



**AFRF**  
AUSTIN FIREFIGHTERS  
RETIREMENT FUND

**MINUTES  
BOARD OF TRUSTEES MEETING  
MONDAY JANUARY 29, 2024, 9:00AM**

**Board Members Present**

Doug Fowler, Outgoing Vice Chair  
John Bass, Incoming Vice Chair  
Belinda Weaver, Treasurer  
Aaron Woolverton, Trustee

**Staff and Consultants Present**

Anumeha Kumar, AFRF Executive Director  
John Perryman, AFRF CFO  
Debbie Hammond, AFRF Benefits Manager  
Gina Gleason, AFRF Board & Operations Specialist  
Shira Herbert, AFRF Accounting & QC Specialist  
Amy Thibaudeau, AFRF Benefits Specialist  
Alyca Garrison, Jackson Walker  
Lori Messer, Logic Compensation Group (virtual)  
Nichole Arko, Logic Compensation Group (virtual)  
Elizabeth Wiley, Cheiron

**Community Members Present**

Rene Vallejo  
Donald Lowe  
Eric Pederson  
Virtual attendees not listed

**Vice Chair Fowler called the meeting to order at 9:02am.**

Public Comments:

**Rene Vallejo introduced himself as the president of the Austin Retired Fire Fighters Association (ARFFA). Mr. Vallejo raised a concern regarding some members who participate in two retiree Facebook groups by providing partial reports on Fund meetings, which have stirred up negative comments regarding the Board and staff, including a recent suggestion for a vote of no-confidence in their leadership. Mr. Vallejo encouraged members to obtain information directly by attending the board meetings and informational sessions hosted by the Fund or by referring to the recordings of those meetings, rather than basing their opinions on a secondhand report from a single member.**

- I. Consent Agenda for the following:
  - a. Minutes of the regular meeting of December 11, 2023
  - b. Service retirement benefits for new retirees, beneficiaries, and alternate payees

**Trustee Weaver motioned to approve the consent agenda. Trustee Bass seconded the motion. The motion passed unanimously.**

- II. Election of the Vice Chair for 2024

**Vice Chair Fowler voiced his appreciation for everything the Board and staff had accomplished during his three years as Vice Chair. He nominated Trustee Bass to take over the role of Vice Chair for 2024. Trustee Weaver seconded the nomination and thanked Vice Chair Fowler for his time and leadership, noting that the Fund had experienced a lot of improvement over that time, which had included the hiring of Executive Director Anumeha Kumar. The motion to elect Trustee Bass as Vice**

**Chair passed unanimously. Trustee Bass thanked the Board and acknowledged Vice Chair Fowler for a job well done.**

- III. Review and consideration of application to continue the disability retirement benefits for Applicant #2024-02 (Closed Session)

**The Board entered closed session at 9:09am pursuant to Texas Government Code Section 551.0785 for deliberations involving medical records for a continuation of disability retirement application. The Board resumed open session at 9:56am with no action taken during the closed session. Vice Chair Bass indicated that after a lengthy discussion, the Board had directed staff to hire a vocational expert to determine the amount the applicant would be capable of earning in an occupation either within or outside of the fire department. No motion necessary.**

- IV. Discuss and consider Logic Compensation Survey update, including Executive Director salary review and conforming updates to the Personnel Policy (Closed Session)

**The Board entered closed session at 9:57am pursuant to Texas Government Code Section 551.074 to discuss personnel matters. The Board resumed open session at 10:53am with no action taken during the closed session. Trustee Fowler motioned to adopt the Executive Director salary range as presented to the Board by the Logic Compensation in their Executive Director Market Salary Survey report update, without geographic differences. He clarified that his motion would include an update to the Personnel Policy. Trustee Weaver seconded the motion. The motion passed unanimously.**

- V. Update on City of Austin Actuarial Audit

**Anumeha Kumar informed the Board about the preliminary draft report from Athena, the City of Austin's actuarial consultant. She explained that the audit reviewed the Fund's actuarial valuations over a five-year period from 2018-2022, as required by state law, and their only significant finding pertained to the Fund's increased amortization period of 35.7 years which exceeded the 30-year period recommended by the Pension Review Board. The next step, Ms. Kumar continued, would be to provide a response to the draft report to Athena by mid-February, which would be included in the final report presented to City Council's Audit and Finance Committee and then submitted to the Pension Review Board. Ms. Kumar explained that the Fund's response would highlight the Board's awareness and proactivity regarding the amortization period, including their pursuit of developing a voluntary FSRP. She noted that the response would also acknowledge some economic and demographic assumptions that Athena had included in their report, which the Board is currently in the process of reviewing with Cheiron through the actuarial experience study. No motion necessary.**

- VI. Update on the Funding Soundness Restoration Plan (FSRP) / Pension Review Board (PRB) Actuarial Committee Meeting

**Anumeha Kumar reviewed the presentation she gave to the Pension Review Board at their Actuarial Committee meeting, explaining that her intention was to acknowledge that the Fund was aware of its "at-risk" status and to inform the PRB that the Board had taken a proactive stance in pursuing the development of a voluntary FSRP. She emphasized the importance of partnering with both the Fund's membership and the City of Austin to come up with a shared solution that is agreeable for all stakeholders, then stated that the goal was well-received by the PRB. Ms. Kumar informed the Board that a recording of the meeting could be viewed on the PRB website. Trustee Weaver noted that she had watched the meeting live and praised Ms. Kumar for her presentation**

and proactivity. Vice Chair Bass echoed the sentiment. Ms. Kumar provided an update on the Working Group, which was currently in the process of considering different options with the Fund's actuary, Cheiron. She stated that she would provide an update to the Board and schedule another member informational session as soon as more concrete information became available, which she hoped would be sometime in March. No motion necessary.

VII. Executive Director Report, including the following (Discussion Only)

a. General comments

**No general comments.**

b. Annual DROP Account Statements Update

**Anumeha Kumar notified the Board that the annual DROP account statements had been mailed out to DROP participants and would likely be delivered by the end of the week.**

c. Winter Newsletter Update

**Anumeha Kumar stated that the winter newsletter was targeted for publication during the first week of February and would be posted to the Fund's website.**

d. Update on 2024 pension conferences

**Anumeha Kumar informed the Board of the TEXPERS, NCPERS and NASRA conferences that they would be eligible to attend in 2024. She directed the trustees to request arrangements from staff in advance of any conferences they wanted to attend.**

e. Final internal financial statements, transactions and Fund expense reports for month ending November 30, 2023

**Anumeha Kumar reminded the Board that the November financial statements had been presented in draft form at the December meeting. She indicated that the investment reports had been updated to reflect final numbers, but no Fund expense-related numbers had changed.**

f. Internal financial statements, transactions, and Fund expense reports for month ending December 31, 2023

**Anumeha Kumar reported that the final expenses for the 2023 fiscal year came in under budget, having only expended approximately 95% of the approved budget. Ms. Kumar explained that a contributing factor was the Fund's investment management fees, which decreased with the implementation of the Board's passive investment strategy. Ms. Kumar highlighted a few areas which had exceeded budget, including the legal fees and actuarial fees, but noted these expenses were due to one-time projects that had previously been discussed with the Board. Additionally, she explained, some fees were misaligned with the intended payment schedule, including remaining 2022 payments for the prior actuary that were paid in 2023, and cyber security and liability insurances which were anticipated to be paid in 2023 but will instead be paid in 2024 following fee negotiations.**

**Vice Chair Bass followed up on the conversations of budgetary improvements and Executive Director performance by recognizing the amount of work that had been performed both at the Executive Director and staff levels, emphasizing how dramatically their roles have expanded from prior years. Vice Chair Bass noted that anyone who had been paying attention through watching the meetings or reading the minutes could see the ongoing improvements, which he attributed to a lot of hard work. He expressed his gratitude for the initiative taken by Ms. Kumar and her staff and praised them for a job well done.**

VIII. Roadmap for future meetings

**Anumeha Kumar stated that all known items for 2024 were included in the roadmap and welcomed any additions from the trustees. The trustees had no questions or requests.**

IX. Call for future agenda items

**No future agenda items were called for.**

**Hearing no objections, Vice Chair Bass adjourned the meeting at 11:10am.**

**Board Members**

Mayor Kirk Watson, Chair  
John Bass, Vice Chair  
Belinda Weaver, Treasurer  
Doug Fowler, Trustee  
Aaron Woolverton, Trustee

AUSTIN FIREFIGHTERS ~~RELIEF~~  
~~AND~~ RETIREMENT FUND

PERSONNEL POLICIES

*Restated as of [Date] ~~Effective May 27, 2022~~*

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## INTRODUCTION & DISCLAIMER

These Personnel Policies (the “Policies”) contain information about employment policies and procedures for the Austin Firefighters Relief and Retirement Fund (hereafter referred to as the “Fund”). The policies set forth herein are approved by the Fund’s Board of Trustees (hereafter referred to as the “Board”) and are intended to provide a set of principles for establishing and maintaining harmonious and productive employee relationships in the conduct of Fund business.

Each employee should read and become familiar with the information contained in these Policies. Failure to comply with these Policies may result in discipline, up to and including termination of employment. The provisions in these Policies are not intended to in any way create any contractual obligations with respect to your employment. Nor are these Policies intended to create a contract guaranteeing that you will be employed for any specific time period.

