

# **PHILANTHROPY WEST VIRGINIA PERSONNEL POLICIES AND HANDBOOK**

*PROPOSED FOR IMPLEMENTATION BY JULY 1, 2014*

*APPROVED BY THE PHILANTHROPY WV BOARD OF DIRECTORS ON JUNE 19, 2014*

## DISCLAIMER

THIS HANDBOOK IS INTENDED FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT CREATE A CONTRACT OF EMPLOYMENT, NOR DOES IT GUARANTEE ANY EMPLOYMENT FOR ANY LENGTH OF TIME. PHILANTHROPY WEST VIRGINIA RESERVES THE RIGHT TO AMEND OR ABOLISH THIS HANDBOOK AND THE POLICIES HEREIN AT ANY TIME, WITH OR WITHOUT NOTICE, AS THIS HANDBOOK IS INTENDED FOR ITS BENEFIT ALONE. JUST AS YOU ARE FREE TO END YOUR EMPLOYMENT RELATIONSHIP WITH PHILANTHROPY WEST VIRGINIA AT ANY TIME, PHILANTHROPY WEST VIRGINIA RETAINS THE RIGHT TO TERMINATE YOUR EMPLOYMENT AT ANY TIME. ALL EMPLOYEES ARE EMPLOYED AT-WILL AND MAY RESIGN OR BE TERMINATED AT ANY TIME FOR ANY REASON, SO LONG AS THAT REASON DOES NOT VIOLATE ANY FEDERAL OR STATE LAW.

NO REPRESENTATIVE OF PHILANTHROPY WEST VIRGINIA, OTHER THAN \_\_\_\_\_, HAS THE AUTHORITY TO ENTER INTO ANY AGREEMENT FOR EMPLOYMENT FOR ANY SPECIFIED PERIOD OF TIME OR TO OFFER ANY JOB SECURITY NOT EXPRESSLY CONTAINED HEREIN, AND ANY EMPLOYMENT AGREEMENT ENTERED INTO BY THESE INDIVIDUALS MUST BE IN WRITING AND MUST BE SIGNED BY ALL PARTIES.

**RECEIPT OF PERSONNEL POLICIES AND HANDBOOK**

I, \_\_\_\_\_, acknowledge receiving a copy of the Employee Handbook of Philanthropy West Virginia. I further acknowledge that I shall read and become familiar with the Employee Handbook within seven (7) days of my receipt of it. I understand that abiding by the rules and policies herein is a condition of my continued employment with Philanthropy West Virginia. I further acknowledge my understanding that Philanthropy West Virginia may add to or change these rules and policies from time to time. I further understand that these may not be the only rules of Philanthropy West Virginia, and that there may be additional rules and regulations relating to the operation of my assigned department or the operation of Philanthropy West Virginia. Further, I understand that this handbook is not a contract, nor does it create any contractual relationship. I understand that I am employed on an at-will basis, and that I am free to end my employment relationship with Philanthropy West Virginia at any time, just as Philanthropy West Virginia retains the right to terminate my employment at any time for any reason.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature

## I. INTRODUCTION:

These operating policies and practices have been adopted by the Board of Directors for employees of Philanthropy West Virginia. (“staff member”).

For the purposes of this document, the word “employee” will be used in reference to:

Introductory Contracted Employee	An employee in his/her first three months of employment
Regular Contracted Employee	A full-time or part-time employee expected to work more than six months
Temporary Contracted Employee	A full-time or part-time employee expected to work less than six months
Independent Contractor	A person with a term contract who is not on the agency’s payroll.
Full-time Contracted Employee	An employee who works at least 40.0 hours per week.
Part-time Contracted Employee	An employee who works less than 30 hours or less per week

**To the extent any policies within this manual are inconsistent with any employee handbook otherwise applicable to any employee, this handbook takes precedence.**

The adoption of the included policies does not create or constitute an express or implied contract between Philanthropy West Virginia (“Philanthropy WV”) and any employee or contractor. Philanthropy WV or the employee may terminate the employment relationship at any time, without prior notice. Philanthropy WV may terminate an employee for any or no reason. This is called at-will employment.

On occasion, Philanthropy WV may change, amend, or discontinue any of the provisions of its Personnel Policies and Practices at the discretion of Philanthropy WV and without prior notice to the employee.

The President/CEO of Philanthropy WV is responsible for administering these policies. Exceptions to written policies are at the discretion of the President/CEO.

## II. ETHICS AND CONFLICT OF INTEREST:

### A. Ethics.

#### *Our Code of Ethics*

Given its mission, Philanthropy WV has adopted a Code of Ethics (“Code”) to guide its board members, committee members, and staff in their conduct when acting on behalf of Philanthropy WV. The Code contains broad principles reflecting the types of behavior Philanthropy WV expects toward constituents, employees, peers and the public. The Code is intended to provide a framework for ethical decision-making, as no Code can provide specific guidance for all situations. This policy is not intended as a stand-alone policy. It does not embody the totality of Philanthropy WV’s ethical standards, nor does it answer every ethical question or issue that might arise. Rather, it is one element

of a broader effort to create and maintain a quality organization that places ethical conduct as the highest priority. This Code will be reviewed periodically.

**Our Practices on Ethics:**

Board members, committee members, and staff will:

1. Exercise care, good faith, and due diligence in organizational affairs.
2. Strive for excellence and innovation and demonstrate professional respect and responsiveness to constituents and others.
3. Contribute to an organizational culture that respects the diverse, individual contributions of staff and leadership.
4. Respect the confidentiality of sensitive information about Philanthropy WV, its constituents, board, and employees.
5. Comply with applicable federal, state, and local laws, regulations, and fiduciary responsibilities.
6. For the board of directors, provide credible and effective oversight to the organization's work.
7. Abide by the governing documents and policies of Philanthropy WV, including the following: Conflict of Interest, Reporting of Unethical or Illegal Conduct, and our Accounting Practices & Procedures policies.
8. Be accountable for adhering to this Code of Ethics.
9. Act at all times in accordance with the highest ethical standards and in the best interest of Philanthropy WV, its constituents, and reputation.

