



BESSER
MUSEUM
for Northeast Michigan

ART • HISTORY • SCIENCE

EMPLOYEE HANDBOOK

Approved [date] by the Board of Trustees

Replaces Jesse Besser Museum Procedures dated February 21, 1977; August 17, 1978; May 1, 1980; and February 10, 1981; Clarification Memos dated April 5, 2000 and February 1, 2001; and Employees' Handbook dated August 18, 2009.

This Employee Handbook outlines the policies and procedures that affect employees of Besser Museum. Please read it carefully and ask for clarifications if necessary; any questions should be directed to the Executive Director. The contents of the Handbook are subject to revision at any time by the Museum's Board of Trustees. Employees may propose changes to employee policies and procedures by submitting a proposed change in writing to the Executive Director. The Board of Trustees will consider any proposed change.



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Employee Handbook – [date]

Dear Staff:

We are fortunate to work together in a dynamic and growing museum, dedicated to preservation, education, and public service in the fields of art, history, and science. Each of us accepts the responsibility to uphold the mission, ethics, and culture of Besser Museum. We perform our jobs with integrity and enjoy the trust of one another, our volunteers, and the public. The policies and procedures contained in this Handbook are set by the Board of Trustees and are designed to help us in this endeavor.

We ask that you join us with enthusiasm and professionalism in serving our community by helping to preserve the Museum’s collections for the future through research opportunities, exhibitions, and programming. A museum can be a magical place to work, where daily activities make a tangible difference in the lives of our community members. The footprint each of us leaves behind in the Museum will be recognized and appreciated for generations to come.

Welcome to the Besser Museum team!

[can we do a signature graphic?]

Jim Conboy
President, Board of Trustees

1. TERMS USED IN HANDBOOK

As used in this Handbook:

- a. **“Besser Museum”** or the **“Museum”** means the Besser Museum for Northeast Michigan.
- b. **“We”** or **“our”** means or refers to the Museum.
- c. **“You”** or **“your”** means or refers to an employee of the Museum.
- d. **“Visitor”** means any individual other than a Museum employee who is present on Museum premises, including but not limited to Museum members, patrons, guests, service providers, technicians, business partners, researchers, and delivery personnel. **“Visitor”** also means members of the general public to the extent that they have actual or prospective contact with the Museum.
- e. **Paragraph Headings.** The paragraph headings and numbers as employed in this Handbook are intended for the convenience of the reader only, do not constitute a part of the policies contained in this Handbook, and in no way define, amplify, limit, construe, or describe the scope or meaning of any part of this Handbook.
- f. **Pronouns and Other Words Suggesting Grammatical Gender or Number.** For the purposes of interpreting this Handbook, all pronouns and other words shall be read in the masculine, feminine, or neuter, or singular or plural, as the particular case or context may suggest or require.
- g. **Construction of the Words “May” and “Including.”** The use of the word **“may”** in describing the right of a party means that the party has the option, but not the obligation, to exercise such right. Furthermore, the exercise of such right shall not constitute an exclusive election or a waiver of any other right. The use of the words **“include”** or **“including”** is intended to be illustrative, not exhaustive.

2. SCOPE OF HANDBOOK

- 2.1 General Scope.** Read this Handbook carefully and keep it for future reference. This Handbook will provide you with general information concerning Besser Museum and your general responsibilities as an employee. The Handbook cannot anticipate every question you may have, and the policy statements contained in this Handbook cannot set forth rules to cover every possible situation. Instead, this Handbook expresses Besser Museum’s philosophy and sets forth general principles to be applied in the areas of employee activities, conduct, and compensation.



- 2.2 Interpretation by Executive Director.** The Executive Director has the discretion to interpret the provisions of this Handbook and resolve ambiguities to apply the policies and rules contained herein to all situations and circumstances. Questions concerning specific practices and policies, or how the general rules and policies apply, should be discussed with your immediate supervisor or the Executive Director.
- 2.3 Amendment by Board of Trustees.** The Museum Board of Trustees reserves the right unilaterally to review and revise this employee Handbook from time to time and at any time, including changes necessary for clarification or as recommended by legal counsel. Changes to this Handbook will be communicated to staff as soon as approved and available, in the form of a new copy of this complete Handbook incorporating all revisions together with a written memo describing any revisions to the previous edition.
- 2.4 Exceptions.** The policies contained in this Handbook apply to all employees of Besser Museum. Exceptions to this policy may only be approved in writing, by the Executive Director.
- 2.5 No Conflicts with Applicable Law.** The Museum will not have policies and/or procedures, nor will its Board of Trustees or management make any decisions, that are contrary to any federal, state, or local law. Nothing in this Handbook shall be construed to restrict an employee’s rights under Sections 7 and 8(a)(1) of the National Labor Relations Act (NLRA). No policy set forth in this Handbook shall be construed or understood to prevent an employee from engaging in discussions or activities involving the terms and conditions of employment, wages, hours, and working conditions.
- 2.6 No Contract for Employment.** *This Handbook should not be construed as, and does not constitute, a contract for employment.*

3. VISION STATEMENT

Our vision is a museum community that can explore the dynamic story of Northeast Michigan’s interconnected natural resources and cultural heritage through the ability to navigate the past, illuminate the present, and imagine the future.

4. MISSION STATEMENT

Our mission is to collect, preserve, interpret, and exhibit authentic articles and artifacts of art, history, and science to inspire curiosity, foster community pride, and cultivate personal legacy.



5. HISTORICAL SUMMARY

In 1962 Jesse Besser, Fred Trelfa, and Dr. Russell H. Wilson formed a nonprofit corporation, the Alpena Museum Association, Inc. The Association planned and directed the building of the present museum, which opened to the public in May 1966. Until 1970, the Museum was an integral part of the Alpena Public Schools. In 1970, the Association and the school district formalized a lease agreement outlining responsibilities for maintenance and operation. In 1974 the Museum’s legal name was changed from Alpena Museum Association, Inc. to the Jesse Besser Museum.

When Alpena Community College and the Alpena Public Schools separated, the Museum was administratively attached to the college. A 1982 lease between the Museum and college outlined their relationship. In 1992, following two years of discussion, the Alpena Community College Trustees transferred to the Museum’s Board of Trustees sole physical and operational control of the Museum. The name of the Museum was changed to the Besser Museum for Northeast Michigan in 2004.

Since the formal dedication of the Museum building in May 1966, other structures have been added to the Museum’s grounds: a homesteader’s line cabin from the mid-1860s (1971); the Maltz Exchange Bank of 1872 (1972); the 1890s McKay Cabin (1973); the Green School built in 1895 (1981); the Spratt Methodist Church built in 1912 (1990); and the *Katherine V* fish tug built in 1927 (2001). The Lafarge Fossil Park was constructed on site in 2011; the Lucas Pfeifferberger Natural Trail was constructed on site in 2012; and the DNR *Chinook* Research Vessel built in 1947 was added in 2016.

Located on the Museum’s grounds is a sculpture fountain by Glen Michael; a 3-inch dual-purpose naval deck gun with a breech mount similar to that made by Besser Company employees during World War II (on loan from the United States Navy); the bow anchor from the 1860s Steamer *Pewabic* (on loan from the State of Michigan); and the eagle sculpture by Tom Moran donated by the United Communities Foundation.

Besser Museum is accredited by the American Alliance of Museums (AAM).

6. ADMINISTRATIVE STRUCTURE

6.1 Board of Trustees. The Board of Trustees of the Besser Museum for Northeast Michigan, Inc., holds fiduciary and policy responsibilities to ensure the mission of the Museum is pursued in a lawful and ethical manner, and in compliance with local, state, and federal law.



- 6.2 Executive Director.** The Executive Director is the sole employee of the Board of Trustees and is hired to enact the policies and procedures approved by the Board and to manage the daily business operations of the Museum. As the operational head of the Museum, the Executive Director is recognized as a peer by the Trustees. The Board of Trustees establishes policy; the Executive Director carries out the policy and oversees operations. Both parties have the same objective: to provide a properly run museum of the highest quality. The Executive Director alone handles all aspects of human resource management including staff employment and discharge, determining staff duties and organizational structure, and setting salaries within Board approved budget parameters, except where this Handbook or other Board action specifically designates a member or members of the Board of Trustees to so act, or when the Board of Trustees otherwise acts to change the scope of the Executive Director’s duties.
- 6.3 Acting Executive Director.** In the absence of a permanent executive director, the Board of Trustees may designate an individual or group of individuals to act as Executive Director with all the powers as set forth in this Handbook.
- 6.4 Museum Staff.** Museum staff function within the Museum’s departments that care for and research the Museum’s accessioned collection, develop and deliver educational exhibits and programming, care for the facility and grounds, and perform operational and business tasks necessary to operate the Museum seven days a week, year-round.
- 6.5 Volunteer Corps.** Museum staff is joined in these objectives by a volunteer corps which is essential to the Museum’s success.

7. AT-WILL EMPLOYMENT

- 7.1 At-Will Employment Generally.** The Besser Museum for Northeast Michigan is an at-will employer. ***The Museum or an employee may terminate the employment relationship at any time, with or without cause.*** This means that the employment relationship is by mutual consent of you and the Museum. The employment relationship is not for any definite period of time. While it is expected that your employment with the Museum will be rewarding and long term, ***either you or the Museum may terminate the employment relationship at any time with or without notice, for any reason or no reason at all, with or without cause.*** It should also be understood that no representative or individual or member of the Board of Trustees except for the Museum’s Executive Director has any authority to enter into any agreement of employment for any specified period of time, or to make any agreement contrary to the foregoing. The Executive Director alone handles all aspects of human resource management.



- 7.2 No Limitation of Right to Terminate Employment.** Nothing in this Handbook, or in any other written material or verbal statements provided by Museum representatives, shall limit either you or the Museum’s right to terminate the employment relationship. These statements about the at-will nature of employment constitute the entire understanding between the Museum and its employees regarding this subject.

8. APPLICATIONS FOR EMPLOYMENT

Besser Museum relies upon the accuracy of information contained in employment applications, as well as the accuracy of other information presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, disciplinary action which may include immediate termination of employment.

9. BACKGROUND AND REFERENCE CHECKS

- 9.1 Initial Background Check.** Individuals applying for employment with Besser Museum may be required to consent to a background check depending on the nature of the position, as a condition of being considered for employment. Change or transfer in position may also require a current employee to consent to a background check. The results of this process may deem the individual ineligible to fill certain positions on the Museum staff. The Museum will protect the confidentiality of any background check results received through this process.
- 9.2 Reference Checks by Other Employers.** The Executive Director may, but need not, respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only the subject individual’s dates of employment by the Museum, rate(s) of pay, and positions(s) held, and communicate to the inquirer that Museum policy requires that no other information be released in response to a reference check inquiry. No other information (*e.g.*, references to work habits, desire to rehire, suitability to a position, *etc.*) will be released at any time.

10. EQUAL EMPLOYMENT OPPORTUNITY

- 10.1 Equal Opportunity Employer.** Besser Museum is an equal opportunity employer. It is the policy of the Museum to extend equal opportunity to all qualified staff members and applicants for employment without respect to race, color, religion, national origin,



veteran status, sex, sexual orientation, gender identity, age, disability, or any other protected class under the law.

