



Employee Handbook

Adopted June 2018

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ORGANIZATION OVERVIEW

History

Cain Center for the Arts was established as a 501 (c)(3) non-profit organization on July 14, 2016, and received approval from the Internal Revenue Center for tax exempt status on March 20, 2017. This transpired after local Cornelius residents identified the need for a larger, updated arts facility in Old Town Cornelius. A \$4 million dollar Town bond was approved for use on the downtown redevelopment project in 2013. The Town also purchased land that will house the future arts center, which will be located in downtown Cornelius adjacent to the police station. Cain Center for the Arts and the Town of Cornelius partnered with C Design and Holzman Moss Bottino Architecture Firms to design the facility.

Cain Center for the Arts is currently led by Executive Director, Justin Dionne in conjunction with an ambitious Board of Directors, chaired by Greg Wessling. Cain Center for the Arts also consists of an Advisory Board with a variety of special skills and creative talents that contribute to the success of Cain Center for the Arts.

With a focus on performing arts, visual arts, and social experiences, Cain Center for the Arts will provide education and entertainment to the North Mecklenburg area and beyond.

Mission, Vision, Values

The mission of the Cain Center for the Arts is to provide exceptional visual arts, performing arts, and social experiences in the Lake Norman region.

Our vision is to empower children and adults alike to create, experience, and enjoy visual and performing arts by providing a flexible facility in our community to attract and serve a broad audience.

The Cain Center for the Arts operates under the following **core values**:

Inspirational –a place that inspires and encourages creativity.

Community-centered –a place that serves everyone. It will expose, invite, and engage as a destination for all members of the community.

Creative – serve as a hub of creativity, providing a platform for unique and individual expression.

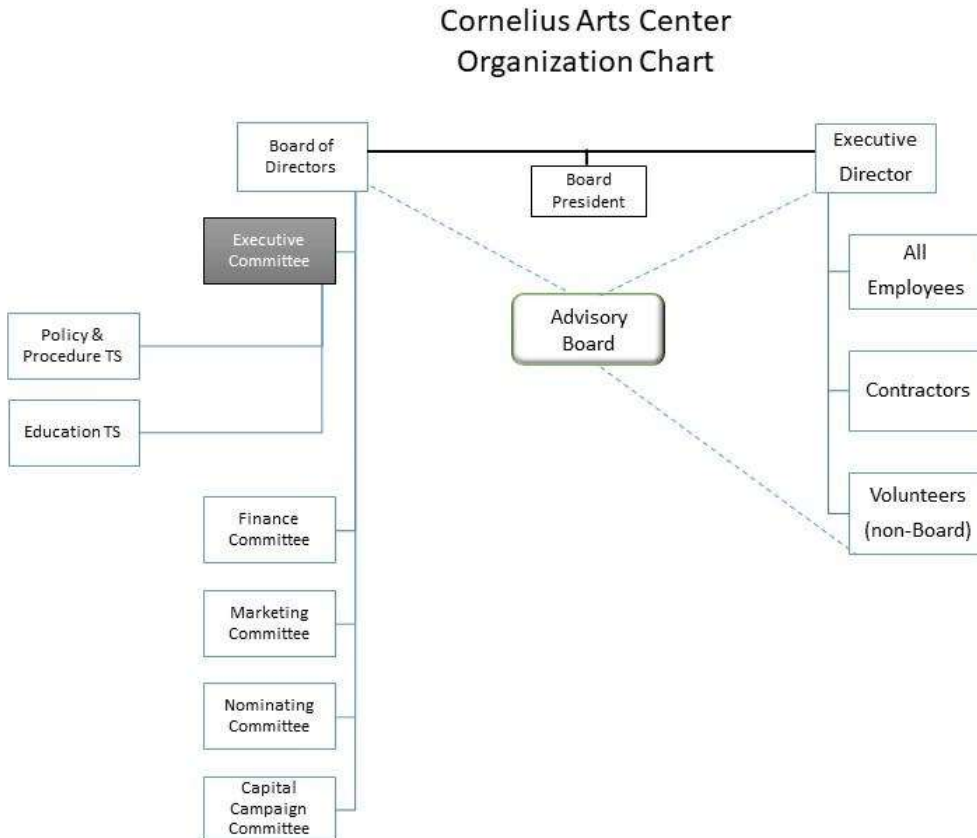
Entertaining –provide a holistic experience that produces valuable, enjoyable experiences while also focusing on comfort.

