



PERSONNEL POLICY AND PROCEDURES MANUAL

INTRODUCTION

We are pleased to provide you with a copy of the Personnel Policy and Procedures Manual for New Hampshire Association for Justice (NHAJ). This manual has been prepared to acquaint you with our personnel policies, procedures and benefits.

The policies, procedures and benefits described in this Manual will provide you with useful guidelines; they are not, however, terms or conditions of employment and the manual is not an employment contract. Your continued employment with NHAJ is based on mutual consent. No employee is hired for any specific term or duration or pursuant to any contract of employment. Rather, your employment is at will and you may be terminated by NHAJ at any time and for any reason that NHAJ sees fit just as you may terminate your employment for any reason you see fit.

It is in the best interest of NHAJ and of its employees that there is flexibility in the administration of policies and procedures. Therefore, NHAJ reserves the right to change, revise or eliminate any of the policies, procedures or benefits described herein as it deems necessary.

NHAJ provides various benefits to its employees depending on their category of employment. These benefits typically include the benefits summarized in this manual, However, NHAJ also reserves the right to change, revise or to eliminate any and all of these employment benefits at any time. If anything in this Personnel Policy and Procedures Manual is inconsistent with state or federal law, the law shall control.

If you have questions regarding any of the provisions contained in this manual, please feel free to contact the Executive Director.

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NH Association for Justice

40 North Main Street

Concord, NH 03301

603-224-7077

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GENERAL POLICIES

MANAGEMENT RESPONSIBILITY

The Executive Director of New Hampshire Association for Justice (hereinafter NHAJ), or the person named in an acting capacity, has responsibility for administering written personnel policies that have been approved by the Board of Governors (hereinafter Board). To handle situations not covered by written policies, the Executive Director may take problem solving action without Board approval, keeping the President of the Board informed of significant outcomes that may indicate need for future development of formal policies. Changes or amendments to personnel policies may be approved by the Board at any time and a complete review of personnel policies will be conducted as needed.

EMPLOYMENT AT WILL

All employees of NHAJ are employed at will, which means that they are not hired for any definite period of time and either they or NHAJ may terminate the employment relationship at any time, with or without cause. Only the Executive Director has the authority to make any promises to employees regarding the duration of employment. To be binding, such promises must be in writing and signed by the Executive Director. If you believe that your employment will continue for some definite period of time, and that you are not an at-will employee, please consult with the Executive Director immediately.

CONFIDENTIALITY

NHAJ and its employees have an ethical and legal obligation to respect the privacy of our members, and to protect and maintain the confidentiality of all information that we learn about our members, their family members and friends in the course of providing services to them. Member records are legally protected, confidential records must be treated as such. Member records and member-related business should not be discussed with or disclosed to anyone except:

- co-workers
- the Executive Director
- any person authorized in writing by the member for you to share information about the member

It is illegal, unethical and a violation of our confidentiality policy for you to discuss member matters with your friends, spouses, relatives or others. If someone is insisting on obtaining information from you about a member, and the member has not authorized the disclosure, refer the matter to the Executive Director.

Violations of this confidentiality policy are considered very serious, and may result in disciplinary action, up to and including termination.

INFORMATION SECURITY POLICY

All documents containing any element of cardholder data or customer bank account information will be maintained in a locked, secured fashion with limited access. The storage of CVV2 code or PIN data in any format/method is prohibited. Access to corporate systems and cardholder data information of NHAJ will be given to employees based strictly on job function.

Upon dismissal, an employee's access to all operations and data storage will be immediately revoked. The same provisions apply if data is stored, processed, or transmitted through electronic means other than a stand-alone terminal (i.e. email, POS terminal connected

to the internet, or gateway/shopping cart configuration). Upon discovery of a cardholder breach, NHAJ will immediately contact NPC Compliance at 1.800.376.3399, ext. 2737, or NPC Risk at 1.800.667.9624, to report the incident.

RED FLAGS THEFT PREVENTION PROGRAM

NHAJ has identified two red flags to fight fraud: (1) Notice from a customer, a victim of identify theft, a law enforcement agency, or someone else that an account has been opened or used fraudulently. (2) Suspicious documents in which contact information or other personal identifying information cannot be verified.

In order to detect such red flags, NHAJ has three policies: (1) Compare contact information with that listed on State Bar website. Follow up with customer regarding any suspicious activity or information that cannot be verified. (2) Require each employee to notify all other employees of any suspicious activity. (3) Keep a log of all suspicious activity.

Office orientation as to these policies shall be provided to all clerical, administrative, financial, and/or program staff by the Executive Director who shall administer the program. NHAJ shall revisit and update this program annually. The Program Administrator will notify the Board of Governors and staff of any legal or regulatory updates.

