

Big Sky Watershed Corps



Site Supervisor Handbook

2023 Program Year

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WHAT IS AMERICORPS?

A. Brief History

In 1993, Congress enacted the National and Community Service Act, creating the Corporation for National and Community Service (CNCS) - Now called AmeriCorps. President Bill Clinton signed the legislation soon after, and **AmeriCorps** was launched the following year.

AmeriCorps supports a wide range of national service programs and initiatives that improve lives, strengthen communities, and foster civic engagement and volunteerism. **AmeriCorps** is one of three national service programs administered by CNCS which also includes Volunteers in Service to America (VISTA) and National Civilian Community Corps (NCCC).

B. Goals and Philosophy

AmeriCorps is the national service movement that engages Americans of all ages and backgrounds in service to address the most critical problems in our nation's communities in the areas of education, public safety, the environment, and other human needs. In exchange for a specified term of service, AmeriCorps members earn a modest living allowance and an education award to pay back **qualified** student loans or to finance college, graduate school, or vocational training.

The **mission** of AmeriCorps can be articulated in five parts -

1. **Getting Things Done** through direct and demonstrable service that helps solve community problems.
2. **Strengthening Communities** by bringing together Americans of all ages and backgrounds in the common effort to improve communities.
3. **Encouraging Responsibility** by enabling members to explore and exercise their responsibilities toward their communities, their families, and themselves.
4. **Expanding Opportunity** by enhancing members' educational opportunities, job experience, and life skills.
5. **Fostering Civic Engagement** through service and volunteering opportunities in non-profit organizations and community-based organizations.

C. AmeriCorps Terminology

Because of the unique and innovative nature of this program, there are some terms that have been developed to accurately represent details of AmeriCorps. Consistent use of these terms helps reinforce AmeriCorps' common objectives and clarifies AmeriCorps for the public. Some frequently used terms are:

- **Members** - people who participate in AmeriCorps are referred to as "members" rather than volunteers, staff, workers, participants or employees.
- **Service, Serve** - members serve, or provide service, in their AmeriCorps assignments; they do not "work".
- **National Service** - this term refers to any of the programs affiliated with AmeriCorps (previously the Corporation for National Service).

D. Edward M. Kennedy Serve America Act

The Kennedy Serve America Act was signed into law on April 2009. This Act reauthorizes and expands national service programs administered by the Corporation for National and Community Service (AmeriCorps). To learn more about the Serve America Act and other AmeriCorps initiatives, please visit the following website: <http://www.nationalservice.gov/about/serveamerica/index.asp>.

Big Sky Watershed Corps AmeriCorps Program

A. Introduction

The BSWC was crafted by three partnering organizations, the Montana Conservation Corps (MCC), Montana Watershed Coordination Council (MWCC) and Montana Association of Conservation Districts (MACD), following a careful review of successful models across the country. The experience and achievements of the Appalachian Coal Country Watershed Team in West Virginia, Western Hardrock Watershed Team in Colorado, and AmeriCorps Watershed Stewards Project (WSP) in California provided a relevant baseline of information from which appropriate tools were selected and applied to the culture and needs of Montana. Also incorporated into the BSWC are lessons learned from successful stewardship and conservation programs operating in Montana. Addressing issues at the watershed scale is important in large landscapes such as Montana where multiple jurisdictions and checkerboard land ownership generally require collaboration across landowners and/or agencies. Further, conservation issues such as weeds, soil health and forest management can impact water quantity and quality and are often more readily addressed in uplands.

B. Goals & Objectives

WATERSHED HEALTH AND PROTECTION

AmeriCorps Members excel at 'getting things done.' Their efforts produce tangible on-the-ground results that improve watershed health and protection. BSWC members will develop community led conservation projects that also enhance the socio-economic fabric of the area. These include projects that mitigate, remediate, and restore water resources such as stream and riparian restoration, re-vegetation, soil and range health, bmp implementation, local river clean-up efforts as well as abandoned mine reclamation and irrigation infrastructure improvement. Sound science supported by valuable local information and involvement is essential for informed decision making. Watershed communities need accurate and comprehensive scientific data in order to identify solutions for local issues. Therefore, members may also develop data collection and monitoring systems, collect biological, chemical and physical soil, water quality and water quantity data, and train and oversee community volunteers and youth to do the same. Sample activities include collecting, assessing and disseminating stream flow, pH, temperature, electrical conductivity, dissolved oxygen, and nutrient data; conducting inventories of vegetation and land use practices, and auditing and disseminating best management practices. Data will be used to enhance or develop strategies and plans including: watershed and wetland restoration plans, Quality Assurance Protection Plans (QAPPs), Sampling Analysis Plans (SAPs), whole ranch plans, soil and range analyses, drought response plans and water management plans.

