

The Center for Arts in Natick

Personnel Policy Manual

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2.01 The Center for Arts in Natick

Title: MISSION STATEMENT

No.: I 1.01

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REVISED

Date: 12/17/02

Policy

- 1.01 This Corporation is organized exclusively for educational and charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”) and specifically to enhance the quality of life of the community through providing experience in and developing appreciation of fine arts and performing arts in MetroWest area of Boston Massachusetts.

The Center for Arts in Natick

Title: ROLE OF THE BOARD OF DIRECTORS OF THE CENTER
FOR ARTS IN NATICK

No.: I 2.01

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REVISED

Date: 12/17/02

Policy

2.01

The properties and affairs of The Center for Arts in Natick hereafter referred to as (TCAN) shall be managed by the Board of Directors. The Board of Directors shall have and is vested with unlimited powers and authorities except as it may be expressly limited by law, the Articles of Incorporation or the By-Laws to supervise, control, direct and manage the property, affairs and activities of TCAN and to determine the policies of The Center for Arts in Natick.

The Center for Arts in Natick

Title: EQUAL EMPLOYMENT OPPORTUNITY AND
AFFIRMATIVE ACTION

No.: II 1.01

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REVISED

Date: 12/17/02

Policy

- 1.01 A. The Center for Arts in Natick (TCAN) is committed to the concept and practice of equal opportunity for employment and achievement without discrimination on the basis of race, color, gender, sexual orientation, religion, national origin, age, handicap, or any other non-job-related factor.

The Center for Arts in Natick shall take action to ensure that this policy is complied with and that all applicants for employment are considered, and all employees are treated, in compliance with applicable laws and regulations governing equal employment opportunity and non-discrimination in employment.

The Center for Arts in Natick

Title: POSITION ANNOUNCEMENTS

No.: II 1.02

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REVISED

Date: 12/17/02

Policy

1.02 Employment openings shall be posted internally for one week except in instances in which timeliness is a concern, or the Executive Director determines that no internal applicant is likely to meet the minimum qualifications, position may be announced internally and externally simultaneously. Immediate placement must be approved by the Board of Directors.

The Center for Arts in Natick may fill positions by transfer, promotion, reassignment or reclassification of a current employee without advertising its intent to fill a vacant or reclassified position in the above manner.

The Center for Arts in Natick

Title: SALARY AND EMPLOYMENT POLICY

No.: II 1.03

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REVISED

Date: 12/17/02

Policy

- 1.03 I. Creation of full and part time positions
- A. The executive director will recommend to the Board the creation of new salaried positions or the expansion of existing salaried positions as needed.
 - B. No new or expanded salaried positions will be advertised or filled without the positions first being approved by the TCAN Board.
- II. Salary Ranges
- A. The Center for Arts in Natick shall maintain written descriptions for each position at The Center for Arts in Natick.
 - B. Positions shall be reviewed at least annually, and descriptions and salaries adjusted as necessary. Revisions of salary ranges, or major adjustments of positions shall be submitted to the Board Chairperson or his designee for Board approval prior to implementation.
- III. Hiring, Promotion, Reassignment
- B. Applicant appraisal and screening procedures shall be directly related to the requirements of the job to be filled, and there shall be no discrimination on the basis of race, color, gender, sexual orientation, religion, national origin, age, handicap, or any other non-job-related factor.
 - C. Equal employment opportunity shall be extended to everyone to be considered for positions for which he or she has met the minimum qualifications including the physical requirements for the job.
 - D. Selection to fill positions shall be from among the best qualified.

Board Policy Statement (continued)

Title No.: II 1.03

Page No.: 2 of 3

- D. The Executive Director will be responsible for hiring full-time, part-time, permanent, temporary, internal or external applicants to fill positions opening at The Center for Arts in Natick.
- E. The rate to a new employee, to an employee reclassified or to an employee promoted, reassigned or transferred to another job shall be as determined consistent with the classification of the job and the individual's knowledge, skills and abilities for the job, market conditions, workload or other related factors. Rate and effective date of hire or reclassification require the approval by the board.
- F. Where an individual's qualifications or prior experience substantially exceed the minimum requirements of the job for which he or she is being employed, he or she may be paid a starting salary higher than the minimum established for the job by up to thirty three percent (33%) of the salary range for the position. Any starting salary higher than thirty three percent (33%) of the salary range for that position may be made upon the recommendation of the Executive Director with concurrence of the Board Chairperson.
- G. In a case where it is thought advisable to hire an individual for a job for which he or she lacks certain qualifications, or to promote an employee to a higher rated job for which he or she lacks certain qualifications, it is permissible to pay the individual a salary below the minimum rate established for the job. However, the individual's performance will be evaluated at the end of six months. If the person is performing the responsibilities of the job at a satisfactory level, his or her salary will be increased to the minimum level.
- H. A salary increase may be recommended when an employee is promoted, even though his or her salary is already well above the hiring salary for the position to which he or she is promoted.

