



**Ocean Park Association**

**Employee Handbook**

**Adopted**

**March 7, 2009**

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## **Welcome to The Ocean Park Association**

On behalf of your colleagues, we welcome you to The Ocean Park Association (“OPA”) and wish you every success here. We believe that each employee contributes directly to OPA’s growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with OPA.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

### **Introduction**

The purpose of the Ocean Park Association is to affirm the traditions and spiritual heritage of which we are heirs through a summer assembly program where:

- Christian worship, principles and ideals are at the focus;
- Diversity is celebrated and the dignity of all is embraced and respected;
- The natural beauty of our seaside resort is conserved and enhanced; and
- Programs centered on religion, education, recreation and culture provide opportunities for individual growth and family enrichment.

This handbook is designed to acquaint you with OPA and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by OPA to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As OPA continues to grow, the need may arise and OPA reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion.

OPA is fully committed to complying with all federal and state statutory and regulatory employment requirements. If any policy included in this handbook conflicts with a state or federal employment statute or regulation, or an administrative ruling, the statute,

regulation or administrative ruling controls, and is incorporated by reference into this handbook.

OPA is a non-profit corporation governed by a volunteer Board of Directors. The full time Executive Director, who is appointed by and serves at the pleasure of the Board of Directors, is responsible for all program, financial, administrative, and personnel matters of the Association, in accordance with Board policies/by-laws.

The policies contained in this Handbook supersede all previous practices and may be changed at any time by the Board of Directors. The Executive Director supervises the dissemination of information regarding any policy changes to all staff.

## **General Information**

### **Nature of Employment/Employment At-Will**

Maine is an at will state; which means that, unless specifically stated otherwise in an employment contract executed by the President or Executive Director, all employees are employees “at will.”

This means that employment with OPA is voluntarily entered into, and employees are free to resign at will at any time, with or without cause. Similarly, OPA may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law. No information presented in this handbook should be interpreted as a promise of permanent employment.

No individual has the right to vary or modify the at-will employment relationship for any employee. Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between OPA and any of its employees.

### **Employment Categories**

It is the intent of OPA to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period. Accordingly, the right to terminate the employment relationship at-will at any time is retained by both the employee and OPA.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee’s EXEMPT or

NONEXEMPT classification may be changed only upon written notification by OPA management.

Each employee will also belong to one of the following employment categories:

- FULL-TIME employees are those who regularly work thirty (30) or more hours per week. Generally, they are eligible for OPA's employee benefits, subject to the terms, conditions, and limitations of each benefit program.
- PART-TIME employees are those who regularly work fewer than 30 hours per week. They do receive all legally mandated benefits such as Social Security and workers' compensation insurance, and they are eligible for some of OPA's benefit programs as described in the benefit policies. They may be seasonal employees.
- TEMPORARY/SEASONAL employees may be hired for specific periods of time or for the completion of a specific project. An employee hired under these conditions will be considered a temporary employee. The job assignment, work schedule, and duration of the position will be determined on an individual basis. If you are a temporary employee, please understand you are not eligible for benefits described in this handbook, except to the extent required by provision of state and federal laws.

## **Job Descriptions**

It is the OPA policy to provide job descriptions to all employees upon hire.

Job descriptions are considered working documents. Each employee's job description will be formally reviewed during their annual performance evaluation *by their supervisor*. However, job descriptions will be updated more frequently when duties and responsibilities are substantially changed during the year.

## **Timekeeping**

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require OPA to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

All non-seasonal employees should accurately record the time they begin and end their work. They should also record the beginning and ending time of any departure from work for personal reasons including lunch periods. They are responsible for completing bi weekly timesheets and forwarding them to the Executive Director by designated time and date for the previous pay period.

Each employee is solely responsible for their time record and the recording of hours worked. If a time record needs a correction, this will be reviewed with the employee and the employee should initial any corrections made.

No one may record hours worked on another's time card, other than supervisory personnel to correct hours worked. Violations of this Timekeeping policy is cause for disciplinary action, up to and including discharge.

Timesheets from non-exempt employees are due to the Executive Director by 9:00 am on the Monday prior to payday.

## **Paydays**

OPA uses an outside payroll service to process its payroll. Employees are normally paid biweekly on Fridays. In the event that a regularly scheduled payday falls on a Holiday, employees will generally receive their pay on the last day of work before the regularly scheduled payday or the next business day following the Holiday.

## **Direct Deposit**

Employees may have their paychecks directly deposited into their bank accounts if they provide advance written authorization to the OPA office. Employees will receive an itemized statement of wages for direct deposits.

## **Pay Deductions, Setoffs and Personal Accounts**

The law requires that OPA make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes and employee contributions to Social Security and Medicare as required by law. OPA may also be required to deduct 401(k) loan repayments and any other amounts as required by law.

OPA offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

## **Emergency Closings**

At times, emergencies such as severe weather, fires, power failures or other hazardous conditions can disrupt operations. In extreme cases, circumstances may require the closing of the office. Generally, when weather conditions are quite severe, the Executive Director will excuse employees from work. When the office is officially closed due to emergency conditions, non-exempt employees will be paid for the number of hours the employee normally would have worked.

Otherwise, employees should exercise reasonable discretion so as to avoid unnecessary risks that would endanger their safety. If non-exempt employees choose to leave early or to not work due to weather conditions, they will be required to use any available accrued PTO or vacation benefits unless otherwise agreed with the Executive Director.

## **Safety**

The company maintains a first-aid kit in the workroom. Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action.

All injuries (no matter how slight) must be reported to the immediate supervisor(s) and the Executive Director immediately, but no later than 12 hours from the incident, as well as an accident or injury you witness to another. In addition, you should also immediately report to management any unsafe working conditions or anything that needs repair or is a safety hazard.

