with the Executive Director when they arise and not wait for the next performance review.

Performance reviews may include, but are not limited to, the following elements:

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

VII. Separation from Employment

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

A. NOTICE

Employees are asked to give at least two (2) weeks' notice of resignation. Some employees, upon hiring or during the course of employment, may be asked to give more notice than this because of the nature of their employment. BHHT reserves the right to pay a resigning employee for the notice period, but to prohibit the employee from working for BHHT during that time.

B. LAY-OFFS

There may be times when BHHT determines that it is necessary to make cutbacks or reductions in staff, leading to the lay-off of one or more employees. In determining which

employee(s) shall be laid off, BHHT may consider any and all factors that it deems relevant at the time.

C. PAY UPON TERMINATION

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

VIII. Workplace Environment & Harassment

BHHT's equal employment opportunity policy is described above in *Section III*.

A. Workplace Environment

It is the policy of BHHT to maintain a work environment free from bullying, threats, or violent acts. Prohibited conduct includes but is not limited to intimidating, threatening or hostile behaviors; physical/verbal abuse; vandalism; arson; sabotage; use of weapons; carrying weapons onto our premises; or an act, that in management's opinion, interferes with maintaining a professional, courteous, or safe workplace. In addition, bizarre, and offensive comments regarding violent events and/or behavior will not be tolerated. BHHT prohibits harassment of its employees by anyone, including Supervisors, Employees, Members of the Board, Volunteers, or Visitors.

B. Anti-Harassment Policy

BHHT is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. It is the policy of BHHT to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, age, religion, sex, sexual orientation, gender identity, disability, religion, ancestry, genetic information, or national origin. BHHT is committed to maintaining a workplace that is free of harassment and will not tolerate harassment on any basis.

Supervisory employees are responsible for promoting a workplace free from intimidation, discrimination, and harassment, and ensuring that those under their supervision are aware of BHHT policies. Disciplinary measures may be taken against supervisors and managers who knowingly allow a violation of these policies to continue.

An employee who believes that they are being harassed, bullied, or discriminated against should notify the Executive Director of BHHT. If the Employee is uncomfortable with notifying the Executive Director or if the Executive Director has been notified but the conduct has not

stopped, the Employee should contact the President of the Board as set out in *Section X*, below.

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

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

IX. Sexual Harassment

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

BHHT prohibits sexual harassment of its employees by anyone, including supervisors, employees, members of the Board, volunteers, or visitors. However, because sexual harassment can be the subject of controversy, we have chosen to define it in more detail in this Policy and Plan.

For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

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

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

- Sexual assaults, including rape and molestation, and attempts or threats to commit these assaults.
- Unwanted intentional contact of a sexual or suggestive nature, such as touching, pinching, patting, grabbing, kissing, brushing against or poking a person's body.

- Unwanted sexual advances, propositions, or comments, including sexually oriented gestures, jokes or comments about a person's sexuality or sexual experience.
- Preferential treatment or the promise of preferential treatment to an employee for engaging in sexual conduct.
- Displaying or publicizing pictures, posters, reading materials, calendars, objects, etc., that are sexually suggestive, sexually demeaning, or pornographic.
- Disciplining or retaliating against an employee in any way because that person resisted harassment or reported or complained about sexual harassment.

Sexual harassment can occur between any genders/gender identities . Harassment based on gender identity or expression is a form of sexual harassment. Regardless of the genders of the people involved, it is never appropriate for someone in the workplace to harass another person because of their gender identity or expression.

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

X. Employee Recourse

BHHT encourages the prompt, efficient, and effective resolution of issues, problems, or questions arising in the workplace.

As stated in Sections VI, VIII, and IX, if an employee has issues, problems, or questions either related to their position or employment with BHHT or related to any other work environment issues, the employee should address them with the Executive Director. If the issue, problem, or question relates to the behavior of the Executive Director or if, after discussion with the Executive Director, the issue and/or problem persists or the employee's question has not been answered satisfactorily, the employee should contact the President of the Board who will:

- Meet with the employee to hear a full account of their perspective on the issue and of the discussion with the Executive Director.
- Meet with the Executive Director to hear a full account of their perspective and actions.
- Consult with other members of the Board, as needed; and
- Take such action to resolve the issue as they deem appropriate.

XI. Smoking Policy

Because we wish to provide a healthy environment for all our staff, volunteers and clients, smoking is prohibited throughout our offices.

XII. Drug Free Workplace

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

If you have a substance abuse problem and wish to seek help but do not know where to turn, you are encouraged to speak with your supervisor.

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

Under federal law, any employee who is convicted of a criminal drug statute violation occurring in the workplace must notify their employer of the conviction within five (5) days. We, in turn, may be required to notify any federal organization that provides grant money or a contract to BHHT.

XIII. Firearms

Firearms are not allowed on the BHHT premises with the following exception: firearms transported in a personal vehicle may remain stored in that vehicle as long as the vehicle is locked, the firearm is not visible, and the firearm is otherwise stored in accordance with applicable law.

XIV. Video Display Terminal Use and Training

As required by the *Maine Video Display Terminal (VDT) Law*, BHHT will provide training and education concerning safe and proper use of video display terminals for employees who are regular users of such terminals via the *SafetyWorks! Working Safely with Computers* training program. Any employee whose assigned duties require the employee to work at such a terminal for four (4) or more consecutive hours on most days will be considered a terminal operator and will be required to complete the SafetyWorks! training program within the first month of employment. Training and education will include:

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

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

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

Additional ergonomic equipment and/or supplies may be requested from the Executive Director in writing.