- 10.2 No Discrimination.** In all hiring and employment practices, the Museum makes every effort to ensure that it does not discriminate against employees and applicants. This policy addresses the Museum’s commitment to providing equal opportunity employment for all employees and applicants and to promoting diversity in the workplace. The Museum does not tolerate any employee’s engaging in harassment or discrimination of any kind. Please see the Museum’s harassment policies set forth in Section 35 of this Handbook.
- 10.3 Application of Policy.** This policy applies to all employment practices, including recruiting, hiring, job assignment, compensation, promotions, discipline, termination, access to benefits and training, and other terms and conditions of employment and termination.
- 10.4 Opportunity.** Opportunity at the Museum is based on merit and qualifications irrespective of race, color, religion, national origin, veteran status, sex, sexual orientation, gender identity, age, disability, or any other protected class under the law.
- 10.5 Recourse.** If you feel you have been subjected to any form of discrimination, you have the right and the responsibility to address the situation. You should contact the Executive Director *immediately*. If you do not receive a satisfactory response, you may resort to the Employee Recourse Procedure set forth in Section 55 of this Handbook.

11. IMMIGRATION LAW COMPLIANCE

- 11.1 No Discrimination Based on Citizenship or National Origin.** In compliance with applicable law, Besser Museum prohibits discrimination in hiring, recruiting, referring for a fee, or discharging any person based on citizenship and national origin.
- 11.2 Authorization to Work Legally.** All employees of Besser Museum are required by federal law to verify their authorization to work in the United States. The United States Citizenship and Immigration Services require Besser Museum and candidates for employment to provide specific information within three days of commencing employment. Candidates for employment must complete Section 1 of Form I-9 and provide the Museum with specific documents to establish their identities and employment eligibility. Identity is established by providing documentation such as a current state-issued driver’s license, state-issued identification card, or similar document such as a school identification card with photograph, voter’s registration



card, or military service card. An employment eligibility document is a valid Social Security card, a birth certificate, or any immigration document which establishes United States citizenship or evidences the ability to work legally.

11.3 I-9 Compliance. Besser Museum believes in strict I-9 compliance. Besser Museum will not allow any deviation from proper I-9 processes. An employee who fails to comply with I-9 requirements will be immediately terminated. It is the policy of Besser Museum that institutional training on I-9 compliance is a priority. Therefore the following will occur:

- a. The Executive Director and/or the Museum’s General/Facilities Manager shall always be trained on Form I-9 retention procedures;
- b. All I-9s will be maintained in a central location and will be accessible in a manner that allows them to be produced in accordance with government agency requests; and
- c. The Executive Director or the Museum’s General/Facilities Manager will be responsible for storing, tracking re-verification, and purging I-9s appropriately.

12. AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act (ADA) is a comprehensive federal civil rights law which gives certain protections to qualified individuals with disabilities. The Museum complies with the ADA to ensure that qualified applicants and employees with a known disability, who are able to perform the essential functions of their jobs, with or without reasonable accommodation, and whose employment does not pose a threat to their health and safety or that of others, are provided equal employment opportunity. The Museum will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. If you have any questions, you should contact the Executive Director, or the United States Department of Labor (<https://www.dol.gov/general/topic/disability/ada>), or the Equal Employment Opportunity Commission (<https://www.eeoc.gov>).

13. EMPLOYMENT OF IMMEDIATE FAMILY MEMBERS

13.1 “Immediate Family” Defined. For the purposes of this section, an individual’s “immediate family” is (1) the individual’s spouse or domestic partner; (2) the individual’s parents, grandparents, children, grandchildren, siblings, and spouses of siblings, whether related to the individual by blood, adoption, or marriage; and (3) the parents,

grandparents, children, grandchildren, siblings, and spouses of siblings of the individual's spouse or domestic partner, whether related to the spouse or domestic partner by blood, adoption, or marriage. The Executive Director shall have the discretion to resolve any ambiguity in the foregoing definition of "immediate family."

- 13.2 Statement of Policy.** An individual may not be employed in, or transferred into (1) a staff department of Besser Museum in which a member of the individual's immediate family is employed; or (2) a position supervised at any level of the Museum's management by a member of the individual's immediate family. "Department" and "supervised" shall be defined in the discretion of the Executive Director. For the purposes of this section, members of the Board of Trustees are deemed a part of the supervising management of the Museum above the Executive Director.
- 13.3 Disqualification of Previously Qualified Employees.** In the event that an existing employee of the Museum marries or otherwise acquires an immediate family member such that either or both individuals are disqualified under this section from being employed in their present positions, then one of the disqualified employees, within three months of the marriage or other event which caused the disqualification under this section, must leave his or her current position through (1) termination of employment; or (2) transfer to another position on the Museum staff from which he or she is not disqualified. Transfer shall be available as a remedy only in the discretion of the Executive Director. A transfer position may be offered on any terms in the Executive Director's discretion, and need not be offered on the same terms as the employee's current position as to hourly rate of pay, salary, benefits, or other perks. If neither disqualified employee voluntarily terminates his or her employment or accepts a transfer offered in the discretion of the Executive Director, then the Executive Director shall terminate the employment of either or both disqualified employees in the Executive Director's discretion.
- 13.4 Exceptions.** Recognizing that (1) Northeast Michigan is a small community with many interconnected familial relationships; and (2) there exists a finite pool of individuals qualified to fill various positions on the Museum staff; the Board of Trustees reserves the right to waive the policy contained in this section as to certain individuals upon the special request of the Executive Director. The Executive Director retains full discretion to terminate the employment of or transfer the individual for whom the waiver is granted if the Executive Director finds that the immediate family relationship which would have disqualified the individual from employment under this section has any negative effect upon the Museum staff or workplace.



14. PERSONAL INFORMATION AND INFORMATION PRIVACY

- 14.1 Information Kept Confidential.** Besser Museum will keep your personal information in strict confidence. In general, employees’ personal information is kept secured in a locked location when not in authorized use, and Besser Museum takes measures to the extent reasonably possible to ensure the privacy of personal information and prohibit the unlawful disclosure of personal information, including employees’ Social Security numbers.
- 14.2 Updating Personal Information.** For your protection, convenience, and benefit, you are required to notify the Executive Director immediately of any change in your name, address, telephone number, number of dependents (*i.e.*, allowances for purposes of payroll tax withholding), and emergency contact. Keeping this information accurate enables Besser Museum to reach you in an emergency, forward your mail and W-2 forms, maintain your insurance and other benefits, if any, compute your payroll deductions, and contact your designated friend or loved one if you are injured or ill at work.
- 14.3 “Need to Know” Disclosure of Information.** Your address, telephone number, and emergency contact will be available only to Besser Museum employees on a “need to know” basis in the discretion of the Executive Director and shall not be disclosed to non-employees. All other personal information relating to payroll and tax withholding shall be available only to authorized personnel including the Executive Director and Besser Museum’s designated accountants and payroll staff who have a legitimate business reason for access.
- 14.4 Protection of Social Security Numbers.** In the regular course of business, Besser Museum may collect and maintain documents which contain Social Security numbers, under conditions and circumstances allowed by law. Besser Museum takes measures to the extent reasonably possible to ensure the privacy of employees’ Social Security numbers, prohibit the unlawful disclosure of Social Security numbers, limit the persons who have access to the information and documents that contain Social Security numbers, and set forth and practice proper procedures for the disposal of documents which contain Social Security numbers.
- 14.5 Storage of Social Security Numbers.** All documents containing Social Security numbers must be stored in a physically secure manner so that only authorized personnel have access to such information. Social Security numbers may not be stored on computers or electronically unless they are secured from unauthorized access. Social Security numbers shall be kept private and secure at all times.



- 14.6 Visible Display of Social Security Numbers.** As required by law, all or more than four sequential digits of a Social Security number may not be placed on identification cards, badges, time cards, employee rosters, bulletin boards, permits, licenses, or any other materials or documents for public display. Documents, materials, or computer screens that display all or more than four sequential digits of a Social Security number may not be disclosed for public viewing. Documents may not be sent through the mail which contain all or more than four sequential digits of a Social Security number, if the number can be seen through the envelope window or is otherwise visible from the outside of the envelope or package. Disposal of documents containing Social Security numbers shall be done in such a way as to protect the confidentiality of the Social Security numbers.
- 14.7 “Need to Know” Disclosure of Social Security Numbers.** Access to Social Security numbers and documents that contain Social Security numbers is limited to authorized personnel including the Executive Director and Besser Museum’s designated accountants and payroll staff who have a legitimate business reason for access.

15. EMPLOYEE CLASSIFICATION

- 15.1 Employee Classification Generally.** Besser Museum defines various employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. It is the intent of Besser Museum fully to comply with the Fair Labor Standards Act (FLSA) with regard to the Museum’s classification of employees. If you believe that you have been misclassified, please contact the Executive Director *immediately*.
- 15.2 Full-Time Employees.** Full-time employees work an average of 40 hours or more per workweek. Full-time employees are expected to work five 8-hour days per week starting at 8:00 a.m. until 5:00 p.m., with an un-paid 1-hour lunch break during the day. There will be circumstances throughout the yearly schedule that will modify an employee’s normal 8:00 a.m. to 5:00 p.m. workweek in the discretion of the Executive Director or the Executive Director’s designee.
- 15.3 Part-Time Employees.** Part-time employees work an average of 35 hours or fewer per workweek. Part-time employees are scheduled in the discretion of the Executive Director or the Executive Director’s designee.
- 15.4 Exempt Employees.** Exempt employees generally do not receive overtime pay per federal and state wage and hour laws. In general, exempt employees are paid to accomplish specific goals and conditions irrespective of time requirements and are not



entitled to overtime pay. In order to be an exempt employee, the job position held by an employee must meet specific guidelines set forth by the Department of Labor.

- 15.5 Non-Exempt Employees.** Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state law. “Comp time” pay is strictly forbidden for non-exempt employees. Employees may not be asked to waive their rights to any provisions entitled to them by the Department of Labor (*i.e.*, overtime pay), nor are employees entitled to request to waive such rights.

16. EMPLOYEE ATTENDANCE

- 16.1 General Policy.** Your job is extremely important to Besser Museum. You are therefore expected to be punctual and keep absences from work to a minimum. Please give consideration to the Museum and to your fellow co-workers by giving as much notice of absences as possible.
- 16.2 Notification of Absence or Tardiness.** When an absence or tardiness is unavoidable, the following steps must be taken:
- a. Telephone the Museum to notify the Executive Director or your immediate superior whenever an absence is unavoidable. You are required to give your manager at least two hours’ notice when an illness occurs, if possible.
 - b. When an unexpected absence or tardiness arises due to an emergency, the employee must notify the Museum as early as possible. Documentation from a physician may be required for absences due to illness or emergency. If you do not telephone the Museum, your absence will be considered a no-show and you will be subject to disciplinary action which may include immediate termination of employment.
- 16.3 Absence Over Multiple Days.** If an employee fails to report to work for two consecutive scheduled days and has not notified the Museum as stated above, the employee will be considered to have voluntarily terminated employment with Besser Museum. This policy is subject to compliance with the Americans with Disabilities Act.

17. WORK SCHEDULE CHANGES

Prior approval from the Executive Director or the Executive Director’s designee is required for any work schedule changes. Employees may not trade hours or shifts without the approval of



the Executive Director. There will be occasions when conditions require employees to work overtime. Authorization may be given by the Executive Director for full-time, non-exempt employees to adjust their work schedules due to special circumstances on a case-by-case basis.

