



Ocean Park Association Employee Handbook

Adopted

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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!

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1: Introduction

The purpose of the Ocean Park Association (OPA) 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 the policies affecting your employment. You should read, understand, and follow all provisions of the handbook. It describes many of your responsibilities as an employee. 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, those statutes will supersede the policy or 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.

2: Employment Information

2.1 Employment At Will

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 at-will employment relationship 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.

2.2 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 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.

2.3 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 disabled person.

OPA is committed to ensuring equal opportunity in employment for qualified persons with

disabilities. OPA conducts its 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 the employee's 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 accommodation.

Requests for accommodation should be made to the Executive Director. 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 the request as part of OPA's 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, and position descriptions.

2.4 Background Checks

OPA strives to be in compliance with all applicable state and federal laws and regulations. As part of that compliance process, background checks on employees may be required depending on the position. If required, the employee will be contacted by the Executive Director. OPA will incur any costs associated with the background check. In most instances, the employee will not be able to begin their duties until the background check is completed.

2.5 Employee 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 at will employment relationship 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 employment classification may be changed only upon written notification by the Executive Director.

The following employment categories are utilized:

- 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. They may be seasonal employees.
- 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. A seasonal employee is not eligible for benefits described in this handbook, except to the extent required by provision of state and federal laws.

2.6 Job Descriptions

It is the OPA policy to provide job descriptions to all employees upon hire. Job descriptions are considered working documents. Job descriptions may be updated when duties and responsibilities are substantially changed during the year.

2.7 Attendance

OPA counts on everyone's contributions, so each employee is expected to be on the job and ready to work when scheduled. An employee must provide reasonable advance notice to a supervisor when it is not possible to report to work or if the employee will be late. An employee may be required to provide documentation of any medical or other excuse for being absent or late, where

permitted by applicable law. Not reporting to work as scheduled may lead to disciplinary action up to and including termination of employment.

2.8 Timesheets

Accurately recording time worked is the responsibility of each employee. If reported worked hours need a correction (after submission), the supervisor will discuss the needed changes with the employee directly. Employees and supervisors should initialize any changes to the timesheet. Reporting Worked Hours are due to the OPA office before 9:00 AM Monday morning. Failure to provide these in a timely manner could delay the availability of your pay (check or direct deposit) for up to 2 weeks.

2.9 Payday

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.

2.10 Federal and State Deductions

The law requires that OPA make certain deductions from each employee's paycheck. 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.

2.11 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.

2.12 Employee 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 year end tax statements, pay and benefits administration, compliance with applicable standards and regulations, and facilitation of employee communication. Personal mailing addresses, emails addresses, telephone numbers, dependent names, and emergency contacts, should be updated as needed. If any personal data has changed, an employee needs to notify the Executive Director.

2.13 Holidays

The OPA offices will be closed on 12 designated holidays each year. For details on scheduled holidays refer to Appendix A. in the back of this handbook for **Policy 1.0 Paid Time Off**. This policy is also Located on OPA's web page under *Handbooks and Policies*.

2.14 Meal Breaks, Rest Periods, Expressing Milk

Non-exempt employees who work more than six consecutive hours per day 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 Executive Director. Breaks are important for employee health, safety and productivity.

OPA will provide an employee who is a nursing parent with adequate break time to enable the employee to express breast milk for a 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.

2.15 Workplace Safety

An employee who observes any case of injury or illness should immediately seek to provide assistance to the victim. In case of a major accident or sudden illness, the employee should contact 911 as soon as possible. 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.

In addition, an employee should immediately report to management any unsafe working conditions or anything that needs repair or is a safety hazard. Any injury or unusual situation including any injury you witness should be documented on an Incident Report Form available in the office or on the OPA Website.

Timely and accurate reporting of injuries is required for compliance with state laws and to initiate insurance claims and workers' compensation benefits.

The OPA maintains a first-aid kit in the workroom. Each employee is expected to follow the 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 an injury or, where appropriate, remedy such situations, may be subject to disciplinary action.

2.16 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 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.

2.17 Outside Employment

Each employee is cautioned to carefully consider the demands that additional work will create. If employed by OPA in a full-time position, OPA will expect that the employee's position with OPA position is the employee's primary employment. Any outside activity must not interfere with an employee's ability to properly perform their OPA job duties. In addition, activities and conduct outside OPA must not compete, conflict with, or compromise the interests of the OPA.

While on OPA work time, no outside employment may be performed nor may an employee use any OPA equipment or supplies for outside employment. An Employee 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.

The President of OPA and the Executive Director will review any written requests for exceptions to this provision.

2.18 Cell Phones

While at work, an employee is expected to limit the use of 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.

An employee should not use handheld cell phones while driving for the OPA on business.

Should an employee need to make or answer a call while driving, the employee 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.

2.19 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image OPA presents to visitors. During business hours or when representing OPA, you are expected to present a clean, neat, and professional appearance. Your dress should be appropriate for the work being performed. 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 meet the general standards of professionalism for their position may be required to return home to obtain appropriate attire. If you have any questions about what would be appropriate for your position, please discuss this with your direct supervisor or the Executive Director.

2.20 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.

An Employee who sustains 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 eligible 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.