Educational - a place where the arts and education connect.

Operations

Organization Chart

Executive Director Justin Dionne oversees the Center's operations, and the strategic vision of the Center is driven by Board of Directors.



The Board of Directors

Board of Directors - (Directors serve 3-year rolling terms, up to 25) As a not-for-profit organization, overall Cain Center for the Arts operations are governed by a volunteer Board of Directors. The Board recruits, evaluates and elects its own members to serve specific terms of office, and to fulfill specific officer and committee assignments during these terms.

Members of the Board of Directors dedicate time, energy, resources and expertise towards the visibility and support of Cain Center for the Arts. The Board has total fiscal accountability and is responsible for setting policy and leading the organization in planning all aspects of its current and future programming.

1. The Executive Committee

The main function of the Board's Executive committee is to consider operational matters in detail in order to make recommendations to the full Board. This committee meets

periodically between Board meetings and is composed of the officers of the Board and other Board members appointed by the Chairperson.

2. Operational Committees

The main function of the Board's operational committees is to guide the administrative operations of the Cain Center for the Arts Board and staff organization. These committees are: Executive, Nominating, Marketing, Development, and Finance. Ad Hoc committees and task forces are appointed from time to time to deal with specific issues.

Staff

1. The Executive Director

The Executive Director is responsible for guiding the total operation of Cain Center for the Arts. The scope of authority includes direct supervision of all departments, staff employment, evaluation and termination, and financial management. The Executive Director is hired by the board and reports directly to the board.

2. Administrative Staff

Administrative employees report to the Executive Director.

PURPOSE OF THIS HANDBOOK AND ITS USE

This Handbook is intended to provide you with an overview of the Center's policies, benefits, and general information that relate to your employment and to communicate our commitment to a mutually respectful and rewarding environment while you are employed here. If you have any questions about the policies summarized in this Handbook, please feel free to ask your manager or supervisor.

Cain Center for the Arts reserves the right to modify, add, or delete provisions in this handbook, based on changes in legal requirements, business conditions, or other relevant circumstances. Consequently, its actions, from time to time, may vary from the attached policies and procedures, or any subsequent policies and procedures implemented. Whenever practicable, Cain Center for the Arts will make reasonable effort to notify employees in advance of any policy changes, but in any event, any such changes will be effective immediately unless otherwise specified regardless of advance notice. Continuation of employment after any such actions constitutes consent to such action.

Nothing in this Handbook is intended to create, nor should it be construed as creating, an express or implied contract of employment. Rather, employment is at the mutual consent of the employee and Cain Center for the Arts and can be terminated at will by the employee or the organization.

All personnel with supervising responsibilities are required to be familiar with these personnel policies and should consult with the Executive Director on questions of interpretation as may be necessary before making decisions or taking actions.

CLASSIFICATION OF EMPLOYEES

At-Will Employment

North Carolina is an employment-at-will state. This means that either the employee or the employer may terminate the employment relationship at any time and for any reason, except a reason specifically prohibited under state or federal law.

For the purpose of salary administration and eligibility for overtime payments and employee benefits, Cain Center for the Arts generally classifies its employees as follows:

Regular Full-time: Employees who are hired to work Cain Center for the Arts's normal full-time schedule on a regular basis. For administrative employees, this is generally 52 work weeks per year, except for scheduled time off such as vacation or holidays. Generally, unless otherwise provided elsewhere in this Handbook, all regular full-time employees should work at least 40 hours per week, may be eligible for standard benefits and may be "exempt" or "non-exempt" as defined below.

Regular Part-time: Employees who are hired to work fewer than 20 hours on a regular basis. Regular part-time employees are eligible for some of the standard benefits and may be "exempt" or "non-exempt" as defined below.