ETHICAL AND OTHER CONDUCT AND RESPONSIBILITIES OF EMPLOYEES

An employee shall avoid any action, whether or not specifically prohibited by this statement, which:

- might result in, or create the appearance of;
 - using NHAJ position for private gain;
 - giving preferential treatment to any person
 - impeding NHAJ's efficiency or economy
 - loss of independence or impartiality
 - making NHAJ decision outside official channels
- might otherwise adversely affect public confidence in the integrity of NHAJ or its work

An employee shall not solicit or accept, directly or indirectly, any salary or anything of value from any source other than NHAJ as compensation for employee's services to NHAJ.

An employee shall not solicit or accept, directly, any gift, gratuity, favor, entertainment, and loan or any other thing of monetary value from a person who:

- has, or is seeking to obtain, contractual or other business or financial relations with NHAJ.
- has interest that may be substantially affected by the performance or nonperformance of the employee's official duty.
- is an officer, director, or employee of any grantee or contractor or trade organization comprised of grantees or contractors?

This section does not prohibit any activity that is necessary to, or compatible with, the duties and responsibilities of NHAJ and its employees, including;

- Acceptance of a loan from a grantee or contractor, in the ordinary course of business, so long as the employee is granted terms no more favorable than would be available persons who are not employees of NHAJ.

- Acceptance of food, refreshments and entertainment on infrequent occasions in the ordinary course of a business meal or function which the employee attends in an official capacity.
- The acceptance of unsolicited advertising or promotions material, such as pens calendars, and other items of nominal intrinsic value.
- Unless prohibited by law, the receipt of bona fide subsistence when the employee's travel is part of an official duty and when no payment or reimbursement is or will be made by NHAJ.

An employee shall not directly or indirectly use, or allow the use of, official information or non-public information obtained through or in connection with the employee's employment by NHAJ for financial gain or to further a private interest.

An employee shall not, while on NHAJ owned or leased property or while on duty for NHAJ, participate in any unlawful activity.

An employee shall not engage in criminal, dishonest, or other conduct injurious to NHAJ, its reputation and its work.

NON-SMOKING FACILITIES

Under no circumstances may an employee, volunteer or guest smoke in the offices of NHAJ. Smoking is allowed outside the building.

TELEPHONE USE

Telephones at NHAJ shall be covered to answer incoming business calls between 8:30 am and 4:30 pm, Monday through Friday, excepting holidays.

Employees may use the organization's telephone service for a limited amount of personal communications where necessary. Employees may be disciplined for excessive personal usage and will be required to reimburse the organization for any charges incurred for personal usage.

ELECTRONIC MAIL, INTERNET USE

NHAJ provides a number of electronic systems for NHAJ's use. Electronic systems include computers, electronic mail ("e-mail" including the Internet) and information on other electronic devices such as voice mail and individual computers through the local area network ("LAN").

The equipment, software, and any information contained or stored in any electronic communications system is the property of NHAJ.

NHAJ reserves the right to monitor the use of its equipment and to review at its discretion any information, data, or messages contained or stored therein. Employees should have no expectation of privacy with respect to use of NHAJ's electronic systems.

Employees should treat electronic communications with the same degree of confidentiality and professionalism applied to NHAJ's information appearing in hard copy, and should not share confidential or proprietary information of NHAJ with third parties. Employees should understand that the Internet is not a secure system and sensitive or confidential information should not be sent via the Internet without encryption.

The equipment must not be used to solicit, proselytize religious or political causes or any other personal activities not previously approved by NHAJ.

Passwords are used in order to assist in keeping NHAJ information confidential. You should not share your password with anyone. Staff should routinely change passwords in accordance with criteria established by the contract Systems Administrator.

NHAJ retains access to all e-mail, voice mail and other computer related information, even if it is password protected. Therefore, communications of a personal nature through NHAJ's electronic equipment should be limited to such times and in such amount as do not affect the work flow or environment at NHAJ. Even if information is deleted, it can often be reconstructed or may already exist in back-up copies.

Instant messaging of any kind is not allowed. The downloading, sending, or distribution of offensive material, viruses, chain letters, billable services for personal profit, sexually explicit images, ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based upon their race, national origin, sex, sexual orientation, age, disability or religious beliefs is prohibited.

Employees may use the organization's email service for a limited amount of personal communications where necessary. Employees may be disciplined (up to and including termination) for excessive personal usage or for disallowed purposes. Misusing, renaming, deleting or in any way altering individual files of others on the network servers without authority is prohibited.

Using company electronic equipment to improperly access unauthorized accounts and equipment and the unauthorized copying of private or copyrighted material is prohibited.