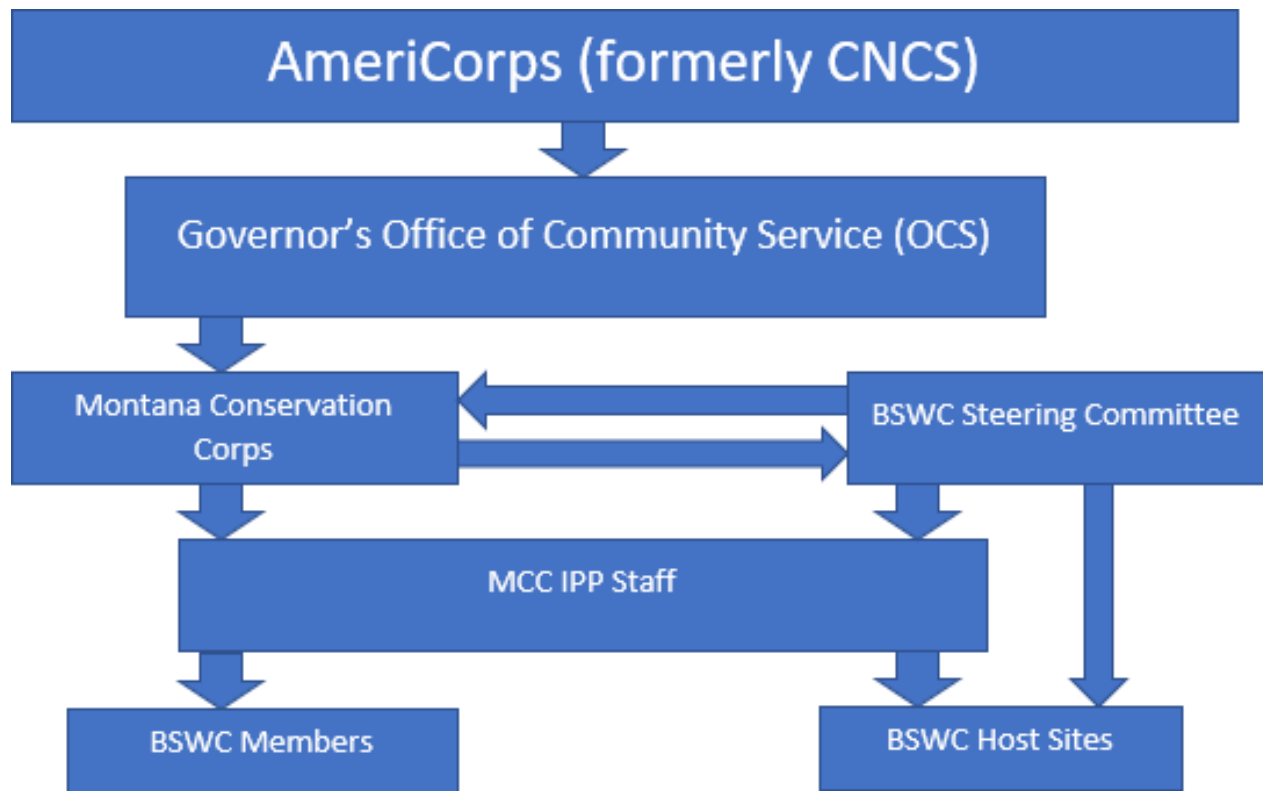
WATERSHED EDUCATION AND OUTREACH

Montana's state agencies, local conservation groups, and landowners note that it is more cost effective to prevent problems than to react after the fact. They support prevention, public education, and more effective and efficient coordination of efforts to understand critical water issues and be empowered to positively impact these at-risk ecosystems. BSWC members will attend trainings to enable them to develop and deliver materials and educational activities for schools and youth groups that highlight current conditions and conservation practices. Members may work with educators to create activities with learning objectives that enhance the science curriculum and focus on local issues and local solutions. Members will help mentor local school science groups where appropriate. Members may also implement outreach campaigns for communities and organize public meetings and educational events for community stakeholders. They will conduct workshops and presentations to educate community groups about watershed issues and conservation practices that might apply locally.

VOLUNTEER GENERATION

Building locally led, educated, volunteer groups is vital to developing, implementing and maintaining long term environmental stewardship throughout the state. BSWC members will be trained in volunteer recruitment and project management and will be asked to host multiple volunteer trainings and events throughout the service year. Recruiting a volunteer base that reflects local diversity is emphasized. Volunteer events will directly relate to watershed health and protection. When possible, members will collaborate with local schools, government agencies, community nonprofits, businesses and other AmeriCorps programs. BSWC members will focus on episodic community volunteerism and the retention of long-term skilled and influential volunteers. In addition, members will design and lead youth-focused volunteer events to bring experiential, place-based activities to local science classes and develop a new generation of local landscape stewards.