Temporary Employees: Employees hired either by the Cain Center for the Arts or through a temporary agency for a specific or limited period of time, generally not exceeding 3 months or the duration of a special project. Such employees generally are not eligible for benefits. Temporary employees may work a full-time or part-time schedule and may be "exempt" or "non-exempt" as defined below.

Exempt: Employees who are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and are not eligible for overtime pay.

Non-Exempt: Employees who are required to be paid overtime at the rate of time and one-half their regular rate of pay for all hours worked beyond 40 in a workweek in accordance with the FLSA. For purposes of overtime calculation, holidays, vacation days, sick days and other similar days off of work are not counted as hours worked. The lunch hour, in which the employee is completely relieved from his or her job duties, is not counted as hours worked. Short break times (usually consisting of 5 to 20 minutes) are treated as compensable hours worked for purposes of overtime. It is important that all employees report to work on time at the end of their break or lunch period. Any extensions or deviations from the authorized break or lunch schedules must be approved by the employee's supervisor, or the employee may be subject to discipline, up to and including termination of employment.

Each employee will be informed of his or her initial employment classification and of status as an exempt or non-exempt employee at the time of hire. If an employee's position changes during employment as a result of a promotion, transfer or otherwise, the employee will be informed of any change in his or her classification and/or status.

In addition, Cain Center for the Arts may also engage independent contractors. These individuals are self-employed, perform services on a contract basis and are not intended to be governed by the provisions of this Handbook.

Compensation and Payroll

Compensation Principles

Cain Center for the Arts's compensation policy and procedures reflect a commitment to the following principles:

- All employees are evaluated according to their job duties;
- Compensation is fundamentally based on the relative level of contribution of a given position, as well as the individual performance of an employee in that position;
- Cain Center for the Arts is committed to maximizing the professional growth and development of all employees; given appropriate opportunities, all employees are encouraged to seek and rise to their highest level of potential contribution;
- Compensation administration is guided by both internal equity - the relative evaluation of positions within the overall organization - and external equity - the prevailing conditions for jobs or classes of jobs in relevant markets;
- Cain Center for the Arts has an obligation to provide clarity of responsibility and accountability for each position and employee;
- Compensation policies and practices are communicated widely and continuously to all employees;
- Compensation policies and practices are administered without regard to any characteristic protected by law; and
- Compensation policies are subject to the economic health of the organization. Increases in compensation are subject to the approval of the Executive Director.

Work Hours

The "work week" begins at 12:01 a.m. on Monday and ends at 12:00 midnight the following Sunday. Weekly payroll is based on this work week. Standard days off are Saturday and Sunday. However, all staff work schedules are based on prevailing rehearsal, production, performance needs of the Cain Center for the Arts. The normal workweek is 40 hours. Each department has its own work schedule, and the supervisor will advise each employee of the regular work schedule, meal breaks, and arrangements for personal breaks. On an individual employee basis, starting and ending times may vary, either on an ad-hoc or scheduled basis, as jointly agreed by the supervisor and employee.

In addition, all staff schedules are based on the prevailing rehearsal, production, and performance needs of the Cain Center for the Arts at the time. A lunch period and appropriate work breaks are scheduled on a daily basis. Days off are based on the rehearsal, production, and performance needs of the Cain Center for the Arts at the time.

Salary Rates

Employees will be paid monthly on the last day of the month, unless other arrangements have been negotiated. All employees will be paid via direct deposit with the exception that employees who are hired on a contract basis will be paid via live check. If Friday is a recognized holiday, checks will be delivered on the next regularly scheduled work day. Checks will normally be distributed by 2 p.m.

For the protection of employees paid via live check, checks may only be distributed directly to the employee. An exception will be made only if you give prior written authorization and verify with your supervisor or the Executive Director that someone else is to receive your check.

Salary increases, if any, will be based on an evaluation of your performance, the funding available in the approved budget during the current fiscal year, and other business circumstances. Such salary increases are within the complete discretion of Cain Center for the Arts. Salary increases are not automatic and should *not* be expected to coincide with a formal, written evaluation. Salary increases, awarded on a discretionary basis, ordinarily become effective on July 1 and will be reflected in the first paycheck after July 1.

Cain Center for the Arts reserves the right to change salary rates based on business circumstances, including implementing any salary decreases, in its complete discretion.