For specific information about employee benefits, you should refer to the plan documents, which are controlling. The policies and procedures in these Policies are guidelines only. The Fund reserves the right to interpret and administer the provisions of these Policies as needed. Except for the policy of at-will employment, which can only be changed by the Board in a signed written contract, the Fund reserves the right to revise, delete and add to the provisions of these Policies at any time without further notice. All such revisions, deletions or additions to these Policies must be in writing and must be approved by the Board. No oral statements or representations can change the provisions of these Policies.

NOTHING IN THESE POLICIES NOR ANY OTHER COMMUNICATION BY A FUND REPRESENTATIVE OR ANY OTHER EMPLOYEE, WHETHER ORAL OR WRITTEN, IS INTENDED TO IN ANY WAY CREATE A CONTRACT OF EMPLOYMENT. UNLESS YOU HAVE A WRITTEN EMPLOYMENT AGREEMENT SIGNED BY AN AUTHORIZED FUND REPRESENTATIVE, YOU ARE EMPLOYED AT WILL AND NOTHING IN THESE POLICIES CAN BE CONSTRUED TO CONTRADICT, LIMIT OR OTHERWISE AFFECT YOUR RIGHT OR THE FUND’S RIGHT TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME WITH OR WITHOUT NOTICE OR CAUSE.

These Policies supersede all prior versions published or distributed by the Fund and all inconsistent oral or written statements.



## EQUAL EMPLOYMENT OPPORTUNITY POLICY

The Fund is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices laws. The Fund strictly prohibits and does not tolerate discrimination against employees, applicants, or any other covered persons because of race, color, religion, creed, national origin or ancestry, ethnicity, sex, gender, age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, or any other characteristic protected under applicable federal, state, or local law. All employees, other workers, and representatives are prohibited from engaging in unlawful discrimination. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, training, promotion, discipline, compensation, benefits, and termination of employment.

### *Americans with Disabilities Act/Reasonable Accommodation*

The Fund complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act, the Texas Commission on Human Rights Act, and all applicable state and local laws. Consistent with those requirements, the Fund will reasonably accommodate qualified individuals with a disability if such accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship. If you believe you need an accommodation, refer any such request to the Executive Director. It is your responsibility to notify the Executive Director of the need for accommodation. Upon doing so, the Executive Director may ask you for your input or the type of accommodation you believe may be necessary or the functional limitations caused by your disability. Also, when appropriate, we may need your permission to obtain additional information from your physician or other medical or rehabilitation professionals. The Fund will also, where appropriate, provide reasonable accommodations for an employee's religious beliefs or practices.

### *Prohibition on Harassment*

The Fund strictly prohibits and does not tolerate unlawful harassment against employees or any other covered persons because of race, color, physical or mental disability, religion, creed, national origin, ancestry, sex, gender, age (40 and over), citizenship, genetic information, past, current, or prospective service in the uniformed services, or any other characteristic protected under applicable federal, Texas, or local law.

All employees, other workers, and representatives are prohibited from harassing employees, unpaid interns, and other covered persons based on that individual's sex or gender and regardless of the harasser's sex or gender. Sexual harassment means any harassment based on someone's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when any of the following is true:

- Submission to the advance, request, or conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of the advance, request, or conduct is used as a basis for employment decisions.
- These advances, requests, or conduct have the purpose or effect of substantially or unreasonably interfering with an employee’s work performance by creating an intimidating, hostile, or offensive work environment.

The Fund will not tolerate any form of sexual harassment, regardless of whether it is:

- Verbal (for example, epithets, derogatory statements, slurs, sexually-related comments or jokes, unwelcome sexual advances, or requests for sexual favors).
- Physical (for example, assault or inappropriate physical contact).
- Visual (for example, displaying sexually suggestive posters, cartoons, or drawings, sending inappropriate adult-themed gifts, leering, or making sexual gestures).
- Online (for example, derogatory statements or sexually suggestive postings in any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.).

This list is illustrative only and not exhaustive. No form of sexual harassment will be tolerated.

The Fund’s anti-harassment policy applies equally to harassment based on an employee’s race, color, physical or mental disability, religion, creed, national origin, ancestry, age (40 and over), citizenship, genetic information, past, present, or prospective service in the uniformed services, or any other characteristic protected under applicable federal, Texas, or local law. Such harassment often takes a similar form to sexual harassment and includes harassment that is:

- Verbal (for example, epithets, derogatory statements, slurs, derogatory comments, or jokes).
- Physical (for example, assault or inappropriate physical contact).
- Visual (for example, displaying derogatory posters, cartoons, or drawings, or making derogatory gestures).
- Online (for example, derogatory statements or postings in any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.).

This list is illustrative only and not exhaustive. No form of harassment will be tolerated.

### *Complaint Procedure*

If you are subjected to any conduct that you believe violates this policy, you must promptly speak to, write, or otherwise contact the Executive Director, or if the conduct involves the Executive Director, the Vice-Chairman of the Board, as soon as possible following the offending conduct. These individuals will ensure that a prompt investigation is conducted.

Your complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. The Fund will directly and thoroughly investigate the facts and circumstances of all claims of perceived discrimination and will take prompt corrective action, if appropriate.

Additionally, any employee who observes discriminatory conduct is expected to immediately intervene to stop another employee from engaging in harassing behavior and provide assistance to individuals who are victims of any form of harassment. If the harassing behavior continues, the employee who witnesses or becomes aware of the harassing behavior has a duty to report such behavior to the Executive Director, or the Board Vice-Chairman if the Executive Director is the person engaging in the harassing behavior. This does not prohibit an employee from reporting harassing behavior on the first occurrence. Failure to report a known offense to this policy may lead to disciplinary action, up to and including termination of employment. The Executive Director, or the Board Vice-Chairman as applicable, will ensure that a prompt investigation and corrective action is taken, if appropriate.

### *Prohibition Against Retaliation*

No one will be subject to, and the Fund prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reports or complaints of incidents of discrimination of any kind, pursuing any discrimination claim or cooperating in related investigations.

The Fund is committed to enforcing this policy against all forms of discrimination. However, the effectiveness of our efforts depends largely on employees telling us about inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately. If employees do not report discriminatory conduct, the Fund may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

### *Violations of this Policy*

Any employee, regardless of position or title, whom the Fund determines has subjected an individual to discrimination or retaliation in violation of this policy will be subject to discipline, up to and including termination of employment.

### *Open Door Policy*

We strive to provide a comfortable, productive, legal and ethical work environment. To this end, the Fund wants you to bring any questions, suggestions and complaints to our attention. We will carefully consider each of these in our continuing effort to improve operations.

Your suggestions and comments on any subject are important, and we encourage you to take every opportunity to discuss them with us. To help manage conflict resolution we have instituted the following problem solving procedure. Your job will not be adversely affected in any way because you choose to use this procedure.

If you believe there is inappropriate conduct or activity on the part of the Fund, its employees, vendors, customers, or any other persons or entities related to the Fund, you are expected to immediately bring this fact to the attention of the Executive Director.

If the Executive Director is unavailable or you believe it would be inappropriate to contact that person, you should present the problem to the Vice-Chairman of the Board.

## CONDITIONS OF WORK

### *Standards of Conduct*

To function effectively, every organization must develop policies and procedures to protect its clients and to ensure that co-workers' and the Fund's rights are respected. The Fund is no exception. Generally, conduct that may be disruptive, unproductive, unethical or illegal will not be tolerated.

Violation of this Standards of Conduct Policy may lead to disciplinary action, which, based on the circumstances of the individual case, could result in corrective action up to and including termination of employment. The following is a non-exhaustive list of conduct that may violate this Policy:

- Falsifying records.
- Engaging in fraud.
- Removing Fund property from the premises without authorization.
- Stealing or attempting to steal Fund or employee property.
- Being habitually tardy or absent.
- Engaging in poor timekeeping.
- Fighting on Fund property at any time.
- Being under the influence of intoxicating substances on Fund property at any time.
- Being insubordinate.
- Using or abusing Fund time, property, materials or equipment without authorization.
- Gambling on employer premises at any time.
- Sleeping on the job.
- Using offensive or profane language on Fund premises.
- Bringing dangerous or unauthorized weapons onto Fund premises.
- Being absent from work without authorization during scheduled work hours.
- Defacing Fund property.
- Engaging in criminal activity.
- Violating or abusing Fund policies.
- Neglecting job duties.
- Bringing the Fund into serious disrepute.

The Fund may consider an employee's job performance, prior violation of the Fund's rules and policies, and other relevant circumstances in determining whether to counsel, warn, suspend or terminate an employee. It is up to the Executive Director, or the Board in the case of the Executive Director, to decide whether corrective action is appropriate.

In addition to the provisions in these Policies, employees are responsible for complying with any other federal and state laws or regulations or local ordinances governing their conduct.

This section is not intended to restrict communications or actions protected or required by state or federal law.

### *Time and Attendance*

The Fund requires regular and punctual attendance from all employees. Employees who are going to be absent for a full or partial work day or late for work must notify the Executive Director as far in advance as possible. Employees who must miss work because of emergencies or other unexpected circumstances must notify the Executive Director as soon as possible.

