

# LOCAL COUNCIL EMPLOYEE HANDBOOK



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**January 1, 2019**

**This Employee Handbook supersedes all previously issued Employee Handbooks, and all previously issued Employee Handbooks are hereby revoked.**

### ***Important Notice—Disclaimer***

THIS EMPLOYEE HANDBOOK ("HANDBOOK") IS A GUIDE TO GENERAL EMPLOYMENT PROCEDURES AND POLICIES OF THE ABRAHAM LINCOLN COUNCIL ("COUNCIL"). THE HANDBOOK IS FOR INFORMATION PURPOSES ONLY AND IS NOT A CONTRACT OF EMPLOYMENT. ANY COUNCIL PROCEDURE OR POLICY, INCLUDING ANY POLICY, PROCEDURE, OR PROVISION IN OR REFERRED TO IN THIS HANDBOOK, MAY BE MODIFIED, AMENDED, OR DELETED BY THE COUNCIL AT ANY TIME, WITH OR WITHOUT NOTICE.

THIS HANDBOOK DOES NOT AND IS NOT INTENDED TO ADDRESS EVERY POSSIBLE EMPLOYMENT/EMPLOYEE SITUATION. THE COUNCIL RESERVES THE RIGHT TO TAKE ACTION OR MAKE A DECISION THAT IS INCONSISTENT WITH THE PROVISIONS OF THIS HANDBOOK, TO ADDRESS UNIQUE SITUATIONS, ON A CASE-BY-CASE BASIS, IN THE COUNCIL'S SOLE DISCRETION.

THIS HANDBOOK DOES NOT IN ANY WAY ALTER THE EMPLOYMENT STATUS OF COUNCIL EMPLOYEES, WHICH IS "AT-WILL." THIS MEANS THAT EITHER YOU OR THE COUNCIL CAN TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY OR NO REASON, WITH OR WITHOUT CAUSE, AND WITH OR WITHOUT NOTICE. NO CONTRARY STATEMENT BY ANY COUNCIL EMPLOYEE, MANAGER, OR AGENT SHALL HAVE ANY FORCE OR EFFECT, UNLESS IT IS IN WRITING, STATES THAT IT IS A "CONTRACT OF EMPLOYMENT," AND IS SIGNED BY THE COUNCIL'S CHIEF SCOUT EXECUTIVE.

I ACKNOWLEDGE RECEIPT OF THE HANDBOOK AND UNDERSTAND THE HANDBOOK IS NOT AN EMPLOYMENT CONTRACT, AND I KNOW THAT MY EMPLOYMENT IS "AT WILL" AS DEFINED ABOVE.

Employee's signature \_\_\_\_\_

Employee's name (please print) \_\_\_\_\_

Date \_\_\_\_\_

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## **Use of this Employee Handbook**

This Employee Handbook was developed with you in mind. This will be your guide to managing your employment in the Council. This Employee Handbook covers all employees of the Council. If you have questions, please discuss those with your manager. Where state or local laws differ from the policies contained in this Employee Handbook, the Council will follow all applicable local and state laws.

## ***Mission Statement***

The mission of the BSA is to prepare young people to make ethical and moral choices over their lifetimes by instilling in them the values of the Scout Oath and Scout Law.

## ***Vision Statement***

The BSA will prepare every eligible youth in America to become a responsible, participating citizen and leader who is guided by the Scout Oath and Scout Law.

## ***Scout Oath***

On my honor I will do my best to do my duty to God and my country and to obey the Scout Law; To help other people at all times; To keep myself physically strong, mentally awake, and morally straight.

## ***Scout Law***

A Scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent.

## ***Code of Conduct***

Our Council code of conduct is built on BSA values. As such, we acknowledge our responsibility to ensure its success—individually and collectively—by practicing and promoting the principles of the Scout Oath and the Scout Law. These values reflect how we want to operate, how we expect our employees to operate, and how we strive to be seen by others.

We pursue the mission of the Boy Scouts of America with honor, fairness, and integrity, ever mindful to uphold the values of the BSA in every action and decision. We are committed to act in good faith and to comply with the rule of law, the Bylaws, Rules and Regulations, and policies of both the Council and the Boy Scouts of America.

Our code of conduct is not intended to cover every applicable law or provide answers to all questions that arise. Each employee must be able to rely upon personal common sense of right and wrong. Before undertaking any action on our behalf, an employee should consider carefully whether the conduct is in our best interest and complies with the spirit and letter of this Code, the BSA Bylaws, policies, Rules and Regulations and if it is in compliance with the law.

An employee must not proceed with any action if it is not clearly in compliance with these criteria. In addition, if an employee believes (or is unsure of what to do) that the actions of anyone in the workplace are unethical or expose us or our employees to liability or disrepute, the employee should report the situation by contacting his or her manager, or the appropriate level of management to deal with the situation. This includes any disclosure of Confidential Information (as defined herein) to anyone who is not an employee or to an employee whose job duties do not require access to that Confidential Information.

Acting with integrity when conducting business is not an occasional requirement; we expect and demand that our employees act consistently with the highest ethical principles.

The code of conduct sets forth the fundamental principles, policies, and procedures that govern the conduct of employees. It does not create any rights for any employee. The code does not constitute an employment contract or an assurance of continued employment. We may modify or repeal the provisions of the code or adopt a new code whenever deemed appropriate, with or without notice. All employees must become familiar with the code and conduct themselves strictly in compliance with it and with the bylaws, policies, procedures, rules, and regulations pertaining to this code.

We are committed to providing a work environment that values diversity among its volunteers and employees. All human resources policies, guidelines, and activities are intended to create a respectful workplace where every individual has the opportunity to reach his or her highest potential.

The Council is committed to equal employment opportunity and compliance with all applicable federal, state, and local laws that prohibit workplace discrimination and unlawful retaliation, such as those that prohibit discrimination on the basis of race, color, national origin, religion, age, sex (including pregnancy, childbirth, breastfeeding, or related medical condition), gender, sexual orientation, marital or familial status, genetic information, citizenship status, protected activity (such as opposition to or reporting of prohibited discrimination or harassment), or any other status or classification protected by applicable federal, state, and/or local laws. This policy of equal employment opportunity applies to all aspects of the employment relationship, including without limitation advertising, recruiting, hiring, training, evaluation, promotion, transfer, work assignments, compensation, benefits, disciplinary action, termination, or any other term, condition, or privilege of employment.

## ***Non-Discrimination and Harassment***

### ***Employment at Will***

All employees of the Council are employees at will and, as such, are free to resign employment at any time with or without advance notice. Similarly, the Council may terminate the employment relationship of any individual with or without advance notice. This handbook is merely a guide to policies and procedures applicable to employees of the Council. This handbook is not a contract of employment and does not alter your employment at-will relationship with the Council. Nothing in this employee handbook guarantees employment for any specific duration.

### ***Equal Employment***

The Council is committed to equal employment opportunity and compliance with all applicable federal, state, and local laws that prohibit workplace discrimination and unlawful retaliation, such as those that prohibit discrimination on the basis of race, color, national origin, religion, age, sex (including pregnancy, childbirth, breastfeeding, or related medical condition), gender, sexual orientation, gender identity, marital or familial status, genetic information, citizenship status, protected activity (such as opposition to or reporting of prohibited discrimination or harassment), or any other status or classification protected by applicable federal, state, and/or local laws. This policy of equal employment opportunity applies to all aspects of the employment relationship, including without limitation

advertising, recruiting, hiring, training, evaluation, promotion, transfer, work assignments, compensation, benefits, disciplinary action, termination, or any other term, condition, or privilege of employment.

## ***Non-Harassment Policy***

Pursuant to federal law and applicable state law, it is the policy of the Council that all employees shall have the opportunity to work in an atmosphere and environment free from any form of harassment or retaliation on the basis of any protected category, including, but not necessarily limited to, race, color, national origin, religion, age, sex (including pregnancy, childbirth, breastfeeding, or related medical condition), gender, sexual orientation, marital or familial status, genetic information, citizenship status, protected activity (such as opposition to or reporting of prohibited discrimination or harassment), or any other status or classification protected by applicable federal, state, and/or local laws. In keeping with that policy, the Council will not tolerate harassment of any kind by or of any employees or applicants for employment.

"Harassment" is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, religion, color, age, gender, national origin, sex, sexual orientation, veteran status, or protected disability, or that of his or her relatives, friends, or associates, and that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
2. Has the purpose or effect of unreasonably interfering with an individual's work performance.
3. Otherwise adversely affects an individual's employment opportunities.

Examples of harassing conduct can include, but are not limited to, the following:

1. Use of epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to race, color, religion, gender, sex, sexual orientation, national origin, age, or disability; and
2. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, sex, sexual orientation, national origin, age, or disability and that is placed on walls, bulletin boards, or elsewhere on Council premises, or circulated in the workplace or on computers, phones, etc.
3. Verbal or nonverbal innuendoes that relate to or reflect negatively upon someone because of their race, color, religion, gender, sex, sexual orientation, national origin, age or disability.

Similarly, sexual harassment involves:

1. Making as a condition of employment unwelcome sexual advances, requests for sexual favors, or other offensive verbal or physical conduct directed toward an individual because of his or her sex.
2. Making submission to or rejection of such conduct the basis for employment decisions.
3. Creating an intimidating, offensive, or hostile work environment by such conduct.

Conduct which could rise to the level of sexual harassment can include, but is not limited to:

1. Verbal—sexual innuendo, suggestive comments, insults, threats, jokes about gender-specific traits, or sexual propositions.
2. Nonverbal—making suggestive or insulting noises, leering, whistling, or making obscene gestures.
3. Physical—touching, pinching, brushing the body, coercing sexual intercourse, or assault.

Such forms of harassment or retaliation may constitute discrimination under various state and federal laws and will not be tolerated by the BSA. Any employee who is found to have engaged in such conduct will receive disciplinary action up to and including termination, depending upon the circumstances.