Below are some general safety rules which employees must follow. This list is not all inclusive and may change as business needs or legal requirements dictate. Management may post or inform you of other safety procedures in your department or work area:

- Report to your supervisor if you or a co-worker are injured.
- Ask for assistance when lifting heavy objects or moving heavy furniture.
- Keep cabinet doors and file and desk drawers closed when not in use.
- Sit firmly and squarely in chairs that roll or tilt.
- Avoid “horseplay” or practical jokes.
- Keep your work area clean and orderly, and the aisles clear.
- Watch out for the safety of fellow employees.

## **Housekeeping**

The overall appearance of our office is important, and each employee is responsible for the neatness and good order of their work area. All employees should cooperate in maintaining the common areas in the office in the best possible manner.

OPA provides a lunchroom with microwave, refrigerator, dishwasher, tables and chairs for the convenience of employees. Coffee, tea, filtered water and hot chocolate are also provided in the workroom. Each employee is responsible for cleaning up after using the kitchen and coffee areas, including washing dirty dishes or loading them into the dishwasher. Food wastes should be placed in the garbage disposal, which should be run each time food is placed in it. Items left (abandoned) in the refrigerator will be thrown away, including the containers.

## **Recycling and Waste**

OPA supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment. Waste and recycling are sorted into bins based on contents as: food waste products, zero sort recycling and shredding (for all client related and sensitive materials). Please see the Maintenance Manager with any questions.

Whenever possible, OPA encourages purchase of products for the workplace that contain recycled or easily recyclable materials. Buying recycled products supports recycling and increases the markets for recyclable materials.

## **Performance Evaluations**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Performance evaluations are typically scheduled every 6 months.

The job performance of each employee is reviewed on an ongoing basis to provide a systematic means of evaluating performance.

The annual performance review is a formal opportunity for the employer and employee to exchange ideas that will strengthen their working relationship, review the past year, and anticipate Ocean Park Association's needs in the coming year. The purpose of the review is to encourage the exchange of ideas to create positive change within Ocean Park

Association. To that end, it is incumbent upon both parties to have an open and honest discussion concerning the employee's performance.

Employees may request a review of a personnel action or an unsatisfactory performance review. Employees may discuss their concerns with the Executive Director. Should the employee continue to feel the matter is unresolved, the employee should follow the Open Door Policy as defined below.

## **Personnel Data Changes**

It is the responsibility of each employee to promptly notify OPA of any changes in personnel data. Changes should be reported to maintain accurate, up-to date information on employee status for purposes of pay and benefits administration, compliance with applicable standards and regulations, and facilitation of employee communication.

Personal mailing addresses, telephone numbers, number and names of dependents, beneficiaries, individuals to be contacted in the event of an emergency, and other such status reports should be kept accurate and current by the employee at all times. Some changes in employee status may affect certain benefits and may require completion of forms prior to changes being effective. If any personal data has changed, please notify the Executive Director.

## **Use of Company Equipment**

OPA provides supplies, materials and equipment necessary for you to perform your job. All company provided items are intended to be used for company purposes. While some personal use is allowed, employees may not utilize firm equipment or supplies to perform work performed for other businesses or for compensation received outside OPA.

Employees are expected to exercise care in the use of company owned property and use such property only for authorized purposes. Loss, damages, or theft should be reported at once. Negligence in the care or use of company property may be considered grounds for discipline, up to and including discharge.

## **Solicitation**

We believe our employees should not be subjected to undue solicitation or collections. Soliciting for any cause during working time and in a work area is not permitted. With Executive Director approval, employees may solicit for charitable causes on non-work time in non-work areas.



## **Employment Termination**

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Since employment with OPA is based on mutual consent, both the employee and OPA have the right to terminate employment at-will, with or without cause, at any time. Employees will receive their final pay in accordance with applicable state law.

OPA requests that you provide at least two weeks' notice in the event you intend to leave our employ. Your notice will provide time for OPA to fulfill its business needs and obligations to its clients.

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

OPA will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to OPA, or return of OPA-owned property. Suggestions, complaints, and questions can also be voiced.

## **Return of Company Property**

Upon termination of employment, any departing employee must return to OPA any OPA property that the employee still has in their possession, including, but not limited to, building keys, laptops and parking cards/clickers. Departing employees should email a list of all such items to the Executive Director and confirm in writing when the employee has returned everything on the list.

## **Employment Reference Checks**

Responses to reference inquiries will confirm only dates of employment and position(s) held. Additional employment data will be released only with the consent of OPA and with a written authorization signed by the individual who is the subject of the inquiry. All requests for reference information should be referred to the Executive Director.

## **Access to Personnel Files**

OPA maintains a personnel file for each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of OPA, and OPA reserves the right to dictate their content. The confidentiality of all personal information in personnel files will be protected, and the collection of employee information will be limited to that needed for business and legal purposes. Access may be given to third parties, including government agencies, pursuant to court order, subpoena, or when legally required to do so.

No materials are to be removed from the file; however, the employee may review their own file. To do so, please contact the Executive Director. In addition, employees may request, in writing, to receive copies of any material in their personnel file. The privacy of all documents will be maintained in accordance with all applicable federal and state regulations.

## **EMPLOYMENT POLICIES**

### **Equal Employment Opportunity**

OPA is an equal opportunity employer and does not discriminate against employees or applicants for employment on the basis of an individual's protected class, further described in the Discrimination and Harassment Policy below, or because of any other status protected by applicable law. This policy applies to all terms, conditions and privileges of employment, including recruitment, hiring, placement, training, compensation, benefits, promotions, transfers, discipline and termination. All matters relating to employment are based upon ability to perform the job, as well as dependability and reliability once hired.

### **Open Door Policy**

We encourage an open atmosphere in which you can state any issue related to your employment. If you have any concerns, differences of opinion, suggestions, or complaints, you are encouraged to discuss such matters with your supervisor. OPA is committed to providing a positive work environment where employees are treated fairly

and with respect. If you have any issues, including but not limited to discrimination, harassment or wage and hour issues, you should discuss such matters with your supervisor. However, if the issue cannot be resolved at this level, you should inform the Executive Director about the issue, and if a solution is still not reached to your satisfaction, you should submit the issue to the President of the Ocean Park Association Board of Directors for a final resolution.