**B. Reporting a Violation of Code of Ethics (“Whistleblower Policy”)**

**Purpose**

The purpose of this policy is to provide all board members, committee members, and staff with guidelines for the reporting of unethical or illegal behavior by Philanthropy WV board members, committee members, staff, vendors, professional service providers, or affiliated organizations.

**Our Policy**

If any employee, contractor, board member, or volunteer believes that some policy, practice, or activity of Philanthropy WV is in violation of law, a written complaint must be filed by that individual with the President/CEO, Board Chair, or Board Vice-Chair. In the event that any person with a reporting obligation believes that there is a conflict of interest on the part of the person to whom the allegations of suspected improper conduct are to be reported, the next higher level of authority shall receive the report.

It is the intent of Philanthropy WV to adhere to all laws and regulations that apply to the organization, and the underlying purpose of this policy is to support Philanthropy WV's goal of legal compliance. The support of all employees, contractors, board members, and volunteers is necessary to achieving this compliance.

Philanthropy WV has developed and implemented internal controls and procedures that are intended to detect and prevent or deter improper activities. There may, nonetheless, be both intentional and unintentional violations of laws, regulations, policies, and procedures. Philanthropy WV has a responsibility to investigate and, where appropriate, report allegations of suspected improper conduct.

This policy provides for confidentiality, and confirms that any person who makes a good faith report of suspected improper conduct or who participates in the investigations of such a report will be protected from retaliation by Philanthropy WV or anyone within its control.

Reporting individuals frequently make their reports in confidence. To the extent possible within the limitations of law and policy and the need to conduct a competent investigation, confidentiality shall be

maintained. Be advised that your identity may become known for reasons beyond the control of the investigators. The identity of the subject(s) of such investigation shall be maintained in confidence subject to the same limitations.

### **C. Conflict of Interest**

#### **Purpose**

Philanthropy WV strives to maintain the highest ethical standards in all policies, procedures, and programs and to avoid any conflicts of interest.

#### **Our Policy**

##### ***Definitions***

##### **1. Interested Person**

Any director, officer, member of a committee with board delegated powers or employee who has a direct or indirect financial interest (as defined in Section 2) or duality of interest (as defined in Section 3), is an interested person. A volunteer is covered under this policy if that person has been granted significant independent decision making authority with respect to financial or other resources of Philanthropy WV. Persons covered under this policy are hereinafter referred to as 'interested parties.'

##### **2. Financial Interest**

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family (the family of any individual shall include only his spouse, parents, children, grandchildren, great grandchildren, and the spouses of children, grandchildren, and great grandchildren):

- a. An ownership or investment interest in any entity with which Philanthropy WV has a transaction or arrangement, or
- b. A compensation arrangement with Philanthropy WV or with any entity or individual with which Philanthropy WV has a transaction or arrangement, or,
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which Philanthropy WV is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.

A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate board or committee decides that a conflict of interest exists.

##### **3. Duality of Interest**

A duality of interest exists when a director, officer, committee member, or employee of Philanthropy WV is affiliated with an organization seeking to request a grant from Philanthropy WV. Such affiliation exists if the person is a director, trustee, officer, or employee of Philanthropy WV, or has an unofficial role such as significant donor, volunteer, advocate, or advisor. A duality of interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a duality interest may have a conflict of interest only if the appropriate board or committee decides that a conflict of interest exists.

#### 4. Conflicted Person

Any interested person who has a conflict of interest.

##### ***Our Practice:***

##### 1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of his or her financial or duality of interest and all material facts to the directors and members of committees with board delegated powers considering the proposed transaction, arrangement, or grant. The disclosure should be made when the interest becomes a matter of board or committee action and on the Conflict of Interest Disclosure Statement attached which shall be updated annually.

##### 2. Determining Whether a Conflict of Interest Exists

After disclosure of the interest and all material facts, and after any discussion with the interested person, the interested person may declare that a conflict of interest exists. If the interested person declares that a conflict of interest does not exist, he or she may be asked to leave the board or committee meeting while the determination of whether a conflict of interest exists is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

##### 3. Procedures for Addressing the Conflict of Interest

Where the actual or potential conflict involves an employee of Philanthropy WV, other than the President/CEO, the President/CEO shall be responsible for reviewing the matter and may take appropriate action as necessary to protect the interests of Philanthropy WV. The President/CEO shall report to the Board Chair the results of any review and the action taken. The Board Chair, in consultation with the Executive Committee, shall determine if any further board review or action is required.

For Board and Committee members, conflict of interest will be reviewed in the Board meeting setting with the following steps:

- a. A conflicted person may make a presentation at the board or committee meeting, but after such presentation, s/he may be asked to leave the meeting during, and shall abstain from, the discussion of, and the vote on, the transaction, arrangement, or grant.
- b. The chairperson of the board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction, arrangement, or grant.
- c. After exercising due diligence, the board or committees shall determine whether Philanthropy West Virginia can obtain a more advantageous transaction, arrangement, or grant with reasonable efforts from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction, arrangement, or grant is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the board or committee shall determine by a majority vote of the members thereof who are not conflicted persons whether the transaction, arrangement, or grant is in Philanthropy WV's best interest and for its own benefit and whether the transaction is fair and reasonable to Philanthropy WV and shall make its decision as to whether to enter into the transaction or arrangement in conformity with such determination.

#### 4. Violations of the Policy

- a. If the board or committee has reasonable cause to believe that a member has failed to disclose a financial or duality of interest, it shall inform the member of the basis of such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the response of the member and making such further investigation as may be warranted in the circumstances, the board or committee determines that the member has in fact failed to disclose a financial or duality of interest, it shall take appropriate disciplinary and corrective action.

#### ***Records of Procedures***

The minutes of the board and all committees with board-delegated powers shall contain:

1. The names of the persons who disclosed a financial or duality of interest, the nature of the financial or duality of interest, any action taken to determine whether a conflict of interest was present, and the board's or committee's decision as to whether a conflict of interest in fact existed.
2. The names of the persons who were present for discussions and votes relating to the transaction, arrangement or grant, the content of the discussion, including any alternatives to the proposed transaction, arrangement, or grant, and a record of any votes taken in connection therewith, including a record of abstentions.
- 3.