Board Policy Statement (continued)

Title No.: II 1.03

Page No.: 3 of 3

IV. Reclassification

- A. If sufficient funds exist in the budget, the effective date of any salary increase resulting from an approved reclassification shall be the date specified and/or approved by the Chairperson. If funds do not exist in the budget, the effective date of a salary increase resulting from an approved reclassification shall be the beginning of the next fiscal year assuming funding has been built into the following year's budget. Therefore, requests for reclassification shall be submitted to the Executive Director well in advance of the deadline for preparing the budget for the coming year.

V. Basis for Salary Increases

- A. Personnel will receive a salary increase for the following reasons only:
 - a) Promotion/transfer
 - b) Merit increase
 - c) Reclassification
 - d) Salary range adjustment
 - e) Annual salary increment - To be eligible for the annual increment, normally scheduled for his/her anniversary of employ. an employee shall have been on the job for a minimum of six months.
 - f) Additional adjustments may be made in instances in which it is determined by the Executive Director with the concurrence of the Chairperson that market conditions, increased workload, or related factors warrant it.
- B. Salary increases shall comply with established job classifications and salary ranges and shall be supported by proper explanation and reasons.

VI. Control of Salary Increases

- A. No promise, commitment or statement shall be made to any employee regarding salary or the effective date of any increase until notice has been given by the Chairperson that such an increase has been fully approved and authorized by the Board. All such commitment made without board approval is invalid and unenforceable.

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The Center for Arts in Natick

Title: EMPLOYMENT OF MINORS

No.: II 1.04

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

- 1.01 All employees of the Art Center must be at least sixteen (16) years of age. Minors (under eighteen (18) years of age) employed by the Art Center must file work permits with the Executive Director prior to employment. A copy of the minor employee's work schedule must be posted in the vicinity of the employee's workstation.

The Center for Arts in Natick

Title: INTRODUCTORY PERIOD

No.: II 1.05

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REVISED

Date: 12/17/02

Policy

1.05 Newly hired regular full and part-time staff will be required to successfully complete a minimum introductory period of 90 days from the initial date of employment. At the discretion of the supervisor, one calendar day may be added to the introductory period for each work day absent.

During this period the supervisor shall observe and assess the person's performance on a regular basis to determine if he or she has the required abilities and interest to carry out the duties and responsibilities of the position. At least one evaluation shall be conducted in writing and discussed with the employee at least one month prior to expiration of the introductory period.

Prior to the end of the introductory period a specific recommendation must be made by the supervisor for the person's continued employment beyond the introductory period. Should the work not be satisfactory, the employee may be terminated at any time during the introductory period without right of access to the Art Center grievance policy.*

All Art Center policies and conditions of employment except provisions of the grievance procedure* shall be applicable during the introductory period.

If an employee, within the introductory period, bids on and is accepted for a new job with a different title, the employee shall serve a new introductory period. Non-introductory employees who transfer or are promoted to different jobs shall not be required to complete a new performance trial period.

The Executive Director may extend the introductory period upon the recommendation of the employee's supervisor up to another 90 days.

*** Introductory employees may use the grievance procedure for alleged discrimination.**

The Center for Arts in Natick

Title: NEPOTISM

No.: II 1.06

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REVISED

Date: 12/17/02

Policy

1.06

The Center for Arts in Natick may employ more than one member of a family as long as all hiring is based on qualifications and with the condition that in no case will one family member report directly to another. Family is defined as father, mother, brother, sister, son, daughter, husband, wife, parent-in-law, brother-in-law, sister-in-law, or near relative living in the same household with whom the employee has made his or her home.

The Center for Arts in Natick

Title: TERMINATION OF EMPLOYMENT (INCLUDING
DISMISSAL AND NON-RENEWAL)

No.: II 1.07

Page: 1 of 2

REVISED

Date: 12/17/02

Policy

1.07

Termination of employment is defined as release from service to The Center for Arts in Natick, either through dismissal, voluntary resignation, retirement, or non-renewal of employment. Termination may be immediate or within a defined timeframe. In instances of voluntary resignation, a minimum of two weeks' written notification is required.

Employees may be dismissed or non-renewed in employment for misconduct or deficient performance which substantially detracts from the employee's ability to meet reasonable standards expected of one in the employee's position or which substantially detracts from the ability of the employee's department or The Center for Arts in Natick to meet its objectives.

In an instance in which the employee's misconduct or deficiency is of a remediable nature, as determined by the Executive Director, the below steps shall be followed prior to dismissal or non-renewal. Each step shall be reduced to writing and shared with the employee.

- 1) The supervisor shall meet with the employee and describe the deficiencies and explain the basis of concern as appropriate.
- 2) The supervisor shall suggest remedial action, and assist in implementing corrective action to the extent feasible.
- 3) A reasonable period of administrative probation shall be provided during which remedial action is expected to occur.

Board Policy Statement (continued)

Title No.: II 1 07

Page No.: 2

A period of probation shall not be required in an instance of serious misconduct in which continuation of employment would prove detrimental to the operation of The Center for Arts in Natick. Such determination shall be made by the Executive Director or in his/her absence the Board Chairperson.