Employees who are subjected to any type of discrimination or harassment or have concerns regarding federal and state laws must report it in line with the above procedure. Employees should rest assured they will not be penalized for bringing forward their good-faith concerns.

## **Workplace Etiquette and Code of Civility**

OPA strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to their attention. OPA encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive. The following etiquette guidelines suggest appropriate workplace behavior that everyone is expected to follow:

- Return copy machine and printer settings to their default settings after changing them.
- Treat the copies and faxes of others as you would have others treat yours. Keep the workroom area around the copier and fax machines orderly and clean.
- Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your supervisor.
- Be conscious of how your voice travels, and try to lower the volume of your voice when talking on the phone or to others in open areas;
- Keep socializing to a minimum and try to conduct conversations in areas where the noise will not be distracting to others. Avoid discussions of your personal life/issues that may be overheard in common areas.
- Minimize talking between workspaces or over cubicle walls. Instead, conduct conversations with others in their workspace.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Monitor the volume when listening to music, voice mail, or a speakerphone that

others can hear.

- Avoid discussions of client matters in public areas of the company. • Do not abuse the charitable instincts of your co-workers by soliciting for your personal charities; and
- Clean up after yourself.

Additionally, OPA has adopted a Code of Civility which states, in part,

“We are all committed to treating others with respect and trust. We shall not abuse power. We shall conduct ourselves in a courteous manner and resolve to follow these guidelines:

- We recognize and value our diversity of backgrounds, interests and styles. • Even when we are having a bad day, we are considerate of others. There is no excuse for being rude to others.
- We do not have different rules for different people. Everyone’s opinion and effort counts.
- We take responsibility for work performed for our clients. We do not use others as scapegoats.
- We recognize that motivation is more effective than criticism, and we seek opportunities to say something positive to others. We offer only constructive (not destructive) criticism. We offer criticism privately, not in the presence of others. We offer criticism orally and do not reduce it to writing unless we have previously said it directly to the person. We do not make disparaging comments about others. We do not talk about others behind their backs.
- We respect time commitments and recognize that other people’s time is as valuable as our own. We arrive on time and do not keep others waiting. We give reasonable notice when cancellation or late arrival is unavoidable.
- If we must take a telephone call while in the presence of another, we ask to be excused and offer to get back to the person on the phone. If we must interrupt a meeting, we knock or announce our presence with courtesy. If we are conversing with another person and are interrupted, we politely excuse ourselves.
- When others are speaking, we listen courteously and attentively without interrupting or walking away.”

## **Accommodations for Disabilities**

OPA is committed to full compliance with the Americans with Disabilities Act (ADA), the Maine Human Rights Act (MHRA) and all other applicable state and local laws. OPA will follow any applicable state or local law that gives more protection to a person with a

disability than ADA provides.

We are committed to ensuring equal opportunity in employment for qualified persons with disabilities. We conduct all our employment practices and activities on a non discriminatory basis.

OPA will provide reasonable job accommodations to a qualified employee with a disability. A reasonable job accommodation is a modification or adjustment to an individual's employment that will permit the employee to perform the essential functions of his or her position, and does not create an undue burden on OPA. Reasonable accommodations may also be available to individuals with temporary impairments, including impairments related to pregnancy. It is the employee's responsibility to request an accommodation. All requests for accommodation should be made to the Human Resources ("HR") Manager. When possible, it is requested that the employee make their request for a job accommodation in writing. The employee may need to provide medical documentation to support their request as part of OPA's interactive process in determining if the accommodation is possible.

Qualified individuals with disabilities are entitled to equal pay, including but not limited to all forms of compensation (or changes in compensation), as well as job assignments, classifications, organizational structures, and position descriptions.

## **Attendance**

OPA counts on everyone's contributions, so you are expected to be on the job and ready to work when scheduled. If you know ahead of time that you will be absent or late, provide reasonable advance notice to your supervisor. If you must be tardy or miss work altogether due to an emergency, illness or sudden necessity, provide reasonable notice to the supervisor.

You may be required to provide documentation of any medical or another excuse for being absent or late where permitted by applicable law. OPA reserves the right to apply unused paid time off to unauthorized absences. Absences resulting from approved leave, vacation, or legal requirements are exceptions to the policy.

Not reporting to work as scheduled may lead to disciplinary action up to and including termination of employment or a finding of job abandonment.

## **Personal Appearance**

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image OPA presents to clients and visitors. During business hours or when representing OPA, you are expected to present a clean, neat, and professional appearance. Hair must be clean and well groomed. Good personal hygiene is

required of all employees. Shoes should be appropriate for the work being performed by the employee.

You should also dress and groom yourself according to the requirements of your position. This is particularly true if your job involves dealing with members of the public.

Clothing must not contain offensive images or language.

Any employee who, in the management's sole discretion, appears for work in a manner that does not conform to the aforementioned appearance standards may be required to return home to obtain appropriate attire.

## **Employee Conduct and Work Rules**

OPA expects its employees to deal with co-workers, management, clients and vendors with respect and cordiality. Conducting yourself appropriately outside of the office is as essential to our successful operations as is the way you conduct yourself while at work. Please keep in mind the following elements of effective human relations when working with others:

**Courtesy:** It is your duty to be courteous to your co-workers, management, clients, and vendors--even when your patience is being tested.

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**Confidentiality:** It is imperative that the business of our clients not be discussed with other clients, your family members, or friends within or outside of the office.

**Professionalism:** Employees who take pride in their duties create a sense of professionalism that is invaluable. All employees are expected to discharge their duties efficiently and effectively.

**Teamwork:** Staff members must be willing to work together and at times perform tasks outside of their regular duties when necessary.

In addition, any conduct that is illegal, unethical, or immoral will not be tolerated and will subject the offender to discipline up to and including termination of employment.