C. Organizational Structure



- **Governor's Office of Community Service & Montana Commission on Community Service:** "OCS" is the office which provides direction and oversight to Montana's AmeriCorps programs. The Executive Director of OCS is appointed by the current Governor, as are all of the Montana Commission on Community Service Commissioners. AmeriCorps programs within Montana serve at the discretion of these two entities.
- **BSWC Steering Committee** – The Steering Committee is comprised of representatives from the three partner organizations that formed the BSWC, the Montana Association of Conservation Districts (MACD), Montana Conservation Corps (MCC) and the Montana Watershed Coordination Council (MWCC). The Steering Committee provides programmatic leadership, and seeks additional financial support as well as support and guidance for program staff, BSWC members and host sites.
- **Montana Association of Conservation Districts**-Program Partner that coordinates with NRCS for host sites collocated with NRCS, works with host sites to secure funding for program and provides networking opportunities for members and host sites.
- **Montana Conservation Corps**- Program partner that provides the financial and administrative management for the AmeriCorps formula funding from the Governor's Office of Community Service. MCC is legally responsible for ensuring compliance with all AmeriCorps reporting and administrative requirements for the BSWC program (See Section D for more details).
- **Montana Watershed Coordination Council**-Program Partner that supports the program through additional grant funds to offset the host site cost share, professional development and networking opportunities for the members and the host sites.
- **MCC IPP Staff** – Are employees of the MCC and are responsible for the day to day execution of the program, focusing primarily upon member development, site support and AmeriCorps program compliance, as well as staffing and supporting the work of the Steering Committee,

Throughout this handbook, BSWC Program Staff are one of your most valuable resources. At any time throughout your member's term of service, you should feel free to consult BSWC Program Staff with questions, problems, or comments. He or she can expand on the issues highlighted in this handbook, and help make your affiliation with the BSWC rewarding for you, the Site Supervisor, as well as for the member.

- **Host Site Supervisor** – The host site supervisor provides direct guidance, supervision and mentoring for the BSWC members as they complete their term of service at the host site. This individual is responsible for guiding and directing daily work, conducting performance evaluations, and ensuring compliance with all BSWC program requirements at the service site.
- **BSWC Member** – This is a qualified college graduate serving with the program at the selected host site and enrolled in AmeriCorps. Every member is bound by AmeriCorps policies and has rights and responsibilities which are outlined in the Member Handbook.

D. BSWC Service Member Benefits

1. Service Term

BSWC members serve full, 1700-hour AmeriCorps terms. They need to complete their 1700 hours of service in less than one program year, or ten and a half months for the BSWC. Service terms are not confined to standard business hours or weekdays; hours may be accumulated during the evening and on weekends when appropriate. It is preferred that BSWC members are kept on a roughly 40 hour per week schedule in order to ensure the completion of their hours and avoid burnout. Occasional deviation is acceptable when the project calls for it.

2. Living Allowance

The member living allowance, or stipend, will be paid through the MCC. Members will receive biweekly payments of approximately \$711 before taxes, ideally through direct deposit. MCC will withhold all appropriate and required payroll taxes. AmeriCorps members are not eligible for unemployment insurance and therefore unemployment taxes are not withheld.

3. The Education Award

Upon successful completion of a required term of service, BSWC members qualify for an education award in the amount of \$ 6,345. Prior to this award being granted, an End of Term/Exit form must be completed by the MCC State Office, which, among other things, certifies the hours served (minimum of 1700 hours). This award may be used to repay existing qualified student loans and/or to pay the cost of attending a qualified institution of higher education or the expenses incurred in participating in an approved school-to-work program. Members can divide their award to pay a combination of these loans and/or expenses, and have seven years from the end of their term of service to use the award. **The education award is considered taxable income in the years that a member utilizes any amount of the award.**

4. Health Insurance

BSWC members receive health insurance benefits once they have been enrolled in the program for 30 days.

5. Training

During the course of their service term, BSWC members will be required to attend 4 mandatory training events; orientation, early service training, mid-service training, and end of service training. These events offer opportunities for professional development as well as personal growth. Absences from training are unacceptable and sites must work around the training schedule and promote full participation. BSWC members will also be required to attend any OCS sponsored statewide events should they be scheduled during the program year.

HOST SITE RESPONSIBILITIES

As the supervisor of a BSWC AmeriCorps member, you are making a commitment to the experience of your member and to the growth of this exciting national service program. You will find that with a few responsibilities to AmeriCorps come a multitude of rewards and benefits to you, your member, and your service community.