Any employee who feels that he or she has suffered any form of discrimination, harassment, or retaliation by anyone must immediately report the alleged conduct to his or her manager and Employee Relations so that an investigation of the complaint can be undertaken. If an employee's complaint concerns his or her manager, the employee does not have to report to his or her manager and should immediately report any concerns to Employee Relations. A complaint may also be filed with Ethics Point by calling 866-ETHICSP (866-384-4277) toll-free in the U.S. and Canada or on the Internet at <https://secure.ethicspoint.com>. After the online report is completed, a unique code called a "report key" will be assigned. It is critical that this report key and password be written down and kept in a safe place. After five to seven business days, the report key and password can be used to check the report for feedback or questions.

Any employee who observes conduct by another employee that he or she believes to be harassing, retaliatory, or discriminatory must report such conduct as outlined above. Reports may also be submitted in writing to the following address:

Boy Scouts of America  
Ethics Point  
P.O. Box 230369  
Portland, OR 97223

Reports will be treated confidential to the extent possible, without impeding the ability of the BSA to conduct a discreet and thorough investigation. A representative of Employee Relations will notify the complaining party of the outcome of the investigation. Any person employed by the BSA who is found to have violated this policy will be subject to appropriate disciplinary action up to and including termination. Further, any employee who engages in conduct that violates this policy, or whose conduct would violate this policy if allowed to continue, is subject to disciplinary action, up to and including termination. Retaliation or discrimination against an employee for reporting harassment or complaining about harassment is prohibited. Such misconduct will result in disciplinary action up to and including termination. Any employee who knowingly makes a false report of harassment or discrimination will be subject to disciplinary action up to and including termination.

We trust that all employees will act in a responsible and professional manner to establish a pleasant working environment free of discrimination and harassment.

Each employee is required to take the BSA Harassment Prevention Training. Managers are required to take the supervisor version.

## ***Accommodating Employees with Disabilities***

The Council complies with the Americans with Disabilities Act (ADA) and applicable state and local laws in ensuring equal opportunity and employment for qualified persons with disabilities. All employment practices, terms, and conditions of employment and privileges of employment are conducted on a non-discriminatory basis.

An employee needing reasonable accommodation should inform his or her manager and their local Benefits Administrator. On receipt of an accommodation request, the Council will engage in an interactive process with the employee to view possible reasonable accommodation options consistent with the ADA. Reasonable accommodations that do not result in an undue hardship on the operation of the Council will be considered for all employees with physical or mental disabilities where their disabilities affect their ability to perform the essential functions of their job. All employment decisions are based on the merits of the situation in accordance with applicable job criteria, not the disability of any individual.

An employee who has questions regarding this policy or believes that he/she has been discriminated against based on a disability should notify Employee Relations. All such inquiries will be treated as confidentially as possible without impeding the investigation process. The Scout Executive should work in conjunction with Employee Relations to consider reasonable accommodation requests in accordance with the ADA.

## ***Religious Accommodation***

The Council complies with Title VII of the Civil Rights Act of 1964 and prohibits discrimination based on employees' religion beliefs. The Council will consider reasonable accommodations for employees that need an accommodation based on a sincerely held religious belief. Any employee who has a request for a religious accommodation should contact the Benefits Administrator. The Council will consider reasonable accommodations for sincerely held religious beliefs that do not create an undue hardship on the business.

## ***Wages, Workweek, and Workplace***

### ***Wages***

Council regular, full-time employees are paid twice a month on the 15th and the last day of the month. Regular part-time employees are paid biweekly. If the regularly scheduled payday is a holiday, then employees will be paid on the last workday preceding the holiday.

The workweek runs from Saturday to Friday. Should there be an exception to the regularly scheduled pay date, employees will be notified in advance.

Employees will not receive a paycheck or payment through direct deposit prior to their regularly scheduled payday. The Council does not pay employees' wages in advance of the regularly scheduled pay date.

The Council will deduct from employees' compensation for federal and state tax withholding, FICA, any court ordered involuntary deductions, and any voluntary deductions designated by the employee in accordance with applicable federal and state law.

Temporary/seasonal employees are paid twice a month, for the pay period of the first through 15th and the 16th through the last day of the month. Pay day is one week after the pay period ends. If the pay date falls on a holiday or weekend, the pay date will be the previous business day.

The Council will comply with all applicable state laws with respect to the issuance of lawfully compliant pay statements.

## **Workweek and Workday**

The basic workweek consists of five working days Monday through Friday, inclusive. However, some employee work schedules include Saturday and Sunday as a part of their workweek. Employees may be asked to work outside their normally assigned work schedule in order to meet business needs. Please check with your manager for specific information regarding your work schedule and the number of hours you are expected to work each workday and workweek. The Council's hours are 8AM TO 5PM Monday through Friday.

## **Overtime**

Overtime shall be paid to nonexempt employees at the rate of time and one-half the nonexempt employee's regular rate of pay for all compensable work performed in excess of 40 hours during a workweek or as required by applicable state law. Non-exempt employees must have advanced authorization from their manager before working any overtime. Working overtime that has not been approved in advance is a violation of Council policy and will result in disciplinary action up to and including termination.

Hours worked beyond the normal scheduled workweek, whether approved or not, must be included in the calculation of hours worked. Compensatory time off in lieu of overtime payment is not permitted in any circumstances.

Certain positions at the Council have been designated as exempt under the Fair Labor Standards Act (FLSA). The Council prohibits deductions from an exempt employee's salary except as allowed by the FLSA. If an employee is aware of improper deductions from his/her salary, this violation should be reported immediately to their manager. All reported or suspected improper deductions from an exempt employee's pay will be promptly and thoroughly investigated. If the Council determines that improper deductions were made from an exempt employee's salary, the Council will promptly reimburse the employee the amounts improperly deducted. The Council will also ensure that improper deductions from pay do not occur in the future.

## **Travel Time**

Regular travel to and from work is not working time. However, if a nonexempt employee must do some work en route (for example, picking up or delivering mail) or travel is part of the job, the employee should be paid for that travel time.

Travel time counts as working time when a nonexempt employee has left the workplace and is called back from home for an emergency job. In such cases, mileage to and from the workplace is to be reimbursed at the current rate per the Council expense policy.

For a one-day assignment that involves travel to another work location, all travel time is counted except the meal period and the ordinary time spent in commuting. If the

assignment requires public transportation, time spent traveling to the airport or train station is not treated as hours worked but as normal commuting time.

Nonexempt employees must be given credit for their regular number of work hours for unscheduled workdays during required extended travel periods. For example, if an employee is required to attend a conference that involves overnight stay, the employee will be paid for all travel time that occurs through the employee's normal work hours. If the employee's normal work hours are 9:00 a.m. to 5:00 p.m., any travel time that occurs between 9:00 a.m. and 5:00 p.m. will be compensated, including all travel on weekends. Employees will not be paid for any travel time occurring outside their normal work hours. Once at the conference, nonexempt employees will be paid for time spent attending sessions at the conference and any other functions where attendance is required by the Council. Nonexempt employees will not be paid for personal time outside normal conference functions where an employee is free to use time as the employee desires (i.e. shopping, sight-seeing, and sleep time, etc.)

The Council will take the appropriate action, which could include discipline or discharge of the employee and/or the manager, should a violation of this policy occur.

### ***Recording Time Worked***

Each nonexempt employee is required to be on his/her job at the commencement of his/her work schedule and is not authorized to leave his/her job until his/her manager gives him/her permission to leave the job or at the end of his/her schedule. Under no circumstances should a nonexempt employee be required to volunteer to serve at BSA or Council events. All time worked on behalf of the Council must be accurately recorded.

Under no circumstances should an employee punch or record another employee's time sheet. Such an offense will be grounds for immediate disciplinary action, up to and including termination. Nonexempt employees are required to accurately record all hours worked. Nonexempt employees are prohibited from working "off-the-clock." Any nonexempt employee that is asked to work "off-the-clock" by a manager must report the incident to Employee Relations so that a proper investigation can be conducted.

Employees are expected to be at his/her work stations on time and ready to work at his/her scheduled start time. Nonexempt employees should not clock-in before his/her scheduled start time.

All work performed by nonexempt employees should be performed during their normally scheduled hours on Council property. Nonexempt employees are prohibited from taking work home. Under no circumstances should a manager authorize a nonexempt employee to work from home. In order to ensure compliance with the FLSA and applicable state laws, nonexempt employees should not be provided remote access to any Council systems, files, or other electronic communication systems. All work performed by nonexempt employees should be performed onsite at the designated Council location (with the exception of approved offsite business meetings and events). Nonexempt employees who take work home or attempt to work remotely without authorization are in violation of this policy and may be subject to disciplinary action, up to and including termination. The Council takes compliance with all applicable wage and hour laws seriously.

Time Report forms can be obtained from the accounting specialist/controller/benefits administrator.

## ***Rest and Meal Breaks***

Nonexempt employees will be provided rest and meal breaks in accordance with applicable state law. Most nonexempt employees will receive a morning and afternoon paid rest break, each of which is not to exceed 15 minutes. Most nonexempt employees will also receive a 30-minute unpaid meal break. Rest breaks may not be combined into one 30-minute break and rest breaks may not be used in conjunction with the meal break. Nonexempt employees are prohibited from performing any work duties during a meal break. If a nonexempt employee does not receive his/her full 30-minute meal break or has his/her meal break interrupted, he/she must let his/her manager know as soon as possible.

## ***Employment Categories and Classifications***

These employment categories and classifications are designed to allow employees to understand their employment status and their eligibility for corresponding benefits. All employment remains "at-will," however, and these classifications do not alter that status or guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will, at any time, for any reason, with or without notice, is retained by both the employee and the Council.

Full-time employees are those who regularly work typically a minimum of 30 hours per workweek and who are not temporary employees. Generally, they are eligible for the BSA's benefits package, subject to the terms, conditions, and limitations of each benefit program.

Part-time employees are those who regularly work less than 30 hours per week and who are not temporary employees. Part-time employees receive all legally mandated benefits such as social security and workers' compensation insurance. Part-time employees may not qualify for all benefits offered by the Council.

Temporary employees are those who are working on a short-term basis to perform a particular project and will remain employed until that project is completed. Temporary employees are ineligible for most of the Council's benefits programs.