XV. Whistleblower Policy

BHHT is committed to operating in furtherance of its tax-exempt purposes and in full compliance with applicable law.

If an officer, director, employee, or volunteer believes that the Trust is engaging in any behavior that violates a law, they are expected to immediately report such concern to the Executive Director, or, if the complaining individual does not feel comfortable reporting to the Executive Director, then they are expected to report the concern to the President. All such reports will be followed up promptly and, where appropriate, an investigation will be conducted, and corrective action will be taken.

BHHT will not harass, victimize or retaliate in any way against any complaining person who, in good faith, reports a suspected violation of law or who exercises their rights under a federal or state law to pursue a claim or take legal action. Reports of concerns and investigations relating to them will be kept confidential to the extent possible consistent with the need to conduct a thorough investigation. Allegations made in bad faith may result in disciplinary action.

XVI. Confidentiality

The confidential nature of some of BHHT's activities makes it imperative for all employees to preserve the confidentiality of non-public information regarding donors, customers, employees, members of the Board of Directors, suppliers, and other sensitive matters. BHHT has a separate *Confidentiality Policy* that requires each employee to sign a certification of compliance (*Appendix B*) affirming that the employee has read and understands the policy and has agreed to comply with the policy. Additionally, each employee must, annually, sign the Confidentiality and Non-Disclosure Agreement that is included in the *Confidentiality Policy*.

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

XVII. Conflict of Interest

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

History

Adopted by the Board of Directors – January 2007
Revised by the Board of Directors – February 17, 2011
Revised by the Board of Directors – February 11, 2014
Revised by the Board of Directors – December 13, 2016
Revised by the Board of Directors – June 11, 2018
Revised by the Board of Directors – June 13, 2022

Acknowledgement

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

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

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

If I regularly work with computers for at least four (4) consecutive hours per day, I understand that I must complete the *SafetyWorks! Working Safely with Computers* training program within my first month of employment.

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

Signed _____

Print Name _____

Title _____

Date _____

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

[Insert BHHT Confidentiality Policy]

**New Employee
Confidentiality Agreement**

1. I, _____, am aware that it is essential to maintain the confidential nature of information regarding supporters, potential supporters, and fundraising strategies at Blue Hill Heritage Trust, and to protect sensitive information regarding active and potential land projects with guidance from the Executive Director.
2. I will not share sensitive information regarding supporters, potential supporters, active or potential land projects at Blue Hill Heritage Trust, without the guidance of the Executive Director. _____ (Initial & date)
3. I understand that my continuing employment by BHHT is dependent on my good-faith compliance with this policy. _____ (Initial & date)
4. I understand that failure to comply with this agreement may result in my immediate termination at Blue Hill Heritage Trust. _____ (Initial & date)
5. I understand that I am ethically bound to this agreement even after I have terminated my contractual employment with Blue Hill Heritage Trust. _____ (Initial & date)
6. I understand that my failure to comply with this agreement may impact my professional reputation and references and may subsequently be disclosed by the Trust to potential employers upon request. _____ (Initial & date)

Signature

Date

Executive Director Signature

Date

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

Confidentiality and Non-Disclosure Agreement

The Undersigned _____,

With an address at _____,

hereby acknowledges that from time to time they may have access to information that the Blue Hill Heritage Trust (“BHHT”) considers to be confidential and proprietary. Such information may include, for example, evaluations of staff personnel, details of donor contributions, terms of land acquisition transactions and other similarly sensitive matters but shall not include any information that has entered the public domain through no fault of the Undersigned (“Confidential Information”).

The Undersigned recognizes that the disclosure or misappropriation of Confidential Information may cause serious problems for BHHT such as legal actions by aggrieved parties, loss of donor confidence and support, and breakdowns in land acquisition negotiations.

In consideration of the foregoing and for other good and sufficient consideration, the receipt and sufficiency of which are hereby acknowledged, the Undersigned hereby agrees that they will act as follows:

1. Request and use only such Confidential Information that is necessary to conduct the business of BHHT;
2. Not divulge any Confidential Information to any third party without the prior express written consent of the Executive Director or President of BHHT;
3. Not use or exploit any Confidential Information for their individual benefit, or permit any such confidential Information to be used for the benefit of others;
4. Keep all Confidential Information in their possession in a safe and secure place and take all reasonable steps to protect such Confidential Information against inadvertent or purposeful disclosure;
5. Not make copies of any Confidential Information unless required to conduct the business of BHHT;
6. Return all materials containing Confidential Information, and purge all electronic materials from personal computers, when such materials are no longer necessary for conducting the business of BHHT;
7. Immediately inform the Executive Director or President of BHHT if the confidentiality of any such materials has been compromised by loss or theft; and
8. Promptly advise the Executive Director or President of BHHT upon becoming aware that another person has disclosed, used or handled Confidential Information in a manner that is inconsistent with this Agreement.

IN WITNESS WHEREOF, the Undersigned hereby sets forth their signature on the date set forth below.

Signature _____ Date _____

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

[Insert BHHT Conflict of Interest Policy]

**Certification of Compliance
with BHHT’s Conflict of Interest Policy**

Certification of Compliance with the Conflicts of Interest Policy of the Blue Hill Heritage Trust (the “Trust”)

Name: _____

I hereby certify that:

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

Signature

Date

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