A. Host Site Obligations

Supervising your service member will entail many of the day-to-day activities commonly seen in a supervisor/supervisee relationship. In order to maintain compliance with BSWC funding sources and ensure program quality, site supervisors are also required to fulfill the following duties:

- Site Supervisors must sign and return the BSWC Memorandum of Understanding prior to the beginning of the member's term.
- Site Supervisors must provide their member with adequate work space and resources to complete their tasks.
- Site Supervisors must provide their members with a comprehensive on-site orientation.
- Site Supervisors must attend Orientation training in January.
- Site Supervisors will review and approve the member's reported service hours on the member's timesheet and submit to the BSWC Program Staff biweekly.
- Site Supervisors will review the member's quarterly report and ensure timely submission to the BSWC Program Staff.
- Site Supervisors will provide immediate oversight and complete two written member performance evaluations over the course of the year; one at mid-term and one at the end of the term.
- Site Supervisors will participate in site visits and evaluation activities, including visits by the Program Staff and possible site visits from BSWC Steering Committee, OCS, Montana Commission on Community Service and AmeriCorps (previously the Corporation for National & Community Service), or other AmeriCorps officials.

B. Provide Rewarding Service Opportunities

BSWC members are **not employees** or **volunteers**, they are National Service participants. In agreeing to place a BSWC member, a service site agrees to provide an opportunity for direct and meaningful service, creating a valuable member experience. Members should be able to learn about themselves and the work of your organization, the importance of your and their work in the community, and the role of service in our society. The activities assigned to them should allow for personal growth and development.

High quality supervision of the member is essential for the member's success personally and for your organization. An environment should be established in which the member is challenged to fulfill the mission of AmeriCorps outlined in this handbook, in addition to the goals and objectives of the BSWC program. You, as the Site Supervisor, should provide them with the information, orientation, guidance, and support to contribute to your programs and to experience personal and professional growth.

C. Change in Site Supervisor

It is very important that the BSWC is aware of who is directly supervising the service member. In the event that a new supervisor is placed with the member, the new site supervisor must notify the BSWC Program Staff immediately to allow for adequate orientation and training time. The new site supervisor must complete a background check as soon as possible. This information must be sent to BSWC within **15 days**.

D. Allowable & Prohibited Activities

All National Service participants are accountable to congressionally mandated allowable and prohibited activities. Maintaining adherence to these activities is of the utmost importance. As the BSWC Site Supervisor it is your responsibility to ensure that members engage only in allowable AmeriCorps activities.

Allowable Activities

Allowable service activities are activities appropriate to member's role as AmeriCorps participants and hours spent in those activities are credited towards the minimum hour requirement for their education award. Allowable service activities include: 1) direct service 2) training and enrichment 3) fundraising.

1) DIRECT SERVICE is activity that addresses education, health, public safety, the environment, or other human needs. Direct service means working directly with people (clients, beneficiaries, communities, etc.) to make change, or doing service that is involved in making that direct change. AmeriCorps members may also perform capacity-building activities as direct service that improve the organizational and financial capability of nonprofit organizations and communities to meet local needs by achieving greater organizational efficiency and effectiveness, greater impact and quality of impact, stronger likelihood of successful replicability, or expanded scale. At least 70% of your member's total hours should be direct service hours.

Examples of Capacity-Building Activities:

- Enlisting, training, or coordinating volunteers;
- Conducting outreach and securing resources in support of service activities that meet specific needs in the community;
- Conducting research, mapping community assets, or gathering other information that will strengthen the sponsoring organization's ability to meet community needs;
- Developing organizational systems to improve efficiency and effectiveness;

2) MEMBER DEVELOPMENT is only applicable when the activity reflects the AmeriCorps service or role. Any training that refers to members' direct service would be part of this category. All orientations can be included, as well as any state or regional trainings, seminars, or workshops pertaining to issues related to direct service. No more than 20% of members' total hours can be credited to member development.

3) FUNDRAISING

AmeriCorps Members may spend no more than 10% of their service term performing fundraising activities. Fundraising activities do not count towards direct service hours, even if a Member spends time on fundraising activities at a Service Site; these hours should be reported on the timesheet in the Fundraising category.

Members may raise funds directly in support of service activities that meet local, environmental, educational, public safety, human safety and homeland security needs.

Examples of Member fundraising activities include, but are not limited to, the following:

- Writing a grant proposal to a foundation to secure resources to support volunteer training;
- Securing supplies & equipment from the community to increase an organization's ability to help low-income individuals;
- Securing financial resources from the community to assist in launching or expanding a program that provides social services to the community;
- Seeking donations from alumni of the program for the specific service projects being performed by current Members.

Examples of fundraising activities Members may not perform include, but are not limited to, the following:

- Raising funds for an organization's general operating expenses or endowment; and
- Writing a grant application for AmeriCorps funding to CNCS or any other **Federal agency**.

- Raising funds to directly support their service position.

