

Board Training Kits: Association Personnel Employees and Volunteers

#6



Southern Early Childhood Association

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Staff Responsibilities

Duties and responsibilities typically assigned to association staff:

- Assess stakeholder (customer, community) needs
- Train volunteer leaders
- Maintain program records and prepare program reports
- Prepare preliminary budget
- See that expenditures are within budget during the year
- Organize fundraising campaigns
- Hire and terminate staff members
- Settle discord among staff
- Write documents in support of public relations initiatives
- Promote attendance at Board/committee meetings
- Plan agenda for Board meetings
- Take minutes at Board meetings
- Plan and propose committee organization (with significant Board input)
- Prepare exhibits, material, and proposals for Board and committees
- Follow-up to ensure implementation of Board and committee decisions
- Formulate annual objectives, provide input to the Board of Directors regarding long-range goals
- Prepare performance reports on the achievement of goals and objectives

Source: Carter McNamara, ed. "Board and Staff Responsibilities." www.managementhelp.org/boards/brdvsstf.htm 2006.

Association Employment Guidelines

Associations should adhere to the following guidelines in their employment process in order to ensure compliance with employment law:

- Maintain written employee policies that are distributed to all employees.
- Maintain written, detailed job descriptions.
- Have an attorney review job descriptions, job applications, employee contracts and employee policies every 3 – 5 years, or whenever the documents have undergone significant revisions.
- Conduct interviews in a manner that complies with state and federal law.
- Recruit widely for open positions.
- Maintain clearly written procedures for the discipline and termination of employees, and follow these procedures consistently.
- Require at-will employees to sign a disclaimer upon their hiring which clearly states that they may be terminated at any time, with or without notice.
- Review employee benefit plans regularly, and understand employee rights and responsibilities under those plans.
- Require that hotel and other meeting contracts include provisions indemnifying the association against the negligence of the hotel or other facility.
- Keep all personnel records confidential, with access provided only to those with a specific need to know the information.

Source: "The Association Legal At-Risk Test." Pfau Englund Nonprofit Law, P.C. www.nonprofitlaw.com/At-risk/shtml 2005.

Manual of Policies and Procedures

An association's Articles of Incorporation and Bylaws usually contain only the most fundamental and general provisions for association management. Where substantial detail and explanation for association operations is necessary, a manual of policies and procedures is advisable. The manual may be known alternately as an administrative guide, association rules, a compilation of Board resolutions, an operations handbook, or an office manual.

The manual of policies and procedures may be viewed as an agreement between the association and its professional management staff. It is typically drafted, adopted and amended under the authority of the Board of Directors. To be most useful to the organization, the manual should only be modified by the Board of Directors. This manual is an expansion of the terms of formation and operation of the association in accordance with the Articles of Incorporation and bylaws, and should not in any way contradict those two documents. However, it also should not repeat the provisions of those governing documents. Associations may want to include the following items in their policy manuals:

- Procedures for operating each of the association's regular activities and programs
- Authority of each association staff member
- Employee obligations and benefits
- Specific information on dues structure (i.e., dues amounts, time and method of payment, and procedures to be followed on nonpayment)
- Fees for association services, including member and nonmember fees
- Policies regarding association political activity
- Membership application processing
- Maintenance, use, and protection of mailing lists
- Access and use of outside consultants
- Meetings procedures, including notices, agenda and minutes
- Office procedures for handling inquiries or requests from members, directors or officers
- Operation of committees, committee chairperson responsibilities, and lines of reporting by committees
- Association records, including document retention and access by staff, officers, directors, members, and the public or the press
- Procedures for maintaining and protecting association-owned intellectual property – trademarks and copyrights
- Standards for association sponsorship, endorsement, approval, or other relationships with vendors' products or services

- Criteria and procedures for acquiring and maintaining all lines of insurance for the association and its employees
- Procedures, deadlines and responsibilities for producing association publications

Source: Jerald Jacobs. *Association Law Handbook*. Washington, DC: American Society of Association Executives, 1996, pp. 28-30.