Dismissal or non-renewal of employment may be effected upon determination by the Executive Director that sufficient cause exists for such action. The employee shall be notified in writing at least 14 days prior to the effective date of a decision to non-renew. Notification shall include the reason for the dismissal or non-renewal, the effective date of the dismissal or non-renewal, and the employee's right of grievance, if any.

In an instance of serious misconduct, an employee may be suspended without pay by the Executive Director or in his/her absence the Board Chairperson pending his determination on a recommendation of dismissal. The 14-day notification referenced above shall not be required in an instance of serious misconduct.

A person terminated from employment will receive his/her vacation accrual as a final payout, up to 37 1/2 hours, in addition to pay owed for time worked up to termination date.

Sick, Bereavement, and Emergency Day (SBED) allotment hours are not eligible for final pay reconciliation.

The Center for Arts in Natick

Title: SALARY/WAGE PAYMENTS

No.: II 2.01

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

2.01

TCAN Salaried employees are paid monthly, normally on the last Friday of the month.

Hourly employees are paid on a bi-weekly basis no more than five business days after the completion of the first week.

Payroll periods run from Saturday, 12 a.m., through Friday, 11:59 p.m.

Payment is made by business check, or by direct deposit. Paychecks may be made available at the administrative office after 10:00 a.m. on a payday.

The Center for Arts in Natick

Title: OVERTIME NON-EXEMPT EMPLOYEES

No.: II 2.02

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REVISED

Date: 12/17/02

Policy

2.02 Art Center non-exempt staff who work more than 40 hours per week shall be compensated for overtime worked through either overtime pay **or** time-off, at the discretion of the supervisor, provided, however, that the Executive Director must give prior approval for overtime pay for a non-exempt employee before that employee may work overtime.

A request for such approval must be approved and transmitted to the Executive Director by the appropriate Supervisor accompanied by a detailed rationale for the request. Overtime work must be approved by the Executive Director in advance of the performance of the overtime by the employee. Failure of either the employee or supervisor to request overtime in advance may result in disciplinary action .If compensated by additional pay, overtime shall be paid at time-and- a-half the employee's regular rate for hours worked in excess of 40.

Compensatory time off, when granted in lieu of overtime pay, shall be granted at the rate of one and one-half hours.

Board Policy Statement (continued)

Title No.: II 2.02

Page No.: 2of2

Vacation and holiday time off, but not compensatory time off or sick time, shall be included in determining whether the rate of pay shall be straight-time or time and a half.

In instances in which overtime is to be compensated through time off, the time accrued shall be at a time mutually agreeable between the employee, his/her supervisor, and the Executive Director, and as soon as possible within the demands of the performance calendar. Accruals should be documented and submitted to the Executive Director for review.

Under no circumstances will a supervisor require or permit an employee to accumulate, at one time, in excess of five days of compensatory time during the fiscal year. The supervisor shall provide that the employee exhausts those days before the end of the fiscal year. An employee must secure the approval of his or her supervisor prior to taking compensatory time off, provided, however, a supervisor is obliged to approve any request for compensatory time leave entered for the last five work days of the fiscal year or to provide for overtime payment.

The basis for determining the rate of compensation for unused compensatory time upon either the employee's separation from the Arts Center, or at the end of the fiscal year, shall be the rate being paid the employee at that time.

A supervisor shall not require, nor permit, an employee to voluntarily perform overtime work at his or her typical assigned duties without compensation as provided in this policy. An employee may voluntarily agree to contribute service in assisting with Arts Center functions, without compensation, provided the service provided is essentially dissimilar from the employee's regular assigned duties. This determination shall be made by the supervisor.

The Center for Arts in Natick

Title: BENEFITS PROGRAMS

No.: II 2.03

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REVISED

Date: 12/17/02

Policy

2.03 Each full-time employee is provided with a sum equal to fourteen percent (14%) of his or her annual salary for use in the purchase of benefits.

The Center for Arts in Natick

Title: HOLIDAY PAY

No.: II 2.04

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

2.04

Full and part time staff of The Center for Arts in Natick are eligible to receive nine (9) paid holidays per year. They are: '

New Year's Day Memorial Day
Independence Day Labor Day
Thanksgiving Day Christmas Day
3 floating holidays

For these days, each active full time TCAN employee is credited with 7 1/2 hours toward his/her weekly obligation. Should an employee be required to work on any of these nine dates, or should any of these dates fall on a regularly scheduled day off, he/she will be able to transfer the time worked, up to 7 1/2 hours, to another date of his/her choice, pending approval by the Executive Director.

Part time employee who are continuously employed by The Center for Arts in Natick and who are regularly scheduled to work 20 or more hours per week are eligible holiday pay on a pro rata basis.

Part time employee who are employed by The Center for Arts in Natick and who are regularly scheduled to work fewer than 20 hours per week are not eligible for holiday pay.