Prohibited Activities

There are certain activities that AmeriCorps members may not perform in the course of their duties, while charging time to the AmeriCorps program, or at the request of program staff. Furthermore, members may not engage in any conduct in a manner that would associate the national service program or the Corporation with the prohibited activities. Please become familiar with the specific prohibitions to ensure compliance with these important guidelines.

Members may not engage in the following activities while functioning as an AmeriCorps member and may not count these hours towards their AmeriCorps service commitment.

- **Religious activities**, including engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instructions or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship or engaging in any form of religious proselytization.
- Participating in efforts to influence legislation, including lobbying for your program.
- Organizing a letter-writing campaign to Congress.
- Engaging in **partisan political activities** or other activities designed to influence the outcome of an election to any public office.
- Participating in, or endorsing, **events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation**, or elected officials.
- Printing politically charged articles in a Corporation-funded newsletter or list-serve.
- Taking part in political demonstrations or rallies.
- Engaging in any efforts to influence legislation, including state or local ballot initiatives.
- Voter registration drives.
- Organizing or participating in protests, petitions, boycotts, or strikes.
- Assisting or deterring union organizing.
- Impairing existing contracts or collective bargaining agreements.
- Administrative work, unless it directly relates to the member's approved direct service activities.
- Activities that pose a significant safety risk to participants.
- Assignments that displace employees.
- Placement of members into internships with for-profit businesses as part of the education and training component of the program.
- Providing assistance to a business organized for profit.
- Providing abortion services or making referrals for such services.

However, AmeriCorps members, like all private citizens, may participate in religious activities, fundraising, lobbying, political, or advocacy activities as long as it is done on their own time, at their own expense, and at their own initiative. Members may not wear AmeriCorps service gear in such instances.

E. Personnel Policies

The BSWC recognizes that many organizations in which its members serve already have policies regarding personnel and general office issues. Your existing office policies and guidelines will apply to BSWC members. However, the policies in this handbook must also be applied to your BSWC members. If you identify any requirements in this handbook that contradict your own, please speak with the BSWC Program Staff.

As a program receiving federal financial benefits, all programs, service sites, organizations, and individuals participating in BSWC must abide by the following policies:

- Equal Opportunity in Employment
- Drug-Free Workplace
- Harassment and Sexual Harassment

F. Verifying and Recording Hours

Site Supervisors are responsible for monitoring and verifying member's service hours. This is why it is important that the site supervisor is also ***the member's immediate supervisor, someone who is on-site and can verify the record of hours served***. This is an extremely important function because eligibility for the education award and interest payments is contingent upon proof of completion of service hours. **BSWC members may not exceed a cumulative total of 14 service hours in one day.** BSWC members should regularly work a standard 40-hour week based on the normal hours of operation for your organization; however, when the situation warrants due to field days, service projects, travel, etc., additional hours and days are acceptable. **Members may also partake in all holidays observed by your organization; however, they may not count hours for those days! ONLY record hours for time actually served!**

The service hours should be recorded by the member on their electronic timesheet. It is important for you to monitor the rate at which a member is completing the service hours to ensure that s/he will be able to complete the full-time requirement within the specified time period. MCC will also monitor this closely and can provide updates/verification as needed. When monitoring member hours, keep in mind the following restrictions:

- **Direct Service:** Time spent during which the member provides or plans service activities as described in your Position Description. Direct service can be up to 100% of members' total hours and at least 70% of total hours must be direct service.
- **Member Development:** Activities including BSWC statewide trainings, site specific professional development, conferences, etc. Member Development hours are limited to 20% of the member's overall term (***it's your responsibility to keep track of hours accrued!***) For member development hours outside of what is sponsored by the BSWC program, BSWC Staff approval is required. They can be no more than 20% of a member's total hours. For example, if a member logs 2000 total hours, indirect service hours should comprise no more than 20% of 2000 (no more than 400 hours).
- **Fundraising:** Time spent on fundraising activities, including raising money, grant writing, etc. Members may spend no more than 10% of their total service term on fundraising efforts. These hours may occur over the course of the service year, or in condensed periods, depending on the site's needs.

MCC Teleservice Policy:

Telework has become increasingly popular across the private, public and nonprofit sectors. Members requesting teleservice arrangements under the auspices of reasonable accommodation of a disability are excluded from this policy. AmeriCorps members should generally be providing service directly to the people and in the communities where they serve rather than performing service remotely. Therefore, teleservice should be rare, if ever, and involve appropriate documentation, supervision and oversight. The following guidance is provided for those unique situations when teleservice is appropriate or when a small number of a member's service hours can properly be accrued through teleservice. Teleservice is appropriate only when the activity can be meaningfully supervised and the hours verified

independently.