#### ***Compensation Committee***

A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from Philanthropy West Virginia for services is precluded from voting on matters pertaining to that member's compensation.

#### ***Annual Statements***

Each director, officer, member of a committee with board delegated powers and employees shall annually sign a statement that affirms that such person:

- a. Has received a copy of the conflict of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and,
- d. Understands that Philanthropy West Virginia is a charitable organization and that in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

### **III. ATTENDANCE AND TIME OFF:**

**Because each employee is an essential member of our team and teamwork is important, we expect employees to be prompt and regular in attendance.**

#### ***Our Practices:***

##### **A. Working Hours**

Reporting for work as scheduled and on time is the responsibility of each employee. Philanthropy WV has established standards to ensure regular attendance to meet the needs of each internal operation.

Work schedules, including workdays and starting/stopping times, are established based on business needs. Philanthropy WV maintains operating hours of Monday through Friday from 8:30 AM to 5:00 PM, and employees receive a half hour lunch break. An employee's work week typically is comprised of 40 hours of work over a seven day period, beginning each Sunday.

## **B. Absent Notification**

When one of the Philanthropy WV's staff members is unexpectedly unable to report for work, the President/CEO should be advised directly by phone or email not later than 9:00 AM of the day of the absence. A staff member's immediate family member or household member may notify the President/CEO if the staff member is unable to do so.

In order to effectively conduct organizational business, and maintain safety and security, Philanthropy WV must be able to account for each of its employees between the hours of 8:30 AM and 5:00 PM, Monday through Friday.

Employees who work offsite or are utilizing leave time during these hours must seek approval of the President/CEO. Please use the Absence Request Report form to request leave. Please record all office absences on your timesheet, and record your "present" or "away from the office" status on the organizational calendar posted in the front office.

Accurate, signed timesheets must be submitted to your Supervisor by noon on every other Monday.

Excepting emergencies, submit requests for Paid Time Off (PTO) to the President/CEO at least 3 business days in advance of the date requested. Requests must be approved by the President/CEO in advance of the leave. The President/CEO may approve or deny the request, subject to organization needs.

On certain occasions business needs may require non-salaried employees to work in excess of 40 hours. Eligible employees will receive overtime pay. Contracted or leased employees may not exceed 40 hours of work in any seven day period.

## **C. Flex-Time**

Occasionally, non-salaried employees will be asked to, or will need to, work outside operating hours. Flex-Time affords employees this option. An employee should submit a request in writing to her/his supervisor if s/he wishes to be considered for a flex-time work arrangement. The request for flex-time may be granted by the President/CEO after consideration is given to the needs of the organization and whether a flex-time arrangement will interfere with fulfilling the responsibilities of the employee's job. Employees using a flex-time arrangement must receive their supervisor's prior approval.

## **D. Holidays**

Philanthropy WV sets an annual holiday schedule taking into account the holiday schedule of its leased employees. Christmas Eve and the Friday after Thanksgiving are organizational holidays. The President/CEO will confirm the schedule and notify the Finance & Administration Committee by December 31<sup>st</sup> of the year prior to the new work year.

## **E. Paid Time Office (PTO)**

Philanthropy WV recognizes that its employees will occasionally need or choose to take time from work. Philanthropy WV provides Paid Time Off ("PTO") to its employees, and does not ask employees to

categorize the time off. Employees are afforded PTO as outlined, and may use the days for any purpose, until the allotted days are exhausted.

After ninety days of consecutive employment, employees become eligible for PTO. PTO comprises, but is not limited to, personal use days, vacation days, sick days, appointments, family emergencies, and volunteer activities. Employees need not categorize their leave. PTO is calculated on a calendar year basis, and available days are based on years within the organization. Individuals who have not reached ninety days of consecutive employment but experience extenuating circumstances requiring PTO should submit requests to the President/CEO for consideration on a case-by-case basis.

**Tier #1:**

After ninety days of employment, employees become eligible for PTO. From the ninetieth day to the date of three years' continuous service, employees receive fifteen (15) PTO days per year to be used at their discretion with scheduling approval of their supervisor. Employees who negotiate other initial PTO plans will remain at such levels for the new employee three year period.

**Tier #2:**

After three years of continuous service, an employee will receive twenty (20) PTO days per year, or five additional days to the number of days negotiated as a Tier 1 employee.

**Tier #3:**

After five years of continuous service, an employee will receive twenty-five (25) PTO days per year. PTO leave is capped at twenty-five (25) days per year.

**Carryover of Days**

PTO is to be exhausted each calendar year. An employee may request approval from the President/CEO and in the case of the President/CEO a request to the Board of Directors, to carry over up to seven days of unused PTO, which must be used within the first quarter of the new calendar year. Carry over requests are approved upon review of the organization's financial position and explanation of the need to carry over. Philanthropy WV will document any carryover as a financial liability for the organization in its financial reports for the Board of Directors.

*i. Philanthropy WV's Practice for PTO* is that requests for PTO must be submitted at least three business days in advance for approval by the President/CEO.

During an employee's first year of employment, PTO is earned on a pro-rated scale based on date of hire, and commences after ninety days' continuous service. Pro-rated PTO is calculated as follows:

**Pro-rated PTO Based on Date of Hire**

<b>Month Employment Begins</b>	<b>% of PTO Time Available</b>
January	100%
February	95%
March	90%
April	80%

May	70%
June	60%
July	50%
August	40%
September	30%
October	20%
November	10%
December	0%

PTO calculations are rounded to the nearest whole day or hour. PTO Calculations ending in 0.00 or 0.49 will be rounded down. PTO calculations ending in 0.50 to 0.99 will be rounded up.

Employees working twelve months or less are not eligible for pro-rated payment of PTO upon departure. Employees who are involuntarily terminated due to dishonesty, falsification of application, misconduct, or violation of the conditions of your employment (e.g harassment, theft, violence or threats of violence, serious infractions of the Philanthropy WV Staff Policy & Practices Manual or rules), forfeit payment of any unused PTO..

Departing and retiring employees will receive a pro-rated amount of PTO (less any PTO already used) provided the following conditions are met:

- You have been employed with Philanthropy WV or through its contracted employee leasing firm for more than one year;
- You provide at least two weeks' written notice;
- You continue working after giving notice.