## ***Absenteeism, Tardiness, and Early Departures***

To maintain a safe and productive work environment, the Council expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism, tardiness, and early departures place a burden on other employees and on the Council and its affiliates. In the rare instances when an employee cannot avoid being late to work, is unable to work as scheduled, and/or must leave work early, employees must personally notify their manager as soon as possible and in advance of the anticipated tardiness, absence, or early departure. Nonexempt employees will not be paid for any time during which they are late and not performing compensable work. Employees must call their manager no later than 30 minutes before the employee's shift is scheduled to begin. Employees are required to call their manager each and every day of an unscheduled absence or tardiness. Poor attendance, excessive tardiness, and excessive early departures are disruptive to productivity and negatively impact customer service. Poor attendance and tardy violations may lead to disciplinary action up to and including termination.

## ***Unauthorized Absence***

Any employee who is absent from work for three consecutive work days without permission, or without properly notifying his or her manager, will be deemed to have quit his or her job voluntarily and without notice.

An employee who fails to submit a physician's statement after an absence of five or more consecutive workdays days will be considered to have been absent without authorization. The Council will take appropriate action, including discipline and discharge, if an employee has unauthorized or unexcused absences.

## ***Call-In Procedures***

Employees are expected to use the following call-in procedures when they will be unable to make their scheduled shift or will have to report to work late. Employees are required to call their immediate manager as soon as practicable, but no later than 30 minutes before the employee's shift is scheduled to begin. Employees should attempt to contact their manager directly. If the employee is unable to reach his/her manager, the employee may leave a voicemail for the manager but should follow up until he/she has actually spoken to the manager. Failure to follow the appropriate call-in procedures may lead to disciplinary action.

## ***Attendance Tracking***

To comply with government regulations, to provide information for required reports, and to protect the rights of employees, attendance records should be maintained.

Absences because of illness or injury, vacations, reserve training, and jury duty must be recorded.

## ***Bulletin Boards***

All bulletin boards are owned by the Council and are considered Council property. Only authorized representatives of the Council are allowed to post notices on the bulletin boards. Employees are expected to read the bulletin boards and are considered to have knowledge of all information posted by the Council. Employees are prohibited from removing, altering, or defacing any posting on the bulletin boards.

## ***Non-Solicitation***

In an effort to ensure a productive and harmonious work environment, persons not employed by the Council may not solicit or distribute literature in the workplace at any time for any purpose. While it is recognized that employees have interests and events and organizations outside the workplace, employees will not be permitted to solicit or distribute literature concerning outside activities on Council property in work areas during work time. (Working time does not include meal breaks, work breaks, or other periods in which the employee is not on duty.)

To govern the solicitation of employees or the distribution of literature to employees on Council property, the following rules have been established:

- Solicitation or distribution of literature by employees during working time that in any way interferes with work is prohibited.
- Distribution of literature by employees in work areas is prohibited.
- Solicitation or distribution of literature by non-employees on Council premises is prohibited.
- Distribution of literature by employees in non-work areas during working time that in any way interferes with work is prohibited.

## ***Employee Conduct and Behavior***

### ***Outside Employment and Conflict of Interest***

The Council holds all employees to the same performance standards and scheduling expectations even if they have other jobs. Employees should consider their employment with the Council to be their primary employment. If the Council determines that the outside employment interferes with the performance of the employee's job duties, the employee may be asked to terminate their outside employment to remain employed with the Council.

A "conflict of interest" occurs when an individual's private interest interferes or appears to interfere with the interests of the Council. A conflict of interest can arise when an employee takes actions or has interests that may make it difficult to perform his or her work for the Council objectively and effectively. For example, a conflict of interest would arise if an employee, or a member or his or her family, receives improper personal benefits as a result of his or her position in the Council. You must not accept business opportunities from persons doing business or seeking to do business with the Council if such opportunities are made available to you because of your position with the Council. You must never use your position with the Council to influence public officials or others for your personal benefit. Likewise, your employment with the Council must not be used as leverage to gain favors from customers, suppliers, or vendors.

It is imperative that employees of the Council conduct themselves with the highest degree of honesty and integrity. Employees of the Council and members of their immediate families shall not have any interest, directly or indirectly, in any business which conflicts with the employee's primary obligations to the Council. Employees and members of their immediate families should not possess a significant financial interest or seek remuneration from any business that does, or seeks to do, business with the Council. In addition, employees should not conduct business on behalf of the Council with members of their immediate families. For purposes of this policy, immediate family includes any spouse, child, parent, sibling, parent-in-law, brother-in-law, grandparents, aunts, uncles, or any other individual for whom the employee has a close, personal relationship.

### ***Gifts and Entertainment***

Employees shall not seek or accept any gifts, services, trips, loans, or other favors from any person or business organization that does business with the Council. Employees should not accept anything of value in exchange for referral of parties to any person or business organization that does, or seeks to do, business with the Council. Employees should exercise good judgement in accepting anything of value because of their employment with the Council. Employees may accept common courtesies of nominal value easily associated with accepted business practices. An occasional business meal or sporting event may be acceptable as long as the value is relatively nominal. It is never permissible to accept a gift

in cash or cash equivalent of any amount. Gifts should never be accepted in circumstances in which it appears to others that business judgement may have been compromised. Employees are prohibited from accepting anything of value from anyone as a condition of obtaining the business of Council.

This policy does not preclude the acceptance of courtesies extended to employees of the Council in their official capacities, such as meals or hotel rooms provided in connection with business meetings. This policy should be communicated to persons and organizations doing, or seeking to do, business with the Council.

Any employee who believes that his/her personal actions or interest, or the actions of others, may violate this policy must disclose the matter to the Scout Executive

### ***Open Door Policy***

The Council is committed to maintaining a good working relationship with its employees. However, in any work environment there will be occasions when problems and complaints arise. It is important that these problems and complaints be discussed so that a resolution can be reached. Most problems can be solved; but if they are not freely discussed, they can become more serious. Therefore, it is the responsibility of everyone to help maintain a good working atmosphere.

We have adopted the following procedure for handling suggestions, problems, and complaints:

1. Any employee who has a suggestion, problem, or complaint should discuss the matter with his or her manager.
2. If the suggestion, problem, or complaint is not satisfactorily resolved by the immediate manager, or the problem or concern involves your manager, the employee may meet with the next line of management official over his/her area, who will listen to the suggestion, problem, or complaint and attempt to recommend a satisfactory solution.
3. If the suggestion, problem, or complaint has not been resolved, or if the nature of the problem is such that the employee does not want to discuss it with a manager, he/she may discuss it with the Council President

Employees may bring issues to a Scout Executive at any time. Employees may also bring issues at any time to the Employee Relations specialist or the Legal Department at the National Service Center.

When an employee uses this Open Door Policy, he/she will receive an answer promptly. While the Council may not be able to provide the solution that he or she desires, the council will listen to your concerns and have frank and open communication with you regarding any issue you feel needs to be brought to management's attention.

Employees are encouraged to use the above procedures. Every effort will be made to render a fair and just decision. Once the decision is made, an explanation will be given to the employee who brought the suggestion, problem, or complaint.

## ***Confidentiality***

The Council takes steps to maintain the confidential nature of its confidential and proprietary information. Confidential Information includes, but is not limited to, proprietary technical, business, financial, supplier, customer information, sales figures, business plans and projections, profit and performance reports, vendor information, growth strategies, customer lists, employee mailing lists, local Council listings, rosters or other biographical employee information, product and services information, and techniques and methods of operation that are not readily available to the public and that are maintained as confidential by the Council. Employees may not discuss with outsiders/competitors or use any Confidential Information or trade secret information as defined by the Defend Trade Secrets Act or any applicable state trade secret law without prior authorization from the Council. As employees of the Council, employees have access to Confidential Information of customers, vendors, and others in the performance of their job duties. All employees must maintain as confidential all Confidential Information. Employees are prohibited from disclosing such Confidential Information and from using such information for personal gain. Nothing in this policy is intended to restrict employees' abilities to discuss terms and conditions of employment, including compensation. Violations of this policy will subject an employee to disciplinary action up to and including termination. The federal Defend Trade Secrets Act of 2016 provides immunity in certain circumstances to Council employees, contractors, and consultants for limited disclosures of Council Trade Secrets. Specifically, Council employees, contractors, and consultants may disclose Trade Secrets:

- (1) in confidence, either directly or indirectly, to a Federal, State, or local government official, or to an attorney, "solely for the purpose of reporting or investigating a suspected violation of law," or
- (2) "in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal."

Additionally, Council employees, contractors, and consultants who file retaliation lawsuits for reporting a suspected violation of law may also use and disclose related Trade Secrets in the following manner:

- (1) the individual may disclose the Trade Secret to his/her attorney, and
- (2) the individual may use the information in related court proceeding, as long as the individual files documents containing the Trade Secret under seal and does not otherwise disclose the trade secret "except pursuant to court order."

If an employee has any questions regarding the confidential nature of any Council information, the employee should discuss the matter with their manager or Scout Executive or designee.

## ***BSA Trademark Use and Licensing***

BSA trademarks are protected by law and by virtue of the organization's congressional charter. The Council has the specific authorization to use all BSA trademarks. Practically every name, logo, insignia, seal, design, word, phrase, or other symbol associated with or referring to the Boy Scouts of America is a protected trademark, including the trade dress of the BSA uniforms. The BSA carefully regulates third-party use of BSA trademarks in order to

protect the organization's goodwill and reputation. Only designated employees of the BSA are authorized to grant third parties permission to use BSA trademarks. Trademark licensing is centralized at the BSA National Council. Thus, only the BSA National Council can approve trademark licensing. Local Council professionals, employees, and volunteers are not authorized to grant third parties permission to use the BSA logos for commercial purposes, including for use on merchandise or recruitment materials. If you have any questions regarding the BSA trademark, please contact [licensing@scouting.org](mailto:licensing@scouting.org) or visit [www.licensingbsa.org](http://www.licensingbsa.org)

## ***Copyright Policy***

It is the policy of the BSA to respect the copyrights of others. With few exceptions, most all written materials, visual materials, music and sound recordings, and electronically created materials are protected by federal copyright. Employees are prohibited from copying any software programs, download materials from the Internet, or copying any non-BSA materials without specific authorization. Unless an employee has specific authorization from the BSA Legal Department, employees should operate with the understanding that they do not have authorization to use copyrighted materials. If an employee believes the use of a third party material may be necessary in a BSA publication, the employee should contact a representative of the BSA Legal Department as soon as possible. Obtaining authorization to use a licensed or copyrighted material from a third party can be time consuming and expensive. Proper notification to the BSA Legal Department is essential. Any violation of this policy may lead to disciplinary action, up to and including termination.