An employee will be considered to have taken an unexcused absence if the employee is absent from work during scheduled work hours without permission, including full or partial day absences, late arrivals and early departures. The Fund reserves the right to discipline employees for unexcused absences. Discipline may include counseling, oral or written warnings, suspensions or termination of employment, in the Fund's discretion.

### *Safety*

The Fund is committed to maintaining a safe workplace. To further its goal, the Fund may issue safety rules and guidelines. You are required to comply with all the Fund's rules and guidelines, as well as any applicable federal, state, and local laws regarding workplace safety. In addition, you must keep your work area organized and free of any potential hazards. Failure to follow the Fund's safety rules and guidelines may result in discipline, up to and including termination of employment.

Employees will not be required to perform hazardous duty without first receiving training concerning the hazard, the proper work methods, and any appropriate measures or equipment to be used. If you witness any unsafe conditions or potential hazards (such as wet floors, broken equipment or defective appliances), you must report them to the Executive Director immediately. You must report all workplace injuries, accidents, or illness as soon as possible, regardless of the severity.

### *Workplace Violence*

The Fund prohibits and will not tolerate any form of workplace violence by an employee or third party, including visitors, both at the workplace and at Fund-sponsored events.

For purposes of this policy, workplace violence includes:

- Making threatening remarks (written or verbal).
- Aggressive or hostile acts such as shouting, using profanity, throwing objects at another person, fighting or intentionally damaging a co-worker's property.
- Bullying, intimidating or harassing another person (for example, making obscene phone calls or using threatening body language or gestures such as standing close to someone or shaking your fist at them).
- Behavior that causes another person emotional distress or creates a reasonable fear of injury, such as stalking.
- Assault.

This list is illustrative only and not exhaustive. No form of workplace violence will be tolerated.

### *Weapons*

To maintain a safe work environment, it is the policy of the Fund to prohibit its employees from possessing concealed weapons on the job and while representing the Fund in a work capacity at offsite events. Such possession of concealed weapons by any person poses a serious threat to the safety of employees, as well as to the Fund's operations, and will not be tolerated. This policy applies to any concealed weapons in Fund-owned or occupied buildings.

In accordance with Texas law, employees who have a license to carry a concealed handgun or who lawfully possess a firearm are permitted to store the firearm in a locked, personal vehicle while parked in the office-provided parking areas when the employee is lawfully on the Fund's property.

Concealed weapons include firearms of any kind, explosive devices, or any other item considered a weapon under the Texas Penal Code.

The Fund reserves the right without prior announcement to have authorized personnel conduct searches and inspections of employees, employees' personal effects, baggage, purses, and quarters in the office for the purpose of determining whether any employee is in possession of any concealed weapon. Searches may be conducted at any time without prior announcement.

Any employee who refuses to submit to a search or is found in possession of a concealed weapon will not be allowed on any Fund property and may be subject to disciplinary action up to and including termination of employment.

### *Working Conditions and Conflicts of Interest*

The Fund is committed to achieving the highest standards of professionalism and ethical conduct in its operations and activities and expects its employees to conduct their business according to the highest ethical standards of conduct and to comply with all applicable laws.

This policy is intended to increase awareness of potential conflicts of interest and establish a procedure for reporting them.

Employees should actively avoid both the appearance and the fact of a conflict of interest. Employees should always act in the best interest of the Fund and not permit outside interests to interfere with their job duties. The Fund prohibits all employees from, directly or indirectly, using their position with the Fund or the Fund's relationship with its clients, customers, vendors, suppliers, or contractors for private gain or to obtain benefits for themselves or members of their family.

For purposes of this policy, a potential conflict of interest occurs when an employee's outside interests (for example, a personal or private commercial or business relationship) interfere, or could reasonably be expected to interfere, with the Fund's interests or the employee's work-related duties. For example, a conflict of interest can occur when an employee is in a position to influence a decision that may result in a personal gain for the employee or the employee's family member as a result of the Fund's business dealings. If you have a question about whether a situation is a potential conflict of interest, please contact the Executive Director.

If you become aware of any potential conflict of interest or ethical concern regarding your employment or another employee at the Fund, you must promptly speak to, write or otherwise contact the Executive Director or, if the conduct involves the Executive Director, Vice-Chairman of the Board as soon as possible. You should be as detailed as possible. The Fund will determine whether a conflict of interest exists and what action should be taken.

### *IT Resources and Communications Systems*

The Fund's computers, networks, communications systems and other IT resources (collectively, the "Fund's IT resources and communications systems") are intended for business purposes only (except for limited personal use as described below) during working time and at all other times. To protect the Fund and its employees, it is the Fund's policy to restrict the use of all of the Fund's IT resources and communications systems as described below. Each user is responsible for using these resources and systems in a productive, ethical and lawful manner.

The Fund's policies prohibiting harassment apply to the use of the Fund's IT resources and communications systems. No one may use any of the Fund's IT resources or communications systems in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs or any other characteristic protected by federal, state or local law.

The use of the Fund's IT resources and communications systems by an employee shall signify his or her understanding of and agreement to the terms and conditions of this policy, as a condition of employment.

## Resources and Systems Covered by This Policy

This policy governs all of the Fund's IT resources and communications systems owned by or available at the Fund, and all use of such resources and systems when accessed using an employee's own resources, including but not limited to:

- E-mail systems and accounts.
- Internet and intranet access.
- Telephones and voicemail systems, including wired and mobile phones, smartphones and pagers.
- Printers, photocopiers and scanners.
- Fax machines, e-fax systems and modems.
- All other associated computer, network and communications systems, hardware, peripherals and software, including network key fobs and other devices.
- Closed-circuit television (CCTV) and all other physical security systems and devices, including access key cards and fobs.

## Security, Access and Passwords

Security of the Fund's IT resources and communications systems is the responsibility of the Executive Director, including approval and control of employees' and others' access to systems and suspension or termination of access in cases of misuse and when a user is no longer an employee or otherwise ineligible to use the systems.

It is the responsibility of each employee to adhere to IT security guidelines including but not limited to the creation, format and scheduled changes of passwords. All user names, pass codes, passwords, and information used or stored on the Fund's computers, networks and systems are the property of the Fund. No employee may use a user name, pass code, password or method of encryption that has not been issued to that employee or authorized in advance by the Fund.

No employee shall share user names, pass codes or passwords with any other person. An employee shall immediately inform the Executive Director if he or she knows or suspects that any user name, pass code or password has been improperly shared or used, or that the Fund's IT security has been violated in any way.

## No Expectation of Privacy

All contents of the Fund's IT resources and communications systems are the property of the Fund. Therefore, employees should have no expectation of privacy whatsoever in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind or form of information or communication transmitted to, received or printed from, or stored or recorded on the Fund's electronic information and communications systems.



You are expressly advised that in order to prevent against misuse, the Fund reserves the right to monitor, intercept and review, without further notice, every employee's activities using the Fund's IT resources and communications systems, including but not limited to e-mail (both outgoing and incoming), telephone conversations and voicemail recordings, instant messages and internet and social media postings and activities, and you consent to such monitoring by your acknowledgement of this policy and your use of such resources and systems. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving and printing of transactions, messages, communications, postings, log-ins, recordings and other uses of the systems as well as keystroke capturing and other network monitoring technologies.

The Fund may also store copies of such data and communications for a period of time after they are created and may delete such copies from time to time without notice. Do not use the Fund's IT resources and communications systems for any matter that you desire to be kept private or confidential from the Fund.

### Network Systems

The Fund maintains integrated computer and data communications networks to facilitate all aspects of its business. You may never sign on to any network equipment using the password or user name of another employee. No employees should access, attempt to access, alter, or delete any network document except in furtherance of authorized Fund business.

### Downloading and Installing Software/Website Agreements

E-mail and downloading from the internet are prime sources of viruses and other malicious software. Therefore, no one may download or install any software or shareware to their hard drive that is not expressly authorized or approved by the Executive Director. In addition, employees may not accept the terms or conditions of website agreements without first obtaining approval from the Executive Director.

### Confidentiality

Preservation of the Fund's confidential information is extremely important to the Fund. Treat such information accordingly and do not jeopardize it through your business or personal use of electronic communications systems, including e-mail, text messaging, internet access, social media and telephone conversations and voicemail. Disclosure of the Fund's confidential information to anyone outside the Fund is prohibited, except as required by the Open Meetings Act, the Public Information Act, or other applicable law. Ask the Executive Director if you are unsure whether to disclose confidential information to particular individuals or how to safeguard the Fund's confidential information.

This policy also prohibits use of the Fund's IT resources and communications systems in any manner that would infringe or violate the proprietary rights of third parties. Electronic communications systems provide easy access to vast amounts of information, including

material that is protected by copyright, trademark, patent, and/or trade secret law and confidentiality agreements. You should not knowingly use or distribute any such material downloaded from the internet or received by e-mail without the prior written permission of the Executive Director.