Time Recording/Time Off Recording

Cain Center for the Arts is required by federal and state law to maintain accurate records of all hours worked by non-exempt employees. To insure that accurate records are kept of time worked, and to insure that employees are paid in a timely manner, non-exempt employees are required to record the time they work by using Cain Center for the Arts timesheets.

Exempt employees, although not eligible for overtime, are also required to report actual hours worked each day to account for their time for administrative purposes using the Cain Center for the Arts reporting methods.

All employees must submit requests for time off (both Paid Time Off and Unpaid Time Off) to their Supervisor for approval. Once an employee's Supervisor has approved the request, the form must be submitted to the Executive Director in advance of the payroll affected by the time off. Additionally, all employees are required to accurately track their own vacation, sick leave, and other leave(s).

Failure to comply with Cain Center for the Arts's timekeeping procedures or falsifying a time record is deemed to be a violation of Cain Center for the Arts's policies and may result in disciplinary action, up to and including termination.

Overtime Policies

Overtime is paid at time and one-half the regular hourly rate of a non-exempt employee for all hours worked over 40 hours per workweek. Non-worked, paid hours such as sick, vacation, holiday, bereavement and jury duty days are not used when calculating overtime. Supervisors will be responsible for scheduling overtime and will make every effort to notify employees as far in advance as possible. Non-exempt employees are expected to accept all requests to work overtime, unless there is an unavoidable scheduling conflict. In addition, all overtime for non-exempt employees must be authorized and approved by an employee's supervisor in advance, unless business conditions require s/he to stay later than s/he was scheduled on his/her last shift of the week. Failure to obtain prior approval from his/her supervisor for working additional hours will be grounds for disciplinary action.

Reimbursements

Cain Center for the Arts maintains a system of expense reimbursement for authorized business expenses incurred by employees. Under this system, employees who are authorized to incur necessary business expenses must present an expense report and receipts for reimbursement to their supervisor for approval.

No employee is entitled to incur business expenses or obligate Cain Center for the Arts financially without advance approval from his or her supervisor. Requests for reimbursement for business expenses should be made semi-monthly.

Payroll Deduction Policies

Cain Center for the Arts automatically withholds from your check, on your behalf, those deductions required by state and federal law, including income taxes and Social Security. In addition, you may authorize additional deductions to cover your portion of group health insurance payments, tax deferred annuity programs, and/or other expenses.

BENEFITS

Cain Center for the Arts currently maintains an employee benefit plan and program designed to assist employees and their eligible dependents. This section of the Handbook contains a brief description of some of the various benefit plans provided to eligible employees. Where the benefits are governed by formal plan documents or master policies, the exact terms of those plans or policies will govern, including those provisions governing eligibility. While it is Cain Center for the Arts's intent to continue all current benefit plans and policies, Cain Center for the Arts reserves the right to periodically review the benefit plans and policies and to modify, amend or terminate any benefit plan or policy presently in effect. Accordingly, Cain Center for the Arts makes no promise to continue the benefit plans contained in this Handbook into the future.

For copies of plan documents or master policies, or for other information on the Cain Center for the Arts's benefits, you should speak with the Executive Director.

Benefits Eligibility

For a complete description of employee eligibility for various Cain Center for the Arts benefits, please refer to the terms of the individual benefit plans. Employees are encouraged to discuss with the Executive Director whether they may elect to cover their dependents at their own cost through payroll deduction.

Group Medical Insurance

Cain Center for the Arts currently makes group medical insurance coverage available to regular full-time employees. Eligible participating staff will be given insurance enrollment forms and policies to sign during the orientation process. You will be kept informed of changes and additions to these programs. New employees are eligible for benefits effective on the first day of the month following the 60th day of their employment.

Workers' Compensation Insurance

Cain Center for the Arts maintains workers' compensation coverage for employees, as required by law. An employee's coverage, and eligibility for coverage, is determined by law. These payments provide medical benefits and disability income payments for employees who incur work-related injuries or illnesses.