We expect each person to always act in a mature and responsible way. However, to avoid any possible confusion, some of the more obvious unacceptable activities are noted here. Avoiding these activities will be to your benefit as well as the benefit of OPA. If you have any questions concerning any work or safety rule, or any of the unacceptable activities listed, please see your supervisor for an explanation. This list is in no way meant to be exhaustive. It does include some of the unacceptable behavior that may lead to disciplinary action, up to and including discharge. As noted in the Discipline policy, some violations and misconduct, because of their seriousness, may result in immediate termination.

### Unacceptable Conduct:

- Theft or inappropriate removal or possession of property.
- Falsification of records, including employment applications, timesheets, business records.
- Working while impaired by alcohol, marijuana or illegal drugs.
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating company-owned vehicles or equipment.
- Fighting or threatening violence in the workplace.
- Boisterous or disruptive activity in the workplace.
- Insubordination or other disrespectful conduct.
- Excessive absenteeism or any absence without notice.
- Disclosure of client confidences, business “secrets” or other confidential information.
- Unsatisfactory performance or conduct.
- Illegal gambling.
- Conviction of a felony.
- Negligence or improper conduct leading to damage of company-owned or client

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owned property.

- Refusal to accept a reasonable new job assignment or overtime work. •
- Violation of safety or health rules or failure to report an accident. •
- Smoking in prohibited areas.
- Sexual or other unlawful or unwelcome harassment.
- Bringing firearms into OPA facilities or vehicles.
- Possession of dangerous or unauthorized materials, such as explosives, in the workplace.
- Unauthorized use of telephones, mail systems, or other company-owned equipment.
- Computer security violations.
- Unauthorized solicitation.
- Creating workplace dissension or causing a loss of employee morale; or •
- Violating personnel policies.

Employment with OPA is at the mutual consent of OPA and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice. The provisions of this handbook do not modify the at will relationship between OPA and the employee in any manner.

## **Confidentiality**

The nature of our relationship with our members requires careful maintenance of confidentiality. Employment with the OPA assumes an obligation to maintain confidentiality while employed and thereafter.

Employees are not to remove or make copies of any organization records, reports or documents without prior management approval. Employees who are questioned about information believed to be confidential should discuss the request with the Executive Director prior to answering.

## **Nepotism**

It is organization policy to hire candidates who are well suited for employment. Relatives of employees may be hired, provided there is not a supervisory relationship between the employees. A relative is defined, for the purposes of this policy, as parent, child, spouse, sibling, sibling-in-law, parent-in-law, and grandparent.

Should two OPA employees marry or otherwise become closely associated, one may not supervise the other. This policy will be followed in accordance with the Association's Equal Employment Opportunity Policy.

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## **Smoking**

In keeping with OPA's intent to provide a safe and healthful work environment, smoking is prohibited in all Association buildings. This policy applies equally to all employees, clients, and visitors. Smoking is only allowed outside our building and in accordance with legal requirements. Employees must remain in the designated areas (at least 20 feet from entrances and exits) when smoking to permit people to gain access to or leave the building without being subjected to unwanted smoke. Smokers and tobacco users have a special obligation to keep the smoking area litter free and not to abuse or break rules. Please use proper receptacles to dispose of tobacco products.

## **Substance Abuse**

OPA is committed to providing and maintaining a drug free workplace. The unlawful manufacture, distribution, dispensation, possession, sale, or being impaired by controlled drugs or alcohol while working for OPA or on company premises is strictly prohibited. Employees are required to report to work with no alcohol or illegal drugs<sup>1</sup> in their body.

A violation of this policy may result in disciplinary action, up to and including termination of your employment, consistent with Maine law. If you have questions about



this policy or issues related to drug or alcohol use at work, you should raise your concerns with the Executive Director.

<sup>1</sup> An exception to this policy exists for employees who are prescribed otherwise illegal drugs for medical reasons, as long as the employee can perform the essential functions of their job while following the recommendations of their medical provider.

## **Discipline**

The purpose of this policy is to state OPA's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

It is our goal to maintain a constant atmosphere of professionalism, and we expect our employees to adhere to that philosophy.

By accepting employment with us, you have a responsibility to OPA, our clients and your fellow employees to adhere to certain rules of behavior and conduct. The purpose of these  
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rules is not to restrict your rights, but rather to be certain that you understand what conduct is expected and necessary. When each person is aware that they can fully depend upon fellow workers to follow the rules of conduct, then our organization will be a better place to work for everyone.

OPA expects employees to follow standards of conduct and ethics that are in the best interests and safety of our employees, our clients, and OPA. While it is not possible to list all behavior that is unacceptable in the workplace, employees will be disciplined for any behavior that is unsafe, detracts from any employee's ability to work or provide client service, or is not in OPA's best interest. Unacceptable behavior may lead to disciplinary action, up to and including termination.

OPA's interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

OPA may use discipline at its discretion and employees may be disciplined for other behavior not noted in the Employee Conduct and Work Rules. All pertinent facts will be carefully reviewed, and each case of misconduct will be considered based on the seriousness of the violation, the employee's work record, and other related factors. Disciplinary action may include any of the following: verbal warning, written warning,

suspension with or without pay, or termination of employment.

OPA recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, immediate termination of employment.

## **Discrimination and Harassment**

OPA is committed to complying with all applicable laws that prohibit discrimination and harassment. These laws are intended to ensure individuals are not discriminated against or harassed in the workplace based on any protected categories such as sex, race, age, disability, and so on. We take these laws very seriously. We strictly prohibit and do not tolerate unlawful discrimination or harassment.

### **What Are the Penalties for Failing to Comply?**

Failing to comply with these laws can have serious legal and disciplinary implications. An employee's discriminatory or harassing actions may be imputed to the employer in certain circumstances and lead to the employer getting sued. Employees who violate

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laws may be disciplined, up to and including immediate termination of employment. In addition, in some instances, the law allows for employees who violate these laws to be held personally and individually liable for unlawful discrimination, harassment, or both.