### Pro-Rated PTO Upon Termination of Employment

If You Leave During.....	% of PTO Eligibility
January	0%
February	10%
March	20%
April	30%
May	40%

June	50%
July	60%
August	70%
September	80%
October	90%
November	95%
December	100%

Unused PTO will be paid in lump sum with the employee's final paycheck. Employees who have exceeded earned PTO at departure will be assessed at the rate of one day's pay for each excess used day, subtracted from their final paycheck.

***Unplanned absences must be reported to your supervisor by 9:00 a.m. on the day of the absence, or if at work, before leaving the office.*** If the supervisor is unavailable to take the call, the employee should leave a voicemail on the President/CEO's cellular phone and send an email. Upon return to work, please complete an absent request form documenting the absence.

Philanthropy WV requires its employees to produce a physician's statement if an unplanned absence is for 5 consecutive days or more. Note that planned absences may exceed 5 consecutive days.

#### **F. Bereavement Leave**

In the case of death of an immediate family member, employees may request leave not to exceed 3 days. Requests should be made to the President/CEO. The immediate family is defined as parents, spouse, children, step-children, siblings, domestic partners, immediate in-laws, or individuals residing in the staff member's home. Absence beyond three days will be without pay or charged against available PTO, as determined by the employee.

#### **G. General Leaves of Absence including Maternity & Parental Leave**

Although leaves of absence are generally not available, individual circumstances may best be served by leaves. Absence without pay may be granted on a case-by-case basis to regular full-time staff members of Philanthropy WV in the event of illness, temporary disability, maternity, paternity, or for personal reasons. Staff members must have completed one year of continuous service with the organization to be eligible for a leave of absence for personal reasons. Leaves of absence are for a specific period of time but shall not exceed 90 days. In the event a leave of absence can be planned in advance, please notify the President/CEO as early as you are comfortable doing so.

A leave of absence will be granted after a written request has been approved by the President/CEO and the Executive Committee of the Board of Directors. Philanthropy WV will generally attempt to place a person on leave of absence in the same or similar position upon return, but may determine in its absolute discretion that the staff members' position be filled by another person. If, in the interest of work scheduling, it becomes necessary to fill the job of a staff member on a leave of absence, Philanthropy WV reserves the right to do so.

The employee must use all accumulated PTO leave at the commencement of the leave of absence.

Accrual of and eligibility for benefits other than PTO are managed by the employee leasing company, and benefits are continued or modified at the leasing company's discretion

#### **H. Military Duty**

Philanthropy WV respects military commitments, and will accommodate these commitments with prior notice to the President/CEO.

#### **I. Jury Duty**

Employees summoned for jury duty shall be given time off with pay. When court schedule permits, the employee is expected to work for Philanthropy WV.

### **IV. EMPLOYMENT:**

***Our Policy:*** *Philanthropy WV honors and appropriately provides employment to hardworking individuals to lead and grow our vital and vibrant statewide network and we do so in accordance with all applicable laws.*

#### ***Our Practices include the following:***

##### **A. Equal Employment Opportunity**

In accordance with all requirements of federal, state, or local law, Philanthropy WV is an Equal Employment Opportunity employer and does not discriminate in hiring or employment on the basis of race, color, national origin, religion, sexual orientation, gender, marital status, veteran status, age, or physical or mental disability that, with reasonable accommodation, allows the safe performance of essential job functions.

##### **B. Hiring Authority**

The President/CEO is responsible for employing and terminating staff and contractors. Philanthropy WV leases its staff who are supervised by the President/CEO or other staff as determined by the President/CEO.

##### **C. Application**

Prospective employees are required to submit written resumes that include education and experience, individual and professional interests and talents, and any responsibilities that might affect placement or ability to perform the essential functions of the job the applicant seeks. All employees are required to submit written references that will be investigated before final employment. This written record becomes part of the personnel files.

##### **D. Orientation**

Upon selection and hiring through the employee leasing firm, a new staff member will be provided with this manual. The President/CEO and staff member will discuss the document and carefully review the staff member's job description.

Each new staff member will be thoroughly briefed on the purpose and goals of Philanthropy WV. Through carrying out assigned duties and responsibilities, each staff member helps to achieve the objectives of the Philanthropy WV.

The President/CEO and/or the employee leasing firm will be responsible for assisting all new staff members with necessary personnel forms.

### **E. Immigration**

It is the policy of Philanthropy West Virginia to employ or contract/lease only those individuals entitled to work in the U.S. In complying with the Immigration Reform and Control Act of 1986 (IRCA), it is against organizational policy to discriminate because of an individual's national origin, citizenship or intent to become a U.S. citizen. In compliance with IRCA law, all employees hired on or after November 7, 1986 will be required to complete the employee's section of Form I-9 and produce the required proper documentation indicated on Form I-9 within 3 days of employment. Philanthropy WV relies on its employee leasing firm to manage and facilitate matters related to work entitlement.

### **F. Job Descriptions**

There shall be a job description for each position outlining roles and responsibilities. The job description focuses on core duties and is not intended to be all-inclusive. This job description shall be presented to each staff member upon hiring and shall be modified as needed from time to time. The description is not limiting, but allows for change and modification of responsibilities as conditions warrant. The job description will serve as one of the guidelines in performance evaluations. Occasionally, staff members may be expected to perform functions not detailed in the job descriptions, but within their capabilities.

### **G. Introductory Period**

There will be an initial period of contracted/leased employment in which the employee has the time to become familiar with Philanthropy WV and the new position and Philanthropy West Virginia has the opportunity to evaluate the staff member's performance. This initial period will be three months from the start of contracted/leased employment. The introductory period for staff members may be extended for one additional month at the discretion of the President/CEO. The introductory period for the President/CEO may be extended for an additional three months at the discretion of the Executive Committee. At the end of the introductory period, the President/CEO staff member's performance will be reviewed by the individual staff member with the President/CEO.

### **H. References**

Philanthropy WV reserves the right to release title of last position held and dates of employment for former staff members. Performance and salary data will be released only upon written authorization from the former staff member. All reference checks should be directed to the President/CEO.