The Center for Arts in Natick

Title: CONTINUATION OF MEDICAL INSURANCE BENEFITS
UPON TERMINATION

No.: II 2.05

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

2.05 Upon termination of employment at The Center for Arts in Natick, TCAN shall continue to offer medical insurance through the next month following the last day worked by the employee, providing that the employee has previously elected to utilize such medical coverage, and that such coverage is paid up in full at time of departure.

As during an employee's tenure at TCAN, the individual will be responsible for supplying all necessary payments to the medical insurance carrier during this period.

Such continued coverage should be made by written request and on file with the Assistant Director of Operations prior to departure by the employee.

The Center for Arts in Natick

Title: WORK-RELATED INJURY AND WORKERS'
COMPENSATION

No.: II 2.06

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

2.06 The Center for Arts in Natick provides Workers' Compensation insurance for all employees at no cost to the individual. This insurance covers all full- and part-time employees if injured while performing work-related duties. Eligible medical expenses and lost wages will be paid in accordance with the Commonwealth of Massachusetts insurance plan.

Should an employee be injured on the job, the injury must be reported to the Building Manager, Administrative Manager, and/or Administrative Assistant immediately, or as soon as possible after the injury. The Building Manager, Administrative Manager, or Administrative Assistant will assist in filling out and filing the necessary forms.

An employee has the right to return to his/her position for a period of up to ninety days from the date injury occurred provided he/she is fully capable of performing the duties of that position and provided the job itself is not abolished due to curtailment of operations, reorganization, or related reasons. This guarantee expires if the disability ceases prior to the expiration of the two-year period and the employee does not return to work immediately, or if the employee retires, or otherwise terminates employment.

The Center for Arts in Natick reserves the right to terminate an employee who is absent because of a disability for a period greater than ninety days.

The Center for Arts in Natick

Title: OFFICE HOURS/WORK DAY/WORK WEEK FOR EXEMPT
AND NON-EXEMPT FULL-TIME EMPLOYEES

No.: II 3.01

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

3.01 Office hours for The Center for Arts in Natick are 10 a.m. - 6 p.m., Monday through Friday.

The basic workweek for full-time salaried employees is 37.5 hours.

For administrative staff, the standard workweek is comprised of a minimum of five daily shifts of 8 hours each including a ½ hr paid mealtime or equivalent to a 37 ½ hour workweek. Shifts may include weekend and/or evening hours depending upon individual project or show requirements.

All administrative staff are expected to arrive in sufficient time to be in place and prepared at the beginning of his or her daily shift, to hold breaks and/or lunch periods to one-half hour, and to continue at work until the shift, or the requirements of that shift, is completed. Tardiness, extended break absences, and early or unauthorized departure may be subject to disciplinary action.

Full-time salaried production and technical staff are not expected to follow a consistent schedule, but are expected to have an estimated schedule approved by the Executive Director and communicated to the central office for administrative reference. Lack of a regular schedule consistent with that of the administrative staff does not exempt technical personnel from a minimum 37.5 hour weekly obligation.

The Center for Arts in Natick

Title: PART TIME EMPLOYEES

No.: II 3.02

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

3.02 Part time employee who are continuously employed by The Center for Arts in Natick and who are regularly scheduled to work 20 or more hours per week are eligible for vacation pay and holiday pay.

Part time employee who are employed by The Center for Arts in Natick and who are regularly scheduled to work fewer than 20 hours per week are not eligible for vacation pay, holiday pay or other benefits.

The Center for Arts in Natick

Title: REPORTING ABSENCES

No.: II 3.03

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

- 3.03 An employee is required to call his or her immediate supervisor to report an unanticipated absence and to state the reason for the absence no later than one hour before the normal reporting time unless an emergency arises which makes it impossible to call and in which case the employee should call as soon as possible.

The Executive Director may authorize the establishment of more restrictive time-lines for reporting absence in certain work areas if warranted by business necessity.

When an employee is uncertain how many days an absence will last, the employee shall notify the supervisor on each of the days absent.

3 Days of no-call no show will be considered voluntary termination. Unreported absenteeism may be a cause for termination.

The Center for Arts in Natick

Title: BREAKS

No.: II 3.04

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

- 3.04 Employees are allowed one paid fifteen-minute break for each 4-hour work period. Taking of breaks is not mandatory is at the discretion of the employee.

The Center for Arts in Natick

Title: ATTENDANCE REPORTS

No.: II 3.05

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

3.05 Employees are responsible for accurately reporting any and all data regarding their attendance. Methods of reporting may include use of timesheets, request-for-leave forms, etc.

Falsification of any report of attendance will be cause for disciplinary action.

Supervisors are responsible for overseeing such accurate reporting, and should make absolutely certain that timesheets for their subordinates are true and accurate. If any matter is in question, the supervisor should make inquiries or take corrective action immediately.

Attendance reports must be filled out by pen or other indelible medium, and must be signed by the manager to which the attendance report pertains. Employees submitting unsigned attendance reports will not receive payment until the Assistant Director of Operations is in receipt of a signed attendance report.

The Assistant Director of Operations is not required to accept attendance reports that are late, incomplete, inaccurate, or in any other way unacceptable. Said employees will not receive payment until the Assistant Director of Operations is in receipt of a properly processed attendance report.