3. Employment Termination

3.1 Termination Practices

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.

An employee should provide at least two weeks' notice of resignation.

All accrued, vested benefits that are due and payable at termination will be paid. The employee will be notified in writing of any 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 PTO benefits, return of OPA-owned property, or any suggestions, complaints, and questions the employee or supervisor may want to discuss.

3.2 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 other equipment.

3.3 Employment References

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.

4. Full Time Employees (30+ hours per week)

4.1 Paid Time Off, Sick and Personal Days

For questions on Paid Time Off including Vacation, Sick and Personal Days etc refer to: Policy 1.0 Paid Time Off in Appendix A, located at the end of this handbook and also located on the OPA's web page under *Handbooks and Policies*.

4.2 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 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 the OPA. 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.

5. Employment Practices and Policies

5.1 Open Door Policy

As an organization, the OPA encourages an open atmosphere in which an employee can raise any issue/concern related to their employment. An employee who has any concerns, differences of opinion, suggestions, or complaints, is encouraged to discuss such matters with the appropriate supervisor.

OPA is committed to providing a positive work environment where all employees are treated fairly and with respect. Any issues, including but not limited to discrimination, harassment or wage and hour issues, should be discussed with the appropriate supervisor. However, if the issue cannot be resolved at this level, the employee should inform the Executive Director about the issue, and if a satisfactory solution is still not reached, the employee should submit the issue to the President of OPA for a final resolution.

Any Employee who is subjected to any type of discrimination or harassment or has concerns regarding federal and state laws must report it consistent with the above procedure. An Employee should rest assured that there will not be any penalty for bringing forward a good-faith concern.

5.2 Confidentiality

Confidentiality of OPA business, members and guests is very important. Employment with the OPA assumes an obligation to maintain confidentiality. An employee is not to remove from the OPA offices, or make copies of, any organization records, reports or documents without prior management approval. An employee who is questioned about information that could be considered as confidential should refer the request to the Executive Director.

5.3 Workplace Etiquette and Conduct

The OPA strives to maintain a positive work environment where employees treat each other with respect and courtesy. An employee may be unaware that their behavior may be disruptive or inappropriate. Many of these day-to-day issues can be addressed by talking with the employee or the behavior may be brought to the attention of a supervisor. An employee is expected to graciously accept constructive feedback or a request to change such behavior. Employees are expected to interact with co-workers, management, members, guests, vendors, etc with respect, professionalism, and cordiality. Being courteous through our physical interaction and our words, being professional, maintaining confidentiality of OPA business, and being a team player are examples of expected workplace behaviors. Profanity is not an acceptable form of communication. If you are frustrated please see your direct supervisor, the Executive Director or OPA President to discuss any issues.

The business of the OPA is not to be discussed with others outside of the office or with other OPA employees unless it is related to work duties. Employees are expected to complete their duties, efficiently and effectively and in a professional manner. Staff members must work together as a team and at times may be asked to perform tasks outside of their regular duties when necessary.

Listed below are examples of unacceptable workplace behaviors. Any questions concerning any work or safety rule or any of the examples shown below of unacceptable activities to be directed to a supervisory staff member. This list is not exhaustive but serves as an example of some unacceptable workplace behaviors which may lead to disciplinary action up to including discharge. Because of their seriousness, some behaviors may result in immediate termination of employment. Examples of unacceptable workplace conduct include, but are not limited to, theft, or inappropriate removal or possession of OPA property; falsification of records, including employment, applications and business records; working while impaired by alcohol, marijuana, or illegal drugs; possession, distribution, sale, transfer, or use of alcohol or illegal drugs while at work; fighting or threatening violence, boisterous or disruptive activity, insubordination or other disrespectful conduct, excessive absenteeism or any absence without notice, illegal gambling, negligence or conduct leading to damage of OPA 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 otherwise unlawful harassment, bringing or using firearms in OPA facilities or vehicles; possession of dangerous or unauthorized materials, such as explosives, unauthorized use of telephones, mail systems or other company owned equipment, computer security violations, unauthorized solicitation.

5.4 Political Activity

OPA Volunteers and Employees should not engage in partisan political activity while working.

They must not:

- Display or distribute political pins, buttons, or other political materials
- Solicit or accept contributions for political purposes during working hours

5.5 Weapons

To ensure a safe work environment, the OPA expressly prohibits any acts or threats of violence against any other volunteer, employee, visitor or vendor.

The OPA also prohibits the possession of any type of weapon, concealed or otherwise, on Association property, unless the individual has a concealed weapon permit and keeps the weapon in their locked vehicle out of sight.

5.6 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 legally protected categories. In Maine this includes race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin. The OPA has a policy that prohibits sexual harassment and other forms of harassment in the workplace. The Harassment Policy will be given to each new employee to read and sign. This policy can be found in the Appendix of this handbook. Appendix B. *Policy 2.0 Harassment*. It is also located on OPA's web page under *Handbooks and Policies*

5.6.1 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 assigned job duties or otherwise creates an abusive or hostile working environment.

5.6.2 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, color, sex, age, religion, ancestry, national origin, physical or mental disability, sexual orientation, or any other characteristic protected by local, state or federal law.

5.6.3 Protection from Retaliation

Employees will not 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.