All employees must understand that they and NHAJ have an obligation to preserve any evidence that may be relevant to litigation in which NHAJ is a party or which is reasonably likely to be filed against NHAJ. The alteration or destruction of relevant information could lead to serious sanctions imposed by the court, including the imposition of fines or award of costs to the other party, dismissal of NHAJ's claims, or other sanctions. Failure to observe these obligations can result in discipline for NHAJ employees up to termination of employment.

The duty to preserve and produce evidence will apply to all storage devices on which relevant information regarding the business of the university may exist. This may include personal computers, lap top computers, flash drives, PDA's, and home computers. Please keep this in mind when choosing what information to store and on what devices.

Failure to follow these policies may be grounds for discipline, from removal of computer privileges up to termination of employment.

USE OF PERSONAL VEHICLES FOR COMPANY BUSINESS

Depending on the circumstances, employees may be required to use personal vehicles for business purposes. All employees are expected to observe all traffic laws, use a seatbelt, and not drive while physically or mentally impaired. Employees must report to their supervisor within five (5) days of the receipt of a citation for the following motor vehicle violations:

- suspension or revocation of his/her driver's license;
- driving while intoxicated
- driving under the influence
- failing to stop and report when involved in an accident;

- a third moving violation (on or off duty).

Employees who use their personal vehicle in conducting business for NHAJ will be reimbursed for mileage and related business expenses at the IRS mileage reimbursement rate in effect at that time. For employees whose usual place of work is NHAJ office, NHAJ will not pay for any mileage expense for commuting to and from NHAJ office. For meetings within 15 miles of the NHAJ office, NHAJ will not pay any mileage expense. A personal expense reimbursement form is included in the Appendix to this Manual. Parking costs and tolls should be reported on this form as well. Mileage reports must be signed by the employee and the Office and Finance Manager. Reimbursement will be provided within 30 days after employee provides necessary documentation.

Employees are responsible for all traffic violations and/or penalty charges for untimely payment of fines. NHAJ may revoke use of personal vehicles from a driver for business purposes at any time.

All employees driving on company business, whether in a company owned vehicle or in a personal automobile are required (a) to comply with all state and federal laws and operate their vehicles in a safe defensive manner; and (b) use available seatbelts and shoulder harnesses when the vehicle is in use.

All accidents involving a NHAJ vehicle and/or occurring while driving on company business must be reported within 24 hours of the occurrence to NHAJ. The Executive Director will complete and Accident Investigation Report. Drivers must comply with state laws and file written reports to the state, county, or city authorities in accordance with the laws of the applicable jurisdiction when involved in any accident. Drivers are not authorized to and shall not express opinion as to fault or liability, agree to any settlement on behalf of NHAJ, or sign any settlement other than documents required by police authorities.

BUSINESS HOURS/ WORK WEEK

Normal business hours for the public are 8:30 am – 4:30 pm Monday through Friday, except holidays. The work-week is based on a 37.5 hour schedule; this includes one half unpaid hours off for lunch. Employees are expected to work the normal business hours, absent an alternate schedule approved by the Executive Director. Exempt employees are required additional hours as needed to fulfill job responsibilities. All employees are required to submit weekly time records, signed by the employee and the Office and Finance Manager. Any employee engaged in lobbying activities must account for those activities on the weekly time sheet. A Weekly Time Record form is included in the Appendix to these materials. Excessive absences or tardiness are part of the employee's regular performance evaluation and may be considered a cause for discipline up to and including dismissal.

FINANCIAL AND ACCOUNTING POLICIES

PURCHASING, CONTRACTS and DISBURSEMENTS

Purchase and Contract Authority

The authority for entering into purchase or contract commitments regarding the operation of the offices of NHAJ is vested by the Board in the Executive Director.

Competition

Whenever possible, NHAJ will seek proposals from at least three vendors for all purchases over \$5,000. Bids

for insurance for business purposes and professional services should be sought at least every three years. Quality considerations are measured against price before arriving at final decisions. NHAJ reserves the right to reject any or all quotes, waive any irregularities, or to take any other action in the best interests of NHAJ.

NHAJ will give preference to vendors who have continued to provide NHAJ with favorable prices, service and terms. However, NHAJ shall not restrict its procurement to certain known and proven vendors. There shall be an active and continuing effort by NHAJ to accept new proposals and identify new vendors that will treat NHAJ favorably.

Capital Purchases

Purchases of equipment or furniture in the amount of \$1,000 constitute a capital purchase and must be approved by the Board of Governors in a capital budget.

Vendor Payment

Payment will only be approved upon receipt of a valid invoice or bill from the vendor, properly approved by the Executive Director or Office and Finance Manager, after receiving verification that the goods were received or services rendered.