### E-mail and Text Messaging

The Fund provides certain employees with access to e-mail and/or text messaging systems for use in connection with the performance of their job duties. The Fund seeks to provide stable and secure e-mail and text messaging systems (including SMS and internet-based instant messaging) with rapid, consistent delivery times that promote communication for business purposes without incurring unnecessary costs or generating messages that are unproductive for the recipient. Many of the policies described below governing use of the Fund's e-mail and text messaging systems are aimed at reducing the overall volume of messages flowing through and stored on the network, reducing the size of individual messages, and making the system more efficient and secure.

*Spam.* Unfortunately, users of e-mail will occasionally receive unsolicited commercial or bulk e-mail (spam) which, aside from being a nuisance and a drain on IT resources, might be a means to spread computer viruses and other malicious software. Avoid opening unsolicited messages and report any suspicious e-mail to the Executive Director immediately. Delete all spam immediately. Do not reply to the message in any way, even if it states that you can request to be removed from its distribution list. If delivery persists, contact the Executive Director who will block any incoming e-mail from that address.

Users should be aware that spammers have the ability to access e-mail addresses that are listed as senders or recipients on e-mail messages, on websites, user discussion groups, and other internet areas. Therefore, you should be cautious about using and disclosing your Fund e-mail address. If you use e-mail for information gathering purposes, we strongly recommend that you not use your Fund e-mail address, but rather establish a separate e-mail account for that purpose with a free e-mail service, such as yahoo.com, hotmail.com or google.com.

*Etiquette.* Proper business etiquette should be maintained when communicating via e-mail and text messaging. When writing business e-mail, be as clear and concise as possible. Sarcasm, poor language, inappropriate comments, attempts at humor, and so on, should be avoided. When communicating via e-mail or instant messages, there are no facial expressions and voice tones to assist in determining the meaning or intent behind a certain comment. This leaves too much room for misinterpretation. E-mail communications should resemble typical professional and respectful business correspondence.

*Personal Use of Fund-provided E-mail.* We recognize that employees might work long hours and occasionally may desire to use Fund-provided e-mail for personal use at the

office or by means of the Fund's computers, networks and other IT resources and communications systems. We authorize such occasional use so long as it does not involve unprofessional or inappropriate content and does not interfere with your employment responsibilities or productivity.

### Internet

The Fund provides desktop internet access to employees for use in connection with performance of their job duties. The following outlines the Fund's expectations regarding internet and social media access and use by employees.

We recognize that employees might work long hours and occasionally may desire to access the internet (including social media) for personal activities at the office or by means of the Fund's computers, networks and other IT resources and communications systems. We authorize such occasional use so long as it does not involve unprofessional or inappropriate content and does not interfere with your employment responsibilities or productivity.

Using the internet (including social media) to access pornographic, sexually explicit or "hate" sites, or any other website that might violate the law or the Fund's policies against harassment and discrimination is never permitted.

Remember that the Fund expressly reserves the right, without further notice, to monitor and review records of all websites visited by you, any postings or downloads you make while visiting websites and during your other internet activities using the Fund's IT resources and communications systems, and you consent to such monitoring and review by your acknowledgement of this policy and your use of internet access provided by the Fund.

### Telephone and Voicemail

The Fund provides landline and/or mobile telephone access and voicemail systems to certain employees for use in connection with the performance of their job duties. To ensure that our members are provided with courteous and respectful service and to prevent misuse of the Fund's IT resources, telephone conversations and voicemail messages of every employee may, without notice, be monitored, recorded and reviewed. The Fund may also store recorded telephone conversations and voicemail messages for a period of time after they take place and may delete such recordings from time to time.

We recognize that employees might occasionally need to use Fund telephones and voicemail for personal activities. We authorize occasional personal use of the Fund's telephones and voicemail systems so long as it does not comprise unprofessional or inappropriate conversations or messages and does not interfere with your employment responsibilities or productivity. Fund telephones may not be used for commercial, religious or political solicitation, or to promote outside organizations.

Remember that the Fund expressly reserves the right, without further notice, to monitor, review and record telephone conversations and voicemail messages you have or leave whether business or personal in nature, and you consent to such monitoring, review and recording by your acknowledgement of this policy and by using any of the Fund's telephone or voicemail systems.

### Inappropriate Use of Fund IT Resources and Communications Systems

You are never permitted to use the Fund's IT resources and communications systems, including e-mail, text messaging, internet access, social media, telephones and voicemail, for any inappropriate or unlawful purpose. This includes but is not limited to:

- Misrepresenting yourself as another individual.
- Sending, posting, recording or encouraging receipt of messages or information that may be offensive because of their sexual, racist, or religious content.
- Revealing confidential information, including official Fund or employee information without authorization.
- Conducting or soliciting illegal activities.
- Representing your personal opinion as that of the Fund.
- Interfering with the performance of your job or the jobs of other employees.
- For any other purpose that violates the Fund's policies or practices.

Employees who violate any provision of this policy are subject to discipline, up to and including termination of employment.

### *Social Media*

The Fund recognizes that the internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media, such as Facebook, LinkedIn, Twitter, Pinterest, Tumblr, blogs and wikis. However, employees' use of social media can pose risks to the Fund's confidential information and reputation that can expose the Fund to discrimination and harassment claims and can jeopardize the Fund's compliance with state law.

To minimize these business and legal risks, to avoid loss of productivity and distraction from employees' job performance and to ensure that the Fund's IT resources and communications systems are used appropriately as explained below, the Fund expects its employees to adhere to the following guidelines and rules regarding social media use.

Apart from personal use of social media in accordance with this policy, the Fund encourages its employees to participate responsibly in these media as a means of conducting Fund business so long as all of the Fund's rules and guidelines regarding social media usage, particularly in a business context, are adhered to.

## Compliance With Related Policies and Agreements

All of the Fund's other policies that might apply to social media use remain in full force and effect. Employees should always adhere to them when using social media.

Social media should never be used in a way that violates any of the Fund's policies or employee obligations. If your social media activity would violate any of the Fund's policies in another forum, it will also violate them in an online forum. For example, employees are prohibited from using social media to:

- Violate the Fund's IT resources and communications systems policies.
- Violate the Fund's confidentiality policies.
- Circumvent the Fund's ethics and standards of conduct policies.
- Engage in unlawful harassment.
- Circumvent policies prohibiting unlawful discrimination against current employees or applicants for employment.
- Violate the Fund's privacy policies (for example, never access private password-protected sites of other employees without permission).
- Violate any other laws or ethical standards (for example, never use social media in a false or misleading way, such as by claiming to be someone other than yourself or by creating an artificial "buzz" around the Fund).

Employees should also never provide references or recommendations for members on social or professional networking sites, as such references or recommendations can be attributed to the Fund and create legal liability for employees and the Fund (such as interference with prospective business contracts and allegations of wrongful termination).

## Business Use of Social Media

If you are required to use social media as part of your job duties, you should carefully review these guidelines. Note that the Fund owns all social media accounts used on behalf of the Fund or otherwise for business purposes, including any and all log-in information, passwords and content associated with each account, such as followers and contacts. The Fund owns all such information and content regardless of the employee that opens the account or uses it and will retain all such information and content regardless of the separation of any employee from employment with the Fund. If your job duties require you to speak on behalf of the Fund in a social media environment, you must still seek approval for such communication from the Executive Director who may require you to receive training before you do so and impose certain requirements and restrictions with regard to your activities. Likewise, if you are contacted for comment about the Fund for publication, including in any social media outlet, direct the inquiry to the Executive Director and do not respond without written approval.

## *Solicitation and Distribution*

The Fund has established this policy to govern employee solicitation and distribution of written materials, specifically to:

- Maintain and promote safe and efficient operations, employee discipline and an attractive, clutter-free work place.
- Minimize non-work-related activities that could interfere with member interaction, service quality and teamwork.

Employees may not:

- Solicit other employees during working time.
- Distribute literature during working time.
- Distribute literature at any time in working areas.

The sole exceptions to this policy are for solicitations and distributions related to charitable activities approved by the Fund.

Solicitation includes, but is not limited to, approaching someone in person or through Fund-owned property such as computers, smartphones, e-mail systems and intranets for any of the following purposes:

- Offering anything for sale.
- Asking for donations.
- Collecting funds or pledges.
- Seeking to promote, encourage or discourage participation in or support for any organization, activity or event, or membership in any organization.
- Distributing or delivering membership cards or applications for any organization.

Distribution includes, but is not limited to, disseminating or delivering in person or through Fund-owned property such as bulletin boards, computers, smartphones, e-mails and intranets any literature or other materials including circulars, notices, papers, leaflets or other printed, written or electronic matter (except that distributing or delivering membership cards or applications for any organization is considered solicitation and not distribution).

Working time includes any time in which either the person doing the solicitation (or distribution) or the person being solicited (or to whom non-business literature is being distributed) is engaged in or required to be performing tasks related to conducting Fund business. Working time excludes times when employees are properly not engaged in performing work tasks, including break periods and meal times.

Working areas include areas controlled by the Fund where employees are performing work, excluding, for example, cafeterias, break rooms, the Fund's e-mail system, and parking lots.