18. PAYMENT OF EMPLOYEES

- 18.1 Compliance with Law.** It is the intent of Besser Museum fully to comply with all state and federal laws including the Fair Labor Standards Act (FLSA). If you believe you have not been paid for work, please contact the Executive Director *immediately*. Please review the “Safe Harbor” policy set forth in Section 20 of this Handbook.
- 18.2 Wages and Salaries.** Wages and salaries of employees are based on education, experience, and/or performance, and are set in the discretion of the Executive Director within the parameters of the Museum’s annual budget as approved by the Board of Trustees. Raises are based on merit, are not automatic, and are awarded in the discretion of the Executive Director within the parameters of the annual budget.
- 18.3 Pay by Automatic Deposit.** Paychecks are issued only by automatic deposit credited to the employee’s designated bank or credit union account. Proper paperwork must be completed by the employee and by the Executive Director’s designee to facilitate the automatic deposit, and it is the employee’s responsibility to notify the Executive Director of any changes to the employee’s account information.
- 18.4 Time of Pay.** Paychecks are issued to employees on the first and third Fridays of each month, or at other times in the discretion of the Executive Director upon the recommendation of the Museum’s accountants. The Museum’s payroll staff attempts to have automatic deposits credited to employees’ accounts consistently at the same time on each payday, but due to occasional problems with software, connectivity issues, or the deposit processes of the employees’ respective financial institutions, automatic deposit before any particular time on payday is not guaranteed; employees therefore should not rely on automatic deposits at any time before the end of the business day on payday. Early payroll prior to the Museum’s usual time of automatic deposit is not possible.
- 18.5 Tax Withholdings.** Federal and state law require that Besser Museum make certain deductions from every employee’s compensation. Among these are applicable federal, state, and local income taxes. Besser Museum also must deduct Social Security taxes on each employee’s earnings up to a specified limit called the Social Security “wage base.” Besser Museum matches the amount of Social Security taxes paid by each employee.



- 18.6 Garnishments.** A wage garnishment is an order from a court or a government agency directing Besser Museum to withhold a certain amount of money from an employee's paycheck and send it to a person or agency. Wages can be garnished by court order to pay child support, spousal support or alimony, tax debts, outstanding student loans, money owed as a result of a judgment in a civil lawsuit, or other debts. If the Museum is instructed by a court or agency to garnish your wages, you will be notified of the garnishment. Please note that the Museum is legally required to comply with these orders. If you have a dispute or have a concern about the amount of a garnishment, you must contact the court or agency that issued the order.
- 18.7 Timekeeping.** Accurately recording time worked is the responsibility of every employee of Besser Museum. Federal and state laws require the Museum to keep an accurate record of time worked in order to calculate your pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Exempt employees must accurately record any paid time off and submit information to the payroll department. Employees of Besser Museum are expected to record their time using Besser Museum's time keeping system. Your supervisor will advise you of how to track your time worked. If you are an hourly employee and you forget to record your time or need a correction to be made, you must submit the correction to the Executive Director for review and approval. Neglecting to record your time may cause your hours to be invalidated or incorrectly posted.
- 18.8 Falsifying Time Records.** It is a violation of Besser Museum policy for any employee to falsify his or her record of time worked or to assist another employee in falsely reporting time worked. It is also a violation of Besser Museum policy for any employee or manager to instruct another employee to (1) incorrectly or falsely report hours worked or to under- or over-report hours worked; (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked; or (3) conceal any falsification of time records. Falsifying your own time record or that of another employee is prohibited. Any violation of this policy should be reported to the Executive Director *immediately*. Violation of this policy will subject you to disciplinary action which may include immediate termination of employment.

19. OVERTIME COMPENSATION

- 19.1 Necessity of Overtime Work.** Business demands may occasionally require some employees to work overtime, which means more than 40 hours in a workweek. Employees are required to work overtime when requested. Overtime pay will be paid to a non-exempt employee when the employee has worked in excess of 40 hours in a workweek.



- 19.2 Notice and Assignment of Overtime Work.** The Executive Director will attempt to inform staff well in advance of any overtime requirement. Employees may not work more than their scheduled daily or weekly hours without authorization from the Executive Director.
- 19.3 Approval for Unassigned Overtime Work.** Overtime work may be approved by the Executive Director only. If you believe previously unassigned overtime work may be necessary, you must request approval in advance from the Executive Director. If overtime work is the result of emergency or unanticipated circumstances (*e.g.*, covering for an absent employee who has not shown up for work and not timely notified the Museum of his or her absence), the Executive Director must be notified *immediately* that overtime has been incurred.
- 19.4 Off-Hours Work Prohibited.** You should not work any hours outside of your scheduled workday unless authorized in advance by the Executive Director. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are authorized to do so and your time is properly recorded. Employees are prohibited from performing any “off-the-clock” work. “Off-the-clock” work means work you may perform but fail to record properly.
- 19.5 Rate of Overtime Pay.** All employees considered “non-exempt” under the Fair Labor Standards Act (FLSA) will be paid at the rate of time and one-half (1½ times their regular rate of pay) for all hours worked in excess of 40 hours in one week. Any kind of paid leave (*i.e.*, holiday pay, any paid time off, bereavement leave pay, *etc.*) is not considered as hours worked in the computation of overtime hours.

20. SAFE HARBOR POLICY

- 20.1 General Policy.** It is the Museum’s policy and practice to compensate employees accurately and to do so in compliance with all applicable state and federal laws. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must correctly record all work time and review your paychecks promptly to identify and to report all errors. You also must not engage in off-the-clock or unrecorded work.
- 20.2 Review Your Pay Stub.** We make every effort to ensure that Museum employees are paid correctly. Occasionally, however, inadvertent mistakes may happen. When mistakes do occur and are called to our attention, we promptly will make any correction that is necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any questions about



deductions from your pay or desire more information, or to report a violation of this policy, please notify the Executive Director *immediately*.

20.3 Non-Exempt Employees. If you are eligible for overtime pay or extra pay (including pay due under the policies contained in this Handbook), you must maintain a record of the total hours you work each day. These hours must be accurately recorded. You must accurately record all regular and overtime hours worked, any absences, early or late arrivals, early or late departures, and meal breaks. When you receive each pay stub, please verify immediately that you were paid correctly for all regular and overtime hours worked each workweek.

20.4 Exempt Employees. If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours that you may work for Besser Museum. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, if any, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

a. Permissible Salary Reductions. Exempt employees will receive full salary for any workweek in which work is performed. However, under federal law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary may be reduced for the following reasons in a workweek in which work was performed:

1. Full day absences for personal reasons, including vacation;
2. Full day absences for sickness or disability (because Besser Museum has a sick day pay plan);
3. Full day disciplinary suspensions for infractions of safety rules of major significance (including those that could cause serious harm to others);
4. Family and medical leave absences (either full- or partial-day absences);
5. To offset amounts received as payment for jury and witness fees or military pay;
6. Unpaid disciplinary suspensions of one or more full days for significant infractions of major workplace conduct rules set forth in written policies;



7. The first or last week of employment in the event you work less than a full week.
- b. **Paycheck Withholdings.** Usual and customary paycheck withholdings for your portion of health, dental, or life insurance premiums; federal, state, or local taxes; Social Security; or your voluntary contributions to a 401(k), IRA, pension, or other retirement plan; are not considered to be reductions in salary.
 - c. **Impermissible Salary Reductions.** Exempt employees may not have their salaries reduced for any of the following reasons:
 1. Partial-day absences for personal reasons, sickness, or disability (***Please note:*** You will be required to use accrued vacation, personal, or other forms of paid time off for full- or partial-day absences for personal reasons, sickness, or disability. However, your salary will not be reduced for partial-day absences if you do not have accrued paid time off.);
 2. Your absence because the Museum is closed on a scheduled workday;
 3. Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work;
 4. Any other deductions prohibited by state or federal law.

21. HEALTH INSURANCE

- 21.1 **General Philosophy.** Access to good healthcare is critical in today's economy. In order to attract and retain employees who contribute to our success, Besser Museum consistently strives to provide competitive health insurance benefits. We continually assess our plans for the value they provide, as well as for the cost to you and the Museum.
- 21.2 **Full-Time Employees Eligible.** All full-time employees are eligible to participate in the Museum's health insurance plan. Please see our plan document for eligibility requirements and policy information provided by the Museum's insurance carrier. Besser Museum reserves the right unilaterally to modify, change, or delete any health benefit provided.
- 21.3 **Enrollment.** Open enrollment for changes to your health and dental coverage is determined by the plan document. Health insurance benefits are part of new hire



paperwork. Any changes to health coverage throughout the year may only be done according to any qualifying events as defined by law. Paperwork must be completed in advance and coverage changes requested will occur on the date approved by the Museum.

22. UNEMPLOYMENT COMPENSATION

Besser Museum regularly contributes funds to the Michigan Unemployment Insurance Agency (MUIA) as required by law for the funding of unemployment compensation. Unemployment pay is intended to provide some security to those who are unemployed through no fault of their own. The state of Michigan processes your unemployment claim and is responsible for determining eligibility and the amount you will be paid. In order to make an unemployment claim, you must establish your right to the benefits. You must meet certain conditions before you can obtain these benefits.

23. WORKER'S COMPENSATION

Worker's compensation is automatically provided to all employees at Besser Museum's cost. Payment under this insurance depends upon your cooperation and prompt reporting of any accident and/or injury. All accidents and/or injuries sustained while working should be reported ***immediately*** to your supervisor because of compensation insurance requirements which limit the time in which reports are to be made to the insurance company. ***Failure to timely report an injury could result in no coverage of medical treatment or income benefit as a result of the injury.***

24. RETIREMENT PLAN

Full-time employees of Besser Museum who earn at least \$5,000 (gross pay, before withholdings) per year may participate in the Museum's SIMPLE Retirement Plan. The threshold of \$5,000 must be met before the employee enrolls in the plan. Please see the Museum's retirement plan document for more information.

25. PAID ANNUAL LEAVE

25.1 Annual Leave Generally. Paid annual leave is available to the Museum's full-time employees. The hours of paid annual leave available is based on length of employment, as set forth below. Paid annual leave resets on the anniversary date of the employee's

hire on a full-time basis, unless otherwise stated in an engagement letter at the employee's time of hire. Unused paid annual leave is forfeited at the end of the year and will not be compensated in any way.

- a. **During First Year.** During a full-time employee's first year working for the Museum, the employee will receive 40 hours (*i.e.*, 1 week) of paid annual leave, which will accrue at the rate of 8 hours (*i.e.*, 1 day) of paid annual leave after every two months of employment, up to a maximum of 40 hours for the year. The Executive Director shall have the discretion to waive this accrual schedule and accelerate the employee's accrual of first-year paid annual leave due to special circumstances on a case-by-case basis.
- b. **During Second and Third Years.** During a full-time employee's second and third years working for the Museum, the employee will receive 80 hours (*i.e.*, 2 weeks) of paid annual leave per year, accruing immediately at the commencement of the year.
- c. **During Fourth Through Eighth Years.** During a full-time employee's fourth, fifth, sixth, seventh, and eighth years working for the Museum, the employee will receive 120 hours (*i.e.*, 3 weeks) of paid annual leave per year, accruing immediately at the commencement of the year.
- d. **During Ninth Year and Thereafter.** During a full-time employee's ninth year working for the Museum and in each year of work thereafter, the employee will receive 160 hours (*i.e.*, 4 weeks) of paid annual leave per year, accruing immediately at the commencement of the year.