### **V. CONTRACTED/LEASED EMPLOYEE BENEFITS:**

Because Philanthropy WV employees are hired through a leasing firm, the leasing firm facilitates all benefit programs including insurance coverage.

## **President/CEO**

The benefits program of the President/CEO will be considered separately from other positions, and will be determined on an individual basis for each President/CEO in consultation with the Executive Committee and Board of Directors of Philanthropy WV.

## **VI. COMPENSATION**

### **A. Payroll**

Staff members will be paid bi-weekly by check or direct deposit through Philanthropy WV's employee leasing/contracting service. If the payroll date falls on a holiday, staff members will be paid the preceding workday. Philanthropy WV will not pay employees in advance and will not loan employees money against their paychecks.

### **B. Salary Levels**

The President/CEO will establish salary levels for staff to be approved in aggregate by the Board of Directors upon recommendation of the Executive Committee. The salary level for the President/CEO will be established by the Board of Directors upon recommendation by the Executive Committee. Salary levels will be reviewed prior to each new fiscal year. Salary increases are not automatic, but are based on merit and performance.

### **C. Overtime**

#### ***Our Practice:***

Each staff member recognizes that the demands of his or her position may require the employee to work extra hours on occasion. As all staff are salaried employees, Philanthropy WV complies with the practices of its employee leasing firm.

### **D. Performance Review**

All staff members generally will receive a performance review at the end of their first three months and annually thereafter during the months of February or March. This performance review is a process requiring the active participation of the President/CEO and the staff member being evaluated. It shall consist of a written evaluation to be discussed by the staff member and President/CEO and placed in the staff member's personnel file.

The performance review of the President/CEO will be conducted by the Chair and Vice-Chair of the Board of Directors with input from the entire Board of Directors, as set forth in the President/CEO's Annual Review Policy.

## **VII. NON-HARASSMENT POLICY:**

It is Philanthropy WV policy that all staff members have a right to work in an environment free of harassment and discrimination. Philanthropy WV prohibits all forms of harassment, including sexual, racial, and gender status. Harassment includes, but is not limited to, unwelcome statements or actions based on sex, race, age, religion, national origin, disability, sexual orientation or other protected group status that are sufficiently severe or pervasive so as to unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment.

Philanthropy WV prohibits harassment of its staff members in any form -- by supervisors, co-workers, or suppliers.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other such verbal or physical conduct of a sexual nature that is sufficiently severe or pervasive so as to unreasonably interfere with an individual's work performance or create an intimidating, hostile or offensive working environment.

Any person who has experienced or observed harassment by anyone at Philanthropy WV, including supervisors and co-workers, is strongly urged to bring the problem to the attention of the President/CEO, Board Chair, or Board Vice-Chair. In the event that any person believes that there is a conflict of interest on the part of the person to whom the allegations of harassment are to be reported, the next higher level of authority shall receive the report.

Philanthropy WV prohibits retaliation against any staff member for having raised such a complaint. Complaints will be investigated and handled as confidentially as possible. We will take appropriate corrective action, including discipline, suspension, or discharge to remedy violations of this policy.

## **VIII. HEALTH:**

### **A. Drug and Alcohol Policy**

The use, sale, transfer or possession of alcohol, drugs, controlled substances, drug paraphernalia, or any combination thereof, on any agency premises or work sites may be grounds for discharge. Entering Philanthropy WV premises or being at work with drug paraphernalia or under the influence of alcohol, drugs, or controlled substances, or any combination thereof, may be grounds for discharge.

When an employee is using prescription or over the counter drugs, or other medicine or stimulants which may affect the employee's ability to safely and/or efficiently perform his/her duties, the employee is required to advise his/her supervisor before beginning work. If there is any question concerning the employee's ability to perform safely and/or efficiently, the employee will be sent home.

***Our Practice:*** Please note that in the case of special events requiring alcohol service, Philanthropy WV will not serve alcohol, but it is our practice to use an independent party or vendor to provide such services.

### **B. Smoking**

Philanthropy WV promotes good health among employees, and complies with any ordinances regarding smoking in the public areas of the office building. Smoking is prohibited in the work place except in areas designated by office building management.

## **IX. INFORMATION:**

***Our Policy:*** *All information developed, maintained or gathered for specific Philanthropy WV business, membership details, etc. is confidential, and is to be kept private for organizational purposes unless given permission by the President/CEO for distribution. Upon an employee's departure, all confidential and internal information of Philanthropy WV is to be returned to the organization.*

***Our Practices are as follows:***

### **Members' Records and Mail List**

Records of members, organization partners, and others contained as part of the organization's master mail list and elsewhere within the office is solely for Philanthropy WV business. Under no circumstances is the information to be used for personal purposes of any staff member or former staff member of Philanthropy WV, nor be removed from Philanthropy WV offices unless for Philanthropy WV business purposes.

## **X. OFFICE SYSTEMS:**

***Our Policy:*** It is the policy of Philanthropy WV to maintain the Office Systems for use by the staff for job-related purposes. All information and data generated from or contained in such systems is the property of the organization. Employees do not have privacy rights with respect to the use of Philanthropy WV E-Mail, voice mail, or other office systems. There may be times when, for legitimate business reasons, Philanthropy WV may, without notice, authorize supervisory Staff to inspect and/or review the Office Systems, including E-Mail, voice mail, office files and work areas. This right does not allow individual staff members to intrude upon the work space, E-Mail, or voice mail of another, or to inspect any Office Systems without appropriate authorization. Abuse of this Office Systems Policy is subject to disciplinary action, up to and including discharge from employment or appointment. In light of rapidly emerging technological advances and the evolving legal environment, Philanthropy WV policy regarding using office systems is that "Office Systems" includes all equipment in place at or furnished for use by staff (such as telephones, voice mail, computers and laptops, tablets and phone devices, social media, software, photocopying machines, electronic mail ("E-Mail"), and other uses of the Internet) and all office files maintained for or by staff. This policy applies to all Philanthropy WV staff and contracted/leased employees, temporary staff, consultants, and other users of the Office Systems in place at Philanthropy WV.