## *Dress Code and Grooming*

The Fund strives to maintain a professional atmosphere that is conducive to our business environment, contributes to the morale of all employees and projects an image of efficiency and professionalism to visitors, members, vendors or the public. Employees are relied upon to exercise common sense and good judgment regarding their clothing and appearance in the workplace and to dress in a manner that is consistent with the goals of this policy. Generally, employees should maintain a clean and neat appearance in the workplace and dress according to the requirements of their positions and accurately represent the Fund's image to the public.

Our office maintains a business casual/relaxed environment, but some clothing and grooming guidelines should be observed. For example, clothing which is not acceptable are items that are sloppy or unkempt, halter-tops, bathing suits, tank tops, or ripped jeans.

Any employee who is not dressed in proper professional attire consistent with this policy will be considered unsuitable to work and may be asked to go home and return to work appropriately dressed. Employees who disregard this policy and its standards will be subject to discipline.

Any employee that requires a reasonable accommodation for reasons based on religion, disability or other grounds protected by federal, state or local laws should contact the Executive Director. Reasonable accommodation will be granted unless it would cause an undue hardship on the Fund. Any questions about the requirements of this policy or what constitutes appropriate workplace attire should be directed to the Executive Director.

## *Smoke-Free*

The Fund prohibits and will not tolerate smoking in the workplace, including all indoor facilities, offices, lunchrooms, breakrooms, and bathrooms. This policy applies to all employees and visitors.

For purposes of this policy, smoking includes lighting, smoking or carrying a lighted cigarette, cigar or pipe and the use of any electronic smoking device. This list is illustrative only and not exhaustive.

## *Drug-Free*

The Fund is committed to providing a safe, healthy and productive work environment. Consistent with this commitment, this policy establishes the Fund's intent to maintain a drug and alcohol-free workplace. Being under the influence of alcohol or illegal drugs (as classified under federal, state or local laws) while on the job poses serious health and safety risks to employees, which is not tolerated.

The Fund expressly prohibits the following activities at any time that employees are either (1) on duty or conducting Fund business (either on or away from the Fund's premises), or (2) on the Fund's premises (whether or not the employee is working):

- The use, abuse or being under the influence of alcohol, illegal drugs or other impairing substances.
- The possession, sale, purchase, transfer or transit of any illegal or unauthorized drug, including prescription medication that is not prescribed to the employee or drug-related paraphernalia.
- The illegal use or abuse of prescription drugs.

Nothing in this policy is meant to prohibit the appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law, to the extent that it does not impair an employee's job performance or safety or the safety of others. Employees who take over-the-counter medication or other medication that can legally be prescribed under both federal and state law to treat a disability should inform the Executive Director if they believe the medication will impair their job performance, safety or the safety of others or if they believe they need a reasonable accommodation before reporting to work while under the influence of that medication.

A violation of any of the above is subject to disciplinary action, up to and including termination of employment.

In order to achieve the goals of this policy and maintain a safe, healthy and productive work environment, the Fund reserves the right at all times to inspect employees, as well as their surroundings and possessions, for substances or materials in violation of this policy. This right extends to the search or inspection of clothing, desks, lockers, bags, briefcases, containers, packages, boxes, tools and tool boxes, lunch boxes and Fund-owned or leased vehicles and any vehicles on Fund property where prohibited items may be concealed. Employees should have no expectation of privacy while on the Fund premises, except in restrooms or locker rooms.

### *Personnel Records*

The Fund will maintain personal work history records of each active employee. Records will also be maintained on inactive employees for not less than the period required by law. An employee's records are available for inspection in the Fund's office by the employee, any individual authorized by the employee, his or her immediate supervisor, or designee. The Fund will not release personnel records to individuals or agencies outside the Fund unless it is required by law.

An employee at all times has a right to inspect any and all inclusions made a part of his or her personal work history records and may at any time submit personal work history information



that will be included into his or her official records. Employees will be given a copy of any written record of a disciplinary or performance counseling that is added to their personnel file.

## STAFFING

### *Selection*

The Board is responsible for selecting, hiring and overseeing the Executive Director and the Fund's Chief Investment Officer, if any. The selection, hiring and oversight of all other Fund employees is the responsibility of the Executive Director, provided that the Board shall approve the budgeted salary expense for any newly created staff position prior to the hiring of any individual to fill such position. All staffing decisions will be subject to and in compliance with the Equal Employment Opportunity Policy set forth within these Policies.

### *Nepotism*

No person related within the second degree by affinity or consanguinity to the Executive Director or any member of the Board shall be hired to any office, position, clerkship, or other service of the Fund. This prohibition shall not apply, however, to any person who shall have been continuously employed by the Fund for a period of two (2) years prior to the employment of the Executive Director or appointment of any member of the Board.

### *Temporary Employees*

Temporary employees are generally hired on a temporary or project-specific basis, with either full- or part-time hours. They are not eligible for most Fund benefits. A temporary employee who is hired into a regular position will receive service credit from the initial employment or reemployment date. Sick and vacation leave benefits which would have been accrued if the employee had occupied a regular position will be credited in a like amount to the employee at the time of change to a regular position. Other leave such as holidays, bereavement leave, etc. occurring during employment in a temporary position will not be credited.

## PAYROLL PRACTICES AND COMPENSATION

### *Employee Classifications*

The Fund designates each employee as either exempt or non-exempt in compliance with applicable federal, state, and local law.

**Exempt Employees.** Employees who are designated as exempt are paid a fixed salary and are not entitled to overtime pay.

**Non-exempt Employees.** Employees who are designated as non-exempt are entitled to overtime pay at a rate of one and one-half times their regular rate of pay for all hours worked over forty (40) in a workweek, as required by applicable federal, state, and local law.

The Fund also assigns each employee to one of the following categories:

**Regular Full-Time Employees.** Regular full-time employees generally work at least forty (40) hours per workweek, except for approved time off.

**Regular Part-Time Employees.** Regular part-time employees generally work twenty (20) hours or less per workweek.

**Temporary Employees.** Temporary employees are generally hired on a temporary or project-specific basis, with either full- or part-time hours. They are not eligible for most Fund benefits.

### *Wage and Salary*

The Board shall establish the salary for the Executive Director and conduct an annual review of such position in accordance with its Governance Policy. The Board will periodically review the compensation of the Executive Director to ensure that it is comparable to compensation offered to individuals in similar positions by other Texas and US public pension funds. In addition, the Board may establish a salary range for the Executive Director, and if established, the Executive Director's salary shall fall within the Board-approved range for the position. The salary range for the Executive Director as adopted by the Board (if any) will be set forth in Exhibit A to this Policy.

The Executive Director is responsible for establishing the salary for all other Fund employees that reflects a rate appropriate for the level and type of work performed in relation to the competitive labor market, provided that the Board shall approve the budgeted compensation expense for any newly created staff position(s) prior to filling such position(s). The Executive Director will maintain a list or organization chart reflecting current employee positions at the Fund. The Executive Director will periodically review the compensation of all employees other than the Executive Director to ensure that it is comparable to compensation offered to individuals in similar positions by other Texas and US public pension funds. As a result of such a review, the Executive Director may develop and maintain a salary range for each staff position at the Fund other than the Executive Director position.

The Executive Director is responsible for evaluating each Fund employee other than the Executive Director and reviewing his or her salary level at a time which the Executive Director deems appropriate and may provide salary increases for outstanding performance or as a cost of living adjustment.

### *Workweek and Business Hours*

The Fund's workweek is seven (7) days, beginning on Monday morning at 12:00 a.m. and ending the following Sunday night at 11:59 p.m. Full-time employees are expected to work eight (8) hours per workday, five (5) days per workweek, exclusive of meal/lunch breaks and rest periods.

The Fund's normal business hours are Monday through Friday, 8 a.m. to 5 p.m. The Fund's office shall be staffed during normal business hours in accordance with the business needs of the Fund. An employee may work outside of normal business hours as approved by the Executive Director. Employees may be required to come in early, work late, or work overtime from time to time, depending on various factors, such as workloads, staffing needs, and special projects.

Non-exempt employees subject to this policy are required to accurately record all time worked in accordance with the Fund's timekeeping procedure.

### *Payroll Deductions*

The Fund is required by law to make certain deductions from your pay each pay period, including:

- Federal and state income taxes.
- Social Security (FICA) taxes.
- Deductions required by wage garnishment or child support orders.

The Fund may also deduct from your pay your portion of health, dental or life insurance premiums. No other deductions will be made.

All deductions from your pay will be identified on your pay stub. If you have questions about any deductions from your pay or if you believe improper deductions have been made, you must report your concern to the Executive Director immediately.

### *Timekeeping*

To ensure that the Fund has accurate time records and that employees are paid for all hours worked in a timely manner, non-exempt employees are required to accurately record all hours worked in accordance with the Fund's timekeeping procedure. Non-exempt employees should record all hours worked and breaks longer than twenty (20) minutes on a daily basis, including meal/lunch breaks. The Executive Director will review your time records and ask you to verify them at the end of each pay period.

Employees must ensure all time is recorded accurately. Off-the-clock work is strictly prohibited. Fraudulent timekeeping and falsification of time records are subject to discipline, up to and including termination of employment.

### *Overtime*

Employees may occasionally be asked to work beyond their normally scheduled hours.