25.2 Scheduling and Use of Annual Leave. Requests for scheduling annual leave must be submitted to the Executive Director as far in advance of the proposed leave as possible. The Executive Director reserves the right to deny annual leave if it would interfere with the effective operation of the Museum or its events. If the Museum's needs prevent an employee from taking all annual leave within the year, the Executive Director may grant an extension period in the Executive Director's discretion.

25.3 Required Full Week of Leave. Each full-time employee is required to use at least five consecutive days of leave once in every year after the employee's first full year working for the Museum. The Executive Director may waive this requirement due to special circumstances on a case-by-case basis.



- 25.4 Unused Annual Leave Upon Change in Status.** If an employee's status changes from full-time to part-time, or upon termination of employment, unused annual leave will be paid to the employee at the employee's equivalent hourly rate of pay.

26. SICK LEAVE

- 26.1 Sick Leave Generally.** The Museum grants sick leave with pay to its full-time employees who cannot properly perform their duties due to illness, injury, or pregnancy, or whose presence at work would endanger the well-being of their fellow employees or the public, or for medical appointments. Sick leave may also be taken to care for an ill spouse, child, or parent.
- 26.2 Accumulation of Sick Leave.** Full-time employees accumulate sick leave at the rate of 1 day (*i.e.*, 8 hours) per calendar month worked beginning on the first day of employment. Full-time employees may accumulate 5 days (*i.e.*, 40 hours) of unused sick leave per year up to a maximum of 20 days (*i.e.*, 160 hours) during the course of their employment. Employees cannot take sick leave before it is earned.
- 26.3 Part-Time Employees.** Part-time employees are not entitled to sick leave with pay. However, such employees' regular work hours may be adjusted in the discretion of the Executive Director to accommodate days off for medical reasons.
- 26.4 Unused Sick Leave Upon Change in Status.** If an employee's status changes from full-time to part-time, or upon termination of employment, sick leave accrual will cease and any accumulation of sick leave will be forfeited. Accumulated sick leave days will not be paid to the employee upon termination of employment.
- 26.5 Physician Verification.** If an employee is on leave due to injury, illness, or disability of the employee or the employee's spouse, child, or parent, the Executive Director may require a physician's written statement that certifies the employee's inability to return to work and indicates the nature of the illness, injury, or disability. The statement must also estimate the length of time the employee will remain unable to work and identify any restrictions on performance of duties upon return. The Executive Director may require the employee to provide a release to work statement from a physician of the Museum's choice before work may be resumed.
- 26.6 Overlap in Types of Paid Leave.** In the event that a holiday occurs when an employee is on paid sick leave, the holiday will not be charged against the employee's accumulated sick leave. In the event an employee is hospitalized or confined due to prescribed outpatient care as a result of injury, illness, or disability while on paid vacation, that time may be charged instead



to the employee's accumulated sick leave at the employee's option if the employee provides the necessary physician's statement satisfactory in the discretion of the Executive Director for the use of sick leave.

26.7 Sick Leave for Medical Appointments. A full-time employee who desires time off for a medical appointment for the employee or the employee's spouse, child, or parent during work hours will be charged time against the employee's accumulated sick leave unless the employee's work schedule has been adjusted to accommodate the appointment at the discretion of the Executive Director. Such leave will be charged in increments of not less than 1 hour, and the Executive Director may require proof that the employee attended the appointment.

26.8 Exempt Employees. Pursuant to the Fair Labor Standards Act (FLSA), if an exempt employee qualifies for sick leave, that employee's salary shall not be reduced for any absence of less than a day. The salary may be reduced for absences of more than a day that are attributed to illness or disability for which the employee has no accrued sick, personal, or paid annual leave, and which are not covered as an injury subject to worker's compensation.

27. HOLIDAY LEAVE

Holidays are granted with pay for full-time employees. Holidays observed are approved by the Board of Trustees and may be changed from year to year. Currently, the Besser Museum is closed in observance of the following holidays:

- New Year's Day -- January 1
- Good Friday -- (variable)
- Easter -- (variable)
- Memorial Day -- Last Monday in May
- Independence Day -- July 4 (or observed day)
- Labor Day -- First Monday in September
- Thanksgiving -- Fourth Thursday in November
- Christmas Eve -- December 24
- Christmas Day -- December 25
- Day after Christmas -- December 26
- New Year's Eve -- December 31



28. WEATHER OR PUBLIC EMERGENCY

Employees are granted paid leave for weather or public emergency situations if public safety personnel mandate public behavior during the emergency that prohibits an employee from reporting to work or if the Executive Director orders the Museum’s facilities closed. If an employee cannot report to work because of the weather or an emergency, the employee must notify the Executive Director as soon as possible, and paid emergency leave may be granted in the discretion of the Executive Director.

29. BEREAVEMENT LEAVE

- 29.1 Bereavement Leave Generally.** Besser Museum recognizes the importance of grieving an immediate family member’s death. Full-time employees are eligible to take up to three consecutive days of paid bereavement leave (paid at the base rate for days ordinarily scheduled during the period of three consecutive days) following the death of an immediate family member.
- 29.2 Immediate Family Defined.** For the purposes of this section, an individual’s “immediate family” is (1) the individual’s spouse or domestic partner; (2) the individual’s parents, grandparents, children, grandchildren, siblings, and spouses of siblings, whether related to the individual by blood, adoption, or marriage; (3) the parents, grandparents, children, grandchildren, siblings, and spouses of siblings of the individual’s spouse or domestic partner, whether related to the spouse or domestic partner by blood, adoption, or marriage; (4) anyone living in the individual’s household; and (5) any sufficiently close relation to someone living in the individual’s household, in the discretion of the Executive Director. The Executive Director shall have the discretion to resolve any ambiguity in the foregoing definition of “immediate family” and include additional relations in the definition due to special circumstances on a case-by-case basis.

30. JURY DUTY LEAVE

An employee required to serve jury duty will receive regular pay for the hours that jury duty coincides with the employee’s regular work schedule, **less** the amount of jury duty pay (not including any mileage paid) paid to the employee for days during which the employee missed work. A copy of the employee’s summons and certification of service is required to qualify for jury duty leave with pay.



31. EMERGENCY LEAVE

The Executive Director may grant emergency leave with pay to a full-time employee in addition to the employee’s paid annual leave, for good cause shown in the discretion of the Executive Director. Emergency paid leave will not exceed 40 hours per calendar year. An employee requiring more than the above limit may request a leave of absence without pay granted in the discretion of the Executive Director.

32. MILITARY LEAVE

- 32.1 General Policy.** Besser Museum is committed to protecting the job rights of employees who are absent on military leave. In accordance with federal and state law, it is the Museum’s policy that no employee or prospective employee will be subjected to any form of discrimination based on that person’s membership in or obligation to perform service with any of the uniformed services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment based on such membership or obligation. Besser Museum will comply with all provisions of the Uniform Services Employment and Reemployment Rights Act (USERRA) for employees who are members of the United States Armed Services Reserve or the Michigan National Guard Reserve, including granting unpaid leave for official duty.
- 32.2 Verification and Notice of Leave.** A copy of the employee’s deployment order is required to qualify for military leave. The employee must notify the Executive Director of the employee’s deployment order as soon as possible, together with the expected duration of leave, if known. In compliance with USERRA, a full-time employee deployed to duty may choose to use the employee’s accrued paid annual leave during his or her deployment.

33. JOB PERFORMANCE ASSESSMENT

An annual job performance assessment for each employee will be conducted by the Executive Director together with the employee’s immediate supervisor if different from the Executive Director. The purpose of the assessment is to review the employee’s performance against the employee’s job description and establish future objectives. The goal is to applaud strengths and develop a plan to overcome weaknesses. If an employee disputes portions of the evaluation the employee may place a written statement of disagreement in his or her file. An employee may request to view the contents of the employee’s personnel file and may expect access within a reasonable period of time.



34. EMPLOYMENT SEPARATION

Upon termination of the employment relationship, an employee must return Museum property issued to the employee. Discharged employees covered by health benefits will receive continued coverage through the last day of the month of discharge.

35. HARASSMENT, BULLYING, AND VIOLENCE IN THE WORKPLACE

- 35.1 General Policy.** Employees of Besser Museum are entitled to a working environment in which they feel, and in fact are, safe from actual or threatened physical or emotional harassment, bullying, and violence. Actions, words, jokes, comments, intimidation, or bullying based on an individual’s race, color, religion, national origin, veteran status, sex, sexual orientation, gender identity, age, disability, or any other legally protected characteristic will not be tolerated.
- 35.2 Actions Intentional or Unintentional.** Harassment is not always intentional and does not have to be intentional to be illegal. A person can feel harassed even if he or she is not the intended target of the behavior. While not all harassing behavior may meet the standard of illegal conduct, ***any workplace harassment, bullying, or violence is inappropriate and will not be tolerated.***
- 35.3 Application of Policy.** This policy applies to all applicants and employees, whether related to conduct engaged in by a fellow employee or by someone not directly connected to the Museum (*e.g.*, an outside vendor, consultant, customer, visitor, or member of the public). Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events. This policy applies to any conduct directed at subordinates, co-workers, superiors, or non-employees.
- 35.4 Sexual Harassment.** Sexual harassment is a particular form of harassment and is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual or sexually related nature. This definition includes many forms of offensive behavior and includes harassment of a person of the same sex as the harasser. The following is a partial list of examples of sexual harassment:
- a. An unwanted sexual advance, whether made verbally, in writing, or in another manner;
 - b. Offering employment, promotion, recommendation, benefits, or other perks in exchange for sexual favors;

- c. Making or threatening reprisals after a negative response to sexual advances;
- d. Visual conduct that includes leering, making sexual gestures, or displaying suggestive objects, pictures, cartoons, or other visual materials;
- e. Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes related to sex, sexuality, or gender;
- f. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, e-mails, notes, or invitations;
- g. Physical conduct that includes touching, assaulting, or impeding or blocking movements.

35.5 Bullying. Bullying is defined as a persistent pattern of mistreatment of another that causes either physical or emotional harm. Bullying can include such tactics as verbal, nonverbal, psychological, or physical abuse and humiliation. Bullying may be intentional or unintentional, and may be covert or overt. The following is a partial list of examples of bullying:

- a. Slandering, ridiculing, or maligning a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; use of offensive nicknames; using a person as the target of unwelcome jokes or pranks; abusive and offensive remarks, shouting, or raising one's voice at an individual; constant criticism on matters unrelated or minimally related to the person's job performance or description; public reprimands or public humiliation of any kind; spreading rumors or gossip about an individual;
- b. Pushing, shoving, kicking, poking, tripping; unwanted physical contact; assault or threat of physical assault; damage or threat of damage to a person's work area or property;
- c. Nonverbal obscene or threatening gestures; glances that can convey threatening messages;
- d. Socially or physically excluding or disregarding a person in work-related activities; not allowing a person to speak or express him- or herself (*i.e.*, ignoring or interrupting).