5.6.4 Reporting Discrimination, Harassment or Retaliation

If an employee experiences discrimination, harassment, or retaliation in violation of this policy -or witnesses a situation that may constitute a violation of this policy- the employee must promptly take the following actions:

1. Immediately contact the Executive Director or OPA President and fill out an incident report. This incident Report can be asked for in the OPA office or viewed on the OPA's web page under *Handbooks and Policies*.
2. All complaints will be handled in a timely manner. Information concerning a complaint will be shared on a need-to-know basis only.

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 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.

5.6.5 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.

5.6.6 Harassment Training

All employees within OPA will be required to attend on-line Anti-Harassment training and read and acknowledge the policy. This training is to ensure that all employees are on the same page with the steps to be taken within this policy, how to report if harassment has been experienced or witnessed. Having training of this type, is considered a standard best practice, and is required by the state of Maine for employees and agents of an Employer/Organization. This training must be renewed every 3 years.

Access to the training will be provided to you upon employment and it needs to be completed before your start date, exceptions can be made if deemed appropriate.

5.7 Protection of Minors

The OPA understands that protecting children is our most important responsibility. *OPA Policy 4: Protection of Minors*, which can be found on our web page under *Handbooks and Policies*, provides guidelines and establishes procedures for those individuals involved in OPA programming that includes minors. Minors include those under 18 years of age. This policy has a clear list of things to do to ensure a clear understanding of how to protect and appropriately interact with minors.

5.7.1 Mandated Reporter Requirements

Maine law requires that those who work with minors report suspected child abuse and neglect and that those who suspect abuse, neglect or exploitation of an incapacitated or dependent adult report to the Maine Department of Health and Human Services (DHHS). Maine law also requires that certain professionals obtain mandated reporter training once every four years.

If you suspect abuse, neglect or exploitation you do not need to collect proof, but you do need to report your suspicions to OPA's Executive Director immediately. The ED will do the official reporting.

5.7.2 Training Requirements

If you are working directly with children, you will need to complete the online training to understand your role and responsibilities. This child mandated reporter training can be completed with the DHHS: <https://mainemandatedreporter.org/#/>

If you are working with adults with intellectual disabilities, you will need to complete adult protective mandated reporter training with the DHHS:

<https://www.maine.gov/dhhs/oads/get-support/aps/mandated-reporters>

Once training is completed you will be able to save or print your certification of completion to provide to your direct supervisor, committee chair, or the ED, so it can be added to your file in the office.

5.8 Discipline

The OPA will administer equitable and consistent discipline for unsatisfactory conduct in the workplace. The OPA expects employees to follow standards of conduct and ethics that are in the best interests and safety of our employees, volunteers, members and their guests. 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 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. 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. The OPA recognizes that there are certain types of employee problems that are serious enough to justify either an immediate suspension, or in extreme situations, immediate termination of employment.

5.9 Social Media

We recognize that social media is a powerful tool to connect the OPA community. The OPA strives to provide up to date information on programs and events that are consistent with its mission and values. To ensure consistency, the OPA has designated certain individuals to manage OPA official social media content. If an employee would like to post something on the Ocean Park Association, Maine facebook/instagram the employee should contact the OPA office or the Executive Director and then one of the OPA social media content managers will contact the employee. Social media content managers for the OPA must meet with the Executive Director to discuss and decide which items are preapproved for posting, and which items need individual approval from the Executive Director prior to posting to ensure that strategic and deliberate goals are met.

5.9.1 Guidelines

Social media includes all means of communicating or posting information or content of any sort, including to an individual personal account or someone else's account on any social media platform or website through any device.

OPA principles and guidelines apply to online activities just as they apply to other areas of work. Ultimately, an employee is solely responsible for what the employee communicates on social media. An employee may be personally responsible for any litigation that may arise should any unlawful defamatory, slanderous, or libelous statements are made against any person.

Postings that include unlawful discriminatory remarks, harassment, and threats of violence or other unlawful conduct will not be tolerated and may subject an employee to disciplinary action up to and including termination.

OPA cannot force or mandate respectful and courteous activity by employees on social media during non working time. If an employee decides to post complaints or criticism, the employee should 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.

When posting information:

- Maintain confidentiality related to OPA.
- an employee should not represent themselves as a spokesperson for OPA. If OPA is a subject of the content, the employee is not to represent themselves as speaking on behalf of OPA. An employee must make it clear in the social media activity that the employee is speaking on their own behalf; and
- Respect copyright, trademark, third-party rights, and similar laws and use such protected information in compliance with applicable legal standards.

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

Unless authorized by the Executive Director or OPA Board President, an employee should not speak to the media on behalf of OPA. All media inquiries must be directed to the Executive Director.

5.10. Nepotism

Relatives of employees may be hired, provided there is not a supervisory relationship between the employees. A relative is defined as a parent, partner, child, son or daughter-in-law, spouse, sibling, sibling-in-law, parent-in-law, grandparent and/or grandchildren.

Should two OPA employees marry or otherwise become closely associated, the situation will be discussed with the Executive Director and arrangements will be made so that one does not supervise the other. If that is not possible, then one of the employees may need to be reassigned or resign.