### **Our Practices:**

#### **A. Office Systems**

Office Systems are for job-related purposes. Philanthropy WV recognizes that from time to time the Office Systems may be used for incidental personal reasons, such as brief telephone calls, postings on the Bulletin Board, or making personal appointments. Please limit incidental use.

The Office Systems may not be used for personal or financial gain or in connection with any activities other than Philanthropy WV business, including personal, political or religious activities.

In making decisions regarding storing sensitive, confidential or personal materials on any of the Office Systems, staff should remember that such material may be inspected or reviewed by Philanthropy WV for legitimate business reasons.

Except for access authorized by the President/CEO, staff may not use any password or code to gain access to the Office Systems to access files or retrieve stored communications of another person without that person's consent. Staff are authorized to create and change their user I.D. passwords for the computer and voice mail systems, and should make every effort to maintain the confidentiality of network passwords.

Staff who are issued hardware or software by Philanthropy WV, whether for use in the home, office, or while traveling, are personally responsible for returning the hardware or software to Philanthropy WV in its original condition, reasonable wear and tear expected, upon request by Philanthropy WV or upon termination. Staff should take particular care when traveling with portable devices to protect them from theft or loss.

#### **B. Software**

Philanthropy WV furnishes software necessary to support the organization's activities. Staff must abide by general software licensing rules that prohibit users from making unauthorized copies of software, allowing others to use or copy software, selling or transferring copies of software to others, disclosing software documentation to others, and modifying software. Staff may not load or maintain personal or external business software onto any of Philanthropy WV's computers unless authorized to do so by the President/CEO.

### **C. E-Mail**

Except for incidental personal use, E-mail should be used only for job-related purposes.

E-mail can be used effectively to quickly communicate and disseminate information of a general or informative nature. E-mail is neither secure nor private, and should not be used to communicate sensitive, confidential, or restricted information. Hardcopy interoffice memoranda should be used for sensitive or confidential matters. Recipients are not obligated to keep messages private.

When composing e-mail, avoid inflammatory or threatening language, derogatory comments, or sexually, racially, or religiously offensive remarks. Hastily drafted notes and messages may lead to embarrassing situations and could subject Philanthropy WV to potential liability. (A good rule of thumb is to consider what would happen if the message were published in the next day's Charleston Gazette.)

To preserve on-line storage space, all E-mail files (which may or may not include attached documents) will be archived on a (i) weekly basis for all messages older than 30 days residing in the user's inbox, trash folder, message log and bulletin boards, and (ii) on a monthly basis for all messages older than six months in all other E-mail folders. Staff should follow the 'archiving' procedure set up by the President/CEO to save messages that need to be retained longer than six months, e.g. important messages or messages that relate to pending litigation. 'Archiving' involves moving the files to off-line media such as diskettes or desktop hard drives; space will not be preserved if files are merely moved from one network directory to another network directory.

### **D. Internet**

Philanthropy WV leases a connection to the internet through an internet service provider. Philanthropy WV's connection to the Internet is a resource that is shared by all staff and is to be used solely for job-related purposes and not for personal or financial purposes. Decisions affecting the organization's internet connection and use of the connection are governed by the President/CEO.

#### *When using Philanthropy West Virginia' internet connection:*

Do not download any program software or executable files from the internet and do not load any internet software or executable files onto the computer network or any local computer, such as a desktop computer, without prior consent of the President/CEO. Do not download or otherwise bring into Philanthropy WV any unsuitable materials (such as, but not limited to, pornographic text or graphics).

Staff must abide by the terms of all licensing agreements and copyright laws. Use of any information or materials obtained from bulletin boards must comply with any restrictions or requirements specified for such material (e.g., payment of royalties for use of shareware). Before including any written materials obtained from Philanthropy WV's internet connection in an agency publication or software system, c make certain Philanthropy West Virginia has received appropriate authorization for such use. Authorization should not be assumed from the absence of any prohibition. If the author of the work is identified on the work, the author's

written consent should be obtained before making extensive use of such materials. Anyone wishing to seek such consent should contact the President/CEO. Particular caution should be taken in the case of materials intended for broad publication or distribution.

Do not join in or initiate any non-job related bulletin boards and chat groups. Do not attempt to gain unauthorized access to remote computers. Make every effort to protect network passwords.

Attempt to use Internet sources that are free of charge. In no event will staff subscribe to any services that will be charged to Philanthropy WV without the prior consent of the President/CEO.

## **E. Social Media**

Philanthropy WV recognizes the use of Social Media as an element of professional and personal lives and will provide an in-depth social media policy as an addendum to this policy and practices manual. Please reference the attached Social Media Policy for the Organization.

## **XI. COMMUNICATION/GRIEVANCES:**

***Our Policy:** It is important to Philanthropy WV that all staff members be treated with consideration and fairness and be satisfied in their relationship with each other and with Philanthropy WV. It is also important that Philanthropy WV's policies, procedures, and regulations be properly and fairly applied. Nevertheless, as in any organization, problems, difficulties, or misunderstandings may occasionally arise, and the President/CEO and the Executive Committee of the Board of Directors want to know about it.*

### **A. Employee Disputes**

Occasionally a staff member may have a problem or grievance that is not resolved through the informal open door procedure. Unresolved grievances will be addressed as follows:

First, present the grievance orally to the President/CEO within 5 working days of its occurrence or within 5 working days of attempting to solve, resolve, or adjust the problem. The President/CEO will discuss the issue with the staff member and attempt to reach a satisfactory resolution. If the grievance cannot be resolved between the staff member and the President/CEO, the staff member may, in writing, request review by the Executive Committee. The Executive Committee shall meet with the staff member and President/CEO as soon as practical and discuss the problem or grievance, and present a written response to the staff member and President/CEO. In all cases, the decision of the Executive Committee is final.

At any time, if the staff member fails to process his or her grievance to the next higher step in the procedure within the time limits specified, Philanthropy WV will consider the grievance resolved by the last measure taken.

If a problem is between the President/CEO and Board of Directors, the process should be worked through with the Chair and or Vice-Chair of the Board of Directors. If the problem is between the President/CEO and a staff member, the staff member may present the grievance directly to a member of the Executive Committee, which shall meet with the staff member and President/CEO as soon as practical, together or separately, as determine by the Executive Committee, and discuss the problem or grievance. The Executive Committee will present a written response to the staff member and President/CEO. In all cases, the decision of the Executive Committee is final.