## ***Employee Dress Code***

The Council believes that our employees should project a professional image while at work. This includes the highest standards of personal hygiene and grooming. Employees should present a neat, business-like appearance at all times during work hours. All employees represent the Council in their appearance, as well as by their actions, especially our employees who have contact with our customers. The properly attired employee helps to create a favorable image for the Council.

Employees may wear business casual attire to the workplace; however, there may be times when more professional attire is appropriate. For men, appropriate business attire includes a suit (or slacks and sport coat), dress shirt, tie, matching belt, socks, and dress shoes. Business casual attire would be slacks and dress shirt without a tie or slacks/khakis with a golf shirt. All shirts must have a collar. On Friday, more casual attire may be appropriate. Casual attire may include nice jeans, tennis shoes, and T-shirts (plain or with a BSA logo). The BSA field uniform is appropriate any day.

For women, appropriate business attire includes business suits, dresses or skirts, or business slacks coordinated with a blouse or sweater. Dresses and skirts should be no more than two inches above the knee. Necklines should not be revealing. Business casual attire would be slacks and blouse or sweater or khakis with a professional top. On Friday, more casual attire may be appropriate. Casual attire may include nice jeans, tennis shoes, and T-shirts (plain or with a BSA logo). BSA Field uniform is appropriate any day.

While no policy can enumerate every possible scenario and restriction, the following guidelines will be enforced:

- No shorts (Except BSA field uniform).

- No halter tops or tube tops.
- No tennis shoes except on Fridays.
- No flip flops.
- No blue denim jeans except on Fridays (ripped/distressed jeans are not appropriate any day).
- No see-through material.
- No sweat suits or wind suits.
- No clothing with messages, slogans, or advertising (except the BSA logo).
- No visible piercing other than ears, with no more than two earrings in lower lobe.
- Tattoos must be covered from view when possible.
- Jewelry, nail polish, make-up, and hair styles and color should be conservative, professional, and in good taste.
- Facial hair should be neat and trimmed.

If an employee is in violation of the dress code, the manager will take appropriate action including instructing the employee to leave work and return in appropriate attire. Time away from work for this will be unpaid. Continued violations of the policy will lead to further disciplinary action.

Employees are encouraged to ask their manager or staff leader as to the appropriateness of any attire in advance of wearing it to avoid an uncomfortable situation.

Managers are responsible for fairly and consistently interpreting and enforcing dress and grooming standards. Reasonable accommodations will be considered for employees requesting an accommodation due to a sincerely held religious belief.

Please note, certain roles may require an alternate dress code. Please see your manager if you have any questions regarding appropriate attire for you.

### ***Employment Applications***

All candidates for employment must fully complete, date, and sign the Council employment application form. The form is to be completed and signed to verify the accuracy and completeness of the information contained in the employment application. Any false or misleading information contained in an employee's employment application may result in the denial of the application for employment or may result in termination of employment if discovered after employment has begun.

Similarly, providing false identification as eligibility to work in the United States is grounds for immediate dismissal. Failure to provide acceptable documentation of your identity and eligibility to work within three (3) business days of your first day of employment may result in your termination. Similarly, employees who falsify information during the hiring process, including the employment application, will be subject to termination regardless of when the falsification is discovered.

### ***Personal Status Changes***

It is the duty of employees to keep the Council informed of any changes in their status as an employee. It is the responsibility of the employees to inform the Benefits Administrator of any change of address, change in telephone number, beneficiary, and change in family status. Changes in names, marital status, or dependents should be reported within 30 days of the event.

Contact the Benefits Administrator to change the following:

- Name
- Home address
- Personal email address
- Personal telephone numbers
- Emergency contact

Contact the Payroll Team to change the following:

- State or federal withholding taxes
- Direct deposit

Contact the BSA Benefits Center (1-800-444-4416) for the following:

- Change in family status that affects benefit coverage (e.g., marriage, divorce, change in eligibility for other coverage)
- Beneficiary designations
- Dependent child who no longer meets benefit eligibility

If an employee fails to furnish accurate and complete personal information or fails to provide the Council updated information, the Council is relieved of responsibility to the extent permitted by law and will not be liable due to an employee's failure to provide updated information.

## ***Employee Conduct and Discipline***

It is the policy of the Council to expect all employees to abide by certain work rules of general conduct and performance at all times. Managers are expected to monitor and enforce these work rules on a consistent basis. Employees are subject to disciplinary action for any of the offenses listed below and for failing to perform their job duties in a satisfactory manner.

It is not possible to list all forms of behavior that are considered unacceptable in the workplace; however, conduct deemed to be unacceptable behavior may result in disciplinary action up to and including termination of employment. Management, in its sole discretion, reserves the right to determine when an employee's behavior is unacceptable and when and what disciplinary action is necessary under a given circumstance. Similarly, employees may be subject to discipline for poor performance and violation of other policies and procedures. The type of disciplinary action that may be imposed may vary depending on the facts and circumstances surrounding each case. Violations of any of the policies and procedures contained in this Handbook may lead to disciplinary action up to and including termination of employment.

The type of disciplinary action that may be imposed may range from verbal warning, to written warning, to suspension and/or termination of employment. Nothing in this Handbook creates an obligation to follow any particular disciplinary procedure. Management retains the right and absolute discretion to discipline employees based on the facts of each case. Management may skip certain disciplinary steps or repeat certain disciplinary steps depending on particular facts of each situation.

## **Prohibited Conduct**

- Falsification of employment, personnel, or other records. This includes, but is not limited to, applications, all reports, time records, and statements, membership and fundraising forms under the responsibility of the employee.
- Disclosing confidential Information to outsiders as defined in the Council's confidentiality policy.
- Gambling or fighting on Council property.
- Unethical conduct or conduct that creates a conflict of interest.
- Stealing the Council's property, a client's or customer's property, or the property of any employee; or misappropriation of Council property or the property of other employees or client partners including any violation of supply discount policy.
- Reporting to work under the influence of alcohol or illegal drugs; possession, sale, or use of marijuana or illegal drugs or chemicals or consumption of alcohol while working on Council business except during sponsored social events.
- Gross negligence or willful acts in the performance of duties resulting in damage to Council property or injury to others.
- Insubordination.
- Violation of the Council's equal opportunity or sexual harassment policies.
- Serious safety violation.
- Failure to perform assigned work (including overtime) or to comply with work/safety rules.
- Violation of Council policies.
- Misuse of Council electronic equipment.
- Use of threatening or violent behavior.
- Failure to report personal injury resulting from an on-the-job work situation.
- Excessive absenteeism or tardiness.
- Three consecutive days of absenteeism without notice.
- Viewing, downloading, distributing, or sending sexual or pornographic material is strictly prohibited and will result in discipline and/or discharge.
- Making maliciously false statements concerning another employee of the Council or the BSA, or a Scouting volunteer.

Management reserves the right to take any form of disciplinary action at any time. While the circumstance of a particular case may result in termination for a first offense, other cases may result in other forms of disciplinary action. This policy in no way implies any kind of contract or obligation to follow any particular disciplinary procedure. This policy does not alter the employment at-will relationship.

## **Performance Feedback**

It is important for employees to know what is expected of them in their job and to know how their actual performance compares with these expectations. Employees will receive on-the-job feedback from their manager concerning their job performance. This feedback may be verbal or in writing. The Council encourages open and effective communication between employees and their managers concerning job performance.

## **Employment of Relatives (Nepotism)**

For this policy, "relative" is defined as spouse, parent, sibling, step-relative, child, in-law, grandparent, grandchild, or member of the same household.

Relatives of a current employee cannot be employed by the Council at the same Council facility/location in any capacity, including full-time, part-time, regular, or temporary or through a contract, consulting firm, or temporary agency. However, a temporary camp employee can be a relative of a current employee but cannot directly report to a relative. Any decisions as to the pay, work schedule, discipline, or discharge of such employee must be made independently by a non-relative.

The employment of individuals who are romantically involved with other employees can create a real or perceived conflict of interest and is strongly discouraged.

The Council may take whatever action it determines to be appropriate to avoid the actual or potential conflict of interest if employees become relatives after employment, or employees become romantically involved. If it is determined an actual or potential conflict could occur, the Scout Executive will be responsible for determining what actions, if any, may be taken to maintain the employment of both employees.

There cannot be a romantic relationship between a manager and an employee in their reporting structure. If a relationship develops, then one of the employees must transfer out of the reporting structure. If another position cannot be found, one of the employees must resign.

The Council reserves the right to determine whether other relationships not specifically covered by this policy represent actual or potential conflicts of interest.

## **Vacation**

In the first calendar year of employment, a regular, full-time employee will earn one day of vacation for each completed month of employment. If employed on or before the 15<sup>th</sup> of the month, one day will be credited. If the employee begins work after the 15<sup>th</sup> of the month, no credit is given. The employee will earn one day of vacation at the end of each month of full-time employment through December 31<sup>st</sup>.

A regular, full-time employee is eligible to earn vacation time based on full years of employee tenure as of December 31<sup>st</sup> of the preceding year for the following year. Vacation time is earned at the end of each completed month of employment. The maximum amount per year is as follows:

Number of years of Continuous Employment	Number of Vacation Days
Fewer than five	12 days
Five, but fewer than ten	15 days
Ten or more	24 days

Vacation can be taken in half-day increments. Vacation time may not be compensated in lieu of time off.

At the end of each calendar year, an employee may carry over up to five earned, unused vacation days into the next calendar year. An employee may not have more than the

maximum accrued for the year based on tenure and five days carryover vacation days at any one time.

Vacation time does not accrue while an employee is on unpaid status unless otherwise mandated by federal or state law.

Vacation schedules are subject to the approval of the manager. Annually, employees can be asked to submit a vacation preference sheet to their manager for approval. If two or more employees request the same dates and this would cause a burden on the council, then employees and/or the managers should come to a compromise.