5.11 Smoking

Smoking is prohibited in all Association buildings. This policy applies equally to all employees, clients, and visitors. Smoking is only allowed outside OPA buildings 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 must use proper receptacles to dispose of tobacco products.

5.12 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 OPA premises is strictly prohibited. Employees reporting to work should not be impaired or under the influence of alcohol or drugs. Policy 3.0: Drug Free Workplace can be found at the end of this document in Appendix C. It is also located on OPA's web page under *Handbooks and Policies*.

5.13 Use of Company Equipment

OPA provides needed supplies, materials and equipment necessary to perform job duties. All company provided items are intended to be used only for company purposes. Some limited personal use may be allowed, if agreed to by the appropriate supervisor, an employee may not utilize OPA equipment or supplies to perform work for other businesses or for compensation received outside OPA. Each employee is 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 lead to discipline, up to and including discharge.

5.14 Emergency Closings

At times, emergencies such as severe weather, fires, power failures or other hazardous conditions can disrupt operations or may require the closing of the OPA office or whole operation. If the office or OPA operations are officially closed due to emergency conditions, non-exempt employees may be paid for the number of hours the employee normally would have worked for that day. If closure lasts longer than one day, then the employee may use appropriate/available benefit time or will remain off the job without pay or work from home with the approval of the Executive Director.

Each employee should exercise reasonable discretion so as to avoid unnecessary risks that would endanger individual or group safety. If a non-exempt employee chooses to leave early or not work due to weather conditions, they will be required to use any available accrued PTO or take the time off without pay, unless otherwise agreed with the Executive Director.

5.15 Housekeeping

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

OPA provides an area for the convenience of employees. Coffee, tea, filtered water and hot chocolate are also provided. Each employee is responsible for cleaning up after using the kitchen and coffee areas, including washing dirty dishes or loading them into the dishwasher, placing food waste in the garbage disposal, etc. Any items left (abandoned) in the refrigerator may be thrown away.

5.16 Recycling and Waste

The OPA supports environmental awareness by encouraging recycling and waste management. 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.

5.17 Solicitation

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.

6. Leave Benefits (Full Time Employees)

6.1 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 return 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.

6.2 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 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.

6.2.1 Eligibility

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

6.2.2 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).

6.2.3 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.

6.2.4 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.

6.2.5 Medical Certification

If an employee is requesting leave because of their own or a covered relation's serious health condition, the employee must provide medical documentation from a licensed healthcare provider to the Executive Director. If the employee provides at least 30 days' notice of medical leave, the employee should submit the medical documentation to the Executive Director before leave begins. Failure to provide requested medical documentation in a timely manner may result in denial of leave until it is provided. OPA may require a second opinion.

6.2.6 Reporting While on Leave

If an employee takes leave due to 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.

6.2.7 Benefits While on Leave

The OPA does not provide health insurance to employees. In the future, if the OPA did provide health coverage, and if an employee took an approved MFMLR leave, the employee would be eligible to apply for COBRA.

6.2.8 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.

6.2.9 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.

6.2.10 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.

6.2.11 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.

6.3 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 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.

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

6.5 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.

6.6 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.

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 supervisor management 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.

6.7 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 the Executive Director within a reasonable time and the leave requested must not cause OPA undue hardship.

6.8 Benefits Continuation (COBRA)

OPA does not provide health insurance to employees. In the future, if the OPA did provide health coverage, it would comply with the requirements of the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA).

Appendices

- A. POLICY 1: PAID TIME OFF POLICY
- B. POLICY 2: ANTI-HARASSMENT POLICY
- C. POLICY 3: DRUG FREE WORKPLACE POLICY
- D. POLICY 4: PROTECTION OF MINORS
- E. Employee Acknowledgement/Receipt of Handbook Form

A.



POLICY TITLE: PAID TIME OFF. UPDATED 02/25/24

POLICY NUMBER: 1

DEVELOPED BY: Ocean Park Association (OPA) Personnel Subcommittee, February 2024

APPROVED BY: Executive Committee on 2/29/24

POLICY: The Ocean Park Association values its employees and recognizes the need to provide paid time off to designated full-time employees. This policy is the definitive document and supersedes any other prior documents including the employee handbook.

SCOPE: Full-time employees, those who work 30 or more hours a week over the course of 12 months, are covered by this policy. If, however, an employee is covered under the terms of a written employment contract, executed by OPA President, or other authorized officer, then the terms of that contract would supersede the provisions of this policy.

PURPOSE: The purpose of this policy is to define the terms and conditions for accruing, requesting and taking paid time off for vacation, sick time, holidays and personal time.

RESPONSIBILITY: The Executive Director is responsible for recording, approving and managing all time off. Employees are responsible for recording and submitting accurate time cards in a timely manner to the Executive Director.

VACATION: Full-time employees are provided two weeks of paid vacation that is consistent with their normal hours worked during the work week. For instance, an employee hired into a full-time position, regularly scheduled to work 30 hours a week, would receive 60 hours of paid vacation time each year.

Vacation time earned from the previous calendar year must be taken during the following calendar year. If an employee is hired in the middle of the calendar year, effective January 1st following the employee's initial date of employment, he/she will receive prorated paid vacation time based on the employee's full-time hire date. For example, an employee is hired full-time on July 1st for 30 hours

per week. Effective January 1 of the following year, the employee will be eligible for 30 hours of vacation.