Staff /Reimbursement (non-travel)

Occasionally, it may be necessary for a staff member to pay for items with personal funds. Request for reimbursements must be accompanied by a receipt, indicating item(s) purchased, amount, date and by whom. Reimbursement will be made within 30 days of presentation by the employee of such documentation.

Approving Disbursements

All disbursements of NHAJ funds must be approved by signature of the Executive Director or Office and Finance Manager. The Executive Director and Office and Finance Manager will have check writing authority for routine purchases and disbursements.

Neither the Office and Finance Manager nor the Executive Director is authorized to sign payroll checks or any reimbursement checks issued to him/herself as the payee. In the absence of the Executive Director or Office and Finance Manager, disbursements that cannot be delayed can be signed by other signatories as designated by the Board.

INTERNAL CONTROL

For the purposes of internal control, two signatures will be required on all checks over **\$1500**.

The Office and Finance Manager shall prepare monthly reports reconciling cash accounts to bank statements for review by the Executive Director or the Treasurer of the Board of Governors.

FINANCIAL REPORTS

The Office and Finance Manager shall prepare, and the Executive Director shall submit to the Treasurer of the Board of Governors, financial statements, including balance sheet and revenue/expense statements, on a monthly basis. Interim reports will be available at any time upon request.

RECORD RETENTION POLICY

NHAJ takes seriously its obligations to preserve information relating to litigation, audits, and investigations. The Sarbanes-Oxley Act makes it a crime to alter, cover up, falsify, or destroy any document to prevent its use in an official proceeding. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against NHAJ and its employees and possible disciplinary action against responsible individuals (up to and including termination of employment). Each employee has an obligation to contact the Executive Director or chief financial officer of a potential or actual litigation, external audit, investigation, or similar proceeding involving NHAJ. The information listed in the retention schedule below is intended as a guideline and may not contain all the records NHAJ may be required to keep in the future. Questions regarding the retention of documents not listed in this chart should be directed to the Executive Director.

From time to time, the Executive Director may issue a notice, known as a “legal hold,” suspending the destruction of records due to pending, threatened, or otherwise reasonably foreseeable litigation, audits, government investigations, or similar proceedings. No records specified in any legal hold may be destroyed, even if the scheduled destruction date has passed, until the legal hold is withdrawn in writing by the Executive Director.

File Category	Item	Retention Period
Corporate Records	Bylaws and Articles of Incorporation	Permanent
	Corporate resolutions	Permanent
	Board and committee meeting agendas and minutes	Permanent
	Conflict-of-interest disclosure forms	4 years
Finance and Administration	Financial statements (audited)	Permanent
	Auditor management letters	Permanent
	Payroll records	Permanent
	Journal entries	Permanent
	Check register and checks	[7 years/permanent]
	Bank deposits and statements	7 years
	Charitable organizations registration statements (filed with NH Attorney General)	7 years
	Chart of accounts	7 years
	Expense reports	7 years
	General ledgers and journals (includes bank reconciliations, fund accounting by month, payouts allocations, securities lending, single fund allocation, trust statements)	7 years
	Accounts payable ledger	7 years
	Investment performance reports	7 years
	Investment consultant reports	7 years
	Investment manager correspondence	7 years
	Equipment files and maintenance records	7 years after disposition
Contracts and agreements	7 years after all obligations end	

	Investment manager contracts	7 years after all obligations end
	Correspondence — general	3 years
Insurance Records	Policies — occurrence type	Permanent
	Policies — claims-made type	Permanent
	Accident reports	7 years
	Fire inspection records	7 years
	Safety (OSHA) reports	7 years
	Claims (after settlement)	7 years
	Group disability records	7 years after end of benefits
Real Estate	Deeds	Permanent
	Leases (expired)	7 years after all obligations end
	Mortgages, security agreements	7 years after all obligations end
	Purchase agreements	7 years after disposition requirements
Tax	IRS exemption determination and related correspondence	Permanent
	IRS Form 990s	Permanent
	Withholding tax statements	7 years
	Correspondence with legal counsel or accountants, not otherwise listed	7 years after return is filed
	Timecards	3 years
Communications	Press releases	Permanent
	Annual reports	Permanent (5 copies)
	Other publications	7 years
	Photos	7 years
	Press clippings	7 years
	Fund agreements (paper and digital copies)	Permanent
Contributions	Correspondence — acknowledgment of gifts and grant requests	Permanent
	Donor fund statements	Permanent
	Approved grants — all documentation supporting grant payment, including application/recommendation, due diligence, grant agreement letters, grant transmittal letters, and post-grant reporting information, if any	7 years after completion of funded program, or date of grant if general operating support
	Foundation funding requests, correspondence, and reports (funding received)	7 years after completion of program
	Declined/withdrawn grant applications	3 years
	Foundation funding requests (denied)	3 years
Human Resources	Consulting contracts/filed	7 years after all obligations end
	Employee personnel files	Permanent