Members participating in teleservice are required to adhere to the following:

- The member, and site supervisor when appropriate, will submit a written request of teleservice in advance to MCC program staff and must receive approval prior to beginning teleservice.
- A communication plan must be established by the supervisor and teleserving member(s) which will include formal, written communication on tasks, workplan objectives and expected hours of service on a minimum weekly basis. Members and supervisors are strongly encouraged to formally connect daily to ensure expectations are clear and validated.
- Recorded service hours will be verified by supervisor(s) each pay period with clear documentation of activities performed relevant to established communication/work plans.

Timesheet Requirements:

- All timesheets must be completed electronically and/or in pen (blue/black).
- Timesheets may not contain whiteout! All errors/changes must be crossed out with a single line and initialed.
- All timesheets must include dates of service and time spent. This includes start time, end time, lunch and totals.
- Hours must be entered in a decimal format and **rounded to the nearest half (.50)**

G. Performance Evaluations

A mid-term and an end-of-term performance evaluation are required for all members. **It is important to develop performance criteria that you will use in your evaluation process, and to share these with your member at the beginning of their term of service.** The member should know in advance the performance standards against which they will be evaluated.

H. National Service Days

Throughout the year, the Corporation organizes several national days of service for AmeriCorps members, other national service participants, and community volunteers to join together to meet a community need. You should allow your member to participate in these programs as part of their normal service hours. The BSWC Program Staff will be informed well in advance of these programs, and will share this information with you.

These programs remind the members that they are part of a national network of programs, celebrate their accomplishments, and allow them to work with AmeriCorps members and national service participants from other programs.

The names and dates of these events are as follows:

- Make A Difference Day-October
- Martin Luther King Jr. Day of Service – January
- Global Youth Service Day-April
- AmeriCorps Week – March
- 9/11 Day of Remembrance - September

I. Voting

You should encourage your member to register to vote during their term of service, and should allow them time to register during their service hours. However, you cannot require members to register or to vote, as exercising this individual right is a personal decision. You also cannot attempt to influence how a member votes. Members who are unable to vote before or after service hours should be allowed to do so during their service hours without incurring any penalties. You should determine an appropriate length of absence needed to vote, and clearly communicate this to your member.

J. Jury Duty

Serving on a jury is an important responsibility of citizenship. Members should be encouraged to serve jury duty and must not be penalized for doing so. When AmeriCorps members serve as jurors, they should continue to receive credit for their normal service hours. Also, they may keep any reimbursements for incidental expenses received from the court.

K. Grievance Procedure

All AmeriCorps programs have grievance procedures. If informal efforts to resolve disputes are unsuccessful, then members and other interested parties may seek a resolution through the BSWC grievance procedure. **While the BSWC Program Staff is responsible for developing and implementing these procedures, you should be aware of them.** A copy of the MCC grievance procedure is included in this handbook.

L. Termination

1. Leaving for Compelling Personal Circumstances

AmeriCorps recognizes that due to unforeseen circumstances, some members may not be able to complete their required hours of service within the program period. The following guidelines should be applied to these members. If a member elects to leave the program, the BSWC Staff and MCC Senior Staff have the authority to determine whether or not their reason for dropping out is a "compelling personal circumstance." If a decision is made that the member's reason does indeed constitute compelling circumstances, the member may receive a pro-rated educational award or temporarily be suspended from service for up to two years.

While this is ultimately the decision of the BSWC Staff and the MCC, you should be aware of the general guidelines in this situation. Some examples of reasons that may justify release from service include a member's critical illness, a serious family matter, or death or critical illness in the member's immediate family. It may also include premature termination of the program or other programmatic problems beyond the member's control.

If a member chooses to terminate their participation to return to school, take a job, or because they are dissatisfied with their assignment, these reasons would not justify a release for compelling circumstances. Determinations will be made on a case-by-case basis. If a member leaves due to a compelling and personal circumstance, they are still required to fill out the AmeriCorps exit paperwork.

2. Termination for Cause

Only the MCC Program Director or President/CEO may terminate a member from their service position.

AmeriCorps programs are required to release a member for cause if he or she, among other things, drops out without obtaining a release for compelling personal circumstances or is convicted of a violent felony or the sale or distribution of a controlled substance during the term of service.

A service site must promptly communicate any performance, behavior, or service related concerns to the BSWC Staff. The Site Supervisor, BSWC Staff, and if necessary MCC Senior Staff; will decide upon the appropriate course of action when dealing with disciplinary issues. All performance issues must be **well-documented** by the site and the MCC State Office. There is a one-year probationary period for all members.

If a member is released for cause, s/he will not receive any part of an education award and may be disqualified from future service through AmeriCorps.