- 35.6 Workplace Violence.** Workplace violence is defined as threatening, intimidating, coercing, harassing, or violent behavior, whether verbal or physical. The following is a partial list of examples of workplace violence:
- a. Use of abusive and threatening language;
 - b. Repeated strong sexist, racist, or other inappropriate language based on an individual’s protected status;
 - c. Belittling or judgmental statements about another;
 - d. Pursuit or following of another with the intent to harm or to place the individual in fear of harm;
 - e. Unwanted physical contact such as assault, battery, or impeding or blocking movement, or any physical interference with normal work or movement when directed specifically at an individual;
 - f. Conspiring against, excluding, or persecuting another;
 - g. Violent incidents outside of work;
 - h. Violence directed at inanimate objects, and/or vandalism;
 - i. Bringing on to Museum property a firearm, knife, explosive materials, toxic agents, or any other weapon or device intended to be used as a tool of violence;
 - j. Violating another’s personal space while engaging in negative communication.
- 35.7 If You Are an Immediate Victim of Violence.** If you find yourself the victim of or witness to workplace violence, you should first protect yourself (including dialing 911 if immediate danger exists), then report the incident *immediately* to the Executive Director or any other superior, including the President of the Board of Trustees.
- 35.8 Assistance in Dealing with Immediate Violence.** Any employee who witnesses or receives a report of perceived or actual violence in the workplace must *immediately* contact the Executive Director or President of the Board of Trustees. All staff must consider the safety of Besser Museum, its employees, and non-employees as the highest priority. If immediate medical or police intervention is needed or possibly needed, the employee, with administrative input as available, is to decide whether the next step should be (1) medical/police intervention; or (2) contact with the Executive



Director or Board President, regardless of the day or hour. Besser Museum’s Executive Director and Board President are to be notified of any possible or actual violence. When in doubt, the employee should err on the side of caution and dial 911 to summon medical/police intervention in emergency situations.

- 35.9 Referrals for Counseling or Training.** The safety of all Besser Museum employees and non-employees is of the highest priority. The Executive Director and Board of Trustees will consistently make decisions and take actions that are consistent with this basic principle. Therefore, any employee who exhibits behavior, whether verbal or physical, which is potentially violent, and/or could reasonably be expected to lead to violence in the workplace, or which has been found to have been harassment or bullying, may be required to accept a management referral to seek outside assistance, counseling, and/or sensitivity or other training. Refusal to so engage outside help may be grounds for disciplinary action which may include immediate termination of employment.
- 35.10 Recourse for Harassment, Bullying, or Violence.** If you feel victimized by harassment, bullying, or violence at work or you are aware of such incidents, you have the right and the responsibility to address the situation. You may confront the transgressor if you feel comfortable doing so, and/or report the incident *immediately* to the Executive Director in writing. Any individual who becomes aware of possible harassment, bullying, or workplace violence shall *immediately* notify the Executive Director. If you do not receive a satisfactory response, you may resort to the Employee Recourse Procedure set forth in Section 55 of this Handbook.
- 35.11 Complaints Kept Confidential.** Complaints of this nature will be maintained in confidence and divulged only to the extent necessary to complete the investigation and determine the appropriate resolution. However, information about incidents of alleged harassment, bullying, or workplace violence must be shared to the extent necessary to investigate and take any corrective action deemed appropriate by Besser Museum. An employee found to have unnecessarily violated this confidence shall be subject to disciplinary action which may include immediate termination of employment.
- 35.12 Reports to EEOC.** You may also report any complaint of harassment or discrimination to the Equal Employment Opportunity Commission (EEOC) at www.eeoc.gov.
- 35.13 Remedial Action and Discipline.** If Besser Museum determines that this policy has been violated, the Museum will take timely and effective remedial action. Any employee who is found to have violated this policy (regardless of whether the employee’s conduct rises to the level of legally actionable conduct) shall be subject to disciplinary action which may include immediate termination of employment. Besser Museum may take other steps, as necessary, to prevent further violative conduct.

35.14 False Claims. Any employee who knowingly makes a false claim of violation of this policy shall be subject to disciplinary action which may include immediate termination of employment.

36. SOLICITATION

36.1 Solicitation Prohibited. Besser Museum recognizes that employees have other causes or interests outside of work which are important to them. However, solicitation by an employee of any other employee is prohibited during either employee's working hours. Distribution or posting of advertising materials, handouts, and literature of any kind is prohibited at all times on Museum property. Employees may not wear or display political or campaign buttons, signs, stickers, *etc.*, while they are working. The following is a partial list of examples of impermissible forms of solicitation:

- a. The collection of money, goods, or gifts for religious, political, charitable, fraternal, or similar groups;
- b. The sale of goods for any purpose, including for-profit or not-for-profit business or fundraising;
- c. The circulation of petitions for review or signature;
- d. The distribution of literature not approved in advance by the Executive Director;
- e. The active recruitment of volunteers for any event or work not related to the Museum.

36.2 Non-Employees. Non-employees are prohibited from trespassing, soliciting, or distributing literature on Museum property.

36.3 Working Hours Defined. For the purposes of this section, "working hours" does not include lunch periods, work breaks, or any other periods in which employees are not on duty or working in any capacity for the Museum.

36.4 Bulletin Boards. The posting of written solicitations or personal announcements or messages on Museum bulletin boards is prohibited. Bulletin boards are reserved for official Museum communications on such items as employee schedules, internal memoranda, policy announcements, general announcements, employee rights, and other employment-related information.

37. SMOKING, VAPING, AND SMOKELESS TOBACCO USE

Smoking of tobacco or any other substance, e-cigarette use, and vaping are not permitted anywhere inside the Besser Museum facilities or outdoors on the Besser Museum grounds at any time, except in specially designated outdoor locations, if any, as determined from time to time in the discretion of the Executive Director. Smokers are expected to keep their persons and clothing free from the noxious odors associated with smoking if permitted smoking occurs during work hours. The use of smokeless tobacco (*i.e.*, chew, snuff, snus, bandits, pouches, or the like) is not permitted anywhere inside the Besser Museum facilities or outdoors on the Besser Museum grounds at any time.

38. ALCOHOL AND DRUG POLICY

38.1 General Policy. Besser Museum has a vital interest in providing you with a safe, healthful, and efficient work environment. We recognize that our employees are valuable. Because of this belief, we strive to maintain a safe, drug-free workplace. Besser Museum has zero tolerance for illegal drug use, legal drug abuse, and alcohol abuse. The Museum is seriously concerned about the adverse effects of alcohol and drug abuse on the health and safety of our employees and our communities, and about maintaining standards of high performance in our business practices. Dependence on alcohol and/or drugs can interfere with an employee's health and job performance and may pose serious safety, health, or security risks not only to the user but to those who work with the user. The possession, use, sale, or presence of an illegal drug or alcohol in the workplace poses unacceptable risks for safe, healthful, and efficient operations, and may be illegal.

38.2 Alcohol.

- a. Alcohol Defined.** For the purposes of this section, "alcohol" or "alcoholic beverages" means any beverage that may be legally sold and consumed and that has any amount of alcoholic content.
- b. Prohibition of Alcohol on Museum Property.** No alcoholic beverages may be brought on to or consumed on Museum property except at Museum-sponsored events authorized by the Executive Director.
- c. Alcohol Use Prohibited.** Drinking alcohol or exhibiting reasonable evidence of having drunk alcohol (including having alcoholic beverages on your breath, having slurred speech, inability to stand or walk, or displaying other signs of drinking), or being "under the influence" of alcohol, on Museum property or



while otherwise performing Besser Museum work-related duties, is strictly prohibited. “Under the influence” means that you are affected by alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor to those of the obvious impairment of physical or mental abilities such as slurred speech or difficulty in maintaining balance. The determination of being under the influence may be established by a professional opinion, a scientifically valid test, and in some instances, by a reasonable layperson’s objective, documented opinion.

38.3 Legal Drugs.

- a. **Legal Drugs Defined.** For the purposes of this section, “legal drugs” means prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured and pursuant to and in accordance with a valid prescription or according to the manufacturer’s instructions.
- b. **Safe Use of Legal Drugs.** Use of legal drugs by an employee on Museum property or while performing Museum duties is permitted when such use does not pose a safety threat to the employee or others. Notwithstanding this provision, use of a legal drug which is smoked or “vaped” is subject to the smoking restrictions set forth in Section 37 of this Handbook.
- c. **Capacity of Legal Drugs to Affect Performance of Work Duties.** If your use of legal drugs may affect your capacity to perform job duties or may create a danger to you or other employees, you are required to report such use to your supervisor.
- d. **Legal Drugs on Museum Property.** No legal drugs may be brought on to Museum property by any person other than the person by whom legal and appropriate use of the drug is intended.

38.4 Illegal Drugs.

- a. **Illegal Drugs Defined.** “Illegal drugs” means any drug that is (a) not legally obtainable; or (b) not legally obtained by the user; or (c) an otherwise legal drug or other substance which is used inappropriately, including prescribed drugs not being used for prescribed purposes, or not being used in prescribed dosages, or not being used by the person for whom the drugs were prescribed. “Illegal drug” also includes controlled substances. “Controlled substance” means any narcotic drug, hallucinogenic drug, amphetamine, marijuana, or any other controlled

substance under applicable law. “Controlled substance” does not include the use of a substance pursuant to and in strict accordance with a valid prescription, or other use authorized by applicable law; however, any use of a controlled substance which negatively impacts the employee’s work performance in any way will be found to be a violation of the Museum’s illegal drug policy.

- b. Illegal Drug Activities Prohibited.** The use, possession, manufacture, distribution, or sale of illegal drugs on Museum property, or while otherwise performing Besser Museum work-related duties, is strictly prohibited. The presence of an illegal drug in an employee’s body in any detectable amount, while on duty at work, or in conjunction with Besser Museum work-related business, is strictly prohibited. An employee need not be affected by usage or “under the influence” of an illegal drug to be in violation of this policy. The presence of an illegal drug may be established by a professional opinion, a scientifically valid test, and in some instances, by a reasonable layperson’s objective, documented opinion.

38.5 Off-Duty Use. A person using illegal drugs will not knowingly be employed or continued to be employed by, or allowed to perform work for, Besser Museum. Off-duty abuse of alcohol or legal drugs which results in excessive absenteeism or tardiness or is the cause of an accident or poor performance at work is a violation of this policy.

38.6 Discipline. Violation of any portion of this policy may subject the employee to disciplinary action which may include immediate termination of employment.

38.7 Drug and Alcohol Testing. In order to ensure the health and safety of all personnel, as a condition of employment and to the extent permitted by applicable law, all employees consent to submit to testing to determine alcohol or legal or illegal drug use or abuse in the following circumstances:

- a. Pre-Placement.** All applicants selected for potential employment may be required to pass a drug-screening test. All offers of employment are conditioned on a successful negative drug screen. The provider of the test will be a medical or testing facility designated by Besser Museum. The cost of the test will be paid by Besser Museum.
- b. Reasonable Suspicion.** An employee may be required to submit to testing for illegal drug use or alcohol or legal drug use or abuse in violation of this policy upon reasonable suspicion by a supervisor of the employee. “Reasonable suspicion” means suspicion based on specific personal observations by the employee’s supervisor or another reliable witness concerning such factors as the



appearance, behavior, speech, or breath odor of the employee. The provider of the test will be a medical or testing facility designated by Besser Museum. The cost of the test will be paid by Besser Museum. This provision does not necessarily apply to mandatory federal or state worker's compensation testing provisions or testing under a state free workplace program to comply with worker's compensation regulations. In such case or under these particular circumstances, employees may be required to submit to post-accident/illness/injury drug and alcohol testing regardless of reasonable suspicion.