	Retirement plan benefits (plan descriptions, plan documents)	Permanent
	Employee medical records	Permanent
	Employee handbooks	Permanent
	Workers comp claims (after settlement)	7 years
	Employee orientation and training materials	7 years after use ends
	Employment offer letter	7 years after all obligations end
	Employment applications	3 years
	IRS Form I-9 (store separate from personnel file)	Greater of 1 year after end of service, or three years
	Résumés	1 year
Technology	Software licenses and support agreements	7 years after all obligations end
	Email E-mail that needs to be saved should be either a. Printed in hard copy and kept in the appropriate file; or b. Downloaded to a computer file and kept electronically or on disk as a separate file.	The retention period depends upon the subject matter of the e-mail, as covered elsewhere in this policy.
Library	Directories and periodicals	2 years
General Administration	Correspondence — Executive Director and general	7 years

Emergency Planning

NHAJ's records will be stored in a safe, secure, and accessible manner. Documents and financial files that are essential to keeping NHAJ operating in an emergency will be duplicated or backed up at least every week and maintained off-site.

Document Destruction

NHAJ's Executive Director is responsible for the ongoing process of identifying its records, which have met the required retention period, and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding. Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation. Failure to comply with this Document Retention Policy may result in punitive action against the employee, including suspension or termination. Questions about this policy should be referred to the Executive Director, who is in charge of administering, enforcing, and updating this policy.

OVERNIGHT TRAVEL REIMBURSEMENT

All overnight and/or out-of-state travel will be reimbursed based on itemized expenses, signed by the employee and the Executive Director or Office and Finance Manager. When possible, NHAJ will prepay air or train fare and hotel accommodations. Upon return from anything other than routine in-state travel, the employee must submit a travel voucher, providing a full accounting of all expenses. ~~A personal expense reimbursement form is included in the Appendix to this Manual.~~ No individual expense item over \$25 will be reimbursed without a receipt. No exceptions.

PAY PERIOD

Paychecks will be disbursed on Thursdays and will cover a two week period beginning on a Monday and ending on the immediate past Sunday night.

EMPLOYMENT, SALARY AND BENEFIT GUIDELINES

STAFF RECRUITMENT AND HIRING

The Executive Director will recommend the creation of any part-time and full-time positions. Such positions must be approved by the Board. Vacancies will be advertised locally, and in specialized publications whenever appropriate.

A resume, letter of interest and salary history will be requested of all applicants. All applications will be acknowledged and notified of a final decision. Applications will be kept on file for twelve months.

The Executive Director has the final authority in all hiring decisions. Position offers and acceptances will be made in writing.

POSITION DESCRIPTIONS

Position descriptions must exist for every authorized position at NHAJ. They serve as the standard against which employees are recruited and evaluated, and as the basis for determining exempt/non-exempt status and salary range.

Each position description shall include the position title, the title of the reporting supervisor, a summary description highlighting major elements of the job, a list of specific individual duties or groups of duties that adequately describe the position. Required and desirable skills and/or knowledge and education shall be clearly identified.

After the position description is written, it is classified as exempt or nonexempt. The Board approves the position description for the Executive Director. The Executive Director approves all other position descriptions. Position descriptions will be revised as necessary.

EMPLOYEE PERFORMANCE REVIEWS

NHAJ engages in an early evaluation period whereby employee progress will be reviewed at 30, 60 and 90 days of employment. Performance evaluation is an ongoing process. Formal written performance and salary reviews are typically conducted at least once each year coinciding with the end of each fiscal year. Performance evaluations will typically be conducted by the Executive Director in person, followed by a written review. The objective of these reviews is to improve the overall effectiveness and quality of NHAJ's operations and point out specific ways in which the employee is meeting expectations or needs to improve.

The evaluation will assure the employee's job performance against the job responsibilities stated in the job description. The achievement of goals and objectives are also reviewed and evaluated. Areas of performance that needs improvement will also be discussed.

During the annual review process, goals and objectives for the coming year for each employee will be developed. Individual goals and objectives should enhance the employee's performance and further the goals and objectives set by management and the Board for the organization.

Once completed, the evaluation must be put in writing and signed by the supervisor. A copy will be provided to the employee and placed in the employee's personnel file, along with goals and objectives for the coming year. The employee may submit a statement to the file with evaluation form.

Nothing in this policy changes the at-will nature of the employment relationship.

WAGE AND SALARY ADJUSTMENTS

At the beginning of each fiscal year, NHAJ will implement a salary review following formal performance evaluations and approval of the new fiscal year budget. The exception will be years in which the Board determines there are no funds available to be budgeted for salary increases. The goal of the salary review plan is to compensate employees fairly for satisfactory and exceptional performance. The final salary plan is the responsibility of the Executive Director.