### **What Is the Supervisor's Role Regarding These Laws?**

Supervisory and managerial employees are responsible for helping OPA enforce our policies. This means they must:

- Monitor the workforce to ensure employees are complying with our policies forbidding discrimination, harassment, and retaliation in the workplace. • Promptly address improper conduct of which they become aware that could be viewed as discriminatory or harassing, including by informing the Executive Director or Board President of any improper conduct.
- Inform the Executive director or Board President of any complaints of discrimination, harassment, or retaliation.
  - Help investigate complaints of discrimination, harassment, or retaliation when requested to do so by the Executive Director or Board President, and cooperate in any investigations, including by implementing discipline when appropriate.

It also means they:

- Must not ignore any conduct by persons in the workplace that is, or could be

viewed as, discriminatory or harassing.

- Must not treat employees in a discriminatory or harassing manner.
- Must not retaliate against someone who complains they have treated that person in a discriminatory or harassing manner.

## **Sexual Harassment**

Harassment based on an employee's sex or gender is also strictly prohibited. Sexual harassment is unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when submission to such conduct is made a condition of employment or the basis for employment decisions, or when such conduct unreasonably interferes with an individual's ability to perform their job duties or otherwise creates an abusive or hostile working environment.

The following are examples of conduct that may constitute sexual harassment:

- Unwanted physical touching.
- Requests for sexual favors.
- Telling sexually explicit jokes or stories.
- Making lewd or offensive comments or gestures.
- Displaying sexually suggestive objects, cartoons, or pictures.

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- Sending sexually explicit messages by letters, notes, electronic mail, or telephone.
- Making offensive comments about an employee's body, physical appearance, or clothing.
- Using terms of endearment (e.g., "dear" or "sweetheart") when referring to employees of one sex.
- Repeatedly asking a coworker for a date or meetings outside of working hours after they have indicated an unwillingness to go; or
- Directing unwanted attention to a coworker by visiting their office/workstation frequently, buying gifts for them and/or bringing non-work-related matters to their attention.

## **Other Types of Harassment**

Harassment based on other protected classes is also strictly prohibited and can include offensive comments or conduct pertaining to a person's race, ethnicity, religion, creed, ancestry, national origin, age, physical or mental disability, sexual orientation, gender, marital status, veteran status, or any other characteristic protected by local, state or federal law. Such conduct may include, but is not limited to:

- Making gestures, threats, derogatory comments, or slurs that may be offensive to individuals in a particular group.

- Bullying behavior that is threatening, intimidating, verbally abusive or results in other disruptive actions in the workplace.
- Displaying derogatory objects, photographs, cartoons, calendars, or posters; or • Sending messages by letters, notes, electronic mail, or telephone that may be offensive to individuals in a particular group.

Further examples:

- Continually teasing an older colleague about his age and excluding him from work-related activities and functions because of his age.
- Using racial slurs in the workplace.
- Repeatedly mocking an employee's religion or religious items.

## **Harassment by Non-Employees**

OPA is committed to keeping the workplace free from the harassment described above even if non-employees are the harassers. An employee who experiences or witnesses any kind of harassment at work—whether by clients, vendors, or others—should report the situation immediately in accordance with the reporting procedure detailed below.

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## **Protection From Retaliation**

Employees are not to be subjected to any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of any incidents of discrimination or harassment, for pursuing a claim, or for participating in an investigation. OPA strictly prohibits this conduct.

## **Reporting Discrimination, Harassment or Retaliation**

If an employee experiences discrimination, harassment, or retaliation in violation of this policy—or learns of a situation that may constitute a violation of this policy—they must promptly take the following actions to help ensure the work environment remains free of discrimination, harassment and retaliation:

1. Immediately contact your supervisor or the Executive Director.
2. All complaints will be handled in a timely manner. Information concerning your complaint will be given on a need-to-know basis only. Management personnel needed for participation in the investigation, the alleged harasser, and possible witnesses may be contacted and thereby learn of the complaint. Employees should not discuss the complaint or the resulting investigation, except for discussions necessary to conduct

the investigation and make a decision. The purpose of this provision is to encourage the filing of valid complaints by protecting the privacy of the complaining employee to the extent possible, as well as to protect the reputation of any employee who wrongfully might be charged with sexual harassment.

3. Document your complaint. Keep a log detailing the incident/s, what was said or done, who might have witnessed it and the date. Keep any related letters or memos.
4. The Executive Director will investigate your complaint promptly. If valid, they will determine remedies to be given and the sanctions to be imposed.
5. The complaining employee and the alleged harasser have the right to appeal the determination by writing a memo or letter delivered to the Executive Director within 10 working days of the determination.
6. In the case where the allegation of harassment is against the Executive Director, the allegation should be reported to the President of the Board of Directors.

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Again, there will be no retaliatory measures taken against any employee who makes a report as outlined above. Any person found to have retaliated against another individual for reporting harassment will be subject to disciplinary action, up to and including termination of employment.

Using OPA's complaint process does not prohibit an employee from filing a complaint with the Maine Human Rights Commission, the Equal Employment Opportunity Commission, or both. An employee only has 300 days from the date of the discrimination, harassment, or retaliation within which to file a claim, and more information on how to file such a complaint can be found online at <https://www.maine.gov/mhrc/> or by calling (207) 624-6290.

## **Bad Faith Reporting**

If an employee is found to have brought a complaint under this policy in bad faith, that employee will be subject to discipline, up to and including termination of employment.

## **Investigation Process**

Upon learning of a situation that may violate this policy, OPA will conduct a prompt and thorough investigation. Communications within those investigations will remain confidential as permitted by the investigative process and state and federal law. If it is determined that a violation of this policy has occurred, OPA will take appropriate remedial action to stop any prohibited harassment or discrimination and to prevent it from happening in the future. This may include disciplinary action, up to and including termination of employment.