- c. **Post-Accident/Illness/Injury.** Any employee with a work-related accident or illness resulting in personal injury necessitating medical treatment or substantial damage to property may be required to submit to testing for illegal drug use or alcohol or legal drug use or abuse in violation of this policy immediately or as soon after the accident or illness as allowed by the employee's medical condition. For the purposes of this provision, the employee will only be required to submit to drug/alcohol testing for incidents for which the employee's drug/alcohol use is likely to have contributed to the incident or there is a reasonable basis to investigate whether drug or alcohol use may have caused or contributed to the injury or illness, and for which the drug/alcohol test can accurately identify impairment caused by drug/alcohol use. "Reasonable basis" means a good-faith documented belief on the part of a supervisor, co-worker, or other individual that the accident or illness was caused in whole or in part because the employee was under the influence of legal or illegal drugs or alcohol. The provider of the test will be a medical or testing facility designated by Besser Museum. The cost of the test will be paid by Besser Museum. This provision is intended to comply with the requirements for post-injury drug testing as set forth by the Occupational Safety and Health Administration. This provision does not necessarily apply to mandatory federal or state worker's compensation testing provisions or testing under a state free workplace program to comply with worker's compensation regulations. In such case or under these particular circumstances, employees may be required to submit to post-accident/illness/injury drug and alcohol testing regardless of reasonable basis.

- 38.8 Refusal to Submit to Drug or Alcohol Testing.** Refusal to comply with a management request to submit to drug or alcohol testing is insubordination, and may subject the employee to disciplinary action which may include immediate termination of employment. The following is a partial list of examples of behaviors that constitute a refusal to submit to drug or alcohol testing:



- a. Refusing to provide a specimen. This includes providing an insufficient volume of urine without a valid medical explanation;
- b. Tampering with, adulterating, or substituting a specimen;
- c. Failing to appear for testing within two hours of being notified;
- d. Leaving the scene of an accident without good cause prior to submitting to a test;
- e. Leaving the testing facility before submitting to a test, or before providing a specimen suitable for testing;
- f. Failing to permit an observed or monitored specimen collection when required;
- g. Failing to submit to a second test when required;
- h. Failing to undergo a medical examination when required within a reasonable timeframe;
- i. Failing to cooperate with any part of the testing or examination process.

39. FACILITY SECURITY POLICY

- 39.1 General Policy.** The Museum holds in trust for the public the artifacts and specimens that document the art, history, and science of Northeast Michigan. Employees are expected to give security top priority in their daily Museum operations. No employee may loan to anyone else a key that has been issued to the employee. Lost keys must be reported *immediately* to the Executive Director.
- 39.2 Violations and Discipline.** Any employee who makes a duplicate copy of a Museum key, loans or gives a Museum key to another person (whether employee or non-employee), loses a key, or leaves an outside door or collections door unsecured may be subject to disciplinary action which may include immediate termination of employment.

40. SECURITY HOURS

For the safety of Museum staff and Museum property, Besser Museum contracts with a security company to provide for after-hours security alarming and monitoring. The Museum's



security system schedules the main building for close at 9:00 p.m. Employees will not be allowed to enter the main building before 7:00 a.m. or stay in the main building past 9:00 p.m. without prior authorization by the Executive Director.

41. COMPUTER AND WORKSPACE SECURITY AND INSPECTIONS

- 41.1 Importance of Digital Security.** As Besser Museum continues to implement technological advances in its day-to-day operations, it is very important that the Museum also take the extra steps necessary to ensure the proper protection of digital information. Due to the Museum’s overall desire to maintain the integrity and security of its data and computer networks, the Museum’s level of computer security is routinely evaluated, including the close monitoring of security procedures, computer network, and workstations.
- 41.2 No Expectation of Workspace Privacy.** *Employees have no expectation of privacy with regard to computers, Internet use, data storage devices, telephones, desks, lockers, and other equipment, workspace implements, or storage spaces provided by the Museum.*
- 41.3 Physical Storage Spaces.** Desks, lockers, and other storage spaces may be provided by the Museum for your convenience, but remain the sole and absolute property of Besser Museum. Accordingly, they as well as any articles found within them, can be inspected by a police officer or representative of the Museum at any time, either with or without prior notice to or consent of the employee.
- 41.4 Searching of Parcels and Persons.** The Museum also desires to discourage theft or unauthorized possession of the property of employees, the Museum, and visitors. To facilitate enforcement of this policy, Besser Museum or its representative may inspect not only desks and offices, but also parcels and persons entering and/or leaving the premises. If you wish to avoid inspection of any articles or materials, you should not bring such items onto Museum premises. ***By entering on to Museum property, employees consent to search of their parcels and persons.***
- 41.5 Video Surveillance.** Besser Museum may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence. Because the Museum is sensitive to the legitimate privacy of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

42. INTERNET AND INTRANET USE POLICY

- 42.1 Policy Purpose.** Besser Museum encourages the use of Internet media and associated services because these information technologies make communication more efficient and effective and because they are valuable sources of information, *e.g.*, about vendors, customers, new products, and services. However, computer equipment, software, electronic media, and services provided or purchased by Besser Museum, including access to the Internet, are intended to facilitate Besser Museum business. Employees must also consider that they may be identified with or from time to time represent Besser Museum in online communications.
- 42.2 Prohibited Uses of Internet.** The Internet, including the World Wide Web, may not be used for transmitting, retrieving, or storage of any communications or digital or electronic files which in the judgment and discretion of the Executive Director are:
- a. Of a discriminatory or harassing nature or which are derogatory of any individual or group; or
 - b. Profane, obscene, X-rated, or appealing to the prurient interest in sex; or
 - c. Defamatory or of a threatening nature; or
 - d. “Chain” letters, hoaxes, appeals of marketing or “get-rich-quick” schemes, or the like; or
 - e. Of a nature attempting to hide the identity of the sender or creator or representing the sender or creator as someone else; or
 - f. Otherwise illegal or against Besser Museum policy and therefore contrary to the Museum’s interest.
- 42.3 Internet Use for Museum Business Only.** Access to the Internet, including the World Wide Web, is provided for use in connection with Museum business. ***All non-business-related use of Museum computer equipment or services is prohibited.*** The Executive Director may in his or her discretion cause productivity-enhancing website or application blockers to be installed on any employee’s Museum-provided computer equipment.
- 42.4 Monitoring of Devices.** Electronic information created and/or communicated via computer equipment or services provided or owned by Besser Museum are subject to

being monitored by Museum personnel. The Museum reserves the right, in its sole discretion and without notice, to review all electronic files and messages and usage to the extent necessary to ensure that electronic media and services are being used in compliance with the law and with this and other Museum policies.

- 42.5 Hacking Prohibition.** Users must respect the confidentiality of other people’s electronic communications and may not attempt to read or monitor electronic files or communications of other employees or third parties, or attempt to “hack” into the Museum’s local area network system or other people’s logins, or “crack” passwords, or breach computer or network security measures.
- 42.6 Copyrighted Material.** Anyone obtaining electronic access to other electronic or digital materials of Besser Museum or another individual shall respect all copyrights and may not copy, retrieve, modify, or forward copyrighted materials, unless permitted by the copyright owner or by law.
- 42.7 Unauthorized Downloads.** No employee may download or install any unauthorized software, program executable code, or copyrighted image from any source without express written approval from the Executive Director.
- 42.8 Museum-Provided Communication Media.** Museum-provided e-mail accounts, Internet IDs and Web pages are not to be used for any purpose other than Museum-sanctioned communications. The distribution of any information through the Internet, computer-based services, e-mail, or an e-messaging system is subject to monitoring and review. Besser Museum reserves the right to determine the suitability of this information.

43. SOCIAL MEDIA POLICY

- 43.1 Policy Purpose.** Social media are powerful communication tools and further employees’ personal reputations. Because they blur the lines between personal voice and institutional voice, Besser Museum has crafted the following policy and guidelines to help clarify how best to enhance and protect personal and professional reputations when participating in social media. Social media have expanded the way people communicate. Besser Museum views online networking communities as tools to strengthen the Museum, its culture, and conditions of employment and further employment, and strengthen employees’ personal reputations. As a business and public charity, Besser Museum is held to a different and higher standard when it comes to its online communications.

43.2 Application of Policy. This policy and the guidelines set forth herein apply to any online medium where information may reflect on the image of Besser Museum, including all forms of social media such as but not limited to message boards, Internet forums, blogs (*e.g.*, WordPress), microblogs (*e.g.*, Twitter), online profiles (*e.g.*, Facebook, LinkedIn, Match, Myspace), diaries, journals, wikis, podcasts, chat rooms, picture albums (*e.g.*, Flickr, Picasa, Shutterfly, Instagram), videos (*e.g.*, YouTube), reviewing services (*e.g.*, Yelp, Angie’s List), multimedia messaging (*e.g.*, Snapchat), e-mail, instant messaging, or any other form, application, platform, or process.

43.3 General Guidelines. In order to maintain the Museum’s reputation and legal standing and to protect confidential and proprietary information of Besser Museum and its visitors, the following guidelines apply to all employees of Besser Museum when using the Museum’s Internet, computer, or related systems or devices or when using their personal systems or devices, whether during or outside of work:

- a. Do not post as an agent or representative of Besser Museum without first acquiring permission from the Executive Director.
- b. Do not unlawfully reveal confidential or proprietary information regarding Besser Museum, its members, or visitors.
- c. Be aware of potential liability. You are responsible for what you post on your own site and on the sites of others. Individual bloggers have been held liable for commentary deemed to be copyright infringement, defamatory, proprietary, libelous, or obscene.
- d. Respect Besser Museum’s time and property. Do not engage in personal social media conversations or posting unrelated to your job, job conditions, and/or terms of employment while at work during normal work hours (excluding breaks or lunch break).
- e. Maintain transparency. The line between professional and personal business is sometimes blurred. Be thoughtful about your postings and the content of such postings and potential audiences. Be honest about your identity. In personal posts, you must be clear that you are sharing your views as an individual, not as a representative of the Museum.
- f. Do not approve of or otherwise comment on recommendations or testimonials.
- g. Do not post obscenity, profanity, sexual references, depictions of gore or violence, or references to illegal drugs.



- h. Do not engage in any discriminatory conduct of any nature or form as proscribed by applicable law.
- i. When posting as an individual, be authentic and honest about your identity.
- j. If you publish content in any medium regarding your work or subjects associated with the Museum, use a disclaimer such as, “The postings on this site are my own and do not represent the position or opinion of Besser Museum.”
- k. Do not illegally use Besser Museum’s logo or copyrighted material.
- l. Be factually accurate.

43.4 Monitoring of Museum-Related Content and Posting. Besser Museum reserves the right to monitor comments or discussions by or about its operations, employees, members, and visitors posted by anyone for the purposes of protecting legitimate protected proprietary, confidential, personal, or financial information, enforcing anti-harassment and anti-discrimination policies, and protecting its own reputation.

43.5 No Application of First Amendment. The federal courts of the United States have held that the First Amendment to the United States Constitution, which guaranties the freedoms of speech and the press among other freedoms, is applicable only to government action which infringes on those guarantied freedoms. Besser Museum is not a government agency, and therefore is within its rights to promulgate reasonable policies regulating the speech or other published statements of its employees.

44. SAFETY

44.1 Policy Purpose. Your personal safety and that of your co-workers and Museum visitors are of primary concern to Besser Museum. Responsibility for safety is shared by all employees. Careful attention has been given by the Museum to design work areas, procedures, and practices to ensure safe working conditions. Failure to follow and adhere to these procedures and practices jeopardizes both your own safety and that of others.