Non-exempt employees will receive overtime pay in accordance with applicable federal, state, and local law at a rate of one and one-half times their regular rate of pay for all hours worked

over forty (40) hours in any given workweek. Overtime pay is based on hours actually worked. For example, hours paid for vacation, holiday, sick, or paid time off time will not be included in calculating hours of overtime.

Non-exempt employees must obtain approval from the Executive Director in advance of working overtime. Failure to obtain approval for working overtime may result in discipline, up to and including termination of employment.

Exempt employees do not receive overtime pay and instead are paid a salary that compensates them for all hours worked.

### *Administrative Pay Corrections*

The Fund takes all reasonable steps to ensure that you receive the correct amount of pay in each paycheck and that you are paid on the scheduled payday.

In the unlikely event that there is an error in the amount of pay you receive, you should promptly advise the Executive Director so that the discrepancy can be corrected as quickly as possible.

It is your responsibility to examine your pay detail to identify discrepancies and bring to the attention of the Executive Director in a timely manner for rectification.

## **BENEFITS**

### *Paid Leave*

Leave may be granted by the Executive Director upon request by an employee. Work schedules and operational requirements of the Fund are necessary considerations, which may preclude the granting of leave. Leave must be reasonably requested, and the Executive Director has a responsibility to respond in a reasonable time. Leave is granted for a specific period of time, and any extension must follow the same procedure required for granting the original leave. Leave which qualifies as family or medical leave is also subject to the requirements of that section.

Paid leave is paid for at the same rate as hours worked during the basic work week, and paid leave hours are counted as hours in the employee's work period and apply toward the employee's eligibility for earning benefits.

All regular part-time employees accrue paid leave on a pro-rated basis determined by their regularly budgeted work hours.

## Holidays

The following holidays are declared official holidays for employees. If a holiday falls on Saturday, it will be observed on the preceding Friday; if a holiday falls on Sunday, it will be observed on the following Monday.

New Year's Day	January 1
Martin Luther King, Jr.'s Birthday	Third Monday in January
Washington's Birthday (President's Day)	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November and Friday after Thanksgiving
Christmas Eve*	December 24
Christmas Day*	December 25
Two Personal Holidays**	Open

\* Special Provisions for Christmas Eve and Christmas Day: When either or both of these adjacent holidays fall on a Saturday or Sunday, they will be observed as follows:

- If December 24 falls on a Friday and December 25 falls on a Saturday, then the Christmas Eve holiday will be observed on Thursday, December 23 and the Christmas Day holiday will be observed on Friday, December 24.
- If December 24 falls on a Saturday and December 25 falls on a Sunday, then the Christmas Eve holiday will be observed on Friday, December 23 and the Christmas Day holiday will be observed on Monday, December 26.
- If December 24 falls on a Sunday and December 25 falls on a Monday, then the Christmas Eve holiday will be observed on Monday, December 25 and the Christmas Day holiday will be observed on Tuesday, December 26.

\*\* A Personal Holiday is a day off on a day the employee chooses and the Executive Director approves. Personal Holidays may not be accrued and must be used in the calendar year in which they are given. Personal Holidays not used on or prior to December 31 will be forfeited.

Full-time employees shall receive pay at the regular rate for holidays. Part-time employees in permanent positions whose officially scheduled work weeks are at least twenty (20) hours per week or more shall be entitled to pay for holidays on a pro-rated basis. An employee who is

absent without authorization on the day immediately preceding or following a holiday(s) shall lose pay for the holiday as well as the pay for that day.

The Executive Director and the Board reserve the right to make additional days available as needed.

### Vacation Leave

All full-time regular employees shall accrue vacation leave, at their regular rate of pay, for each month of continuous service with the Fund in accordance with the following schedule:

<u>Upon Completion of:</u>	<u>Hours Accrued Per Month:</u>
Less than 5 years	8.68 hours
5 years	10.68 hours
10 years	12.00 hours
15 years	13.34 hours
20 years	15.34 hours

Vacation leave is subject to these additional guidelines:

- Official holidays occurring during an employee’s vacation leave shall not be charged against vacation leave.
- The maximum allowed balance of accrued vacation leave at any given time is six-hundred (600) hours. However, the Executive Director may waive this limitation for employees, and the Board may waive this limitation for the Executive Director, if the needs of the Fund preclude the taking of any excess vacation leave which would otherwise be lost because of this limitation.
- Vacation leave time can be taken in minimum intervals of one-quarter hour. The maximum amount of continuous vacation leave time which can be granted to an employee is four (4) weeks, except as approved by the Executive Director.
- Accrual of vacation leave time begins immediately upon employment with the Fund in a regular position.
- Part-time employees in regular positions accrue vacation leave on a pro-rated basis. Temporary employees shall not accrue vacation leave nor be entitled to vacation leave pay upon separation. Employees who earn leave as regular employees and then accept reassignment to a temporary or part-time position in which they are not eligible to accrue full benefits are entitled to all earned or previously accrued leave as defined in these policies at the time of transfer.

Upon a termination of employment with the Fund, an employee shall be entitled to receive a lump-sum cash payment equal to the accumulated balance of the employee's accrued, but unused vacation leave, up to a maximum of two-hundred and forty (240) hours for full-time employees (such maximum amount will be pro-rated for a part-time employee in a regular position).

### Sick Leave

All full-time regular employees shall earn eight (8) hours of sick leave for each month beginning immediately upon employment with the Fund. Sick leave may be accrued without limit. Sick leave is accrued for each month of continuous service with the Fund. Part-time employees in regular positions accrue sick leave on a pro-rated basis.

- Sick leave may be allowed in the case of doctor appointments, personal illness, or physical incapacity of an employee. It may also be allowed when an employee is required to care for a member of his or her immediate family who is ill or incapacitated due to a medical condition. Sick leave may also be taken as family or medical leave under the Family and Medical Leave Policy.
- To receive paid sick leave, an employee shall communicate with the Executive Director before or within two (2) hours after the time set for beginning work to receive approval for use of sick leave.
- In the event any requested sick leave would dramatically impact the operation of the office, such that the ability to conduct business is impaired, the Executive Director shall communicate to the Board Vice-Chairman.
- Sick leave can be taken in intervals of one-quarter hour for all time absent during the regular workday. Official holidays and regular days off shall not count against sick leave. Employees are eligible to take sick leave intermittently or on a reduced leave schedule only when medically necessary.
- After an employee's accrued sick leave has been exhausted, vacation leave may be used as sick leave upon request of the employee. When absence due to illness exceeds the amount of total paid leave accrued and authorized, the pay of an employee shall be discontinued until he or she returns to work. An employee whose paid leave has been exhausted may be entitled to unpaid leave under the Family and Medical Leave Policy. The employee will be placed on unpaid leave as of the day following the last day of paid leave. Sick leave will not be advanced.
- Employees who become ill during vacation leave may request that vacation leave be temporarily terminated and time charged to sick leave.

- The Executive Director may require satisfactory proof of the proper use of sick leave and may disallow sick leave in the absence of such proof. An employee who misuses sick leave should be counseled; if the misuse continues, the employee is subject to disciplinary action, up to and including termination of employment. An employee who is on sick leave for five (5) consecutive working days or more must provide a Return to Work Release from the employee's health care provider before the employee will be permitted to return to work. The Return to Work Release must state that the employee is able to resume work.

Upon a termination of employment, employees shall forfeit all accrued but unused sick leave balances and shall not be entitled to receive any payment for such accrued but unused sick leave.

### Parental Leave

Paid Parental Leave may be granted up to thirty (30) working days for a maximum of 240 hours (six weeks) for employees scheduled to work forty (40) hours per work week.

If you need to take Parental Leave for the birth of your child or to care for a new adopted or foster child, you should provide advance notice to the Executive Director. When possible, you should give at least thirty (30) days' notice of your request for Parental Leave. If thirty (30) days' notice is not possible because of medical necessity or for other reasons, you should give as much advance notice as possible.

If you are suffering from a pregnancy-related disability and require reasonable accommodation (which may include leave) for this purpose, please speak with the Executive Director to discuss a reasonable accommodation. You may be required to submit medical certification of your disability.

During Parental Leave, employees will continue to be paid their normal rate of pay for up to six (6) weeks. Employees also may use any or all of their accrued but unused vacation or other paid time off in addition to Parental Leave.

Parental Leave must be taken within the FMLA period associated with the date of the birth or placement of a child for adoption or foster care. Employees are not entitled to take Parental Leave intermittently or on a reduced leave schedule unless approved by the Executive Director.

### Military Leave

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with federal and state law. An employee who is a member of the state military forces or a reserve component of the armed forces will be granted up to fifteen (15)



days of paid leave per federal fiscal year for days on which the employee is engaged in authorized training or duty ordered or authorized by proper authority, subject to the following conditions:

- All requests for military leave must be accompanied by a copy of the order, directive, notice, or other document requiring absence from scheduled work.
- Military leave pay will not be granted for hours before or after the regularly scheduled working hours or for overtime hours scheduled.
- Travel time included in the orders and paid for or reimbursed by the service may be counted as military leave.
- Military leave will not be granted for diagnosis or treatment of any service-connected sickness or disability, for obtaining or sustaining any disability rating, or for treatment in any government facility.
- Time required for physical examinations for selection or admission to the Military Service to determine or maintain a selective service rating or to maintain a reserve status will be counted as military leave. Pay will be limited to the regularly scheduled hours lost.
- Time required over and above the maximum allowed must be taken as vacation leave or leave of absence.