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## **Social Media Policy**

At OPA, we recognize that the use of social media presents certain risks and carries specific responsibilities, and to minimize risks to OPA, you are expected to follow our guidelines for the appropriate use of social media.

### **Guidelines**

For purposes of this policy, *social media* includes all means of communicating or posting information or content of any sort, including to your own or someone else's account on any social media platform or website through any device.

OPA principles, guidelines, and policies apply to online activities just as they apply to other areas of work. Ultimately, you are solely responsible for what you communicate on social media. You may be personally responsible for any litigation that may arise should you make unlawful defamatory, slanderous, or libelous statements against any customer, manager, owner, or employees of OPA.

### **Know and Follow the Rules**

Ensure your postings are consistent with these guidelines. Postings that include unlawful discriminatory remarks, harassment, and threats of violence or other unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

## **Be Respectful**

OPA cannot force or mandate respectful and courteous activity by employees on social media during non working time. If you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as unlawful, slanderous, threatening, or that might constitute unlawful harassment. Examples of such conduct might include defamatory or slanderous posts meant to harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, age, national origin, religion, veteran status, or any other status or class protected by federal and state law or OPA policy.

## **Maintain Accuracy and Confidentiality**

When posting information:

- Maintain the confidentiality of trade secrets, intellectual property, and confidential commercially sensitive information (i.e., financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) related to OPA;

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- Never represent yourself as a spokesperson for OPA. If OPA is a subject of the content you are creating, do not represent yourself as speaking on behalf of OPA. Make it clear in your social media activity that you are speaking on your own behalf; and
- Respect copyright, trademark, third-party rights, and similar laws and use such protected information in compliance with applicable legal standards.

## **Using Social Media at Work**

Do not use social media while on your work time, unless it is work-related as authorized by your manager or consistent with policies that cover equipment owned by OPA.

## **Media Contacts**

If you are not authorized to speak on behalf of OPA, do not speak to the media on behalf of OPA. Direct all media inquiries for official company responses to the Executive Director.

## **Retaliation and Your Rights**

Retaliation or any other adverse action is prohibited against anyone who, based on a reasonable belief, reports a possible deviation from this policy or cooperates in an investigation. Those who retaliate against others 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.

Nothing in this policy is designed to interfere with, restrain, or prevent employees from communications regarding wages, hours, or other terms and conditions of employment, or to restrain employees in exercising any other right protected by the National Labor Relations Law or any other applicable federal and state law. All employees have the right to engage in or refrain from such activities.

## **Workplace Safety**

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the Supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report, or, where appropriate, remedy such situations, may be subject to disciplinary action. An employee who observes any case of injury or illness should immediately call 911, or instruct someone else to call, if assisting the victim.

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In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the supervisor or Executive Director so that a report may be called in. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

## **Outside Employment**

Employees are cautioned to carefully consider the demands that additional work will create. If you are employed by OPA in a full-time position, OPA will expect that your position here is your primary employment. Any outside activity must not interfere with your ability to properly perform your job duties at OPA. In addition, activities and conduct outside OPA must not compete, conflict with, or compromise the interests of our company.

While on OPA work time, no outside employment may be performed nor may employees use any OPA equipment or supplies for outside employment. Employees may also not solicit outside work on OPA work time. All employees will be judged by the same performance standards and will be subject to OPA's scheduling demands, regardless of any existing outside work requirements.

Outside employment will present a conflict of interest if it has an adverse impact on OPA. If OPA determines that an employee's outside work has an adverse impact on OPA



or interferes with performance or the ability to meet the requirements of OPA as they are modified from time to time, the employee may be asked to terminate the outside employment if they wish to remain with OPA.

## **Cell Phones**

While at work, employees are expected to limit the use of their personal cell phones to emergencies and exercise discretion in using OPA phones. OPA will not be liable for the loss of personal cell phones brought into the workplace. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and is also distracting to others.

Employees should not use handheld cell phones while driving on OPA business. Should an employee need to make or answer a call while driving, they should use a hands-free operation, as allowed by state law, or locate a lawfully designated parking area to park and then make or answer the call. It is prohibited to text message or email while driving.

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## **BENEFITS**

### **Meal Breaks/Rest Periods/Expressing Milk**

Non-exempt employees who work more than six consecutive hours will be required to take an unpaid rest time of at least 30 minutes. Employee lunch breaks should be regularly scheduled and taken as either a 30-minute break or a one-hour break so that employee work hours do not exceed the employee's regular schedule of work hours per week. Exceptions would need to be authorized by the supervisor(s) or the Managing Director. Breaks are important for employee health, safety and productivity.

OPA will provide employees who are nursing parents with adequate break time to enable the employee to express breast milk for their nursing child. The employee will be provided with a clean room that can be locked, other than a bathroom, in which they may express breast milk in privacy. A non-salaried employee's break time to express milk is uncompensated. Nursing parents are free to keep their milk in OPA's refrigerator. Any discrimination or harassment against a nursing parent is strictly prohibited.

### **Holidays**

OPA will observe 11 paid holidays each year. The following holidays will generally be observed but are subject to change depending on the days holidays fall each year. The

Executive Director will designate the date of observance of each holiday. All employees will be granted holiday time off beginning at the commencement of employment if scheduled to work on a holiday.

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Memorial Day
- Juneteenth National Independence Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Christmas Day

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The office will be closed on the designated Holidays. If an employee works on a Holiday at the request of their supervisor(s), the employee will be entitled to take another day off later in the year. No unused Holidays will be allowed to carry over to another calendar year.

Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Holidays are not counted as hours worked for the purposes of determining overtime pay.

An employee is entitled to a Holiday as a paid day off only if the Holiday falls on a day of the week that employee normally works. That employee will not be entitled to a different day as a compensatory Holiday.

## **Personal Leave of Absence**

OPA may grant a leave of absence for personal, medical reasons, or other reasons. Employees must first utilize any available PTO or vacation time. Any leave time remaining after PTO or vacation time is exhausted will be unpaid.