In the event of termination, including retirement, an employee will be paid for unused, earned vacation through the last completed month of employment. Employees may not "borrow" vacation time that is not yet earned.

### **Sick Time**

Employees are expected to be at their work stations, on time, every regularly scheduled workday. An employee who will be unexpectedly absent or late is required to call his or her manager within 15 minutes of the normal starting time, stating the reason for the absence or tardiness. The employee will need to call the manager every day of an unexpected absence.

Any employee who is absent from work for three consecutive days without permission, or without properly notifying his or her manager, and reasonable attempts to contact the employee have failed, will be deemed to have quit his or her job voluntarily and without notice.

For regular, full-time, non-exempt employees, sick time would be used when an employee is ill or injured, or for doctors' appointments, emergency situations, or personal business that cannot be conducted during non-business hours. This time can also be used to take care of an ill or injured family member or doctor's appointment for a family member. It is not to be used as additional vacation days, nor may it be used for outside employment.

It is up to the employee's manager to address excessive absences and/or excessive use of sick time. An employee on sick time is not eligible for any other type of pay, including but not limited to, bereavement, holidays, jury duty or marriage leave.

A regular full-time employee will be credited with one day of sick time for each completed month of employment. If employed on or before the 15<sup>th</sup> of the month, one day will be credited for the first month. If the employee begins work after the 15<sup>th</sup> of the month, no credit is given for the first month. The employee will be credited with one sick day for each month for the balance of their first calendar year.

On January 1, a regular, full-time employee will be credited with a full year of Sick Time based on tenure as of the previous December 31st. Sick Time can be taken in 15-minute increments. At the end of the calendar year, unused Sick Time is placed in the employee's sick bank. The maximum number of days that can be accumulated in an employee's sick bank is 90 days.

Any employee with a Sick leave balance greater than 90 days of the effective date of this policy will begin with a bank of the maximum 90 days. Sick Time is not paid at termination unless required by state law.

The Sick Time Allowance for regular, full-time employees is credited at the beginning of each calendar year, according to the employee's tenure as of the preceding December 31<sup>st</sup>:

<b>Number of years of continuous employment</b>	<b>Number of days</b>
Fewer than five	12 days per year
Five, but fewer than ten	20 days per year
Ten or more	30 days per year

A regular, full-time employee who becomes unable to work because of personal illness or injury that is not job-related will be paid earned sick time. Serious health conditions may require a Medical Leave of Absence (See pages 28-29). Employees, with a doctor's written statement indicating the reason for the absence and a projected return-to-work date, may combine Sick Time, Vacation Time and Medical Leave of Absence for a maximum of 120 calendar days in a rolling 12-month period.

## ***Holidays***

The Council observes a number of paid holidays, a list of which will be communicated at the beginning of the year. Regular, full-time employees are eligible for holiday pay and must be in active paid status the workday before and after a scheduled holiday in order to be paid for the holiday. If a scheduled holiday falls on an employee's normal day off, the employee is to be given another day off during the same pay period or be paid for the holiday. Although the paid holidays are subject to change, the Council paid holidays normally include the following:

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Thanksgiving Day
- Day following Thanksgiving
- Christmas Eve
- Christmas Day

Holiday pay will be paid at the employee's regular hourly rate of pay for all observed holidays. The Council will not pay for any additional or alternate holidays. Holiday pay will not be included for purposes of calculating overtime. Employees who are required to work on a Council holiday will be given another day off as approved by the manager. This should occur as soon as reasonably possible based on the work schedule but must occur before the end of the calendar year.

## ***Benefits***

The Council strives to provide a comprehensive program of BSA benefits and services to eligible employees. These current programs, summarized below, are for general information and it is noted that benefits are subject to change from time to time and may not be all-inclusive.

This handbook is not an official plan document for any employee benefit plan and is not intended to provide specific information with regard to the benefits described below. It is also not a guarantee of any benefit described below. If you have any questions about eligibility, benefits, or coverage regarding any of the benefits described below, you should refer to the official plan documents, summary plan descriptions, or insurance policies. If you have any questions or need assistance, please contact the Benefits Team at 1-800-444-4416 or log on to MyBSA/Resources tab/Human Resources/HR Gateway.

## ***Health Insurance***

Full-time employees and their dependents are offered health insurance benefits, including medical, dental, and vision benefits. Details of the health insurance benefits are described in the applicable Summary Plan Description (SPD) and in the full plan documents. The information in this section is only a summary of some of the benefits offered. In case of a conflict between this summary and the SPD or full plan document, the terms of the SPD or full plan document will prevail. Like all other non-mandatory benefits, the BSA reserves the right to terminate, alter, or amend health insurance benefits or disability benefits at any time, in its sole discretion.

Eligible employees may enroll in the health insurance benefits subject to the terms and conditions of the health insurance plan.

A change in employment status, classification, or decrease in hours, etc., that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for health insurance benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

## ***Benefits Continuation***

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified dependents the opportunity to continue their health insurance coverage under the BSA's health plan even if they suffer a qualifying event and are no longer eligible for coverage under our health plan.

If you or your dependent elect to continue insurance coverage under COBRA, you and/or your dependent will be responsible for paying the full cost of the insurance premiums at the BSA's group rates plus a minimal administration fee. For additional information, please contact the Benefits Team at 1-800-444-4416

## ***BSA Benefit Program***

The BSA benefit program and retirement plans are administered by the BSA Benefits Center. Employees can call the BSA Benefits Center at 800-444-4416 or log into MyBSA/Resources tab/Human Resources section/BSA Benefits Center/800-444-4416 and enroll in benefits, view their current enrollment elections, obtain forms, and access the *BSA Benefits Handbook*.

## **BSA Retirement Plan**

The BSA Retirement Plan for Employees is a defined benefit pension plan designed to provide eligible employees with a regular monthly income at retirement. Full-time employees and part-time employees who worked 1,000 hours of service in the prior year can begin contributing to the plan after 12 months of employment. The Retirement Plan is described in detail in the *BSA Benefits Handbook*, or employees can contact the BSA Benefits Center at 800-444-4416 with questions.

**Effective January 1, 2019 the following will take effect:**

All full-time active employees are eligible to participate in the BSA Match Savings Plan, and part-time and temporary employees can become eligible if they work more than 1,000 hours in a year.

Employees with less than 15 years of vesting service on December 31, 2018, and all employees hired after January 1, 2019, will have the BSA Match Savings Plan as their retirement savings plan.

Employees who have at least 15 years of vesting service and whose age plus vesting service years equals 60 or more as of December 31, 2018 will continue to participate in the BSA Retirement Plan for Employees. They are also eligible to contribute to the BSA Match Savings Plan.

The BSA Retirement Programs are described in detail in the *BSA Benefits Handbook*. Employees can contact the BSA Benefits Center, Fidelity Investments, or the council benefits specialist for more details.

## **Tax Deferred Annuity – Through December 31, 2018**

Eligible employees are allowed to make voluntary contributions in accordance with the terms of the TDA plan. Contact your Scout Executive for additional information.

## **Life Insurance**

Regular full-time employees are provided life insurance. Additional group life insurance coverage for eligible employees and their dependents may be purchased via payroll deduction during the enrollment period.

## **Long-Term Disability**

The BSA offers long -term disability benefits to eligible employees that are unable to perform the essential functions of their jobs due to a covered disability. Details of the disability benefits offered by BSA are described in the applicable Summary Plan Description (SPD) and in the full plan documents. For additional information please contact the Benefits Team at 1-800-444-4416

## **Employee Assistance Program (EAP)**

You and members of your household can receive confidential help for a wide range of personal and work-related concerns through your Employee Assistance Program (EAP). Each

eligible person may have up to six visits per calendar year without a co-payment. Depending on the nature of the concern, visits could be covered under the BSA Medical Plan. You must call Employee Assistance through UnitedHealthcare to have all visits precertified (preapproved). Your EAP can help you deal with any of the following concerns, or with other problems that may be troubling you or a covered family member:

Stress	Physical abuse
Single parenting	Alcohol and other drug problems
Depression	Compulsive gambling
Maintaining a balanced life	Child and elder care
Anxiety	Death and dying
Parent-child conflict	Marital and relationship problems
Job burnout	Sexual problems
Work-related problems	Retirement concerns
Financial or legal concerns	Eating disorders

For assistance, call 800-788-5614 or 800-842-9489 (TDD). This number is answered 24 hours per day, seven days per week. Or log on to [www.liveandworkwell.com](http://www.liveandworkwell.com), access code: 136003.

## **Leaves of Absence**

### **Salary Continuation for Medical Leave of Absence**

This benefit is provided to regular full-time employees with serious health conditions up to a maximum length of 120 calendar days in a rolling 12-month period.

- Salary continuation is available when an employee remains out of work for a period of seven calendar days. After the seventh calendar day of continuous absence, the employee will be eligible for continuation of salary by the Council at a reduced level of 60 percent of the employee's regular rate of pay excluding any overtime or other incentive payments.
- The employee must furnish a doctor's written statement stating the reason for the absence and projected return-to-work date.

If the employee has available Sick Time, this Sick Time must be used for the first seven calendar days of any period out of work for personal illness or injury known as the "waiting period". Sick Time days are only used for scheduled workdays within the seven calendar day period. For example, the employee works Monday – Friday, the employee will use Sick Time only for normally scheduled workdays, Monday – Friday not Saturday and Sunday (non-scheduled workdays). Salary continuation may continue up until the 120th calendar day of absence, if the employee is unable to return to work for an accepted medical condition.

- Employees may choose to forego salary continuation at the 60 percent pay rate by voluntarily electing to utilize all available Sick Time until their balance is exhausted. Salary continuation at the 60 percent rate of pay would become effective upon the exhaustion of available Sick Time. If an employee does not voluntarily request the continued use of Sick Time, salary continuation at the 60 percent pay rate will become effective after the seventh calendar day of absence. Eligible employees may not use Sick Time and salary continuation for the same day of absence.