The Association Employee Handbook

The actual policies adopted by an association as guidelines for managing their staff will vary from organization to organization, dependent on size, number of employees, benefits offered, etc. In spite of these differences, it is always wise for an association to devise and maintain a written list of association employee policies. Employee handbooks may contain the following information:

- Acknowledgement form to be signed by every new employee
- Short history of the organization, with descriptions of organization goals, values and beliefs
- Equal Opportunity notice
- Employee attendance policies
- Use of company property, including computer usage
- Confidentiality expectations
- Dress code restrictions
- Safety and accident rules
- Anti-substance abuse statement
- Sexual harassment policy (including definition of sexual harassment and potential repercussions for policy violations by the employee)
- Smoking policy
- Schedule and description for performance reviews
- Employee compensation and benefits
- Payroll procedures and schedule, including work hours and reporting process, holidays, and allotted vacation time
- Information on Worker's Compensation

Note: The acknowledgement form is a very important part of the employee handbook. You should make sure the employee knows that it is their responsibility to read and understand the company handbook, preferably within the first two weeks of employment.

Source: www.humanresources.about.com/od/policysamples/ 2006

Conflict Investigation

Conflict between volunteers (or paid staff and volunteers) does occur. A meeting with each individual and some well-crafted questions can help you identify the root of the problem. Here are some helpful questions to begin the discussion with disgruntled volunteers or employees:

- How did this problem first appear?
- What responsibility do you take for creating this problem?
- What can you stop doing in order to improve the relationship?
- If you could have a good working relationship with this person, what would it look like?
- What are you willing to do to help the relationship reach that description?

Source: "Conflict Management." *Volunteer Today*. www.volunteertoday.com/managesuper.html 2006.

Terminating an Employee

When a problem with an association employee arises, the Executive should move promptly to confront and resolve it. Many employers avoid confrontation, hoping the problem will resolve itself. Not only does this resolution rarely happen, delay in dealing with a problem can cause a more serious disruption to the organization. By the time a problem becomes so serious that the executive must deal with it, the problem is usually also very apparent to association leaders, members and other personnel. The Executive is then faced with the dilemma of either moving hastily to solve a problem quickly, which may create legal exposure for the organization, or taking the additional time required to move carefully toward a resolution during which time the association may suffer further.

When the problem is identified and the employee has been confronted, the Executive should articulate clear and specific expectations for changes in that employee's performance, as well as definite timetables by which those adjustments should be made. If the necessary correction is not made, the Executive should provide continual and candid follow-up, with escalating warnings regarding the seriousness of the problem and the consequences if it is not corrected. If the problem is serious enough to lead to termination, the employee should be told that bluntly, and told that they will indeed be fired unless the behavior is modified.

Every step of the process – from management conversations and counseling, through warning and discipline, to discharge – should be thoroughly documented, with copies provided to the employee. This written record is absolutely necessary for an Executive to successfully defend their actions regarding an employee in a court of law. Also, thorough documentation supplied to the employee can serve to emphasize the seriousness of the situation and the probable consequences.

Source: *Jerald Jacobs. Association Law Handbook, Third Ed. Washington, DC: American Society of Association Executives, 1996. pp. 56-60.*

Employee Retention

Finding capable and passionate staff in the nonprofit arena is not as easy as it may appear, and therefore keeping the employees your association has worked so diligently to hire is critical to the overall health and growth of your organization.

Tips for Retaining Employees:

- A satisfied employee knows clearly what is expected from him every day at work. Constantly changing expectations keeps employees on edge and creates unhealthy stress in the workplace.
- The quality of the supervision an employee receives is critical to employee retention. Frequent employee complaints center on the following areas: lack of clarity about expectations, lack of clarity about earning potential, lack of feedback about performance, failure to hold scheduled meetings, and failure to provide a framework within which the employee perceives he can succeed.
- Employees should feel able to offer input and express criticism within the organization. This helps them commit to continuous improvement, rather than feeling as though they must “bite their tongues.”
- Employers should recognize and utilize employees’ unique talents and skill sets, rather than asking them to do only what the specifics of their job description suggest.
- The perception of fairness and equitable treatment between and among employees is highly important for employee retention.
- The employee must have the tools, time and training necessary to do their job well, or they will move to an employer who provides those resources.
- The best employees seek frequent opportunities to learn and grow in their careers, building on their knowledge bases and skill levels. Without the opportunity to try new opportunities, they feel they will stagnate.
- Your staff members must feel rewarded, recognized and appreciated!

Source: Susan Heathfield. “Why Retention? Four Tips for Employee Retention.”

http://humanresources.about.com/od/retention/a/more_retention_p.htm 2006.