## **XIV. TRAVEL AND GENERAL EXPENSES:**

***Our Policy:*** *Philanthropy WV appropriately reimburses staff members for all travel and other reasonable expenses incurred while conducting Philanthropy WV business. All expenses must be pre-approved by the President/CEO prior to reimbursement. Any expenses charged to Philanthropy WV that are not approved by the President/CEO must be repaid to Philanthropy WV in a timely manner. Reimbursements are required to be submitted for reimbursement within 30 days of the expense.*

***Our Practice:*** Business expenses incurred by staff are reimbursed on an actual cost basis and require a receipt. Travel advances may be made, when necessary. An accounting of all out-of-town travel expenses (including travel advance) is required to be reported with appropriate and available receipts to the President/CEO for approval within 30 business days of returning to the office.

Staff will be reimbursed for the use of personal vehicles at the IRS allowable rate for mileage. Other reasonable and required travel expenses, including car rental, parking, bus or taxi expenses, hotel and meal expenses, and appropriate incidental expenses, will be reimbursed at actual cost within the following guidelines:

- Airfare will be reimbursed at the lowest coach fare available at the time the reservation is made. All efforts to book travel 21 days in advance shall be made.
- Philanthropy WV will only pay and reimburse for hotel charges at the conference room rate or less.
- Meals will be reimbursed at no more than the following rates per person, including tax and gratuity, although regular local/ in-state travel should require significantly less expense:
  - Breakfast \$20
  - Lunch \$25
  - Dinner \$40

Rental cars should be midsize or smaller when appropriate and available. Using Philanthropy WV's corporate account is an option when seeking best pricing. Prior approval for rental cars is required.

For the most part, out-of-state travel arrangements should be made through the Internet. Staff members are expected to make travel arrangements in sufficient time to get the lowest possible airfare and the conference rate or better for hotel stays. First class transportation may not be used while on Philanthropy WV business except at the employee's expense (i.e., the differential between acceptable coach fare and the first class fare). Also Philanthropy WV will pay for an overnight stay on a Saturday if the airfare discount for staying over on a Saturday is more than the total costs for the additional Saturday night stay.

Any exceptions to this policy require prior approval by the President/CEO.

## **XVI. OUTSIDE ACTIVITIES:**

Philanthropy WV recognizes the desire on the part of its staff members to engage in outside activities such as community organizations, committee memberships, etc. Philanthropy WV encourages such activity as long as there is no conflict of interest, and as long as it does not consistently interfere with Philanthropy WV work. For any activity that takes place during work hours or extended activity, the staff member should seek prior approval of the President/CEO. The President/CEO should seek prior approval of the chair of the Executive Committee.

Philanthropy West Virginia also recognizes that from time to time staff members will be offered fees, stipends and honorarium for outside professional services. Philanthropy WV will allow staff members to retain all such monies if such services do not interfere with organizational obligations and if (a) the activities are unrelated to Philanthropy WV business; (b) preparation for the activities and participation in them does

not take place on Philanthropy WV time; (c) the activities and preparation does not conflict with Philanthropy WV interest; and (d) staff members have the prior approval of the President/CEO or the President/CEO has prior approval of the chair of the Executive Committee.

## **XVII. PERSONAL GIFT POLICY:**

**Our Policy:** Philanthropy WV staff members and board members recognize and uphold the ethics and morals of the foundation and nonprofit sector and do not want to develop a conflict of interest or perceived conflict by receiving excessive personal gifts. To avoid a conflict of interest, the appearance of a conflict of interest, or the need for our employees to examine the ethics of acceptance, our organization and its employees do not accept gifts from vendors, suppliers, customers, potential employees, potential vendors or suppliers, or any other individual or organization that are valued in excess of \$50, under any circumstances.

## **XVIII. TERMINATION:**

**Our Policy:** It is the policy of Philanthropy WV that the termination of a staff member is handled in a respectful and diligent fashion in accordance with all laws and ethical practices.

### **A. Voluntary Resignation**

A member of the staff who resigns is expected to give Philanthropy WV and the contracted/employee leasing firm in writing the amount of notice indicated below:

- President/CEO, six weeks
- All other staff, two weeks

### **B. Involuntary Layoff Due to Organizational Change**

A staff member may be terminated due to a reduction in total staff or for financial reasons, alterations or cessation of a program, or for other reasons determined by Philanthropy WV. Such layoff may entitle the employee to certain benefits as determined by the employee leasing/contracting firm. Employees who are laid off will be paid for earned but unused PTO.

### **C. Other Termination**

Philanthropy WV reserves the right to terminate staff members for any reason at any time with or without notice at its own discretion, but such reasons might include job performance, excessive absence or tardiness, or gross misconduct or disregard for Philanthropy West Virginia policies.

## **XIX: REVIEW & UPDATE POLICIES & PRACTICES:**

It is the policy of Philanthropy WV that the Board of Directors annually reviews and updates this manual with the Finance & Administration Committee and President/CEO facilitating the review and presenting proposals for updates and edits.

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*Approved by the Philanthropy WV Board of Directors on June 19, 2014*

***PHILANTHROPY WEST VIRGINIA, INC.***  
***SOCIAL MEDIA POLICY***

**A. Purpose**

Philanthropy West Virginia (the “Organization”) social media is a quickly evolving and beneficial communication medium. However, the use of social media by employees of the Organization can pose risks to the Organization’s confidential and proprietary information, reputation and brands, and can jeopardize the Organization’s compliance with various rules and laws. This Social Media Policy provides guidance on social media communications participation to protect you and the interests of the Organization and other individuals and businesses who work with the Organization.

This policy applies to all employees of Philanthropy West Virginia. Both in professional and institutional roles, employees need to follow the same behavioral standards online as they would in real life. All Organization personnel are expected to adhere to the following rules and guidelines regarding use of social media.