The Center for Arts in Natick

Title: LEAVE - GENERAL

No.: II 4.01

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

- 4.01 All absences of employees from duty must be covered by leave, duly authorized, granted, accurately reported, and recorded. An employee willfully absent from duty without approved leave shall forfeit compensation for the time of such absence and may be subject to termination or other appropriate disciplinary action. If any employee granted leave fails to return to duty at the termination of leave, his/her employment shall be subject to cancellation by the Executive Director

The Center for Arts in Natick

Title: SICK, BEREAVEMENT, AND EMERGENCY

No.: II 4.02

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

4.02

All full and part-time salaried TCAN employees are eligible for time off due to sickness, bereavement, or personal emergency through the use of an annual allotment of five (5) days (37.5 hours for full-time, pro rated for part time) for those purposes.

Sick, Bereavement, and Emergency Day (SBED) allotments may be used for individual or family-member illness or disability (including disabilities caused or contributed to by pregnancy, childbirth, or related medical conditions) and/or doctor's visits; grieving or attendance at funeral services; or personal emergency that requires immediate attention or could not be attended to except during business hours.

SBED allotments are awarded each year on the first day of the new fiscal year. Any SBED allotments remaining at the end of the fiscal year will expire unused.

Advance notification is required, if possible. Employees are asked to contact their supervisor as early as possible to report such absence.

Appropriate documentation may be requested, and must be provided by the employee, for utilization of SBED allotments. Such request may be made by the employee's supervisor, the Executive Director, or the Assistant Director of Operations, and may be made in advance of or upon return from absence. Failure to provide sufficient documentation upon request may be considered unauthorized leave, and a payroll deduction (e.g. employee has less than 37.5 hours from elsewhere in the workweek) may result.

Abuse of SBED allotments may be subject to disciplinary action.

The Center for Arts in Natick

Title: VACATION LEAVE

No.: II 4.03

Page: 1 of 2

REVISED

Date: 12/17/02

Policy

4.03 I. Eligibility:

All full and part-time salaried employees of The Center for Arts in Natick are eligible for vacation hour accruals upon completion of not less than six months of service to the organization from date of hire.

II. Exempt Employees:

- A. At six months, an exempt employee receive 56.25 hours of vacation accrual, and continues to accrue vacation time at the rate of 9.375 hours per month, to a maximum of 112.5 hours per annum (three weeks).
- B. After the fifteenth year of full-time service (180 months), all full time salaried employees will receive a monthly accrual of 12.5 hours, to a maximum of 150 hours per annum

II. Non Exempt Employees:

- A. At six months, a non- exempt employee receives 37.5 hours of vacation accrual, and continues to accrue vacation time at the rate of 6.25 hours per month, to a maximum of 75 hours per annum (two weeks).
- B. After the third full year of full-time service (36 months), and through the 15th year (180 months), a non exempt employee will receive a monthly accrual of 9.365 hours, to a maximum of 112.5 hours per annum (three weeks).
- C. After the fifteenth year of full-time service (180 months), all full time salaried employees will receive a monthly accrual of 12.5 hours, to a maximum of 150 hours per annum.

Board Policy Statement (continued)

Title No.: II 4.03

Page No.: 2 of 2

III. Vacation accruals:

A. Rolling forward:

Vacation accruals may be rolled forward, to a maximum of 150 hours. Any employee found in excess of 150 vacation accrual hours at end of business the day immediately prior to employment anniversary date will forfeit all hours over 150. Allotments beyond the anniversary date will be added to the 150 hour maximum until the next anniversary date. It is the employee's responsibility to keep track of and elect to use or forfeit his/her vacation accruals.

B. Using Vacation:

1. Requests for utilization of vacation accruals should be submitted by request memo to the Executive Director for approval. Substantial and reasonable notice (two week minimum) must be provided with each vacation leave request, and conflicts with Center activities and/or necessary business may result in a disallowance of leave request.
2. When a regular paid holiday occurs during a period of paid vacation leave, the day off is not charged to vacation leave.

The Center for Arts in Natick

Title: JURY DUTY

No.: II 4.04

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

4.04 When a full or part - time employee is called for jury duty during his/her scheduled working hours or has been required to attend a trial in court, a subpoena being duly issued, The Center will pay the employee the difference between salary earned in court and the regular pay due him/her as an employee.

The employee will bring the documentation received for serving on jury duty to the TCAN office and will continue to receive his/her regular salary in the bi-weekly or monthly TCAN paycheck.

Any amount paid the employee for transportation to/from the courthouse, or in excess of his/her full pay, will be retained by the employee.

The Center for Arts in Natick

Title: LEAVE OF ABSENCE WITHOUT PAY DUE TO
DISABILITY

No.: II 4.05

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

4.05 Full-time TCAN employees who are unable to pursue their occupation because of a physical or mental impairment and who, as a result, are absent for more than five consecutive days after all SBED allotment hours are used shall request, in writing, a disability leave of absence.