Requests for leaves should be submitted as far in advance of the leave as possible. Medical leave requests for illness, disability or injury must be submitted along with a physician's medical statement noting the need for and length of leave required. Leave requests for extreme emergency situations or sudden illnesses or accidents should be

submitted as soon as you are able. Medical leaves will also require you to submit a work release from your medical provider.

You are expected to provide fifteen (15) days advance notice of your return-to-work date whenever possible. Your job status will be protected to the extent that we will make every effort to allow you to return to your former work, or similar work if available, for which you may be qualified. However, OPA cannot guarantee that a position will be available when you return from leave, except as required by law.

## **Maine Family Medical Leave Requirement Leave (MFMLR)**

To provide employees the ability to balance work and family responsibilities, Maine Family Medical Leave Requirement (MFMLR) allows ten (10) weeks of unpaid leave in any two (2) years for reasons noted in this policy.

OPA complies with all requirements of the MFMLR, and all associated rules and

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regulations. When the MFMLR does not apply, OPA at the sole discretion of management and where the practice's business needs allow may grant up to ten (10) weeks of unpaid medical leave of absence to eligible employees.

### **Eligibility**

Employees are eligible for MFMLR leave provided they have worked for OPA at least twelve consecutive months.

### **Reasons for Leave**

Eligible employees may take MFMLR leave for any of the following reasons:

- Serious health condition of the employee;
- The birth of the employee's or domestic partner's child.
- The placement of a child 16 years of age or less with the employee or with the employee's domestic partner in connection with the adoption of the child by the employee or the employee's domestic partner.
- A child, domestic partner's child, grandchild, domestic partner's grandchild, parent, domestic partner, sibling, or spouse with a serious health condition; or
- The donation of an organ of that employee for a human organ transplant.
- The death or serious health condition of the employee's spouse, domestic partner, parent, sibling, or child if the spouse, domestic partner, parent, sibling, or child, as a

member of the state military forces or the United States Armed Forces, including the National Guard and Reserves, dies or incurs a serious health condition while on active duty.

Maine law defines “serious health condition” as an illness, injury, impairment or physical or mental condition that involves (1) inpatient care in a hospital, hospice, or residential medical care facility, or (2) continuing treatment by a health care provider. 26 M.R.S.A. § 843(6).

### **Procedure**

The 12-month period used to determine employee eligibility for MFMLR leave shall be a rolling 12-month period measured backward from the date an employee uses any MFMLR leave.

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### **Notice of Leave**

If the need for MFMLR leave is foreseeable, the employee must give OPA at least 30 days’ prior written notice to the Executive Director of the intended date upon which the leave will commence. If this is not possible, the employee must at least give notice as soon as practicable (within one to two business days of learning of the need for a leave) except in extraordinary circumstances. Failure to provide such notice may be grounds for delay of the leave. Additionally, if an employee is planning medical treatment, the employee must make a reasonable effort to schedule the leave so that it does not unduly disrupt company operations.

### **Medical Certification**

If an employee is requesting leave because of their own or a covered relation’s serious health condition, the employee must obtain a Medical Certification form from the Executive Director, complete it with the assistance of the treating health care provider, and return it to OPA. If the employee provides at least 30 days’ notice of medical leave, the employee should submit the medical certification to the Executive Director before leave begins. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. OPA may require a second opinion as to a serious health condition at its own expense. A copy of the second opinion will be provided to the employee upon request.

### **Reporting While on Leave**

If an employee takes leave because of their own serious health condition or to care for a covered relation, the employee must contact the Executive Director regarding the status of the condition, intention to return to work, and anticipated return to work date. In addition, an employee must give notice as soon as practicable (within two business days) if the amount of leave needed increases or decreases.

### **Benefits While On Leave**

Health care coverage. During an approved MFMLR leave, employees will be offered the opportunity to continue their health benefits but may be responsible for the entire cost of the health benefit premiums, including OPA's portion. Employees must pay the health benefit premiums through monthly payments to the administrative office. During an unpaid leave, you will have a minimum of 30 days grace period in which to make a premium payment. If payment is not made timely, your health care benefits may be canceled, provided we notify you in writing at least 15 days before the date that your

health coverage will lapse, or, at our option, we may pay your premiums during MFMLR leave, and recover these payments from you upon your return to work.

- Other Benefits. Employees on leave do not lose any benefits they have earned prior to the first day of leave. The leave period will be treated as continued service for purposes of determining vesting and eligibility to participate in any OPA sponsored benefit where eligibility is based on length of service.

### **Intermittent and Reduced Schedule Leave**

If medically necessary, leave due to a serious health condition may be taken intermittently (in separate blocks of time), or as a reduced-hour work schedule, but the employee must request such intermittent leave in writing to the Executive Director pursuant to the above provisions. If the leave is unpaid, OPA will reduce an employee's salary proportionate to the amount of time actually worked. In addition, while the employee is on an intermittent or reduced schedule leave, OPA may temporarily transfer the employee to an available alternative position that better accommodates the employee's recurring leave and which has equivalent pay and benefits.

### **Reinstatement Rights**

Employees returning from MFMLR leave are entitled to be reinstated to their former position or to an equivalent position with equivalent seniority status, employment

benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if the employee's position is no longer available due to a job elimination). Exceptions may also apply for certain highly compensated employees under certain conditions. The company may deny restoration if it can prove that the employee was not restored as normally required because of conditions unrelated to the employee's exercise of rights pursuant to the leave.

### **Returning From Leave - Medical Certification Required**

If an employee takes leave because of their own serious health condition, the employee must submit written certification from the employee's treating health care provider that the employee is fit to resume work. An employee may not resume work until the employee provides this written certification.

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### **Bereavement Leave**

Should a death occur in an employee's immediate family (e.g., spouse, child, or other relative living in the same household), one (1) week paid bereavement time shall be given.