When approved by the Board, a fixed dollar pool will be available for the Executive Director to award as salary increases or special achievement bonuses. The amount of the salary increase in each individual case will be based on employee performance, experience, cost of living factors, supervisor recommendation, and equitable salary structure. The size of the pool will be determined annually, during the adoption of the new fiscal year budget.

NHAJ expects every employee to perform his or her job at a level which is no less than satisfactory, and no employee is entitled to a salary increase as a matter of right for expected job performance.

NHAJ endeavors, if possible, to recognize clearly exceptional job performance with a larger salary increase, if appropriate.

The Executive Director may reward superior performance of an employee with a cash bonus. The following guidelines apply to such an award:

- the bonus is a single payment separate from the employee's regular salary, and does not change the employee's base salary
- an award may be considered for action that saves money, brings additional resources to the organization and/or promotes efficiency, or for the specific and unusually difficult or meritorious performance of a single project, or outstanding, exceptional performance in the overall execution of the employee's responsibilities.

OVERTIME

All positions classified as non-exempt from the overtime provisions of the Fair Labor Standards Act will be paid one and one-half times their normal hourly wage for time worked in excess of 40 hours per week. The Executive Director must approve all overtime in advance in writing. Failure to obtain pre-approval may result in discipline. However, employees must accurately report all time worked and will be properly compensated for all time worked. Employees should not work "off the clock."

Employees who are exempt for the overtime provisions of the Fair Labor Standards Act are not eligible for

overtime.

All positions classified as exempt from overtime are expected to work those hours necessary to effectively accomplish their responsibilities. There may be times when the employee will have a workload that requires her or him to work well beyond normal business hours to accomplish the workload. Extra time off may be taken/granted in those situations, subject to the discretion and approval of the Executive Director. No compensation shall be given for such unused extra time off.

EARNED TIME OFF

Except for the Executive Director, all full-time employees who have worked for NHAJ for less than five years earn the equivalent of 15 days of time off annually, accrued on a weekly basis. After five years of service, full-time employees earn the equivalent of 20 days of vacation, accrued on a weekly basis. Earned time off accrues to a maximum of four weeks. Employees must track use of earned time off on their Weekly Time Record, signed by the employee and Office and Finance Manager. Unused time that is not properly accounted for will be lost without pay. Unused leave exceeding maximum accruals will be lost without pay ("Use it or Lose It"). Upon an employee's separation from employment, the balance of unused earned time off up to the maximum accrual will be paid out to the employee at the current salary rate.

Requests for use of earned time off must be submitted to and approved by the Executive Director. All requests will be approved subject to NHAJ ability to provide adequate staff coverage to meet the needs of our customers and fulfill our contractual obligations. When requests for time off cannot be granted for everyone seeking time off, NHAJ will try to deal as fairly as possible with all concerned.

Advancing vacation leave for up to 37.5 hours beyond what is accrued is permitted upon written request by the employee (accompanied by a written authorization allowing NHAJ to deduct any amounts paid in advance of eligibility from the employee's final paycheck) and approval of the Executive Director.

There will be no vacation accrual in the following situations:

- during a disability leave or leave of absence without pay
- while on worker's compensation
- beyond the maximum accrual, unless an extension has been granted by the Executive Director
- while on disciplinary action
- during a vacation period preceding termination

Any exceptions to the above policies concerning earned time off must be in writing and signed by the Executive Director.

SICK LEAVE

Sick time is earned at the equivalent of 13 days per year, accrued on a weekly basis. Employees must track use of sick leave on their Weekly Time Record, signed by the employee and Office and Finance Manager. Sick time accrues to a maximum of 500 hours and may be carried over from year to year. Accrual of sick time is allowed to build a reserve should a short-term medical leave be necessary because NHAJ does not provide short-term disability insurance as a benefit.

Sick leave is to be used for the following purposes:

- Personal illness

- Absence from work because of exposure to a contagious disease which would constitute a health hazard to other employees
- Medical or dental appointments for the employee during working hours
- Funerals of immediate family (parents, spouse or civil union partner, children, siblings, grandparents or any member of your immediate household – maximum amount to be determined by the Executive Director on a case by case basis.)
- To care for dependents during illness

Accrued sick leave is not paid out upon termination. Sick leave does not accrue in the following situations:

- during a disability leave or leave of absence without pay
- beyond the maximum accrual
- while on disciplinary leave

At the discretion of the Executive Director or supervisor, an employee may be required to furnish a statement from a physician if:

- an employee has been absent for more than three days
- an employee has a negative sick leave balance
- the employee has a record of excessive sick leave absences

Abuse of sick leave or failure to provide a medical certification is a matter to be considered during annual performance evaluations and abuses may be considered grounds for dismissal.