With the exception of work-related injuries for which an employee is receiving Workers' Compensation, employees are required to use SBED allotment hours for any period that they are actually ill or disabled and unable to work, prior to requesting a disability leave of absence without pay.

Request for leave of absence without pay due to disability should be made in writing, and the letter should indicate the reason for the leave and the expected duration. This letter should be submitted to the Executive Director. The employee shall be given prompt written approval or disapproval of his/her request.

If the employee is unable to secure prior written approval due to a sudden illness or accident, the employee is expected to notify The Center for Arts in Natick through its Executive Director as soon as possible.

The Center for Arts in Natick reserves the right to request medical evidence of an illness or disability to establish legitimacy of request for leave or to confirm suitability for return to normal duties, and also to terminate an employee who is absent for a disability for a period greater than 90 days.

The Center for Arts in Natick

Title: LEAVE OF ABSENCE WITHOUT PAY

No.: II 4.06

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REVISED

Date: 12/17/02

Policy

4.06 A leave of absence without pay or benefits for a specified period of time up to 1 year may be granted to full-time employees for personal reasons (e.g., professional development, childcare) by the Executive Director and in his /her absence by the Board Chairperson. The employee may, however, at his or her option and to the extent feasible, continue any or all such benefits (such as medical or life insurance) at his or her own expense for that specified period.

Leave of absences must be scheduled and approved in advance, whenever possible. An unscheduled unpaid leave of absence may only be granted upon exhaustion of all other sources of time useable to cover such absence, such as the annual Sick, Bereavement, and Emergency day allotment, and Vacation Leave hour accrual.

For unpaid leaves of absence of more than five consecutive workdays, a letter of request must be submitted by the employee to his or her immediate supervisor for approval. The letter should indicate the reason for the requested leave and the expected duration. The employee shall be given written approval or disapproval of his/her request.

Maternity leave will be granted for a period of 120 days total. That total shall include annual Sick, Bereavement, and Emergency day allotment, and Vacation Leave hour accrual.

The Center for Arts in Natick

Title: LEAVE OF ABSENCE: MILITARY RESERVE, NATIONAL GUARD

No.: II 4.07

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

4.07 By law, employees either enlisted or commissioned in any reserve component of the United States Army, Navy, Marine Corps, Air Force or Coast Guard, are entitled to leaves of absence from their respective duties without loss of pay, time, or efficiency rating on all days not exceeding fifteen (15) workdays in any one calendar year during which they shall, as members of such reserve components, be engaged in the active service of the United States or in field training ordered or authorized by the Federal forces. Accumulated vacation leave shall not be charged for absences from work to the limit described above. Approved absences beyond that limit are chargeable either to accrued paid vacation or leave without pay.

By law, employees who are members of the Massachusetts National Guard are entitled to leaves of absence from their respective duties without loss of pay, time, or efficiency rating on all days during which they shall, as members of the Massachusetts National Guard, be engaged in active State duty. In addition, they shall be entitled to leaves of absence from their respective duties without loss of pay, time, or efficiency rating on all days not exceeding fifteen (15) workdays in any one calendar year during which they shall, as members of the Massachusetts National Guard, be engaged in training, under orders authorized by law. Approved absences in excess of fifteen (15) workdays in a calendar year for training are chargeable either to accrued paid vacation or leave without pay, as applicable.

To qualify for such pay entitlement, the employee shall:

1. Request Military Leave in advance of the dates of the leave in accordance with TCAN policy.
2. Prior to or within five workdays upon return from such leave, the employee shall present to the Executive Director a copy of official orders verifying the dates of such duty.

The Center for Arts in Natick

Title: DIRECTED LEAVE

No.: II 4.08

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

4.08 Any full-time, part-time, or casual part-time employee of TCAN may be directed to take leave and absent him/her self from TCAN premises by his or her superior, should it be determined that the employee presents a reasonable health threat to other employees of the Corporation.

The Executive Director will inform the Board Chairperson immediately of the incident.

Further, the employee will be required to remain away from TCAN until such time as the person's condition is remedied. TCAN may reserve the right to require a written letter from a recognized medical professional prior to allowing the employee back onto the premises or into employment.

No compensation will be allowed to part-time or casual part-time employees during their absence. Full-time employees will be required to either use available SBED hours or accrued vacation time, or take the absence as unpaid leave during the requested absence.

The Center for Arts in Natick

Title: POLICY STATEMENT ON SEXUAL HARASSMENT OF EMPLOYEES

No.: II 5.01

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

5.01 The Board of Directors of The Center for Arts in Natick shall not tolerate any behavior by an employee which constitutes sexual harassment of another employee. Harassment on the basis of sex is a violation of Sec. 703 of Title VII of the Civil Rights Act of 1964. For the purposes of this policy, sexual harassment of an employee will be defined as:

- 1) Unwelcome sexual advances
- 2) Requests for sexual favors, and/or
- 3) Other verbal or physical conduct or written communication of an intimidating, hostile, or offensive sexual nature.