N. Information on Criminal Background Checks for grant covered individuals

BSWC members are considered "grant covered" individuals and as such must pass checks from the National Sexual Offender Public Registry (NSOPR), Montana State Repository, and a fingerprint-based FBI check. *On April 21, 2011, the two-part National Service Criminal History check became a three-part check requirement for individuals serving in, or working for, a program or project that allows for recurring access to a vulnerable population. Once new regulations are established, newly enrolled or hired individuals in*

predictable contact with children (17 and younger), senior citizens (60 and older), and individuals with disabilities must undergo:

- 1. A National Sex Offender Public Registry check (NSOPR); A statewide criminal history repository check of the state of residency and the state where the individual will work/serve (FBI checks do not substitute for state checks); and,*
- 2. A fingerprint-based FBI criminal history repository check.*

In order for BSWC to be compliant with these laws, all grant covered individuals engaged after April 21, 2011 who have recurring access to vulnerable populations **must** consent to and pass criminal background checks on the NSOPR, the Montana State Repository *and* a fingerprint-based FBI check. *An individual's ability to serve as a BSWC member is subject to review of criminal history and fingerprint-based FBI checks.*

BSWC can facilitate checks in the National Sexual Offender Public Registry (NSOPR) and in the Montana State Repository. BSWC will complete those two checks at no cost to the applicant. The results of the checks will be housed in the MCC state office.

EQUAL OPPORTUNIT IN EMPLOYMENT POLICY

Equal Employment Opportunity has been, and will continue to be, a fundamental principle at MCC, where employment is based upon personal capabilities and qualifications without discrimination because of race, color, national origin, religion, creed, age, sex, physical or mental disability, marital status, genetic information, political beliefs, or any other protected characteristic as established by law.

This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, layoff, discharge, training, and all other terms, conditions, and privileges of employment.

If you require specialized accommodations (due to a disability, religious belief/practice, etc.) either for your current job or for jobs to which you would like to apply, contact your supervisor. It is important that you notify us of your need for an accommodation. Once that is done, we will work with you through an interactive process to evaluate and if possible, arrange for a reasonable accommodation.

Employees with access to information about reasonable accommodations shall maintain the confidentiality of the information to the extent reasonably possible and shall not release the information to anyone who does not have the right or need to know.

DRUG FREE WORKPLACE POLICY

MCC is committed to providing a safe, healthy, and efficient work environment and to protect the health, safety, and wellbeing of all members and other individuals in our workplace. This commitment is jeopardized when any MCC employee engages in use, possession, trade and/or sale of illegal drugs, controlled substances, or abuses prescription drugs or alcohol. Medical marijuana is considered a controlled substance by MCC.

MCC recognizes that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace. Violations of this policy are subject to disciplinary action up to and including termination of employment.

MCC's drug free workplace policy is intended to comply with all federal and state laws and is designed to safeguard employee privacy rights to the fullest extent of the law. In accordance with the federal Drug-Free Work-place Act of 1988, you are obligated to notify MCC of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

MCC offers an Employee Assistance Program (EAP) that is totally confidential and available to all members and their immediate families. The EAP provides professional services to employees whose performance is, or may be, adversely affected by emotional difficulties, alcoholism, drug dependence, family discord, or other personal

problems.

HARASSMENT AND SEXUAL HARASSMENT

MCC is committed to providing a work environment that is free of discrimination and harassment. We will not tolerate harassment of MCC members by anyone. This includes any MCC supervisor, manager, co-worker, or non-MCC employee such as a vendor, contractor, customer, or other regular MCC visitor.

Harassment is defined as unwelcome conduct that is verbal, physical, or visual, that is based upon a person's protected status, such as sex, color, race, ancestry, national origin, age, disability, or other legally protected status. Such harassment may include but is not limited to, jokes about another person's protected status, kidding, teasing or practical jokes directed at a person based on his or her protected status. The prohibited conduct also includes:

Epithets, slurs, negative stereotyping, or intimidating acts that are based on a person's protected status; or
Written or graphic material circulated within or posted within the workplace that shows hostility toward a person or persons because of their protected status.

This policy applies to conduct occurring in the workplace and/or in other settings where MCC members may be in connection with their work, such as business trips and business-related social events.

DEFINITION OF SEXUAL HARASSMENT

- Sexual harassment is conduct based on sex, whether directed towards a person of the opposite or same sex. Sexual harassment includes unwelcome verbal or physical conduct of a sexual nature when:
- Submission to the conduct is implicitly or explicitly made a term or condition of employment;
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual; or
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

There are two basic types of unlawful sexual harassment. The first type involves harassment that results in a tangible employment action. The second type of unlawful sexual harassment is referred to as hostile environment. Behaviors that can contribute to a hostile environment include discussing sexual activities, telling off-color jokes, unnecessary touching, displaying sexually suggestive pictures, commenting on physical attributes, or using demeaning or inappropriate terms.