Additional sick leave may be advanced after all available sick and annual leave is exhausted on a case-by-case basis by approval of the Executive Director. Such cases should be limited to periods of severe illness, including but not limited to conditions requiring hospitalization or other forms of confinement that do not qualify for long-term disability or worker's compensation benefits.

DISABILITY LEAVE

A disability leave of absence may be authorized for a prolonged illness or a physical (including pregnancy) or mental impairment. A medical statement from the employee's physician certifying the condition of disability and diagnosis, prognosis and expected date of return is required. The length of disability leave will be determined on a case-by-case basis.

All accrued sick leave must first be applied toward the period of absence. An employee may then use any portion of, or all, earned time off toward the period of absence, if desired. After this, the employee is on an unpaid leave.

When a regular full-time or part-time position is vacant due to disability leave, the position may be filled on a temporary basis pending the return of the disabled employee. If the length of the leave period becomes unreasonable and creates an undue hardship for the organization, the position may be permanently filled.

Employees on an approved leave of absence for disability will have their then current insurance benefits continued for 90 days to the extent permitted by the insurance carrier. Employees must continue to pay their share of such benefits.

HOLIDAYS

NHAJ observes as paid days off all holidays observed by the State of New Hampshire employees:

New Year's Day
Martin Luther King Day
President's Day
Memorial Day
Independence Day
Labor Day
Veterans Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day

When the holiday falls on a Saturday, the holiday will be taken off Friday. Sunday holidays will be observed on Monday.

There will be no holiday pay for employees who are on a disability leave or on leave of absence without pay, or if the holiday falls during a vacation period preceding termination. There will be holiday pay for the normal hours worked by permanent part-time employees only if the holiday falls on a normally scheduled workday.

JURY DUTY

NHAJ recognizes the civic responsibility of employees to serve jury duty and allows for all staff members to perform such duty. The employee must notify his/her supervisor of the call to jury duty as soon as it is received. The employee is expected to report to work at NHAJ when temporarily excused from attendance at court during normal business hours.

The employee must provide proof of jury pay. NHAJ shall compensate for any difference between pay from the court and the employees' current pay for schedule hours. NHAJ shall also continue the employee's fringe benefits.

GRIEVANCE PROCEDURE

Employees should present all grievances to the Executive Director. The Executive Director must act on the grievance within ten days. The Executive Director has the final decision regarding grievances and will notify the employee of any corrective action to be taken within ten days. A grievance can be filed directly with the Board if the Executive Director has engaged in activity that is illegal, unethical, unsafe and/or in violation of policy. Nothing in this policy changes the at-will nature of the employment relationship.

TERMINATION/RESIGNATION

All employees are requested to give written notice at least two weeks in advance of their intent to terminate employment. Exempt employees are requested to provide three to four weeks notice.

Employees who give notice are expected to work out with the Executive Director a plan for finishing outstanding work and for training a replacement, if appropriate.

Employee benefits for insurance coverage will be paid until the last day of the month in which the employee worked their last day. Employees may be eligible for continuing participation in health and dental coverage plans at their own expense under New Hampshire continuation rules and should contact the Payroll/Benefits Clerk to obtain additional information.

Prior to the termination date, the following needs to be done:

- all keys turned in
- outstanding expenses and reimbursements submitted
- equipment assigned the employee returned
- a forwarding address if appropriate
- a final time sheet submitted

Accrued vacation leave and final hours worked will be paid out in accordance with New Hampshire RSA 275:44, II.

DEMOTION/SUSPENSION/DISMISSAL

The Executive Director shall be responsible for suspensions, demotions and dismissals and the Board will be advised of the reasons for such action.

REDUCTION IN FORCE

The Executive Director will be responsible for any terminations through a reduction in force due to the lack of money, economy, insufficient grants or contracts, change in organization, discontinuance of that position, or any other cause. The Board will be advised of the action and the reasons for such. In the case of reduction in force, NHAJ will attempt to provide the affected employee with at least two weeks notice.

SEVERANCE PAY

Employees separated from employment with NHAJ because of reorganization or reduction in force may be offered payment equivalent to one week of pay for every year of service if they have completed two years of employment. Severance pay is at the discretion of the Board.

WHISTLEBLOWER POLICY

The whistleblower policy is intended to provide a mechanism for the reporting of illegal activity or the misuse of New Hampshire Association for Justice (NHAJ) assets while protecting the employees who make such reports from retaliation.