Beginning with the fifth calendar year of full-time employment, the employee will receive 3 weeks (90 hours for an employee working 30 hours per week) of paid vacation.

Beginning with the 6th calendar year of full time employment, the employee is eligible for one additional vacation day each year up to a maximum of 20 days (120 hours/ 4 weeks for an employee working 30 hours per week).

For example: a full-time employee is hired into a 30 hour a week position on July 1, 2024. Effective January 1, 2025, the employee has earned 30 hours of vacation to be taken during the 2025 calendar year. Effective January 1, 2026, the employee has earned 60 hours of vacation, to be taken in the 2026 calendar year. Beginning January 1, 2029, the employee has earned 90 hours of vacation to be taken in the calendar year of 2029. Effective January 1, 2030, the employee has earned one additional vacation day (for a total of 96 hours) to be taken in 2030; effective January 1, 2031, the employee has earned two additional days (102 hours), and continues annually until the employee has 20 days (120 hours) of vacation.

Except in unusual circumstances, vacation must be approved in advance by the employee's supervisor. Due to the summer schedule, vacation time taken during the months of June, July and August generally will be limited and are at the discretion of the Executive Director.

Vacation time must be normally used within the 12 month calendar year. With approval from the Executive Director, vacation time consistent with their standard work week can be carried over from year to year. However, such carryover must be used within the first 6 months of the new calendar year. Any carry-over vacation not used within this time will be forfeited.

Vacation time may be requested to be taken in hourly increments.

An employee who leaves employment will be paid for unused vacation time up to what they have earned.

SICK DAYS: Effective after the first month of employment, an employee will be eligible to accrue up to 12 paid sick days (prorated to the amount of hours an employee is hired to work each week); one accrued at the end of each month. An employee will carry over any unused sick days into the next calendar year, accruing up to a maximum of 30 sick days. Once an employee has accrued 30 sick days, the employee will no longer accrue any further sick days until the employee's balance falls below 30 days.

An employee must contact their supervisor as soon as possible, prior to the start of the workday, to inform the supervisor of the employee's inability to report to work due to an illness. The supervisor may require a medical verification from a licensed healthcare provider.

Sick time may be taken for the employee's illness or for an employee's medical appointment with a licensed professional such as a physician, dentist, physical therapist, mental health provider, etc.

Use of sick time to attend such appointments can also be used for immediate family members (Child, current Partner/Spouse, Parent). Use of sick time for medical routine appointments must be approved in advance by the Executive Director.

Sick time may be taken in hourly increments. Any accrued sick time is not payable upon leaving employment.

PERSONAL DAYS: Effective each calendar year, full-time employees will be given 2 personal days (prorated to the amount of hours an employee is hired to work each week). Personal Days must be pre-approved in advance by the employee's supervisor.

Based on the employee's initial date of full-time employment, the employee will be eligible to receive a prorated number of Personal Days during the first calendar year of employment.

Personal days may be taken only during the calendar year in which they are earned. Personal days may be taken each calendar year. Unused Personal Days will not be compensated nor can they carry over from one calendar year to another calendar year.

HOLIDAYS: From the first day of full-time employment, a full-time employee will be eligible for the following holidays off with pay:

New Year's Day
Martin Luther King Jr Day
Presidents Day
Patriots Day
Memorial Day
Juneteenth National Independence Day
Independence Day
Labor Day
Indigenous Peoples' Day
Veteran's Day
Thanksgiving Day & Thanksgiving Friday
Christmas Day

If an employee is required to work on a holiday, the employee, with approval from the Executive Director, is to take the equivalent time off within the same pay period in which the holiday occurred. Unused holidays cannot be carried over into another calendar year.

Paid Holidays are not counted as hours worked for the purpose of determining overtime pay eligibility.

An employee is entitled to a Holiday as a paid day off only if the holiday falls on a day of the week that the employee normally works.

B.



POLICY TITLE: ANTI-HARASSMENT POLICY (Updated 5/1/2024, 7/10/24)

POLICY NUMBER: 2

DEVELOPED BY: Ocean Park Association (OPA) Personnel Subcommittee Members February 2024

APPROVED BY: Executive Committee on 2/29/24

POLICY: This policy is considered as the definitive document and supersedes any other documents including the employee handbook.

OVERVIEW: The Ocean Park Association (OPA) opposes harassment including sexual harassment. The OPA is committed to preventing such conduct within the OPA and to taking prompt action to stop and to address harassment when it occurs.

SCOPE: This policy applies to Full and Part Time employees, contractual employees, temporary and seasonal employees, OPA committee and Board members, volunteers in leadership positions- such as on a committee, and 3rd party vendors.

PURPOSE: The purpose of this policy is to ensure that the OPA provides an environment free of harassment including sexual harassment.

RESPONSIBILITIES: The Executive Director is responsible for implementation and for assuring compliance with the policy.

The OPA is committed to a workplace free of harassment. It is against our policy, and it is illegal under state and federal law, for any person, of any gender, to engage in harassment of another employee or any individual based on characteristic or status of gender, sexual orientation, sexual identity, race, color, ethnicity, age, disability, religion, or any other protected status. OPA is committed to preventing and addressing harassment if and when it occurs.