Military orders should be presented to the Executive Director and arrangements for leave made as early as possible before departure. Employees are required to give advance notice of their service obligations to the Fund unless military necessity makes this impossible. You must notify the Executive Director of your intent to return to employment based on requirements of the law. Your benefits may continue to accrue during the period of leave in accordance with state and federal law.

#### Administrative Leave

The Executive Director may grant an employee administrative leave for a purpose approved by the Board. Examples of administrative leave include but are not limited to: blood bank donations, work hours lost on the day of an on-the-job injury, power failure, bomb threat, reduced work day by administrative directive, visits to other cities on Fund business, etc. Time off, when necessary, to vote in National, State, County and Municipal elections shall also be considered administrative leave. Time charged to administrative leave will be shown as regular time worked.

## Court Leave

The Fund encourages employees to fulfill their civic duties related to jury service. In addition, the Fund acknowledges that, on occasion, employees may have an obligation to participate in legal proceedings as a witness. Court leave will be granted to all employees except non-exempt temporary employees for the purpose of appearing as a juror, witness or other official participant in the proceedings of a legally recognized court or other body having power of subpoena, if an employee is not a party to the proceedings. The employee must provide a copy of the document requiring attendance in court to the Executive Director with his or her leave request. This may be in the form of a jury notice, subpoena, letter of request from the defense or prosecuting attorney, request of the hearing officer, etc. Court leave will not be charged against sick or vacation leave.

You are expected to return to work if you are excused from the proceedings during regular working hours or released from the proceeding earlier than expected. This policy does not extend leave to employees seeking leave because they have committed or are alleged to have committed a criminal act or are a party to a civil lawsuit.

## Bereavement Leave

All regular employees may be granted bereavement leave for a period not to exceed three (3) consecutive workdays in case of a death in their immediate family. Scheduled days off do not count against the allowed time off. Bereavement leave will not be charged against sick or vacation leave. Temporary employees may be granted unpaid leave in such cases. Bereavement leave is for the purpose of attending funerals, making arrangements, or otherwise attending to the affairs of the deceased. An employee may be requested to provide information, which will document the necessity of the absence. Additional time off, if approved, must be taken as vacation leave or unpaid leave.

For purposes of this policy, immediate family members include an employee's spouse or domestic partner, parent, step-parent, parent-in-law, sibling, brother-in-law, sister-in-law, child, grandparent, and grandchild.

Employees are responsible for requesting bereavement leave from the Executive Director as far in advance as possible.

## *Unpaid Leave*

The granting of unpaid leave is subject to the approval of the Executive Director. The requesting employee must justify in writing any request for unpaid leave. When an unpaid leave exceeds two (2) weeks in any month, service credit for all employment privileges shall cease until the employee returns from leave.

If an employee fails to return to work at the time specified in the application for unpaid leave and does not provide a reasonable excuse and notice to the Executive Director, that employee

shall be considered to have resigned effective on the date of return specified in the original application.

Granting unpaid leave constitutes a commitment to the employee that there will be a position available upon his or her return, which is of at least equal pay grade as the position vacated and at the same or higher rate. However, this policy does not entitle any employee to any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken leave. For example, if during an approved leave, the employee is terminated for reasons unconnected with a legitimate leave, or the employee's position is eliminated through a reduction in force, the commitment to return the employee to a position with the Fund will cease on the day the employee is terminated or the position is eliminated.

While on unpaid leave of absence, sick and vacation leave cannot be accrued or used. The employee's service credit or length of service is adjusted upon return from unpaid leave by the amount of leave taken. When unpaid leave qualifies under the Family and Medical Leave Policy, it is also subject to the requirements of that section.

### Leave of Absence

Regular employees may be granted a leave of absence for illness, disability, pregnancy, political activity, educational purposes, military duty or for any other legitimate purpose. Employees must provide justification for requesting the leave to the Executive Director.

Leaves of absence may be approved by the Executive Director, provided that leaves of absence of the Executive Director must be approved by the Vice-Chairman of the Board.

### *Absence Control Policy*

This policy applies to all employees of the Fund, except for those employees on military leave. Employees who fail to call in, as required by this policy, may be terminated from employment.

After exhaustion of all leaves and paid time off, any employee of the Fund who has not performed any services for the Fund for any reason for a period of six (6) consecutive months shall be removed from the Fund's roll of active employees and shall be terminated from employment. Employees may be entitled to continue employee benefits or exercise conversion rights in accordance with applicable law and/or the terms and provisions of the employee benefit plan documents.

After exhaustion of all leave and paid time off, any employee of the Fund who has seven (7) unscheduled absences, regardless of the reason, during any rolling six (6) month period of employment may be terminated from employment.

The Fund will consider reasonable extensions of this time period for any employee with a disability or as required by law.

## *Leave Under the Family and Medical Leave Act (FMLA)*

The Fund provides leave according to the Family and Medical Leave Act of 1993 (FMLA), which provides for unpaid, job-protected leave to covered employees in certain circumstances.

### Eligibility

To qualify for FMLA leave, you must: (1) have worked for the Fund for at least twelve (12) months, though it need not be consecutive; (2) worked at least 1,250 hours in the last twelve (12) months; and (3) be employed at a work site that has fifty (50) or more employees within seventy-five (75) miles. If you have any questions about your eligibility for FMLA leave, please contact the Executive Director.

### Leave Policy

If eligible, you may take up to twelve (12) or twenty-six (26) weeks of family or medical leave, whichever is applicable (as explained below), within the relevant 12-month period defined below. While you are on FMLA leave, the Fund will maintain your group health insurance coverage at the same level and under the same circumstances as when you were actively working, as explained more fully under the section titled, Medical and Other Benefits. Upon returning from approved FMLA leave, you have the right to be restored to the same job or an equivalent position, subject to the terms, limitations and exceptions provided by law.

### Leave Entitlement

You may take up to twelve (12) weeks of unpaid FMLA leave in a 12-month period, which uses a “rolling” method that is measured backward from the date you use any FMLA leave for any of the following reasons:

- the birth of a son or daughter and in order to care for such son or daughter (leave to be completed within one (1) year of the child’s birth);
- the placement of a son or daughter with you for adoption or foster care and in order to care for the newly placed son or daughter (leave to be completed within one (1) year of the child’s placement);
- to care for a spouse, son, daughter, or parent with a serious health condition;
- to care for your own serious health condition, which renders you unable to perform any of the essential functions of your position; or
- a qualifying exigency of a spouse, son, daughter, or parent who is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty).

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy, prenatal medical care, or childbirth, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include short-notice deployment, attending military events and related activities, arranging childcare and related activities, addressing certain financial and legal arrangements, attending certain counseling sessions, rest and recuperation, post-deployment activities and any other event that the Fund and employee agree constitutes a qualifying exigency.

You may take up to twenty-six (26) weeks of unpaid FMLA leave in a single 12-month period, beginning on the first day that you take FMLA leave to care for a spouse, son, daughter, or next of kin who is a covered service member and who has a serious injury or illness related to active duty service, as defined by the FMLA's regulations (known as military caregiver leave).

#### Both Spouses Employed by the Fund

Spouses who are both employed by the Fund and eligible for FMLA leave may be limited to a combined total of twelve (12) weeks of leave during the 12-month period if leave is requested:

- for the birth of a son or daughter and in order to care for such son or daughter;
- for the placement of a son or daughter with the employee for adoption or foster care and in order to care for the newly placed son or daughter; or
- to care for an employee's parent with a serious health condition.

Spouses who are both employed by the Fund and eligible for FMLA leave may be limited to a combined total of twenty-six (26) weeks in a single 12-month period if the leave is either for:

- military caregiver leave; or
- a combination of military caregiver leave and leave for other FMLA-qualifying reasons.

## Notice of Leave

If your need for FMLA leave is foreseeable, you must give the Fund at least thirty (30) days' prior written notice. If this is not possible, you must at least give notice as soon as practicable (within one (1) to two (2) business days of learning of your need for leave). Failure to provide such notice may be grounds for delaying FMLA-protected leave, depending on the particular facts and circumstances.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the Fund's questions to determine if absences are potentially FMLA-qualifying.

Additionally, if you are planning a medical treatment or a series of treatments or you are taking military caregiver leave, you must consult with the Fund first regarding the dates of such treatment to work out a schedule that best suits the needs of both the employee or the covered military member, if applicable, and the Fund.

Where the need for leave is not foreseeable, you are expected to notify the Fund within one (1) to two (2) business days of learning of your need for leave, except in extraordinary circumstances. Please submit a written request when requesting leave.

## Certification of Need for Leave

If you are requesting leave because of your own or a covered relation's serious health condition, you and the relevant health care provider must supply appropriate medical certification. When you request leave, the Fund will notify you of the requirement for medical certification and when it is due (at least fifteen (15) days after you request leave). If you provide at least thirty (30) days' notice of medical leave, you should also provide the medical certification before leave begins. Failure to provide requested medical certification in a timely manner may result in denial of FMLA-covered leave until it is provided.