Paid Time Off

Purpose: The purpose of this policy is to provide employees with information regarding how Paid Time Off (PTO) is earned and managed. PTO is intended to be used for rest and relaxation; to handle personal business; for an employee's short-term illness; or to attend to a short-term illness of someone else. PTO eliminates the need for separate vacation, personal and sick time policies by combining these time off components into one category. It does not apply to Jury Duty, bereavement leave, military leave, or holidays.

Eligibility: This policy applies to all FULL TIME Cain Center for the Arts employees. PTO has been designed to provide paid time off for employees to use at their discretion. All full-time employees are eligible to accrue PTO time. **Upon completion of your introductory period (30 days), you will begin to earn PTO hours each month worked, following the accrual calendar below.**

Failure of an employee to observe this policy may constitute a break of the terms and conditions of employment and subject such employee to disciplinary action, up to and including termination of employee.

Accrual: Effective July 1, 2018, full-time, administrative employees are eligible to accrue PTO each year in accordance with their length of service. PTO is accrued or earned based on the employee's length of service and on time worked during the calendar year.

Completed Years Of Service On July 1st of Each Year	PTO Days Per Year	<u>Accrual Rate</u>
Less than Three Years	20 Days	1.67 days/month
Three Years Or More	25 Days	2.09 days/month

Cain Center for the Arts uses the eligible employee's date of hire in calculating the completed years of service on July 1st of each calendar year. Only whole years (12 months) of full-time continuous and completed service, measured from the employee's date of hire, are considered.

For example, if an eligible employee has less than three (3) whole years of continuous and completed service as of July 1st, their PTO calculation would be 20 PTO days for that year.

Regulations: Employees may “borrow” PTO time up to the maximum allowable balance (following the accrual chart) within the fiscal year. If an employee terminates employment for any reason, and they used PTO time that was not yet accumulated, they will be required to pay back the time that was borrowed.

Responsibilities:

a) The Executive Director (in lieu of Director of Human Resources) is responsible for the interpretation and enforcement of this policy.

In addition:

b) Employee Responsibilities

Employees are requested to provide at least seven (7) days’ notice of the need to take PTO for foreseeable PTO requests whenever possible. If PTO is used for an unplanned illness or event, an employee must directly notify his/her supervisor within one hour of the normal starting time or departure time. Failure to do so may result in disciplinary action, unless the employee can demonstrate that it was not practicable to provide such notice.

Employees will schedule PTO so there will be a minimum disruption of the work of the organization. Employees must receive prior approval PTO from the Executive Director. Due to work commitments and previous requests for time off, you may not always receive the specific time period you request, and we reserve the right to schedule PTO based on business necessities.

We encourage our employees to use their PTO benefit, but we know that this is not always possible. An eligible employee may carry over unused, accrued PTO from one fiscal year to the next until the PTO in their bank reaches a maximum of 30 PTO days. Once an employee reaches the maximum accrued amount of 30 PTO days in their PTO bank, the employee can no longer carry over unused, accrued PTO and any accrued, unused PTO that results in more than 30 PTO days in the bank will be forfeited. In no event shall an eligible employee accrue more than 30 PTO days of PTO per year.

Upon Termination: Cain Center for the Arts will pay out any accrued, unused PTO, up to a maximum of ten (10) days, at separation of employment to eligible employees. Employees who are terminated for poor performance or misconduct as determined by Cain Center for the Arts in its sole discretion, or who fail to provide the proper advance notice required by Cain Center for the Arts prior to your resignation (two (2) weeks’ notice, unless otherwise expressly specified in writing by the Executive Director), will forfeit any accrued, unused PTO.

Holidays

Regular employees receive ten paid holidays per calendar year. Employees vote for the particular holidays to be taken each calendar year. Examples of these holidays could be:

- | | | |
|----------------------------|------------------------|-----------------------------|
| New Years Day | Labor Day | Martin Luther King, Jr. Day |
| Thanksgiving Day | Day after Thanksgiving | Memorial Day |
| Christmas Eve | Christmas Day | Independence Day |
| Floating Religious Holiday | Veterans Day | Good Friday |

Cain Center for the Arts recognizes and honors diverse cultures and traditions, and employees may request to substitute different holidays with prior approval by the employee's supervisor.