Sexual harassment is a form of sex discrimination and it is illegal. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to that conduct is made either explicitly or implicitly a term of employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that individual; or (3) the conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include conduct toward any and all individuals included in the Scope of this Policy. Third party vendor harassment is illegal and will also be addressed.

Some examples of sexual harassment include but are not limited to:

- Touching or grabbing any part of an individual's body after that person has indicated that such physical contact was unwelcome
- Touching or grabbing a sexual part of another person's body
- Continuing to ask an individual to socialize when that person has indicated they are not interested
- Displaying sexually suggestive images or content
- Sending sexually suggestive communications
- Telling sexual jokes or using sexually vulgar or explicit language
- Derogatory remarks relating to an individual's sex, gender or sexual orientation

OPA expects and requires individuals covered by the scope of this policy to treat each other with respect and professionalism. Conduct that does not rise to harassment may nevertheless fall below OPA standards and expectations of professional conduct, and such conduct may be cause of discipline.

If a person believes that he/she/they, or another individual, has experienced sexual or other illegal harassment, the Executive Director must be informed as soon as possible.

In situations where the allegation of harassment is against the Executive Director, or if the individual is not comfortable informing the Executive Director, the allegation should be reported to the OPA President. After a report has been made, the Executive Director or President should confidentially seek the counsel of the Personnel Committee to investigate the issue.

The OPA will treat the concern with as much confidentiality as possible. The OPA will investigate appropriately and take prompt remedial action if warranted. Those reporting are protected by law from any retaliation based on the action of making a complaint or bringing a concern to OPA's attention.

Anyone covered by the scope of this Policy who has been found by the Executive Director or President of the OPA to have harassed another employee or individual will be subject to sanctions appropriate to the circumstances, ranging from a verbal warning up to and including dismissal. The OPA will take appropriate and prompt action to stop harassment from any third party.

Everyone covered by the Scope of this policy will be required to participate in a anti-harassment/sexual harassment training program and read and sign the harassment policy within

30 days of initial involvement with the OPA. In addition, at least every three years individuals are required to participate in a refresher program. This training is to ensure that all leaders are on the same page with the steps to be taken within this policy and how to report if harassment has been experienced or witnessed. Having training of this type, is considered a standard best practice, and is required by the state of Maine for employees and agents of an Employer/Organization.

According to the Maine Human Rights Commission an agent is:

“someone who is acting on behalf of or performing work for someone else. If a member of the Board or an unpaid volunteer is acting on behalf of an employer, or performing work for the employer, they are an agent and the organization would be liable for their actions.” [Personal Email, 7/10/24]

The exception to this practice would be those who are Third-Party Vendors or are here for one day, a single event or presentation. In these instances people may be provided with a harassment policy statement that they can acknowledge and sign. This could be a stand alone or added to any standing contract or agreement.

Volunteers have the right to opt out of this training; opting out of this required training means that the volunteer is no longer interested in serving the OPA in their leadership volunteer capacity, whether nominated, appointed, or elected.

While the OPA has a compliant process and will act to address any concern or complaint of harassment of individuals covered in the Scope of this Policy, individuals also have the legal right to file a complaint with the Maine Human Rights Commission and are protected by law from any retaliation. An individual has 300 days from the date of the discrimination, harassment, or retaliation within which to file a claim with the Maine Human Rights Commission.

For more information contact www.maine.gov/mhrc and search on the topic of sexual harassment or contact the Maine Human Rights Commission.

Maine Human Rights Commission
State House Station #31
Augusta, Maine 04333
(207) 624-6290

See next page for signature page.

Acknowledgement/Receipt of Harassment Policy

I have received, read and understand the contents of this policy. I acknowledge that it is my responsibility to comply with the harassment policy and help create an equitable and caring community. I understand that I will consult the Executive Director regarding any questions I have about this policy.

NAME (printed): _____

I am a (Circle one): Volunteer Employee

SIGNATURE: _____

Thank you for your willingness to create a community that respects and cares for all people.

DATE SIGNED: _____

EXECUTIVE DIRECTOR'S SIGNATURE: _____

NAME (printed): _____

C.



POLICY TITLE: DRUG FREE WORKPLACE POLICY

POLICY NUMBER: 3.0

DEVELOPED BY: Ocean Park Association (OPA) Personnel Subcommittee Members (June 2024)
This policy is based on the State of Maine Drug Free Workplace Policy

APPROVED BY: OPA Executive Committee 7/20/24

POLICY: This policy is considered as the definite document and supersedes any documents including the employee handbook.

OVERVIEW: The Ocean Park Association (OPA) expects that each employee or representative of OPA completes their job duties in a manner that does not jeopardize the health and safety of paid employees, volunteers, OPA members and other visitors. Work performance impaired by alcohol or drugs, poses a threat to everyone and is not acceptable.

SCOPE: This policy applies to Volunteers, Full Time, Part Time and Seasonal Employees. Training will be required for any persons working on a federal grant.

PURPOSE: The purpose of this policy is to provide an alcohol and drug free work environment.