- When the employee returns to work from salary continuation i.e. (an absence of seven calendar days or more), another written statement is required from the doctor releasing the individual to return to work to perform the essential duties of the job with or without reasonable accommodation. If an employee does not provide the necessary medical information as defined and when required, the Council may take appropriate action including discipline and possible discharge. The Council will comply with its reasonable accommodation obligations under the Americans with Disabilities Act (ADA) and ADA Amendments Act (ADAAA) by engaging in the interactive process at the conclusion of the 120-day leave period. However, nothing in this policy guarantees employment for any specific duration while on a leave of absence.
- If during or at the end of the Salary Continuation for Medical Leave of Absence period, the employee provides a medical release stating that the employee is fit to return to work and can perform the essential functions of his or her job with or without reasonable accommodation, but the employee's position is no longer available due to a restructuring, workforce reduction, or elimination of a team, department, and/or group, or for any budgetary reason, the employee will be given consideration for a comparable open position if one is available and the employee is qualified. If no such position is available, employment may be terminated, in accordance with applicable federal and state law.
- Salary adjustments approved prior to the period of Medical Leave of Absence that would have otherwise become effective, will become effective the date the employee returns to work for the Council and is not retroactive. An employee on Salary Continuation for Medical Leave of Absence is not eligible for any other type of pay, including but not limited, to bereavement, holidays, or jury duty.
- If the employee has been approved to receive benefits under this policy or has a claim pending under the BSA Long-Term Disability Plan, the employee will be placed on Unpaid Medical LOA once all earned paid time has been taken. Coverage under the BSA benefit programs will continue and the employee will be billed directly for applicable premiums.
- When an employee does not return to work at the end of the Salary Continuation for Medical LOA after engaging the reasonable accommodation process, does not accept the same or comparable Council position, or accepts a job outside of the Council, the employee will be considered to have resigned voluntarily and without notice.

The Council reserves the right to

- investigate absences reported as personal illness;
- request proof of attendance at a doctor's appointment for the employee;
- request an examination of the employee by a doctor of the organization's choosing; and/or
- take appropriate action, including discipline or discharge, in the event the policy is abused.

The Council reserves the right to amend, change, or terminate this salary continuation policy.

## ***Personal Leave of Absence (Non-FMLA)***

A regular, full-time employee who has completed one year of employment may request a Personal Leave of Absence (LOA). Management, at its discretion, may allow employees an unpaid leave of absence. If the LOA is approved, the employee is required to use all earned sick days and vacation days. The remaining time will be unpaid. The personal LOA must be at least five (5) consecutive workdays and no more than 30 workdays. An employee may take one personal leave of absence in a 12-month rolling period. Employees are not entitled to an unpaid leave of absence. An unpaid leave of absence will only be provided in accordance with the terms of this policy. An unpaid leave of absence may not be used by an employee for their own serious health condition or disability. An unpaid leave of absence may be used for personal reason or the serious health condition of a family member deemed necessary by the Council. This policy is not available to employees who need a leave of absence for their own medical condition. The Council complies with the reasonable accommodation obligations under the ADAAA. Employees in this leave status will not accrue paid time off during the leave period.

Employees on an unpaid leave of absence under this policy have no guaranteed rights to job protection or re-employment. The Council will make every effort to return an employee to his/her same job or an equivalent job position. Any employee who does not return to work upon completion of his/her leave will be terminated and considered to have voluntarily quit employment. Any employee who misrepresents the reason or need for a leave of absence will be subject to disciplinary action, up to and including termination. The Council will comply with the reasonable accommodation requirements of the ADA and will engage in the interactive process for any employee on a leave of absence due to a disability covered by the ADA.

## ***Reasonable Accommodation Leave***

The Council complies with the reasonable accommodation obligations under the ADAAA and will engage in the interactive process to discuss an unpaid leave of absence as a reasonable accommodation with employees who are unable to perform the essential functions of their job due to a physical or mental disability. Leave under this policy is at the discretion of management and will be considered in accordance with the reasonable accommodation obligations of the ADAAA. A reasonable accommodation leave of absence may be provided to employees who are unable to perform the essential functions of their job due to physical or mental disability and are not eligible for FMLA. Similarly, leave under this policy may be granted as a reasonable accommodation for employees who have exhausted Salary Continuation but are unable to return to work due to a disability that prohibits them from performing the essential functions of their job. Leaves of absence under this policy will be handled on a case-by-case basis in accordance with the ADAAA. The duration of any leave of absence under this policy will vary depending on the particular circumstances of each employee's need and whether additional leave is reasonable under the circumstances and/or would create an undue hardship for the Council.

## ***Outside Activity During Disability***

A number of approved benefits and leaves of absence are provided to employees who are unable to perform the essential functions of their job. Since you must be disabled or temporarily incapacitated from your job to claim these benefits, the Council specifically prohibits an employee who is on any of these forms of leave from participating in any

activity that would be precluded by their medical restrictions. This includes working for any secondary employer while on a leave of absence if the work to be performed would violate your medical restrictions. Violation of this policy may lead to disciplinary action up to and including immediate termination of employment.

### ***Uniformed Services Leave***

This policy grants Uniformed Services Leave when an employee, voluntarily or involuntarily, serves in the United States uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of uniformed service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable. The Council complies with USERRA and all applicable state military leave laws. Please see the Benefits Administrator for additional information regarding military leave.

### ***On-the-Job Injury***

Any injury or illness, no matter how minor, suffered in the course of employment, must be reported immediately to your manager. You will receive prompt, appropriate treatment for your condition. If the injury or illness qualifies under applicable state workers' compensation law, the Council will pay the medical costs. If time is lost from work, compensation will also be in accordance with applicable state workers' compensation laws. All job-related injuries and illness, regardless of the degree of severity or work location, must be reported immediately and no later than 24 hours to the manager, who then notifies the Scout Executive. Failure to give notice of a job-related illness or injury may result in the denial of workers' compensation benefits.

If the job-related injury or illness occurs during nonworking hours, the employee must notify his or her manager as soon as possible. The manager must notify the Scout Executive.

### ***Bereavement Leave***

The Council is aware of the sensitivity surrounding the loss of an immediate family member. Any full-time employees suffering this misfortune shall be granted paid leave to attend the funeral up to a maximum of five days. Immediate family member is defined as spouse, partner, parents and grandparents (including step, in-law, and foster relationships); children (including step and foster relationships), brothers and sisters (including step-siblings and in-laws), and grandchildren.

This leave is conditional upon the employee attending the funeral or memorial service. Paid time off days may be used to extend this time if requested and approved. If an employee does not have any paid time off available, the employee may be allowed to extend bereavement leave greater than five days, but such leave will be unpaid.

Leave requests must be approved by the employee's immediate manager and recorded in existing time and attendance system.

## **Jury Duty**

It is the purpose of this policy to support employees who are summoned to serve as a juror or as a witness in order to fulfill their civic duty. This policy applies to full-time employees of the Council.

1. Employees receiving summons must immediately notify their manager of the date and time.
2. Request for deferment or rescheduling will be the responsibility of the employee.
3. Employees must request a verification of time served from the court and return it to their manager upon completion of service.
4. Employees excused early by the court are expected to return to work for any reasonable portion of the remaining workday.

The Council supports employees in participating in their duties as a citizen. The Council will grant a leave of absence to perform this duty. The Council will continue to pay employee wages for a period not to exceed 80 hours in a calendar year. Jury service beyond 80 hours will not be paid unless required by applicable state law. Jury duty time will not be counted as hours worked for overtime purposes.

Voluntary service (such as grand jury duty) will not be compensated unless advance permission is granted.

## **Lactation Leave**

The Council will provide a reasonable amount of break time to accommodate a female employee's need to express breast milk for the employee's infant child up until 12 months of age. If possible, the break time should be taken concurrent with other break periods already provided. If the employee needs longer than a scheduled break to express milk, the remainder of the break will be unpaid. The Council will also make reasonable efforts to provide the employee with the use of a room or other location in close proximity to the employee's work area for the employee to express milk in private. An employee should notify her manager or Employee Relations, if she is requesting time to express breast milk under this policy.

## **Other Legally Protected Absences**

In addition to the leaves described herein, the Council complies with all applicable state laws relating to various forms of protected absences. Depending on the particular state in which you are employed, employees may be legally entitled to time off under various state laws. For additional information and to determine if you qualify for additional leaves of absence, please contact your manager or Benefits Administrator regarding other leaves of absence that may be applicable, such as domestic violence leave and school leave.

## **General Employment Policies**

### **Business Travel and Expense Reimbursement**

Employees are responsible for actual reasonable travel expenses within Council guidelines when making travel arrangements and while traveling on Council business. To receive

reimbursement for reasonable business expenses incurred through authorized business travel, employees must complete an expense report and provide that to their manager for approval. Managers are responsible for thoroughly reviewing all subordinate expense reports prior to approval. After approval, expense reports should be forwarded to Accounts Payable for processing. Falsification of any items on an expense report is considered fraud and is grounds for disciplinary action, up to and including termination of employment. At Management's discretion, the Council reserves a right to refuse reimbursement for expenses that are deemed to be excessive, for personal reasons, or otherwise not reasonably related to legitimate Council business. For additional information regarding expense reimbursement, please refer to the Expense Policy through your manager

### ***Access to Personnel Files***

The Council keeps personnel files on all employees. The personnel files include the job applications and related hiring documents, training records, performance documentation, salary history, and other employment records.

Personnel files are the property of the Council, and access to the information is restricted. Because personnel files contain confidential information, the only persons who can see them are people with a legitimate business reason.

If you wish to review your own file, contact the Benefits Administrator. You will need to submit an advanced written request if you wish to see your file. You may review your file only when a Council Management Representative is present. You will not be allowed to remove or copy any documents contained in your personnel file unless otherwise authorized by applicable state law.

### ***Inclement Weather***

The Council will make every effort to maintain normal work hours even during inclement weather. In the case of severe winter storms, the Council makes every reasonable effort to remain open. Employees who can reach work safely should do so. The decision to come in will be left up to the employee. If you are unable to safely navigate and drive to work, please notify your manager as soon as possible and at least 60 minutes prior to the start of the work time.

On days when weather conditions worsen as the day progresses, the Council may decide to close early. In such cases, a decision and an announcement will be made. Employees will be expected to remain at work until the appointed closing time, unless they receive permission from their department head to leave early.