Where:

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

An employee who feels he/she has been sexually harassed in the workplace by a fellow employee or a non-employee, shall immediately report such incident(s) to the immediate supervisor of the individual who committed the alleged act. The supervisor shall immediately contact the Executive Director to review the circumstances and shall take appropriate action, including warning, reprimand or recommendation of suspension or termination if conditions/circumstances warrant it.

Supervisors, as agents of the Art Center, may themselves be held liable for the conduct of an employee who sexually harasses an individual in the workplace when the supervisor knew or should have known of that person's conduct and failed to take appropriate corrective action.

The Center for Arts in Natick

Title: EMPLOYEE GRIEVANCE PROCESS

No.: II 5.02

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REVISED

Date: 12/17/02

Policy

5.02 I. Informal Grievance

All efforts should be made to solve problems promptly and at the lowest possible level. In cases in which employees wish to express a complaint or grievance which is job related the following shall apply:

- A. Discuss and try to resolve the problem with the immediate supervisor.
- B. If the supervisor's response is unsatisfactory, the employee shall discuss the problem with the Executive Director of The Center for Arts in Natick whose decision is final.
- C. If the employee's grievance concerns a direct action of the executive director, he/she shall put the grievance in writing to the board. He/she will have the opportunity to discuss the matter with the Chairperson or his designee, whose disposition of the matter shall be construed as final.

II. Formal Grievance

A. If the alleged act that gave rise to the grievance is determined to be in violation of federal, state or TCAN policy relating to discrimination, the grievant may proceed with a formal grievance.

Board Policy Statement (continued)

Title No.: II 5.02

Page No.: 2 of 4

B. To File a Grievance

Any employee, job applicant or any individual or group acting in behalf of such employee or job applicant may file a written grievance with the Chairperson. The grievant must specify the discriminatory act(s) that gave rise to the grievance, the protected class of the individual(s) discriminated against, and the relief sought.

Time Limit: Grievances must be filed within 90 working days of the occurrence of the alleged violation.

Stage I - Informal Mediation Stage:

Upon filing of a grievance, the Chairperson's designee shall conduct an impartial investigation of the alleged violation.

Within five (5) working days of the filing of a grievance, the Chairperson's designee shall notify the respondent(s)* of the grievance of the existence of such grievance and of his/her responsibility for submission of a written answer within five (5) working days after receipt of the grievance notification. Failure to comply with this request within the stated deadline will be considered sufficient reason to proceed to the formal hearing stage.

Within five (5) working days of receiving the respondent's answer, the Chairperson's designee will attempt to find an agreement which can be implemented to the satisfaction of both (all) parties. In this respect the designee will not act as an advocate for either Party.

* Respondent: A person alleged to be responsible, or who may be responsible for the violation alleged in a grievance. The term may be used to designate persons with direct responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the grievance.

Board Policy Statement (continued)

Title No.: II 5.02

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Stage II - Formal Hearing; Stage:

If no mutual agreement can be reached through the informal stage, the alleged grievance will be submitted to a formal Hearing Panel within ten (10) calendar days of the end of the informal stage.

Appointment and Membership:

The members of the Hearing Board will be selected by the Chairperson from among the members of The Center for Arts in Natick Board.

Procedures for Formal Hearing:

General oral presentation of the grievance by the grieving party(ies) who outlines the situation and demonstrates how it is in noncompliance with the provisions of a federal, state and/or TCAN regulation.

General oral response to the grievance allegations by the respondent who outlines the situation and demonstrates how the situation is or is not in non-compliance with the provisions of a federal, state or TCAN regulation.

Presentation of evidence, witnesses and other documentation by the grievant, and questioning by the respondent and Board members.

Presentation of evidence, witnesses and other documentation by the respondent, and questioning by the grievant and Board members.

Summation by the grievant.

Summation by the respondent.

(Each party to the grievance has the right to be represented by a person(s) of his/her own choosing and the grievant has the right to request a confidential or public grievance hearing.)

Board Policy Statement (continued)

Title No.: II 5.02

Page No.: 4 of 4

The Hearing Board will have the responsibility of hearing the charges made by the grievant, hearing the argument of the respondent and determining whether probable cause exists to believe the allegation of a violation of a federal, state and/or TCAN policy relating to discrimination. The hearing of a complaint may include an investigation of matters relevant to the complaint which were not introduced by the grievant or respondent.

After hearing both sides of the complaint including supporting testimony, the Board will make a finding as to probable cause and make a recommendation to the Chairperson. Final directives will come from the Chairperson and will be issued to the grievant, respondent and Executive Director of The Center for Arts in Natick for resolution of the grievance if the existence of such is established. Directives will be issued no later than ten (10) working days from the first day of the hearing. The decision of the Hearing Board is considered compelling and although reviewed by the institution, may be rejected or modified only for compelling reasons stated in detail, in writing.

C. Extension of Time

Above established timelines may be waived upon mutual consent of the parties to the grievance.