When a holiday falls on a normal business day, M-F, the holiday occurs on the actual business day. When the holiday occurs on Saturday, employees shall observe the holiday on Friday. When the holiday occurs on a Sunday, employees shall observe the holiday on Monday (Including when Christmas Day falls on a Saturday).

Jury Duty Leave

Necessary time off without loss of pay shall be granted to employees called for jury duty. Cain Center for the Arts requests that as much advance notice as possible be given to the employee's supervisor so that appropriate measures can be taken to cover that employee's responsibilities during her/his absence. No refund to the Cain Center for the Arts of per diem fees and other allowances shall be required. Proof of jury service may be required.

Bereavement Leave

Regular employees are allowed up to three consecutive, paid days for bereavement leave in the event of a death in the immediate family. The immediate family is determined by birth or by legal adoption and is defined as a father, mother, sibling, child, grandparent, grandchild, aunt, uncle, spouse, spouse's parent or sibling, and step- and half-relatives at the same level. (In very unusual circumstances, leave may be granted to attend the funeral or memorial service of another relative, subject to the approval of the Executive Director.) If more time is needed, this must be approved by the Executive Director; it shall be charged to PTO.

Adverse Weather Policy

Employees are asked to plan ahead when adverse weather is predicted in order to make every effort to complete their work on schedule. Cain Center for the Arts is never considered closed for adverse weather. However, Cain Center for the Arts does not want any staff member to take unnecessary risks because of weather. Using an honor system, an employee who does not feel safe in coming to the office (or staying at the office) due to adverse weather may stay (or go) home during the hours in which safety is a concern. After missing 24 regularly-scheduled working hours due to adverse weather within one fiscal year (July 1 to June 30), employees shall automatically use any accrued PTO. After all PTO is used, employees' pay shall be reduced on a prorated basis. Employees who are able to work at home may do so if pre-approved by their supervisor.

If all employees trained to answer the phones are out at a particular time due to adverse weather, callers to the office may get a message that the Cain Center for the Arts is closed due to inclement weather. Getting this message does not mean that the Cain Center for the Arts is closed for employees who can make it in safely.

HIRING PRACTICES AND POLICIES

Equal Opportunity Employment

Cain Center for the Arts is committed to equal employment and affirmative action. Staff shall be selected on the basis of the applicant's qualifications and without regard to race, color, religion, sex, age, veteran status, sexual orientation, marital status, national origin, ancestry, disability,

pregnancy, genetic information, gender identity/expression or any other protected characteristic or class, except where specific age, sex, or physical requirements constitute a bona fide occupational qualification necessary for job performance.

This policy applies to all persons in all aspects of employment at Cain Center for the Arts, including, but not limited to recruitment, selection, placement, training, compensation, benefits, promotions, transfers, layoff, termination and other treatment on the job. All employees and job applicants are guaranteed equality of employment opportunity. Reasonable accommodations will be made for job applicants and employees with disabilities in compliance with the federal Americans With Disabilities Act.

All recruitment, selection, placement, training, and layoff decisions made by Cornelius' managers will be based solely on job-related qualifications and abilities of candidates. In some cases, seniority may be treated as a factor to be considered in the selection process. The qualifications of candidates for a promotion or transfer will be assessed solely on the basis of an individual's ability, merit, and seniority where applicable.

Employment advertisements shall contain assurances of equal employment opportunity and shall comply with federal and state statutes regarding nondiscrimination in employment matters based on age, sex, race, color, religion, national origin, and disabilities.

All personnel policies and practices, including compensation, benefits, discipline, and safety and health programs, as well as social and recreational activities, will be administered and conducted without discrimination.

The full cooperation and support of all employees is essential to the success of Cornelius' equal employment efforts. Any employee who believes that he or she has been subjected to discrimination or harassment of any kind must immediately report the prohibited conduct to his or her supervisor so that an investigation can be initiated and appropriate action can be taken.

If you feel you have suffered unlawful discrimination, contact the Executive Director. If the Executive Director is the one you feel is discriminating, contact the Cornelius' Board of Directors President. No form of retaliation is permitted for bona fide charges of illegal discrimination.