With your permission, the Fund, through the Executive Director, may contact your health care provider to authenticate or clarify completed and sufficient medical certifications. In addition, the Fund, at its expense, may require an examination by a second health care provider designated by the Fund. If the second health care provider's opinion conflicts with the original medical certification, the Fund, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. The Fund may require subsequent medical recertification. Failure to provide requested certification within fifteen (15) days, if such is practicable, may result in delay of further leave until it is provided.

The Fund also reserves the right to require certification from a covered military member's health care provider if you are requesting military caregiver leave and certification in connection with military exigency leave.

## Reporting While on Leave

If you take leave because of your own serious health condition or to care for a covered relation, you must contact the Fund on a biweekly basis regarding the status of the condition and your intention to return to work. In addition, you must give notice as soon as practicable (within two (2) business days if feasible) if the dates of leave change or are extended or initially were unknown.

## Leave Is Unpaid

FMLA leave is unpaid. You will be required to substitute any accrued and unused vacation for unpaid FMLA leave as described below:

- If you request leave because of a birth, adoption or foster care placement of a child, any accrued and unused paid leave will first be substituted for unpaid family/medical leave and run concurrently with your FMLA leave.
- If you request leave because of your own serious health condition or to care for a covered relation with a serious health condition, any accrued vacation will be substituted for any unpaid family/medical leave and run concurrently with your FMLA leave.

The substitution of paid leave time for unpaid FMLA leave time does not extend the twelve (12) or twenty-six (26) weeks (whichever is applicable) of the FMLA leave period. In no case can the substitution of paid leave time for unpaid leave time result in your receipt of more than 100% of your salary. Your FMLA leave runs concurrently with other types of leave, for example, accrued vacation time that is substituted for unpaid FMLA leave and any state family leave laws, to the extent allowed by state law.

## Medical and Other Benefits

During approved FMLA leave, the Fund will maintain your health benefits as if you continued to be actively employed. If paid leave is substituted for unpaid FMLA leave, the Fund will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium. Your health care coverage will cease if your premium payment is more than thirty (30) days late. If your payment is more than fifteen (15) days late, we will send you a letter to this effect. If we do not receive your premium payment within fifteen (15) days after the date of this letter, your coverage may cease. If you elect not to return to work for at least thirty (30) calendar days at the end of the leave period, you will be required to reimburse the Fund for the cost of the health benefit premiums paid by the Fund for maintaining coverage during your unpaid leave, unless you cannot return to work because of a serious health condition or other circumstances beyond your control.

## Intermittent and Reduced Schedule Leave

If medically necessary, FMLA leave occasioned by a serious health condition may be taken intermittently (in separate blocks of time due to a serious health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday). FMLA leave may also be taken intermittently or on a reduced leave schedule for a qualifying exigency relating to covered military service.

If leave is unpaid, the Fund will reduce your salary based on the amount of time actually worked. In addition, while you are on an intermittent or reduced schedule leave, the Fund may temporarily transfer you to an available alternative position that better accommodates your leave schedule and has equivalent pay and benefits.

## Returning From Leave

If you take leave because of your own serious health condition (except if you are taking intermittent leave), you are required, as are all employees returning from other types of medical leave, to provide medical certification that you are fit to resume work. Otherwise, you will not be permitted to resume work until it is provided.

## State or Local Family and Medical Leave Laws and Other Fund Policies

Where state or local family and medical leave laws offer more protections or benefits to employees, the protections or benefits that are more favorable to the employee, as provided by such laws, will apply.

## *Other Benefits*

The Fund provides medical and dental insurance benefits to its employees and their eligible dependents. The terms governing an employee's (and his or her eligible dependents) eligibility and coverage under such plans are set forth in the applicable plan documents.

The Fund offers retirement benefits to its employees through participation in a simplified employee plan ("SEP"). Each employee is eligible to participate in such SEP as set forth in the employee's employment agreement.

The Fund is committed to providing cost-effective benefits, which assist employees in being physically and mentally healthy. The benefits and services offered by the Fund may be changed or terminated at any time upon approval of the Board and do not constitute a guarantee of continued employment with the Fund.

Benefits are accompanied by eligibility requirements which must first be met by the employee and dependents (if applicable) before being able to be covered. The provisions of and eligibility for the various benefits are governed by each Plan instrument which may be a plan document or certificate of coverage, or both. With respect to medical and dental coverage, life insurance,



the employee assistance and wellness programs, the definition of eligible dependent may vary from plan to plan.

This description of employee benefits only summarizes the provisions of a formal benefit plan document and does not attempt to cover all of the details contained in the plan document. The operation of the plan, including events making you eligible or ineligible for benefits, the amount of benefits to which you (or your beneficiaries) may be entitled, and actions you (or your beneficiaries) must take to request and support a claim for benefits will be governed solely by the terms of the official plan document. To the extent that any of the information contained in these Policies, a summary plan description (“SPD”) or any information you receive orally is inconsistent with the official plan document, the provisions set forth in the plan document will govern in all cases. If you wish to review the plan document, please contact the Executive Director.

## **PERFORMANCE COUNSELING/DISCIPLINE**

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform job duties to the best of their ability and to the standards as set forth in the job description or as otherwise established.

The Fund supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with our organizational values, HR best practices and employment laws.

Outlined below are the steps of our progressive discipline policy and procedure. The Fund reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee’s work record; and the impact the conduct and performance issues have on the Fund.

The following outlines the Fund’s progressive discipline process:

- Verbal warning and counseling: The Executive Director will advise, and in the case of the Executive Director’s substandard work performance, the Board Vice-Chairman will advise, the employee of his or her unsatisfactory performance and recommend specific areas for improvement. A written record of the discussion is placed in the employee’s file for future reference.
- Written warning: Written warnings are used for behavior or violations that the Executive Director, or the Board Vice-Chairman, as applicable, considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written

warnings are placed in an employee's personnel file, and this document should include identification of the violation, indication of necessary improvement, and information concerning further disciplinary action that could result from failure to show improvement.

- Performance improvement plan: Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he or she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time not to exceed ninety (90) days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the Executive Director, or the Board Vice-Chairman, as applicable. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, termination of employment may occur.

The Fund reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, probation, suspension with or without pay, demotion and termination of employment.

## SEPARATION OF EMPLOYMENT

Separation of employment with the Fund can occur for several different reasons.

- Resignation: Although we hope your employment with the Fund will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two (2) weeks' notice, in writing, to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given. Even though a two (2) week notice is requested for a resignation, management at its discretion may activate a resignation earlier.
- Retirement: Employees who wish to retire are requested to notify the Executive Director, or in the case of the retirement of the Executive Director, the Board, in writing at least one (1) month before the planned retirement date.
- Job abandonment: Employees who fail to report to work or contact the Executive Director for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day.

- Termination: Employees of the Fund are employed on an at-will basis, and the Fund retains the right to terminate an employee at any time. All terminations shall be subject to the discretion of the Executive Director, except for the termination of the Executive Director, which shall be subject to the discretion of the Board.

The separating employee must return all Fund property at the time of separation. Failure to return some items may result in deductions from the final paycheck.

All employees who leave the service of the Fund for any reason shall receive all pay, which may be due them with the following qualifications:

- Regular employees shall be paid for all unused vacation leave accumulated up to a maximum of two-hundred and forty (240) hours in a single lump-sum payment within sixty (60) days of the date of separation (such maximum amount will be pro-rated for a part-time employee in a regular position).
- Employees forfeit any other accrued but unused paid leave benefits as of the date of separation, including, without limitation, all accrued but unused sick leave benefits.

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## EXHIBIT A

### Salary Range for Executive Director

Effective as of ~~August~~ January 23, 2021 ~~1, 2024~~

Job Title	Minimum Salary	Midpoint Salary	Maximum Salary
Executive Director	<del>\$244,800</del> <u>\$128,360</u>	<del>\$166,867</del> <u>\$306,000</u>	<del>\$205,375</del> <u>\$367,200</u>

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## EMPLOYEE PERSONNEL POLICIES ACKNOWLEDGMENT

I, \_\_\_\_\_ (employee name), acknowledge that on \_\_\_\_\_ (date), I received a copy of the Fund's Personnel Policies ("Policies") and that I read them, understood them and agree to comply with them. I understand that the Fund has the maximum discretion permitted by law to interpret, administer, change, modify or delete the rules, regulations, procedures and benefits contained in the Policies at any time, with or without notice. No statement or representation by the Executive Director or any other employee, whether oral or written, can supplement or modify these Policies. Changes can only be made if approved in writing by the Board. I also understand that any delay or failure by the Fund to enforce any rule, regulation, or procedure contained in the Policies will not constitute a waiver of the Fund's right to do so in the future.

I understand that neither these Policies nor any other communication by a Fund representative or any other employee, whether oral or written, is intended in any way to create a contract of employment. I understand that, unless I have a written employment agreement signed by an authorized Fund representative, **I am employed at will and this policy does not modify my at-will employment status.** If I have a written employment agreement signed by an authorized Fund representative and these Policies conflict with the terms of my employment agreement, I understand that the terms of my employment agreement will control.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

**For Fund Administrative Use Only:**

Date Received: \_\_\_\_\_

Received By: \_\_\_\_\_

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