For the death of a close family member not living in the household (e.g., father, mother, brother, or sister), three (3) days paid bereavement time shall be given. One (1) day paid bereavement time shall be given for the death of a non-immediate family member (e.g., uncle, aunt, in-law, or cousin). Consideration will be given for additional time on an individual basis as discussed with the [insert person] supervisor or Executive Director.

This benefit is available upon commencement of employment to all employees. Bereavement time is paid at the employee's base pay rate based on regularly scheduled work hours when the time off is taken.

OPA reserves the right to request documentation regarding the need for bereavement leave.

### **Jury Duty**

OPA encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees may request up to fifteen (15) days of paid jury duty leave over any two-year period. Such paid leave will be limited to employee's time in court as required by the court and appropriate travel time.

Employees must inform their supervisor(s) and the Executive Director immediately if they are called to jury duty and should provide OPA with documentation received from the court. OPA may request a record of jury attendance and time served for each day. Employees are expected to report for work when they are not required to be at court,

including days when employees report for jury duty and are dismissed.

Jury duty pay will be paid at the employee's then base pay rate times the number of hours the employee would otherwise normally have worked during the period of absence.

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available PTO or vacation benefits, or may request an unpaid jury duty leave of absence. Benefit accruals such as vacation, paid time off, or Holiday benefits

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will be suspended during any such unpaid jury duty leave and will resume upon the employee's return to active employment.

## **Military Leave Of Absence**

OPA will grant a military leave of absence because of service in the U.S. uniformed services, including National Guard and military reserve duty, in accordance with applicable state and federal laws, including the Uniformed Services Employment and Reemployment Rights Act (USERRA). The employee must give their supervisor advance notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable. An employee will not be paid for military leave. However, you may use any available accrued paid time to help pay for the leave. Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

If you are on military leave for up to 30 days, you must return to work on the first regularly scheduled work period after your service ends (allowing for reasonable travel time). If you are on military leave for more than 30 days, you must apply for reinstatement in accordance with USERRA and applicable state laws. Upon return from military leave (depending on the length of military service in accordance with USERRA), you will be placed either in the position you would have attained if you had stayed continuously employed or in a comparable position. For the purpose of determining benefits that are based on length of service, you will be treated as if you had been continuously employed.

## **Family Military Leave**

An employee whose spouse, domestic partner or child is called to military service expected to last longer than 180 days may be entitled to up to 15 days of leave to spend time with their spouse, domestic partner, or child immediately before or following deployment. Family military leave is unpaid leave, but employees may elect to use available paid time during any part of the leave.

To qualify for family military leave, the employee must have worked at least 1,250 hours during the 12-month period immediately preceding the leave. An employee taking family military leave need not take the 15 days consecutively but must take the leave during the period immediately preceding deployment, during deployment or immediately upon the spouse's, domestic partner's or child's return from service or both.

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Employees taking family military leave are expected to work with OPA to attempt to schedule the leave so as not to disrupt operations. To that end, employees who anticipate taking any amount of family military leave must notify OPA of their intent to do so as soon as practicable. Employees taking five or more consecutive days of family military leave are required to notify management [insert person/process?] at least 14 days prior to the date on which they intend to start the leave.

OPA may require an employee requesting family military leave to provide certification from the proper military authority, verifying the employee's spouse, domestic partner or child has in fact been called to military service expected to last 180 days or longer.

An employee who takes family military leave is entitled to be returned to the position held when the leave began, or to a position with equivalent pay, benefits, and employment terms unless business conditions have so changed to make this impossible. In addition, employees on family military leave are entitled to continue their benefits at their own expense while on leave.

## **Leave for Victims of Domestic Violence**

OPA will grant a reasonable and necessary leave from work, without pay, to an employee who needs the leave to prepare for or attend court proceedings, receive medical treatment, or obtain necessary services to remedy a crisis, if the leave is necessary because the employee, or the employee's child, parent, or spouse, is a victim of violence, assault, sexual assault, stalking or any other act that would support an order from protection from abuse under Maine law. If available, accrued paid time may be used to cover this leave period, otherwise the leave would be unpaid.

In order to be granted, a request for such leave must be communicated to management



within a reasonable time, the request must be necessary and reasonable, and the leave requested must not cause OPA undue hardship.

## **Workers' Compensation Insurance**

OPA provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period, or, if the employee is hospitalized, immediately.

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Employees who sustain work-related injuries or illnesses should inform their supervisor(s) immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable the employee to qualify for coverage as quickly as possible.

Neither OPA nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by OPA, subject to the terms of the workers' compensation policy which shall be controlling.

## **Benefits Continuation (COBRA)**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under OPA's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at OPA's group rates plus a 2% administration fee. OPA provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under OPA's health insurance plan. The notice contains important information about the employee's rights and obligations.

**Employee Acknowledgement/Receipt of Handbook Form**

The employee handbook describes important information about OPA. I understand that I should consult the Executive Director regarding any questions not answered in the handbook.

I understand that this employee handbook replaces (supersedes) all other previous handbooks for OPA. Since the information, policies, and benefits described here are subject to change, I acknowledge that revisions to the handbook may occur. Changes may be communicated through official notices, which include email, and I understand that revised information may supersede, modify, or eliminate existing policies. Only OPA's Board of Directors has the ability to adopt any revisions to the policies in this handbook. I understand that no contract of employment other than "at will" has been expressed or implied. I understand that my employment is terminable at will, either by me or by OPA, regardless of the length of my employment. Nothing in this handbook should be interpreted as a promise for permanent employment. I have received, read and understand the contents of this handbook. I acknowledge that it is my responsibility to comply with all of the policies contained in this handbook and any revisions made to it. My failure to do so may result in disciplinary action up to and including termination from employment.

EMPLOYEE'S NAME (printed): \_\_\_\_\_

EMPLOYEE'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

EXECUTIVE DIRECTOR'S SIGNATURE: \_\_\_\_\_