All complaints will be investigated promptly. Appropriate action will then be taken by Cain Center for the Arts based on the results of the investigation. Any attempt to coerce, intimidate or retaliate against anyone who complains of harassment or discrimination pursuant to this policy or who assists in an investigation will not be tolerated. Anyone found to be engaging in any type of unlawful discrimination or harassment will be subject to disciplinary action, up to and including termination of employment.

Qualifications for Appointment

(a) Classification Standards - All applicants must meet the specifications of the position as defined in the classification plan. These specifications contain minimum knowledge, skills and abilities, and experience and educational requirements. Other reasonable, job-related minimum standards may also be established by the Town Manager as appropriate.

(b) Physical & Mental Standards - All applicants for employment must meet the physical and mental standards established for the position for which they apply as a condition for employment in order to perform the essential duties of the position.

(c) Forms of Application – All applicants for employment must fill out and furnish complete information on the Cain Center for the Arts’s application form and/or resume.

(d) Other Standards for Employment - Where other standards or requirements for a particular position are established, all applicants shall be required to meet those standards as a condition for employment. Any standards developed shall be job-related, approved by the Executive Director and entered on the applicable position or class specification. Any substitution for or deviation from established standards shall be approved by the Executive Director. The Executive Director may establish and must approve any tests or examinations which are developed and warranted to determine whether or not an applicant or employee meets established standards.

Employment Of Qualified Disabled Individuals

Cain Center for the Arts is committed to complying with all applicable provisions of state and federal laws protecting the rights of qualified disabled individuals. It is Cornelius’ policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, Cain Center for the Arts will provide reasonable accommodations to a qualified individual with a disability, as defined under applicable law, who has made Cain Center for the Arts aware of his or her disability, provided that such accommodation does not constitute an undue hardship on Cain Center for the Arts.

Applicants or employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact an appropriate management representative. On receipt of an accommodation request, Cain Center for the Arts will review the potential reasonable accommodation(s) that Cain Center for the Arts might make to enable you to perform the essential functions of the job. As part of this process, an employee or applicant may be required to provide authorization for Cain Center for the Arts to communicate with and obtain documentation from their doctor(s) regarding the medical condition(s) for which reasonable accommodation is sought, and may further be required to be evaluated by a doctor of Cain Center for the Arts’s choice. All such medical information discussed and received will be treated as confidential to the extent required and permissible by law. The Executive Director is responsible for compliance with these federal employment requirements and shall work with managers on a case-by-case basis to affect compliance.

PERFORMANCE REVIEW AND DISCIPLINARY ACTION

Introductory Period

All new employees must complete a six-month introductory period. Your supervisor may extend the introductory period when necessary. An introductory period does not modify the at-will nature of your employment as all employment may be terminated at-will both during and after the trial period.

The introductory period permits you to become familiar with your position and to demonstrate the skills, abilities, and work habits required for continued employment. During this period, you and your immediate supervisor are encouraged to establish goals, discuss all performance standards, and assess

your progress. Supervisors are responsible for documenting any performance deficiencies and problems during the introductory period, notifying employees of any such matters, and outlining ways to correct those deficiencies. Employees may be terminated at any time during the initial introductory period if, in the judgment of the supervisor, continued employment at the Cain Center for the Arts would not be in the best interests of the organization. Every staff member shall remain an employee-at-will regardless of successful completion of the introductory period. This introductory status does not affect eligibility for benefits.

Performance Review

A performance review will generally be conducted for each employee by her or his supervisor after six months of employment and annually thereafter. The supervisor's analysis of strengths, areas that need improvement, and any revision needed in priorities or responsibilities then becomes part of the employee's personnel file. This practice in no way obligates the supervisor or the Cain Center for the Arts to conduct a formal performance evaluation. A self-evaluation by the employee also may be requested as part of this evaluation process.

The Executive Director's performance is reviewed at least annually by the Board of Directors. See the Board policy for the schedule and procedure. The President of the Board is responsible for meeting one-on-one with the Executive Director shortly thereafter to communicate the results of this review and then to prepare the written record for the personnel file.