RESPONSIBILITIES: The Executive Director is responsible for implementation and for assuring compliance with the policy.

Whenever individuals included in the scope of this policy are working, they are prohibited from:

- A) using, possessing, buying, selling, manufacturing, or dispensing of drugs or alcohol.
- B) being under the influence of alcohol or any drug to include any substance that adversely affects that individual's ability to safely and effectively perform their job duties.

OPA permits the legal use of prescribed drugs on the job if they do not impair your ability to perform the essential functions of your job effectively and safely without endangering others.

On a case-by-case basis, OPA commits to assist and support employees who voluntarily seek help for drug or alcohol abuse problems before becoming subject to discipline and or termination. Employees who remain employed and are seeking help for drug or alcohol abuse problems may be required to document that they are successfully following prescribed treatments. Information and records relating to the treatment plan shall be kept confidential and maintained in secure files separate from normal personal files.

Any covered individual who is under the influence of alcohol or drugs, or who possesses or consumes alcohol or drugs on the job has the potential for disrupting the safe and efficient performance of duties. Such employees shall be subject to disciplinary action up to and including termination of employment. An OPA representative or volunteer will be removed from their position.

Any illegal substance found in the workplace will be turned over to the appropriate law enforcement agency.

Any employee who is convicted of a criminal drug statute violation occurring on the job shall notify the Executive Director no later than five (5) days after such conviction. Upon notification of a conviction, it is the responsibility of OPA to determine the appropriate response to the conviction which may include termination of employment.

Employee Acknowledgement and Consent

I have carefully and thoroughly read the OPA Drug Free Workplace Policy. I agree to follow that policy.

Volunteer/Employee's Signature _____ Date _____

Employee's Name (Printed) _____

Executive Director Signature _____ Date _____

Executive Director Name (Printed) _____

D.



POLICY TITLE: PROTECTION OF MINORS POLICY

POLICY NUMBER: 4

DEVELOPED BY: Ocean Park Association (OPA) Personnel Sub-Committee, February 2025

APPROVED BY: Executive Committee [Goal before April 2025]

POLICY: This policy is considered a definitive document and supersedes any other documents including the Employee Handbook.

OVERVIEW: OPA has a zero-tolerance policy for incidents of child abuse. We understand that protecting children is our most important responsibility. A report of molestation and abuse, or suspected molestation or abuse, will be treated with absolute priority, and the OPA will do everything in its power to fully support the successful prosecution of any perpetrator of the law.

This document provides guidelines and establishes procedures for those individuals involved in OPA programming that includes minors. Minors include those under 18 years of age.

SCOPE: This policy applies to full and part time employees, seasonal employees, volunteers, contractors, and 3rd party vendors that are involved in OPA programming specifically geared to minors.

PURPOSE: The purpose of this policy is to state OPA's position regarding the protection of minors and provide practical guidance for interacting with minors.

RESPONSIBILITIES: The Executive Director is responsible for implementation and for assuring compliance with the policy.

Staff and Volunteer Selection and Screening

No screening method can eliminate the possibility of abuse and harassment, but a thorough process can identify applicants with a history of inappropriate conduct and deter dangerous people from applying or gaining access to minors. A rigorous screening and selection process signifies to potential applicants that our organization is committed to protecting minors and gives participants, parents, and other community members confidence that we are doing everything possible to keep children safe.

OPA will complete the appropriate background and references checks on individuals based on their level of involvement with minors. All those involved with minors in a paid or volunteer position shall have a background check completed and provide a minimum of two (2) references. References can be checked by the chair of the initiating committee, supervisor of the youth program or the Executive Director, as deemed appropriate.

Background checks are a critical part of any protection of minors policy because they deter potential offenders and detect known offenders. Many organizations supporting youth require a criminal background check for all adult volunteers who work with minors, even for programs that don't involve unsupervised access to minors.

Due to the confidential nature of information, background checks are typically administered by OPA's Executive Director(ED). If the ED is not available the Personnel Sub-Committee Chair can initiate the background check. All information acquired through the check is confidential and will only be shared with individuals who need access to the information. Each applicant has the right to see their personal information which has been gained through the background check process.

The OPA reserves the right to remove an individual from a position or to not offer a volunteer position or job to anyone with a criminal background or who is on the Sex Offender Registry.

Background checks will include:

- National Criminal File
- National Sex Offender Registry
- Social Security Number Verification
- Public Records such as Driver's Licence

Appropriate Boundaries Between Adults and Minors

It is important for both adults and minors to understand the boundaries of appropriate behavior and know how to tell others when their own personal boundaries, or those set by this policy, have been crossed. Throughout this section you'll see examples of interactions between adults and minors that are appropriate and others that are inappropriate, regardless of who initiates the behavior.

Physical interactions

Always get consent by asking the other person if it is okay to engage in any type of physical contact, especially with a minor — even to engage in a hug. Remember that consent can be withdrawn at any time. Minors should feel comfortable saying no. Understanding what kinds of physical contact are acceptable can foster a positive and safe environment that protects both minors and adults. The following are examples of acceptable interaction, but this list is not exhaustive.

NOTE: Keep in mind that some children on the Autism Spectrum or with past histories of abuse may not like to be touched at all, so it is good to gain permission to engage in any physical touch.