**B. Compliance with Related Policies and Agreements**

All of the Organization’s existing policies that might apply to the use of social media as set forth in the Staff Policies and Practices Manual remain in full force and effect. Organization personnel must comply with those policies when using social media. In particular, the following policies should be kept in mind:

- Equal Employment Opportunity
- Unlawful Harassment
- Conflicts of Interest
- Solicitation Policy
- Computer Usage and Electronic Mail

Social media should never be used in a way that violates any other Organization policies or obligations. If your post or communication would violate any of the Organization’s policies in another forum, it will also violate them in an online forum. For example, Organization employees are prohibited from using social media to:

Violate confidentiality regarding the Organization’s employees, members, funders, or donors.

Publish false information about the Organization or its employees, members, donors, volunteers, business partners, vendors or other individuals or businesses who work with the Organization.

Harass Organization personnel in any way.

Circumvent policies prohibiting unlawful discrimination against current Organization personnel or applicants for employment.

Organization personnel are prohibited from providing information, recommendations or references for any current or former employees, or commenting on their job performance, through the use of any type of social media, including social or professional networking sites.

Organization personnel who violate the Organization's policies or misuse social networking sites relating to their employment will be subject to disciplinary actions up to and including termination of employment.

#### **C. Personal Use of Social Media**

The occasional use of social media for personal activities during the work day is permitted during breaks if it does not violate Organization policies, involve unprofessional or inappropriate content and does not interfere with your employment responsibilities or productivity.

#### **D. No Expectation of Privacy**

Organization personnel are provided access to the Organization's computer and communication systems, which includes access to the Internet and electronic mail. The Organization's computer and communications systems, including all contents of that system, are the private property of the Organization. Therefore, Organization personnel should have no expectation of privacy whatsoever in any message, files, data, document, facsimile, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on the Organization's computer and communications systems.

You are expressly advised that in order to prevent misuse, the Organization reserves the right to monitor, intercept and review, without further notice, the activities of Organization personnel using the Organization's equipment and computer and communications systems, including but not limited to social media postings and activities. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving and printing of transactions, messages, communications, postings, log-ins, recordings and other uses of the systems as well as keystroke capturing and other network monitoring technologies. By accessing and using the Organization's equipment and systems, all Organization personnel expressly consent to such monitoring, access and use by the Organization.

Do not use the Organization's computer and communications systems for any matter that you desire to be kept private or confidential from the Organization.

#### **E. Business Use of Social Media**

No employee shall use social media as part of their job duties unless that person receives prior written approval from the Chief Executive Officer of Philanthropy West Virginia.

#### **F. Guidelines for Responsible Use of Social Media**

The above material covers specific rules, policies and obligations that Organization personnel must follow in using social media, whether for personal or business purposes, in consideration of their employment. The following sections of this policy provide Organization personnel with common-sense guidelines and recommendations for using social media responsibly and safely, in the best interests of the Organization.

These guidelines are intended to add to, not contradict, limit or replace, the above rules, policies and obligations.

## **1. Protect the Organization's Goodwill, Brands and Reputation**

You are prohibited from posting or making disparaging or defamatory statements about the Organization or its business interests, but you should also avoid social media communications that might be misconstrued in a way that could damage the Organization's goodwill and reputation, even indirectly.

Only authorized individuals may communicate information on behalf of the Organization. Without express written permission from the Organization's Chief Executive Officer, or his/her designee, you are not authorized to make statements or communicate on behalf of the Organization. To the extent you utilize social media sites, you may not represent yourself as a spokesperson or representative of the Organization. Make it clear in your social media postings or communications that you are speaking on your own behalf. Write in the first person and use your personal e-mail address when communicating on social media. Do not use Organization e-mail addresses to register for social media sites.

Authorized individuals communicating information on behalf of the Organization must get the facts straight and review content for grammatical and spelling errors before posting them on social media.

You are personally responsible for what you communicate and publish on social media. Remember that what you publish might be available online for a long time. As an employee of the Organization, always consider how your comments will be viewed in light of protecting and enhancing both the Organization's reputation and your own. Keep this in mind before you post any content.

Be aware that a presence in the social media world is or easily can be made available to the public at large. This includes current members, prospective members, prospective donors, current donors, current employers, volunteers, colleagues, and peers. Consider this before publishing to ensure the post will not alienate, harm, or provoke any of these groups.

If you disclose your affiliation as an employee of the Organization, you must take appropriate steps to ensure that others will not view you as a spokesperson or representative for the Organization, such as by including the following statement: ***"The views expressed on this website/blog/network are mine alone and do not represent the views of my employer."*** Use good judgment about what you post and remember that anything you say can reflect on the Organization, even if you do include a disclaimer.

## **2. Respect Intellectual Property and Confidential Information**

You are prohibited from disclosing or jeopardizing the Organization's confidential information, trade secrets or proprietary information through your use of social media. In addition, you should avoid misappropriating or infringing the intellectual property of other companies and individuals, which can create liability for yourself and for the Organization. To protect yourself and the Organization against liability for copyright infringement, where appropriate, reference sources of particular information you post or upload and cite them accurately.

Do not use the Organization's logos, brand names, taglines, slogans or other trademarks, or post any confidential or proprietary information of the Organization. Do not use the Organization's name to promote a product, cause, or political party or candidate.

Photographs posted on social media sites easily can be appropriated by visitors. Remember that the policies of Organization related to purchasing and using its images apply online as well as in print.

**3. Respect Organization Personnel, Members, Donors, Volunteers and Other Individuals and Businesses Who Work With the Organization**

Be respectful to Organization personnel and the Organization's members, donors, volunteers, vendors or other individuals and businesses who work with the Organization. Do not post anything that they would find offensive, including ethnic slurs, sexist comments, discriminatory comments, insults or obscenity. Also, do not share or disclose confidential or proprietary information of the Organization's personnel, members, volunteers, or other individuals and businesses who work with the Organization on social media sites.

*Approved by the Board of Directors on June 19, 2014*

**ACKNOWLEDGEMENT OF RECEIPT AND REVIEW of SOCIAL MEDIA POLICY**

I have received and read a copy of *Philanthropy West Virginia's Social Media Policy* and understand its contents. I understand that the Organization expressly reserves the right to change, modify or delete its provisions at any time.

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