44.2 Reporting of Injuries. If an injury sustained on the job is an emergency, dial 911 or proceed to the nearest emergency room for treatment if you are fully able to do so without professional assistance. For all other injuries follow the procedures outlined below. Be sure to report even minor injuries, even if you think that you do not need to seek medical care.



- a. Contact your supervisor and provide notice of your injury.
- b. Complete a report of injury if requested by management.
- c. Depending on the requirements of our insurance carrier, you may be required to submit to a post-injury drug/alcohol test.

44.3 Transitional Duty. Within the restrictions set by the employee’s medical practitioner, an employee injured on the job who is unable to perform the employee’s regular duties may be assigned transitional duty, if available. Transitional duty is a temporary assignment. Duration will be based on medical documentation and continued recovery status, with an anticipated return to full regular duty.

45. DRESS CODE GUIDELINES

45.1 General Guidelines. A neat, well-groomed appearance reflects favorably on Besser Museum and you, and inspires the confidence of those we serve. Clothing should be clean, neat in appearance, and of modest nature.

45.2 Further Rules. The Executive Director has the discretion to promulgate more particular written rules for standards of dress while on duty. The Executive Director has the discretion to promulgate more particular written rules for standards of adornment while on duty, which may include prohibition of unusual studs, piercings, and/or hair styles, and/or covering of obscene, offensive, or otherwise distasteful tattoos, among other rules. Such rules shall apply to and be enforced similarly among all employees having contact with Museum visitors or all Museum employees generally.

45.3 Religious Accommodations. To the extent that you require an accommodation to this policy or any further rules for standards of dress or adornment promulgated by the Executive Director because of your religion or sincerely held religious beliefs, please immediately notify the Executive Director so that Besser Museum may evaluate your request and make an appropriate accommodation if warranted.

46. OPEN AND HONEST COMMUNICATION

46.1 Policy Purpose. The Museum’s experience has shown that when employees deal openly and directly with the Executive Director, the work environment can be excellent, communications can be clear, and attitudes can be positive. The Executive Director and the Museum will at all times endeavor to respond effectively to your concerns.



- 46.2 Communication with Supervisors Encouraged.** Open communication among staff and management is critical to the Museum’s success and to yours. You are encouraged to consult with your supervisor if you have questions, problems, or ideas that you feel should be discussed. If you are uncomfortable discussing a matter with your supervisor, or you are not satisfied with the response received, you should arrange a meeting with the Executive Director.
- 46.3 Honesty.** You must conduct yourself with honesty in all communications with management, your co-workers, and the Museum’s visitors. You are required to comply fully with applicable law, to deal fairly and honestly with all individuals, and to seek guidance from your supervisor or the Executive Director when questions arise.

47. VISITOR RELATIONS

- 47.1 Policy Purpose.** Impressions are constantly changed and formed by every contact that visitors have with the Museum. Whenever visitors hear or see anything related to Besser Museum, their perceptions of the Museum are strengthened or changed. The Museum expects visitors to have great expectations and a very positive impression of us. It is up to each employee to fulfill these expectations and help to build a positive lasting impression for the Museum’s visitors. You must consider quality in every aspect of what you do and say. The Museum’s reputation is its future.
- 47.2 Internal Affairs and Grievances.** Problems, affairs, and grievances that are internal to the operation of the Museum should be discussed with an employee’s supervisor or the Executive Director, *not with visitors*. At one time or another everyone becomes frustrated as a result of internal problems. These problems may result from a period of turnover, administrative backlog, human error, or other issues. However, when you communicate these inefficiencies to visitors, you only lose your own credibility and the reputation of the Museum suffers.
- 47.3 Discipline.** Failure to provide excellence in service as deemed necessary by Besser Museum may subject the employee to disciplinary action which may include immediate termination of employment.

48. MOTHERS’ RIGHTS

- 48.1 General Policy.** To the extent that an employee needs to breastfeed her child or otherwise express breastmilk for later use, Besser Museum will provide suitable and reasonable arrangements for the employee. The employee must inform the Executive

Director of this need. “Reasonable arrangements” does not include the purchase or obtaining by the Museum of any particularized equipment necessary for breastfeeding or expressing breastmilk.

- 48.2 Break Time.** The Museum will provide a reasonable amount of break time to express breastmilk as frequently as needed by the nursing mother. It is understood that the frequency of breaks required to express breastmilk as well as the duration of each break will likely vary.
- 48.3 Non-Discrimination Policy.** Besser Museum does not discriminate against expecting mothers or mothers who have given birth in setting terms or conditions of employment, hiring, promoting, or establishing work conditions.

49. CONFLICTS OF INTEREST

- 49.1 General Policy.** Besser Museum expects employees to avoid activities that create a conflict of interest with their responsibilities to the Museum. While each employee is entitled to privacy in his or her personal affairs and endeavors, each employee has a duty to be free of outside interest, investments, activities, and/or influences which might:
- a. violate any law, ordinance, or government regulation; or
 - b. impair the exercise of a supervisor’s or employee’s judgment, fiduciary responsibility, initiative, or efficiency in acting for the Museum; or
 - c. expose an employee or the Museum to legal liability or public criticism; or
 - d. be harmful or detrimental to the Museum, or which would violate high standards of professional conduct.
- 49.2 Gifts, Loans, and Favors.** It is the Museum’s policy not to permit an employee or the employee’s immediate family members to accept, either directly or indirectly, any types of services, vacations, cash payments (other than reasonable reimbursement of out-of-pocket expenses), favors, gifts of non-negligible value, or loans from any person with whom the employee relates in the course of the employee’s work for Besser Museum.



50. OUTSIDE EMPLOYMENT

Besser Museum respects the right of employees to engage in activities or employment outside of their employment with the Museum. However, employees must avoid situations that could involve a conflict of interest or adversely affect the employee's ability to meet the Museum's work requirements. The Executive Director in his or her discretion may require an employee to terminate either the employee's employment with the Museum or the employee's outside activity or employment which is believed by the Executive Director to be in conflict with or detrimental to the employee's work for the Museum.

51. OUTSIDE CONSULTING, COMMITTEES, AND SPEAKING ENGAGEMENTS

Employees are encouraged to speak to community groups and serve on advisory or charitable committees that promote the Museum or promote the visibility of the Museum in the community. Paid outside speaking, consultation, or teaching done not in the individual's capacity as an employee of the Museum is permitted as long as working hours and Museum resources are not utilized as part of this activity. Whenever an employee engages in such an activity in his or her capacity as an employee of Besser Museum the employee shall so advise the Executive Director, who shall have the discretion to require that the employee not engage in the activity. Whenever an employee is paid by Besser Museum for engaging in such an activity in the employee's capacity as an employee of the Museum, any fee or honorarium earned by the employee for the activity shall be the sole property of Besser Museum.

52. COMMERCIAL PUBLICATIONS AND OTHER CREATIVE ACTIVITIES

Publication of original research by employees is encouraged. The product of original research or writing performed during work hours is subject to copyright by the Museum. Films, videotapes, artwork, education kits, computer programs, and the like that can be copyrighted or patented, and that are developed during regular work hours and with Museum resources, shall be the sole property of Besser Museum.

53. POLITICAL ACTIVITIES

Employees of the Museum, as a tax-exempt public charity, may not be associated with political lobbying or candidate campaigns during regular work hours. No Museum resources may be used for such activities, including telephones, computers, copiers, printers, supplies, and the like. Employees may not engage in campaign or political activity as an identified Museum

employee. An employee found to be violating this policy will be subject to immediate termination of employment.

54. WORKPLACE RULES AND ADDITIONAL OFFENSES

- 54.1 Additional Workplace Rules.** To ensure orderly operations and provide the best possible work environment, the Museum expects employees to follow rules of conduct that will protect the interests and safety of all employees and the Museum. Some of these rules and standards of conduct are contained throughout this Handbook. Other rules and standards of conduct may be promulgated from time to time and may be changed from time to time or at any time by the Executive Director or by the Board of Trustees. Any such rules will be posted on workplace bulletin boards maintained by the Museum and/or published to employees by other means, such as written letter, e-mail, staff meeting, or the like.
- 54.2 Any Unacceptable Conduct Subject to Discipline.** Rules and standards published in this Handbook or promulgated by Museum management are not all-inclusive. Any unacceptable conduct in the discretion and judgment of the Executive Director, though not specifically covered by rule, may subject the employee to disciplinary action which may include immediate termination of employment.
- 54.3 Repeat Violations.** Repeated violation of the same rule, violation of more than one rule in a single act, or violations of different rules at different times shall be cause for accelerated or compound disciplinary action which may include immediate termination of employment. However, employees have no expectation of lesser forms of discipline for lesser or first-time offenses.
- 54.4 Additional Examples of Unacceptable Conduct.** In addition to other rules and standards contained elsewhere in this Handbook or promulgated by Museum management, the following is a partial list of examples of unacceptable conduct by employees:
- a. Poor job performance, including carelessness, tardiness, poor quality of work, and failure to complete assigned tasks in a timely fashion;
 - b. Unauthorized handling of personal affairs during working time, including use of cell phones, tablets, telephones, computers, or any other communication equipment, whether such equipment is owned by the employee or by the Museum;



- c. Falsification of employment applications or other Museum records, including payroll information;
- d. Violation of federal, state, or local law or failure to follow prescribed rules or regulations that could result in potential legal action;
- e. Deliberate misrepresentation of facts to supervisors, fellow employees, or Museum visitors, or dishonesty in any manner;
- f. Possession or sale of firearms, explosives, or other dangerous or unauthorized materials on Museum property;
- g. Eating or drinking in unauthorized areas or at unauthorized times;
- h. Failure to report a workplace accident or being involved in an excessive number of workplace accidents;
- i. Removing, defacing, or altering Museum postings or any property of the Museum;
- j. Actively concealing any employee's violation of any Museum policy or rule;
- k. Conviction for any criminal offense, or arrest for any criminal offense if the arrest or offense or other circumstances surrounding the arrest or offense reflect negatively on the Museum in the judgment and discretion of the Executive Director.

55. EMPLOYEE RECOURSE PROCEDURE

55.1 General Policy. Besser Museum has a sincere interest in employee well-being and responsiveness to employment related issues. As a result, employees are free and encouraged to discuss matters related to their job either personally or in writing, without fear of retaliation. You may submit any request for information or complaint to the Executive Director, in writing, who will undertake an investigation. If you believe it would be inappropriate to discuss the matter with the Executive Director, you may inform the Executive Director of your intent to submit your request or complaint to the President of the Board of Trustees. If the Executive Director is the subject of the request or complaint you need not discuss it with the Executive Director before submitting your request or complaint to the President of the Board.

55.2 Subject Matter. Subject matter of requests for information or complaints may include:

- a. Questions or concerns about your payroll or deductions from your pay, or concerns about whether or not your pay adequately reflects hours worked;
- b. Questions or concerns regarding work conditions, wages, benefits, or compensation generally;
- c. Complaints or reports of discrimination, harassment (sexual or other), bullying, violence, retaliation, or the like;
- d. Complaints or reports of any violation of the policies contained in this Handbook or any other rule promulgated by Museum management;
- e. Any other matter the employee desires to make the subject of a request for information or complaint.