RESPOND APPROPRIATELY WHEN YOU ENCOUNTER SEXUAL HARASSMENT

All members are responsible to help ensure that MCC avoids all forms of harassment in the workplace. Whenever possible, any person who is experiencing unwelcome conduct of the type generally described above should inform the person engaging in the conduct that it is unwelcome and request that it stop. If you feel you have experienced harassment or witnessed it, you should immediately notify a supervisor or senior management of MCC. You do not have to report the incident to your supervisor first, especially if that is the person doing the harassing. MCC wants to know about any harassment so it can take prompt and appropriate action to ensure that no further incidents occur, with the present victim or other employees, in the future.

MCC forbids retaliation against anyone for reporting harassment, assisting in making a harassment complaint, or cooperating in a harassment investigation. If you feel you have been retaliated against, you are to notify your supervisor or senior management of the MCC. Retaliation in any form is grounds for disciplinary action up to and including discharge.

MCC will investigate all complaints of harassment thoroughly, to the fullest extent practicable. MCC will keep complaints and the terms of their resolution confidential. However, MCC cannot guarantee complete confidentiality in the process of completing a thorough investigation. If the investigation confirms that a violation of this policy has occurred, MCC will take appropriate corrective action including discipline up to and including discharge from employment.

GRIEVANCE PROCEDURES

In the event that informal efforts and conflict resolution to resolve disputes are unsuccessful, AmeriCorps members and other interested individuals may seek resolution through the following grievance procedures. These procedures

are intended to apply to service-related issues, such as job assignments, performance evaluations, disciplinary actions, suspension, or release for cause. In addition, individuals who are not selected as AmeriCorps members or labor unions alleging displacement of employees or duplication of activities by AmeriCorps may utilize these procedures.

1. Alternative Dispute Resolution

Alternative Dispute Resolution (ADR) is available, but must be selected within 45 days of the underlying dispute. If a member chooses ADR as a first option, a neutral party designated by the MCC will attempt to facilitate a mutually agreeable resolution. The neutral party must not have participated in any previous decisions concerning the issue in dispute. ADR is confidential, non-binding, and informal. No communications or proceedings of ADR may be referred to at the grievance hearing or arbitration stages. The neutral party may not participate in subsequent proceedings.

If ADR is chosen by the member, the deadlines for convening a hearing and for a hearing decision are 30 and 60 days respectively. They are held in abeyance until the conclusion of ADR. At the initial session of ADR, the neutral party must provide written notice to the aggrieved party of his or her right to request a hearing. If ADR does not resolve the matter within 30 calendar days, the neutral party must again notify the aggrieved party of his or her right to request a hearing. At any time, the aggrieved party may decline ADR and proceed directly to the hearing process.

2. Grievance Hearing

A member may request a grievance hearing without participating in ADR, or if ADR is selected and it fails to facilitate a mutually agreeable resolution. The member should make a written request for a hearing to the Program Director or the MCC President/CEO. A request for a hearing must be made within one year after the date of the alleged occurrence. At the time a request for a hearing is made, MCC shall make available to the member information that it relied upon in its disciplinary decision.

Montana Conservation Corps will arrange for one or more pre-hearing conferences at a time mutually convenient to the parties. Pre-hearing conferences are not a substitute for a hearing. They are intended to facilitate a mutually agreeable resolution of the matter to make a hearing unnecessary or to narrow the issues to be decided at the hearing. The format of the pre-hearing conference may be flexible, involving meetings with one party at a time and/or with both parties together. Pre-hearing conferences may be conducted by the Program Director, Vice President of Finance and Operations, or the President/CEO.

The hearing will be conducted by the Program Director, Vice President of Finance and Operations, or the President/CEO. The person conducting the hearing may not have participated in any previous decisions concerning the issue in dispute. A hearing must be held no later than 30 calendar days after the filing of the grievance, and a written decision must be made no later than 60 calendar days after filing.

3. Binding Arbitration

An aggrieved party may request binding arbitration if a grievance hearing decision is adverse or if no decision is made within 60 days of the filing of the grievance. The arbitrator must be independent and selected by an agreement of the parties. If the parties cannot agree on an arbitrator, the Chief Executive Officer of AmeriCorps will appoint one within 15 calendar days after receiving a request from one of the parties.

An arbitration proceeding will be held no later than 45 calendar days after the request for arbitration, or no later than 30 calendar days after the appointment of an arbitrator by AmeriCorps' CEO. An arbitration decision will be made no later than 30 calendar days after the commencement of the arbitration proceeding.

The cost of arbitration will be divided evenly between the parties, unless the aggrieved party prevails, in which case the Montana Conservation Corps will pay the total cost of the proceeding as well as the prevailing party's attorneys' fees.

4. Remedies:

Remedies for grievances include, but are not limited to, reinstatement in good standing of a Member wrongfully suspended or dismissed, and prohibition of a placement of a Member. If reinstatement of the member results in

the member not being able to fully complete their hours within the term of service, arrangements may be made to allow the member to complete the hours.