Employee Evaluations of the Association

In order for employers to truly serve the interests of their association, they must understand how the staff responds to responsibilities, and how things might be improved upon for the future. One way to do this is to have the staff (and those who volunteer frequently) complete an “Internal Communications Assessment.”

In My Organization...	Rating 1 – 5 1 = Never; 2 = Seldom; 3 = Sometimes; 4 = Mostly 5 = Always
I am involved in decisions that affect me or my job	
I have all of the information I need to do my job	
My supervisor keeps me well informed about organizational issues	
Cooperation and collaboration between work units are rewarded	
Email is used appropriately by the staff	
Voice mail is used appropriately	
I am able to manage the information I receive	
Communication between co-workers is open	
All staff meet periodically for updates and information sharing	
Asking questions is encouraged	
Leadership is very open about important issues	
I hear about decisions that affect me or my job in a timely fashion	
I understand how my work impacts the total organization	
The organization’s strategic direction is known and understood by all staff	

Volunteer Programs

Volunteers play a critical role in helping nonprofit organizations achieve their goals in light of what are usually limited budgets. An association's volunteer program should not be viewed as something to be managed only when volunteers are necessary. Instead, association staff should maintain their volunteer program consistently throughout the year.

Legally, a volunteer is defined by federal statute as “any individual performing services for a nonprofit organization or governmental entity who does not receive compensation (other than reasonable reimbursement or allowance for expenses) in excess of \$500 per year.”

The Volunteer Protection Act of 1997 removes volunteers from liability for negligent acts or omissions committed while acting within the scope of their duties as volunteers. However, this Act does not cover acts resulting from willful or criminal misconduct, gross negligence, reckless misconduct, or conscious, flagrant indifference to the rights of safety of the individual harmed by a volunteer.

Source: “Volunteer Protection Act of 1997.” Pfau Englund Nonprofit Law, P.C. www.nonprofitlaw.com/volrisk/sld016.htm 2005.

Associations should...

- Maintain a database with demographic information on their volunteers
- Involve staff and the Board of Directors in assessing the allocation of (and need for more) volunteers in current positions on a yearly basis.
- Have a point person or committee endowed with the responsibility to manage the association's volunteer program
- Review volunteer position descriptions annually
- Ensure that volunteer positions only involve work that is appropriate for volunteers
- Identify and reduce risks in all volunteer positions before the association recruits volunteers to do the work

Source: “Volunteer Program Evaluation Series,” from Volunteer Today, www.volunteertoday.com/VPES/vpesmoreinfo.html 2006.

Questions for Discussion

1. Draw an association personnel diagram and make a list of the duties and responsibilities handled by each association staff member. Are there duties that association staff should be handling but are not? If so, why are these responsibilities being neglected (lack of funding, lack of staff)?
2. Review your association's employment policies. Based on the criteria discussed in this presentation, is your association following recommended guidelines for managing its employees? What areas could your association improve upon, and how?
3. Does your association maintain a manual of policies and procedures for its staff? If so, what items are included in that manual, and what items should be included that are currently omitted? How could your organization revise its manual of policies and procedures to better protect the association and its employees?
4. Does your association maintain an employee handbook? Is it reviewed and updated regularly? Are there issues that should be included in the employee handbook that currently are omitted? How could your organization revise its employee handbook to better protect the association and its employees?
5. Does your association have a procedure for dealing with conflict between or among association staff and volunteers? If so, describe that process in detail. If not, draft a sample procedure for investigating conflicts.
6. How does your organization confront problems with its employees and volunteers? Is there a clearly written termination procedure that is followed consistently? How could you improve upon your association's procedures to better protect your association and its staff and volunteers?
7. How effective is your organization at retaining its employees and volunteers? What improvements could be made to encourage employees and volunteers to stay with your association, and who would implement these improvements?
8. Does your association encourage regular and frequent employee and volunteer evaluations of the association? If so, what types of questions do you ask them? If not, draft a sample evaluation form based on the guidelines discussed in the presentation.
9. What type of system does your association have in place to manage its volunteers? Based on the criteria discussed in the presentation, are there reforms to your volunteer program that should be taken in order to protect the association from legal risks while also making your volunteers more effective participants?

Sources

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Prepared by the Southern Early Childhood Association

1123 South University, Suite 255

Little Rock, AR 72204

1-800-305-SECA

www.southernearlychildhood.org