QUESTIONABLE CONDUCT

This policy is designed to address situations in which an employee suspects another employee has engaged in illegal acts or questionable conduct involving NHAJ's assets. This conduct might include outright theft (of equipment or cash), fraudulent expense reports, misstatements of any accounts to any manager or to NHAJ's auditors, or even an employee's conflict of interest that results in financial harm to NHAJ. NHAJ encourages staff to report such questionable conduct and has established a system that allows them to do so anonymously.

MAKING A REPORT

If an employee suspects illegal conduct or conduct involving misuse of NHAJ assets or in violation of the law, he or she may report it, anonymously if the employee wishes, and will be protected against any form of harassment, intimidation, discrimination, or retaliation for making such a report in good faith. Employees can make a report to the NHAJ Executive Director at any time. NHAJ will promptly conduct an investigation into matters reported, keeping the informant's identity as confidential as possible consistent with our obligation to conduct a full and fair investigation. Alternatively, employees can make a report by calling either the Board President or the Board Treasurer. Their names and phone numbers are posted in NHAJ's

NO RETALIATION

An employee who has made a report of suspicious conduct and who subsequently believes he or she has been subjected to retaliation of any kind by any NHAJ employee is directed to immediately report it to the Executive Director. In the event that the employee is alleging retaliation from the Executive Director, the employee must report it to the Executive Committee of the NHAJ Board of Governors. Reports of retaliation will be investigated promptly in a manner intended to protect confidentiality as much as practicable, consistent with a full and fair investigation. The party conducting the investigation will notify the employee of the results of the investigation. NHAJ strongly disapproves of and will not tolerate any form of retaliation against employees who report concerns in good faith regarding NHAJ's operations. Any employee who engages in such retaliation will be subject to discipline up to and including termination.

NHAJ REPORTING PROCEDURES

The "whistleblower" procedure is intended to describe the process through which concerns about the possible misuse of NHAJ assets are handled pursuant to NHAJ's whistleblower policy.

1. An employee makes a report of suspected misuse of NHAJ assets by reporting in person to the NHAJ Executive Director, or reporting anonymously to the board President or the Treasurer.
2. The report is promptly reviewed by the Executive Director, as well as the Treasurer, to determine whether the report constitutes a complaint or a non-complaint, unless one of them is allegedly involved in the misconduct, in which case the report should be reviewed by only one of them. (If both of them are alleged to be involved, the report should go directly to the board President.)
 - o A complaint means any report involving (i) questionable accounting, auditing, financial reporting, or internal controls; (ii) suspected fraud, theft, or improper use of company assets; (iii) a violation of NHAJ's conflict-of-interest policy that results in a financial harm to NHAJ ; or (iv) a claim of retaliation against any employee making a good-faith report regarding any of the preceding matters.
 - o A non-Complaint means a report of any other matter not involving a misuse of NHAJ's assets
3. If the report is deemed to be a complaint, it will be promptly investigated and forwarded to the Executive Committee chair. If the report is deemed to be a non-complaint, it will be referred to the executive director for follow-up. Some non-complaints may involve serious matters and may require prompt investigation, but may nevertheless not involve misuse of NHAJ's assets.
4. Each complaint is fully investigated, and as far as possible handled so as to protect the privacy of the employee making the complaint. A written report of the outcome of each investigation is prepared and delivered to the Executive Committee Chair.
5. The Treasurer decides whether the report involves a matter that is material. If it is deemed material, it is reviewed by the full Executive Committee, which may forward it for disposition to the board or may direct the Executive Director to take actions to resolve the situation. If the report is deemed nonmaterial, it is not reviewed by the committee but is instead addressed by the Executive Director, as appropriate.

BENEFITS

NHAJ provides various benefits to its employees depending on their category of employment. These benefits typically include the benefits summarized in these policies. However, NHAJ reserves the right to change, revise or eliminate any and all of these employment benefits at any time. NHAJ, or its designated administrator, also has the exclusive authority to construe and interpret the terms and provisions of these policies and to determine all questions of eligibility for any benefits described therein.

The following benefits are presently offered to full-time employees only.

- Health insurance: Benefits and conditions are described in booklets provided by the insurance carrier. NHAJ pays 100% of individual coverage and 100% of minor dependent coverage, prorated for full time hours worked.
- Dental Insurance: Benefits and conditions are described in materials provided by the insurance carrier. NHAJ pays 100% of individual coverage and 100% of minor, dependent coverage, prorated for full time hours worked.

EMPLOYEE ACKNOWLEDGEMENT/RECEIPT

I acknowledge receipt of a copy of the NHAJ Personnel Policies. I understand that this document reflects a general description of the policies, procedures, rules and benefits of employment and that nothing herein shall be deemed a contractual right. I understand that my employment is at-will and may be terminated with or without cause or notice. I agree to familiarize myself with these policies, procedures and rules and to comply with their provisions at all times.

Employees Signature

Employees Name Printed

Date