D. Right to File with Federal/State Agencies

The right to file complaints of discrimination with appropriate Federal/State agencies or to bring private court suit is NOT relinquished upon filing an internal grievance. Note, however, that many federal and state procedural regulations require that complaints be filed within an established number of days of the alleged violation. The number of days varies depending upon the federal or state regulations.

The Center for Arts in Natick

Title: PERFORMANCE EVALUATION OF PERSONNEL

No.: II 5.03

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

5.03 All full-time personnel of The Center for Arts in Natick should be evaluated once per annum at the anniversary of his / her employment except for new employees and employees that have been cited for non-performance or other managerial concerns. All review evaluations should be reduced to writing.

Part-time employees shall be evaluated in writing not less than once per annum, at the anniversary of his / her employment.

The primary purposes of such evaluations are to enhance communication on job expectations, to assist employees in professional development, and in achieving the Art Center's goals and to provide a rational basis for decisions on personnel.

The Center for Arts in Natick

Title: PERSONNEL FILES

No.: II 5.04

Page: 1 of 2

REVISED

Date: 12/17/02

Policy

5.04 An official personnel file is maintained on each Arts Center employee in the office of the Executive Director. In recognition of the individual employee's right to privacy, the Arts Center shall protect the confidentiality of these records by limiting inspection of such to persons with a business "need to know" - specifically the employee, officials of the Arts Center who are responsible for the supervision of the employee and the Board Chair or his/her designee.

Each employee has the right of immediate access upon 24 hours notice to personal information in his or her file and has the right to correct inaccurate information, or to express disagreement with material contained therein by memo to the Executive Director. An employee may review his or her file and may take notes on the contents therein. The employee may request that copies be made of data in the file (with the exception of school transcripts, placement files and other material which may not legally be reproduced) at a charge of \$.10 for each page in excess of five pages total.

The Arts Center shall release information to outside sources in accordance with the following guidelines:

- A. All requests for information about current, retired or terminated employees must be referred to the Executive Director.

Board Policy Statement (continued)

Title No.: II 5 04

Page No.: 2

- B. In response to an outside request the Arts Center will verify or furnish dates of employment and position and title of current or former employee, and will verify salary data.
- C. Written authorization from the individual involved or order of a court of competent jurisdiction is required before any additional salary or personal or employment data other than employment dates and title will be furnished to an outside source, with the exception of federal and state agencies with legislated access to such information.
- D. TCAN will retain personnel files for a period of seven (7) years after the termination of employment.

The Arts Center shall require each employee involved in record keeping to adhere to these policies and practices, and violations shall result in disciplinary action.

The Center for Arts in Natick

Title: CONTACT WITH AND SOLICITATION OF EMPLOYEES
DURING WORKING HOURS

No.: II 5.05

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

- 5.05 Soliciting Arts Center employees or distribution of literature by an individual, agent, group, or representative of an organization by personal contact or use of the telephones during working hours in areas where the employee is working is prohibited. .

The Center for Arts in Natick

Title: PERSONAL USE OF ARTS CENTER PROPERTY AND FACILITIES

No.: II 5.06

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

- 5.06 Utilization of TCAN property, including tools, equipment, supplies, machinery, and related implements for personal or other non-official purposes not directly related to the employment responsibilities or professional development of the employee is prohibited without the express permission of the Executive Director.

The Center for Arts in Natick

Title: ALCOHOL AND SUBSTANCE ABUSE

No.: II 5.07

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

5.07 The Center for Arts in Natick is a drug-free workplace. The use any illegal substances on the jobsite, or the visible or apparent use of same, is strictly prohibited and may be cause for immediate dismissal of The Center for Arts in Natick employees. Alcoholic beverages are not allowed anywhere on premises unless specifically approved by the Executive Director for a particular time and place.

The Executive Director shall insure that approval has been granted by the Board of Selectmen of the Town of Natick for the specified use, time and place when appropriate. The Executive Director shall insure that all measures having been taken are in compliance with license, insurance, and other applicable restrictions.

If any individual on staff or technical personnel is discovered with alcoholic beverages or illegal substances, the Executive Director should be notified immediately to take appropriate action.

The Center for Arts in Natick

Title: TOBACCO USE ON ARTS CENTER PREMISES

No.: II 5.08

Page: 1 of 1

REVISED

Date: 12/17/02

Policy

- 5.08 Tobacco use on Arts Center premises shall be limited to areas specifically approved by the Board of Directors, subject to the following:
- (1) Smoking and other tobacco use is prohibited in any Arts Center interior space.
 - (2) Smoking and other tobacco use is permitted in Arts Center exterior areas except:
 - A. Tobacco users shall not impede easy access to any entrance/exit to a building
 - B. Smokers shall not cause smoke to enter the interior spaces.
 - C. The Arts Center may choose to restrict tobacco use in certain exterior areas where warranted by concerns for safety, cleanliness, convenience, or by concern for the comfort of others.
 - (3) For purposes of this policy “smoking” shall be construed to include possession of an ignited tobacco substance.
 - (4) The purpose of this policy is to bring the Arts Center into compliance with law relating to tobacco use and to safeguard the health and physical comfort of non-tobacco users on Arts Center premises.