When employees are unable to report to work due to inclement weather conditions, the employee will be required to use any available vacation time or sick time for the actual hours of operation. If the employee does not have any available paid leave, the absence will be an unpaid absence. If the Council makes the decision to close early, open late, or be closed altogether, employees will be paid according to their normal scheduled hours.

### ***Violence in the Workplace***

It is Council policy to maintain a work environment that is safe for employees, guests, and the general public; and which provides efficient and stable working conditions. The Council policy hereby prohibits certain types of conduct at the worksite or outside of the workplace

directed at other employees, customers, or others. Engaging in prohibited behaviors may result in disciplinary action including immediate termination.

Such prohibited behaviors include, but are not limited to:

- Carrying/possessing a weapon or items that can be perceived as weapons on Council property
- Carrying a concealed weapon
- Carrying/possessing explosives and/or explosive devices on Council property
- Threatening and/or attempting to cause, or causing physical harm to employees and others
- Maliciously harassing or threatening telephone calls, emails, texts, or notes
- Maliciously harassing surveillance or stalking
- Threatening and/or attempting to cause, or causing physical harm or sabotage to Council or customer property
- Threatening and/or attempting to cause, or causing harm to other employees

When threats and/or attempts to harm another individual or customer or customer's property are discovered, Management will take appropriate disciplinary action, up to and including termination. The Council will also use any legal means available to prevent violence in the workplace. Employees terminated for violation of this policy will not be eligible for rehire.

Employees should bring any threats of violence or any violent activity to the attention of their manager, other Management official, or Scout Executive. The Council will not retaliate against any employee for alerting the Council to the potential for any violence or threatened violence in the workplace.

## ***Substance Abuse Policy***

### **Purpose**

As a part of its commitment to provide a safe place for its employees to work and to promote a drug-free community, the Council establishes this policy on the use or abuse of alcohol and illegal drugs by its employees. The purpose of this policy is to set forth the Council's guidelines regarding substance abuse.

### **Effect**

The information contained in this policy does not create a contract of employment between the Council and any employee, nor does it guarantee any benefit, procedure, or period of employment.

### **Definitions**

#### **Illegal Drugs**

"Illegal drugs" are drugs or controlled substances which are (1) not legally obtainable or (2) legally obtainable but not obtained or used in a lawful manner. Examples include cocaine and marijuana, as well as prescription drugs which are not lawfully obtained or properly

utilized. The term “illegal drugs” also refers to mind-altering and/or addictive substances which are not sold as drugs or medicines but are used for mind- or behavior-altering effect.

### **Legal Drugs**

“Legal drugs” are those prescribed or over-the-counter drugs which are legally obtained by the employee and used for the purpose for which they were prescribed and sold. Legal drugs do not include marijuana even if legalized under applicable state law as marijuana is still an illegal drug under federal law.

### **Council Property**

The term “Council property” includes worksites; camps; parking lots; vehicles; or offices owned, rented, utilized, or serviced by the Council or by any of the Council; employee-owned or employee-rented vehicles on the property of the Council or of any affiliate of the Council while on Council business; and locations where the employee represents the Council in any capacity.

### **On Duty**

The term “on duty” includes all working hours as well as meal periods and break periods, regardless of whether on premises, and all hours when the employee represents the Council in any capacity whether on premises or off-site.

### **Alcohol Use Prohibitions**

The consumption of alcohol on Council property or while on duty is prohibited. There may be occasions, removed from the usual work setting, at which it is permissible to consume alcohol in moderation with prior Council approval while on duty (i.e., Council picnic, client entertainment).

Off-duty abuse of alcohol which adversely affects an employee’s job performance or adversely affects or threatens to adversely affect other interests of the Council is prohibited.

The personal possession (i.e., on the person or in a desk or locker) of alcohol on Council property or while on duty is prohibited. However, the possession of alcohol in a personal vehicle or Council-assigned vehicle on Council property is not prohibited provided such possession is in compliance with this policy, as well as federal, state, and local laws.

It is against Council policy to report to work or to work under the influence of alcohol. An employee will be considered under the influence of alcohol when, in the judgment of the employee’s manager or other Management official, the employee’s ability to perform the job safely and effectively is affected by the use of alcohol. However, a determination that an employee is under the influence of alcohol may be made by the Council without conducting a test to determine the employee’s alcohol concentration.

Employees arrested for an alcohol-related incident must immediately notify their manager or a representative of Employee Relations of the arrest if:

1. the employee operates Council vehicles; including leased vehicles, or routinely transports Council personnel or property;
2. the incident(s) occur during scheduled working hours; or
3. while operating a personal vehicle on Council business.

## **Drug Use Prohibitions**

The use, sale, purchase, possession, manufacture, distribution, or dispensation of illegal drugs on Council property or while on duty is against Council policy and is cause for immediate termination.

It is also against Council policy for an employee to report to work or to work while under the influence of illegal drugs. An employee will be considered to be under the influence of illegal drugs if the employee tests positive for such drug(s) (or their metabolites) at or above the cutoff levels established by the Council.

Legal drugs may also affect the safety of the employee or fellow employees or members of the public. Therefore, any employee who is taking any legal drug which the prescribing physician or pharmacist indicates might adversely affect the employee's ability to safely perform the functions of his or her job must advise his or her manager before reporting to work under such medication. If the Council determines that such use adversely affects the employee's ability to safely perform the functions of his or her job, the Council may temporarily reassign the employee, grant a leave of absence during the period of treatment, or otherwise attempt to accommodate the employee. If the Council determines that such use does not pose a risk, the employee will be permitted to work. Improper use of "legal drugs" is prohibited and may result in disciplinary action. Prescription medication must be kept in its original container if such medication is taken during working hours or on Council property.

## **Drug Testing**

The Council reserves the right to drug test employees at its discretion and in accordance with applicable state law. If the Council chooses to implement drug testing, the Council may perform the following drug testing:

### **Reasonable Suspicion Testing**

1. Employees may be asked to submit to a drug or alcohol test if the Council has reason to believe that their ability to perform work safely or effectively may be impaired.
2. Reasonable suspicion testing will be based upon specific, contemporaneous, articulable observations of a Management official concerning the appearance, behavior, speech, or body odors of the employee.
3. Employees operating Council owned vehicles, machinery, or equipment may be subject to random drug testing.

### **Post-Accident**

Employees are subject to alcohol and/or drug testing if involved in an on-the-job accident where there is reason to believe that drugs or alcohol may have contributed to the accident. All employees are required to report any on-the-job accident.

### **Follow-up Testing**

Any employee who has been determined by the Council to have used illegal drugs (through a positive drug test, self-identification, or otherwise) and who has accepted the opportunity to enter a drug counseling or rehabilitation program will be subject to periodic, unannounced follow-up drug tests for a one-year period after returning to work or completion of any rehabilitation program, whichever is later.

## **Testing Procedure**

1. The Council will determine which drug testing will be performed and the cutoff levels at or above which a test result will be considered positive proof of drug and/or alcohol usage.
2. If an employee refuses to consent to testing, fails to appear for testing, tampers with the test, or otherwise fails to cooperate with the testing procedure, he or she will be considered to have tested positive.

## **Disciplinary Action**

Violation of this policy will subject an employee to disciplinary action up to and including immediate termination. The determination of what disciplinary action is appropriate for a violation of this policy rests solely with the Council. Discipline may be based not only on a violation of this policy, but also on prior poor performance, workplace misconduct, other rule violations and any other factors which the Council determines to be relevant. This policy in no way implies or creates any contractual obligation to follow any particular procedure.

Employees working in states where medical marijuana is legal (and where the employee is an authorized user of medical marijuana) may not be subject to discipline for having trace amounts of marijuana in their system unless the marijuana use could impact the employee's ability to safely supervise children. The Council will comply with all applicable local laws. Employees working in states where marijuana is legal for nonmedical reasons, such employees will not be insulated from disciplinary action for violating this policy. Being under the influence of marijuana at work is against Council policy.

## **Investigation**

To ensure that illegal drugs and alcohol do not enter or affect the workplace, the Council reserves the right to search all vehicles, containers, lockers, or other items on Council property in furtherance of this policy. Individuals may be requested to display personal property for visual inspection upon Council request. Failure to consent to a search or display personal property for visual inspection will be grounds for termination or denial of access to Council premises.

## ***Smoking in the Workplace and Tobacco Use***

In keeping with the Council's intent to provide a safe and healthy work environment, smoking and the use of tobacco or e-cigarettes in the workplace is prohibited in the office area, break rooms, restrooms, or any confined area with non-smokers, except in those locations that have been specifically designated areas outside of Council buildings. Smoking outside of an entrance and exit doors is not permitted. The Council will take appropriate action, which could include discipline or discharge for an employee who violates this policy. This policy applies equally to all employees and visitors.

## **Social Media**

At the BSA, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist

you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

This policy applies to all employees who work for the BSA, in the United States.

## **Guidelines**

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's Web log or blog, journal or diary, personal website, social networking or affinity website, Web bulletin board or a chat room, whether or not associated or affiliated with the BSA, as well as any other form of electronic communication. The same principles and guidelines found in the BSA policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects customers, suppliers, people who work on behalf of the BSA, or the BSA's legitimate business interests may result in disciplinary action, up to and including termination.

### **Know and follow the rules**

Carefully read these guidelines, the Code of Conduct, the Discrimination and Harassment Policy, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action, up to and including termination.

### **Be respectful**

Always be fair and courteous to fellow employees, customers, members, suppliers, or people who work on behalf of the BSA. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparage customers, members, employees, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, sexual orientation, disability, religion, or any other status protected by law or BSA policy.

### **Be honest and accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Council, fellow employees, customers, suppliers, and people working on behalf of the BSA.

#### **Post only appropriate and respectful content**

- Maintain the confidentiality of the BSA trade secrets and private or confidential information. Trade secrets may include information regarding the development of

systems, processes, products, know-how, and technology. Do not post internal reports, policies, procedures, or other internal business-related confidential communications.

- Respect financial disclosure laws. It is illegal to communicate or give a "tip" on inside information to others so that they may buy or sell stocks or securities.
- Do not create a link from your blog, website, or other social networking site to a BSA website without identifying yourself as a BSA employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for the BSA. If the BSA is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Council or BSA, fellow employees, members, customers, suppliers, or people working on behalf of the Council or BSA. If you do publish a blog or post online related to the work you do or subjects associated with the Council or BSA, make it clear that you are not speaking on behalf of the Council or BSA. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the BSA."