Acceptable physical interactions (if culturally appropriate and with consent)	Unacceptable physical interactions (with or without consent)
Hugging from the side Patting on the shoulder or back Shaking hands Small gestures of approval, such as a hand gesture, high five or clapping of hands	Unwanted physical affection such as, fully body hugging, kissing on the lips, wrestling, tickling, massages. Showing physical expressions of affection in an isolated location Sexual contact of any kind to include touching the bottom, waist, chest, or genital areas

Verbal and written interactions

Keeping verbal and written interactions between adults and minors appropriate is just as important as maintaining appropriate physical boundaries. The following are examples of acceptable interaction, but this list is not exhaustive.

Acceptable Verbal and Written Interactions	Unacceptable Verbal and Written Interactions
Positive reinforcement to include encouragement and praise Jokes in general but not ones that contain discriminatory or sexual references. Email and Social Media (Acceptable) <ul style="list-style-type: none">• Copying another volunteer or the participant's parent or guardian in the email	Negative reinforcement to include, name calling, cursing, harsh language that may frighten minors, shaming or belittling language Discriminatory or negative references or jokes to a person's culture, sexual orientation, religion, gender identity etc. Adults asking minors to keep secrets of any kind

<ul style="list-style-type: none"> • Sending a group email to multiple participants in group emails • Copying your supervisor communications between program participants and their parents/guardians. 	<p>Commenting on or complimenting a person's body or body development.</p> <p>Email and Social Media (Unacceptable)</p> <ul style="list-style-type: none"> • Private messages, notes, texts or emails between a volunteer/staff and a minors without prior approval • Posting pictures of minors participants on social media sites without parental or guardian consent • Posting inappropriate comments on pictures posted by minors participants • Sending personal social media friend requests to minors
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One-to-one interactions

An adult and a minor spending time alone with each other can pose both a greater risk of abuse or harassment of the minor and a risk of allegations of inappropriate behavior for the volunteer/staff. It is highly recommended that an adult should never be alone with one individual minor, but rather in a place where another adult or other minors are present to prevent the minor or bystanders from misinterpreting your intentions or alleging inappropriate behavior. There may be specific instances, such as working with a person with a disability who needs assistance, where a parent/guardian could be asked to submit written instructions about who and under what circumstances closed door assistance may be rendered.

Acceptable individual interactions	Unacceptable individual interactions
Meet in a public place where others are present	Meeting alone with one minor in any space without another adult or minor present
Meeting in a classroom, office, or other private or semi private location, if you leave the door open and notify another adult in advance and have at least another person involved.	Meeting alone with one minor in any space with the door closed and/or locked
A meeting in a home or other private location, if it's approved in advance and has another adult attending.	Assisting a child in the bathroom with the door closed or locked without prior approval from a parent/guardian
Giving a gift to a single participant or a smaller group with the prior approval of their parents or other adults.	Transporting only one minor in a vehicle without prior approval by another adult
	Giving a gift to a single participant in secret.

Reporting and Investigation

All incidences of abuse, harassment, neglect or suspected abuse should be reported to your direct supervisor and the Executive Director immediately. If it is a specific incident, the OPA Incident Report can serve as a documentation of the incident and any associated witnesses or facts that are remembered. The Incident Report can be created in the office during a meeting discussing your concern or can be accessed at any time on the OPA web page under the menu title: *Get Involved*—> Handbooks and Policies.

All reports or allegations of abuse will be investigated immediately.

Any staff or volunteer involved in the reported incident could be suspended with or without pay during the investigation. Depending on the outcome of the investigation, anyone found guilty of the violations described in this policy will face termination of employment or volunteer activities.

Mandated Reporter Requirements

Maine law requires that those who work with minors report suspected child abuse and neglect and that those who suspect abuse, neglect or exploitation of an incapacitated or dependent adult report to the Maine Department of Health and Human Services (DHHS). Maine law also requires that certain professionals obtain mandated reporter training once every four years.

If you are working directly with children, you will need to complete the online training to understand your role and responsibilities. This child mandated reporter training can be completed with the DHHS: <https://mainemandatedreporter.org/#/>

If you are working with adults with intellectual disabilities, you will need to complete adult protective mandated reporter training with the DHHS: <https://www.maine.gov/dhhs/oads/get-support/aps/mandated-reporters>

Once training is completed you will be able to save or print your certification of completion to provide to your direct supervisor, committee chair, or the ED, so it can be added to a file in the office.

If you suspect abuse, neglect or exploitation you do not need to collect proof, but you do need to report your suspicions to OPA's Executive Director immediately. The ED will do the official reporting.

In all matters, the OPA will comply with any applicable state or federal reporting requirements.

Acknowledgement/Receipt of Protection of Minors Policy

I have received, read and understand the contents of this policy. I acknowledge that it is my responsibility to comply with the Protection of Minors policy. I understand that I should consult the Executive Director regarding any questions I have about this policy.

NAME (printed): _____

I am a (Circle one): Volunteer Employee

SIGNATURE: _____

DATE SIGNED: _____

SUPERVISOR, CHAIR or ED'S SIGNATURE: _____

NAME (printed): _____

E.

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 and guidelines 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: _____