55.3 Action on Request or Complaint. Every request or complaint will be fully investigated and corrective action will be taken if appropriate. Corrective action may subject an employee found to have violated a policy or rule to disciplinary action which may include immediate termination of employment.

55.4 Steps of Recourse Procedure. The following are the steps to filing a request for information or complaint:

- a. **Step 1; Submission of Written Request or Complaint.** Complete a written request or complaint. Keep a copy for yourself. Give a copy to the Executive Director. If you believe it would be inappropriate to discuss the matter with the Executive Director, you may inform the Executive Director of your intent to submit your written request or complaint to the President of the Board of Trustees. If the Executive Director is the subject of the request or complaint you need not discuss it with the Executive Director before submitting your written request or complaint to the President of the Board.
- b. **Step 1 Response.** A response will be given to you. The timing of the response will be subject to the necessary time needed for a thorough investigation, if required, of any issues related to your request or complaint. Periodic follow-up will be given throughout the course of the investigation.
- c. **Step 1 Conclusion.** You will be given a reasonable amount of time, usually between five and ten days, to accept or reject the initial response. If you are not

satisfied with the response, you may reject the response and appeal via Step 2. If you do not respond within the reasonable amount of time to accept or reject the response, you will be deemed to have accepted the response, and the Museum will consider the matter closed.

- d. Step 2; Initial Appeal.** Within the reasonable time allowed for you to accept or reject the response given to you in conclusion of Step 1, if you wish to reject the response received, you must notify in writing the official to whom you submitted your initial request or complaint that you reject the official's initial response. Your notice should include any other documentation or facts which you would like the official to consider. The official shall submit copies of the initial written complaint together with any additional materials from your Step 2 appeal to the other of the Executive Director and the President of the Board of Trustees.
- e. Step 2 Response.** The official will conduct a further investigation if warranted and a response will be given to you. The timing of the response will be subject to the necessary time needed for a thorough investigation, if required, of any new issues related to your request or complaint. Periodic follow-up will be given throughout the course of the investigation.
- f. Step 2 Conclusion.** You will be given a reasonable amount of time, usually between five and ten days, to accept or reject the response given to you in conclusion of Step 2. If you are not satisfied with the response, you may reject the response and appeal via Step 3. If you do not respond within the reasonable amount of time to accept or reject the response, you will be deemed to have accepted the response, and the Museum will consider the matter closed.
- g. Step 3; Meeting with President of Board of Trustees.** Within the reasonable time allowed for you to accept or reject the response given to you in conclusion of Step 2, if you wish to reject the response received, you must notify in writing the official to whom you submitted your initial request or complaint that you reject the official's Step 2 response. Your notice should include any other documentation or facts which you would like the official to consider. The official shall submit copies of the initial written complaint together with any additional materials from your Step 2 appeal to the other of the Executive Director and the President of the Board of Trustees.
- h. Step 3 Response.** The President of the Board of Trustees will schedule a meeting with all parties involved. Notes of the meeting will be taken and signed by all participants. A response will be given to you by the President of the Board. The timing of the response will be subject to the necessary time needed for a



thorough investigation, if required, of any new issues related to your request or complaint. Periodic follow-up will be given throughout the course of the investigation.

- i. **Step 3 Conclusion.** The written response of the President of the Board of Trustees will be the final response given to the employee, and the Museum will consider the matter closed.

55.5 Terminated Employees. Due to the amount of time needed for a thorough investigation and for the practicalities of the recourse procedure, the procedure will not be available to an employee who has already submitted the employee’s termination notice or who is no longer an employee of the Museum.

56. DUTY TO REPORT

You must be vigilant in helping the Museum to ensure compliance with applicable federal, state, and local laws affecting other employees, business relationships, and the visitors and public that we serve. Each employee has an affirmative duty to report to management any good-faith and credible belief that an employee of Besser Museum has acted illegally, dishonestly, or fraudulently, or in violation of applicable federal, state, or local law, the policies contained in this Handbook, or rules promulgated by Museum management.

57. WHISTLEBLOWER PROTECTION

57.1 Whistleblower Defined. A “whistleblower” is an employee of Besser Museum who reports an activity of an employee of Besser Museum that he or she considers to be illegal or dishonest or fraudulent. The whistleblower is not responsible for investigating the activity, determining fault, or taking corrective measures. Appropriate management officials are charged with these responsibilities.

57.2 Subjects of Whistleblower Reports. Examples of illegal, dishonest, or fraudulent activities include violations of federal, state, or local laws; billing for services not performed or for goods not delivered; fraudulent financial reporting; forgery; and other related illegal acts.

57.3 Duty to Report. Any knowledge of or concern about illegal, dishonest, or fraudulent activity by an employee of Besser Museum should be reported to the Executive Director *immediately*. If you do not receive a satisfactory response, you may resort to the Employee Recourse Procedure set forth in Section 55 of this Handbook.



- 57.4 False Reports.** Employees must exercise sound judgment to avoid baseless allegations. An employee who intentionally or recklessly makes a false report of wrongdoing is not a “whistleblower” and is subject to disciplinary action which may include immediate termination of employment.
- 57.5 Whistleblower Protection.** Whistleblower protections provide important safeguards which preserve confidentiality and protect against retaliation. Insofar as possible, the anonymity of the whistleblower shall be maintained. However, identity may necessarily be disclosed to conduct a thorough investigation and to comply with applicable law. Besser Museum will not retaliate against a whistleblower. Any whistleblower who believes he or she is being retaliated against should notify the Executive Director or President of the Board of Trustees *immediately*.

58. RETALIATION

- 58.1 General Policy.** Retaliation is prohibited by federal law and Besser Museum policy. “Retaliation” means any adverse or negative action against a person participating in any reporting, investigation, or proceeding that is perceived as intimidating, threatening, coercing, hostile, harassing, retributive, or violent, and that occurred in connection with the making and follow-up of the report. This also includes actions against an individual who has (1) complained about alleged discrimination, harassment or retaliation; (2) participated as a party or witness in an investigation relative to such an allegation; or (3) participated as a party or witness in a court proceeding or administrative investigation relative to such an allegation.
- 58.2 Intimidation Defined.** Intimidation means making one fearful or putting one into fear. Generally, proof of actual fear is not required in order to establish intimidation. Intimidation may be inferred from conduct, words, or circumstances reasonably calculated to produce fear.
- 58.3 Federal Law.** Federal civil rights laws, including Title VII of the United States Code, make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws.
- 58.4 Exercise of Employee Rights.** Besser Museum will not allow any form of retaliation against individuals who in good faith report credible alleged violations of the policies contained in this Handbook or rules promulgated by Museum management, or who cooperate in the Museum’s investigation of such reports. Moreover, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or Museum policy. Retaliation is



unacceptable. Any form of retaliation in violation of this policy may subject the employee responsible to disciplinary action which may include immediate termination of employment.

59. EMPLOYEE VIOLATION OF POLICIES AND RULES

An employee's violation of any policy contained in this Handbook or any rule promulgated by Museum management is considered serious, and may subject the employee to disciplinary action which may include any of the following in the discretion of the Executive Director: informal reprimand; formal reprimand; probation on any terms; demotion on any terms; departmental or positional transfer on any terms; suspension with pay; suspension without pay; immediate termination; or any other usual or customary disciplinary action. Employees have no expectation of lesser forms of discipline for lesser or first-time offenses; ***any violation of any policy contained in this Handbook or any rule promulgated by Museum management may subject the employee to immediate termination of employment.***

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ACKNOWLEDGEMENT, AGREEMENT, AND WAIVERS BY EMPLOYEE

*****Very Important*****

*****Read Carefully*****

I acknowledge receipt of Besser Museum's Employee Handbook as of _____
[date].

I understand and agree to all of the following:

1. I am bound by the policies, terms, and conditions of employment set forth in this Handbook.
2. Besser Museum has the right unilaterally to modify and/or revoke any policies, practices, procedures, and standards it has adopted or implemented, to the extent not limited by law.
3. This Handbook is not a contract, express or implied, and it does not guarantee employment for any specific duration.
4. My employment with Besser Museum is "at will." I may terminate my employment at any time, for any reason, with or without notice, and Besser Museum may do the same.
5. The policies and conditions for employment stated in this Handbook govern my employment by Besser Museum, and this Handbook supersedes and cancels any prior contrary verbal or written policies, statements, understandings, or agreements concerning the terms and conditions of my employment with Besser Museum.
6. Any engagement letter or other letter of understanding provided to me by Besser Museum at the commencement of my employment does not constitute a contract for employment, and is merely a confirmation of my hiring by the Museum and a formalization of the terms of my employment as to wage or salary, employee status, hours, benefits, other perks, start date, and the like.
7. No employee or member of the Board of Trustees has the authority to change the terms of my employment as stated in this Handbook other than the Executive Director of Besser Museum.



Shortening of Period for Commencing State Law Actions:

To the extent permitted by applicable state law, I understand and agree that I shall not commence any state law action or suit related to my employment (1) more than six months after the termination of my employment, if the action or suit is related to the termination of my employment; or (2) more than six months after the event or occurrence on which my claim is based, if the action or suit is based on an event or occurrence other than the termination of my employment. While I understand that the statutory limitation period for state law claims arising out of my employment with Besser Museum may be longer than six months, I agree to be bound by the six-month limitation period set forth herein and I waive any statutory limitation period for the filing of a lawsuit to the contrary. Should a court determine in some future lawsuit that this provision allows an unreasonably short period of time to commence a lawsuit, the court shall enforce the minimum reasonable time within which the suit should have been commenced as provided by then existing law.

Shortening of Period for Commencing EEOC Administrative and Federal Law Actions:

To the extent permitted by applicable law, I understand and agree that I shall not commence any Equal Employment Opportunity Commission (EEOC) administrative action related to my employment (1) more than six months after the termination of my employment, if the action or suit is related to the termination of my employment; or (2) more than six months after the event or occurrence on which my claim is based, if the action or suit is based on an event or occurrence other than the termination of my employment. While I understand that the time period for filing an EEOC charge may be longer than six months, I agree to be bound by six-month limitation period set forth herein and I waive any statutory limitation period for the filing of an EEOC action to the contrary. To the extent permitted by law, I understand and agree that any federal law claim or lawsuit relating to my employment must be filed no later than 185 days after the date of filing a proper and timely charge with the EEOC, National Labor Relations Board (NLRB), or any other administrative agency. While I understand that the statutory limitation period for claims arising out of an employment action may be longer than 185 days, I waive any statutory limitation period to the contrary, unless federal law prohibits such waiver or prohibits such a reduction of the limitation period.

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THE CONSIDERATION FOR THE ACKNOWLEDGMENTS AND WAIVERS SET FORTH ABOVE IS MY EMPLOYMENT, CONTINUED EMPLOYMENT, AND ABILITY TO PARTICIPATE IN BENEFITS AND RECEIVE PAY AND OTHER COMPENSATION ACCORDING TO BESSER MUSEUM POLICY DURING THE DURATION OF MY EMPLOYMENT.

I certify that I have read, fully understand, and accept all of the foregoing terms of this Employee Handbook and Acknowledgement, Agreement, and Wavers by Employee and acknowledge that while the Employee Handbook does not constitute a contract for employment, the policies, rules, terms, conditions, and limitations contained in this Handbook are fully binding on me in my employment relationship with Besser Museum.

DATED: _____

Name:
Employee

DATED: _____

Name:
Executive Director on behalf of
Besser Museum for Northeast Michigan