### **Using social media at work**

Refrain from using social media while on work time or on equipment provided by your employer, unless it is work-related as authorized by a manager or consistent with the BSA Equipment Policy. Do not use the BSA email addresses to register on social networks, blogs, or other online tools utilized for personal use.

### **Retaliation is prohibited**

The BSA prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

### **Media contacts**

All media inquiries should be directed to the Scout Executive.

### ***Computer Use and Electronic Communication Policy***

The BSA owns the computers and software making up the email /Internet/intranet systems and permits employees to use them primarily in the performance of their jobs. Records contained within these systems are BSA property and should be transmitted only to individuals who have a business need to know. Employees may use the email system for personal reasons during nonworking hours as long as such personal use does not interfere with work. Employees should not create rules that will automatically forward email outside of the BSA's corporate account.

The BSA computers, including email and Internet access, voice mail, telefax machines, and cellular telephones are the property of the BSA. These systems of technology, as well as communications transmitted by, received through, or stored in these systems, are property and assets of the BSA. As such the BSA reserves the right to monitor both the use of the technological systems and the content of the communications at its discretion. Employees have no reasonable expectation of privacy regarding their use of these services.

Email messages sent using the BSA's computers are not private, despite any contrary designation either by the sender or the recipient. Accordingly, employees have no expectation of privacy in their email messages nor when accessing the Internet on BSA computers. The BSA has the right to monitor email messages at its sole discretion in the ordinary course of its business, even if employees use a password or the system's delete function.

Accordingly, the BSA may access email mailboxes and "deleted" messages and the BSA may disclose certain email messages. Attachments to email messages, such as pictures and other graphic files are also subject to inspection and should not violate any BSA policy. In addition, the BSA may monitor access to the Internet.

Threatening, harassing, or intimidating material shall not be entered into the computer or sent by electronic means. Also prohibited are any messages that are sexually oriented/explicit, racial slurs, gender-specific comments or any other comments that address someone's age, sexual orientation, religious, or political beliefs, national origin, or disability in an unlawful or discriminatory manner. These prohibitions also apply to any communication sent or displayed on any social media, including but not limited to, Internet blogs, MySpace, Twitter, and Facebook if being used for BSA business. When accessing these sites, an employee should make sure it is clear that the employee is speaking his/her own opinion and not as a designated Representative of the BSA if an employee is discussing BSA business. Nothing in this policy is intended to inhibit an employee's rights under federal or state labor law rights, including any and all rights under the National Labor Relations Act, or any whistleblower protections under federal or state law.

Records of an employee's use of BSA computers are BSA property and are subject to review, disclosure to law enforcement, government officials, or other parties through subpoena or other process without notification to or permission from employees.

Employees have no right or expectation of privacy with regard to email/Internet/intranet records generated using BSA-owned computers, equipment/devices.

Employees are prohibited from installing or downloading any unauthorized software such as shareware, screen savers, time synchronizers, and search tools bars, onto BSA computer equipment. Employees may not copy software from BSA computers and install it on their home or other computers without the express written permission of Management. The BSA does not allow the unauthorized use, installation, copying, or distribution of copyright, trademark, or patented material on any BSA communication tool. Employees whose communication activity violates state or federal law or BSA policies are subject to disciplinary action up to and including termination of employment.

### ***Electronic Communications Equipment***

The Council may, at its discretion, provide designated employees with devices such as laptop computers. It is expected this equipment will be responsibly maintained and used appropriately for business efficiency purposes. Employees should exercise restraint in using the equipment for non-business purposes. Use of such equipment for non-business purposes that impede work performance is prohibited. Equipment issued to employees remains Council property and, in the event employment with the Council terminates, all equipment in the employees' possession is subject to be returned to the Council in proper working condition on or before the last day of employment.

In order to encourage open communication, free exchange of ideas, spontaneous and honest dialogue and an atmosphere of trust, the Council has adopted the following policy concerning audio and/or video recording in the workplace. It is a violation of the Council's policy to record conversations, phone calls, or Council meetings, or to take any pictures of the Council's confidential information and/or trade secret information or processes, with any recording device (including but not limited to a cellular telephone, smart phone, PDA, digital recording device, camera, digital camera, video recorder, etc.), unless the photograph or recording is designed to document a safety hazard, to document claims that the Council's rules have been inconsistently applied, or to memorialize protected concerted activity which may, for example, include discussions concerning terms and conditions of employment. A violation of this policy may result in corrective action, up to and including termination of employment.

Please note that the Council may have security or surveillance cameras operating in areas throughout the Council's facility, Camps, and other properties, including areas where the Council meetings or conversations may occur. The purpose of such security devices or surveillance cameras is not to record conversations but, rather, is to protect legitimate trade secrets such as proprietary processes and products, to discourage theft and/or robbery, or to aid in the investigation of such allegations.

### ***Use of Cell Phones/Other Electronic Devices While Driving***

This policy provides standards for safe use of cell phones and other electronic communication devices (smart phones, and other handheld devices) by employees when operating Council vehicles, leased or rented vehicles, or personal vehicles while conducting Council business. Employees must adhere to all federal, state, and local rules and regulations regarding the use of cell phones and other handheld electronic devices when driving on Council time, for Council purposes, and/or within a Council vehicle. Employees must not use cell phones or other handheld electronic devices if such conduct is prohibited by state or local law. Please check with the Human Resource Department if you are unsure as to whether cell phones or other handheld electronic devices may be used in your particular state.

Employees should not use handheld cell phones or other handheld electronic devices for any purpose when driving on Council time for Council purposes and/or within a Council vehicle. If an employee needs to make or receive a call while driving, the employee should make or receive the call only after parking in a lawfully designated area. If an employee has a hands-free device that allows the employee to talk on a cell phone or other electronic device, the employee may make and receive calls using the hands-free device, but such calls should be limited to five minutes or less. Employees are strictly prohibited from texting, emailing, surfing the Internet, or otherwise using any other electronic communication device while driving on Council time, for Council purposes, and/or within a Council vehicle. Employees are further prohibited from taking notes or writing when talking on a cell phone while operating a Council vehicle or private vehicle while conducting Council business.

Certain Council employees may be provided Council cell phones or other electronic communication devices. Such electronic communication devices are the property of the Council and are intended primarily for business purposes only. Personal use of such Council-issued electronic communication devices should be kept to a minimum during working time. Employees are responsible for reimbursing the Council for any excessive or unreasonable personal use of such an electronic device and may be subject to disciplinary action for

improper use. Upon termination of employment, employees will be required to return all Council-issued cell phones or other electronic devices. All Council information, including confidential and proprietary information, is the property of the Council. Employees are prohibited from copying, downloading, or otherwise transferring Council information from a cell phone or other electronic device for use after an employee's termination of employment.

### ***Firearms and Knives***

Employees are not permitted to carry or possess firearms, knives, (pocket knives are an exception) or other weapons while in a Council facility or building or in a Council-owned automobile. Employees licensed by a state to carry a concealed handgun or who otherwise lawfully possesses a firearm, or who lawfully possesses ammunition may transport or store firearms or ammunition in a locked, privately owned motor vehicle located in a Council parking lot, parking garage, or other parking area provided by the Council. Under no circumstances will handguns or other weapons be removed from an employee's vehicle while in a Council-provided parking garage or on the Council's premises.

Council employees are not allowed to:

- Carry/possess a weapon or items that can be perceived as weapons on Council property
- Carry a concealed weapon while working
- Carry/possess explosives and/or explosive devices on Council property

Provided, however, that this policy may be adjusted as necessary by the Scout Executive to accommodate program requirements that may involve firearms such as authorized hunting. Any further exceptions to this policy must be in writing and specifically detail the reasons for and the limitations. Failure to follow this policy may lead to disciplinary action up to and including termination.

### ***Council Motor Vehicles***

Employees who operate Council vehicles, including leased vehicles or who operate a motor vehicle while conducting Council business, must maintain a valid driver's license and a satisfactory driving record. A motor vehicle record must be obtained at the time of hire and immediately report any accident involving a Council vehicle or personal vehicle while conducting Council business.

### ***BSA Membership***

A membership in the Boy Scouts of America is required for any employee who has a BSA commission or whose position has been identified as requiring membership in BSA. Employees who do not have a BSA commission are encouraged to be members of the BSA, but membership is not required. Each year all employees will be given the opportunity to join or renew their BSA membership. The annual membership fee is the employee's responsibility.

## **Visitors**

All visitors to the Council Service Center must enter only through the main reception area. All visitors, including former employees and retirees, must sign in. All visitors must be met in the lobby by a current employee and be escorted by a current employee at all times. Visitors, including former employees and retirees are not allowed to roam the building unescorted.

An employee who sees an unescorted visitor should offer to escort them to the employee they are visiting or to the lobby. If they are not comfortable doing so, they can contact their manager. It is the responsibility of the manager to limit visitation in the work areas by current or former employees and non-employees.

For locations other than other than the Council Service Center, visitor procedures including visitor badges, should be developed by the manager of each location or Scout Executive and communicated to all employees. Any violations should be reported to the property manager and Scout Executive.

## **Uniforms**

Each professional holding a commission from the Boy Scouts of America is required to purchase an official uniform with the appropriate insignia. The uniform is to be worn at all official, national, regional, and Council meetings, training and teaching sessions, and whenever appropriate for special occasions as designated by the Scout Executive or his authorized representative.

## **Voluntary Termination**

An employee should submit a written statement of resignation. At a minimum, the letter should be dated, specify the last day of work, and be signed by the employee. The Council would appreciate at least two weeks' notice of a voluntary resignation. The manager should notify the Scout Executive of the resignation—even if it is not in writing.

## **Reemployment and Adjusted Hire Date**

If a former employee is reemployed within 12 months (365 days) from the employee's last termination date, an adjusted hire date will be used to determine eligibility for and to calculate paid time off and any other tenure-based benefits. This policy does not apply to the BSA Benefit Programs including the BSA Retirement Plan or BSA Thrift Plan. If the former employee has been separated 366 days or more, the current hire date will be used.