POLICIES AND PROCEDURES

Cain Center for the Arts has established a set of policies and procedures in order to maintain quality practices, and a lawful working environment. These policies and procedures apply to all employees of the organization. All employees are responsible for reading, understanding, and complying with the established policies and procedures documented in this handbook. Policies and procedures can be changed at any time for any purpose by the executive director and/or board of directors.

Rules of Conduct and Disciplinary Actions

The Cain Center for the Arts believes in providing its employees with opportunities for improvement when feasible and appropriate.

Employees are expected to meet established standards of attendance, performance, and conduct. Employees who demonstrate poor attendance, substandard work performance, or unacceptable conduct shall be subject to review and corrective action that may include termination.

Corrective action is exercised at the discretion of management, based on the specific situation and its severity. Corrective actions may include verbal reminders, written reprimands, suspension, reassignment, demotion, termination, or other actions consistent with the circumstances. The Cain Center for the Arts reserves the right to decide, at its own discretion, whether corrective action is appropriate and, if so, the order and nature of corrective action. Nothing in this policy obligates the organization to follow a pattern of progressive discipline, nor is it intended in any way to limit the organization's right to terminate an employee at any time, with or without cause, and with or without advance notice.

Sexual Harassment and Other Offensive Behavior Policy

The Cain Center for the Arts is committed to creating and maintaining a workplace free of sexual harassment. Improper conduct in the workplace, or between employees after

hours, is inappropriate and will not be tolerated. This conduct includes: (a) expressed or implied requests for sexual favors as a condition of job retention, promotion, or other benefit of employment; (b) unwelcome physical contact; and (c) harassment or other inappropriate behavior [such as sexually explicit jokes, improper suggestions, graphic or descriptive comments or discussions about an individual's body or physical appearance, degrading verbal comments, offensive sexual flirtations, and intimidation].

Offensive behavior directed at a person's race, color, religion, gender, age, national or ethnic origin, disability, sexual orientation, or marital status is also prohibited. The Cain Center for the Arts's policy on sexual harassment and other offensive behavior applies to staff, its Board of Directors, donors, and volunteers.

Any complaints of harassment shall be referred immediately to the Executive Director and Board President. All investigations shall be conducted as promptly and confidentially as possible, and at no time shall the complainant be retaliated against. Appropriate disciplinary action shall be taken when warranted. Fabricated complaints, which are not based on a reasonable belief, shall not be tolerated and may lead to disciplinary action against the false accuser.

Employees will not be retaliated against for filing a complaint and/or assisting in a complaint or investigation process. Further, the Cain Center for the Arts shall not tolerate or permit retaliation by supervisors or co-workers against any complainant or anyone assisting in a harassment investigation.

The Federal Equal Employment Opportunity Commission (EEOC) and the North Carolina Office of Administrative Hearings, Civil Rights Division (OAH) investigate and prosecute complaints of prohibited harassment in employment. If an employee believes he or she has been harassed or discriminated against or retaliated against for resisting or complaining, the employee may also file a complaint with the appropriate agency in addition to exhausting the above complaint procedure.

Drug and Alcohol Free Workplace Policy

The unlawful use, possession, or distribution of a controlled substance is prohibited in this workplace. Any abuse of this policy shall be reported to the Executive Director immediately. An exception is alcohol consumed in moderation on the premises for special occasions or at functions outside the office with the Executive Director's prior approval.

Immigration and Naturalization Policy

As required by law, new and rehired employees must complete the necessary tax withholding and Immigration and Naturalization Service forms (Form I-9) and provide the correct identification documents to ensure authenticity within the first three days of employment. Re-verification of existing employees may occur. All employees may be required to re-verify their identity and employment eligibility.

Pre-employment Inquires Policy

Before an employee is hired, the Cain Center for the Arts may contact references as well as administering a background check. The Fair Credit Reporting Act requires employers to notify applicants that a background check will be sought and used to evaluate their qualifications for employment.

Organization-Wide Privacy Policy

The Cain Center for the Arts values protecting the privacy of its members, vendors, and other constituents. Cain Center for the Arts ensures that all data collected is compliant with the U.S. Department of Justice, U.S. Federal Trade Commission's safe harbor guidelines, Section 512 of the Digital Millennium Copyright Act, and e-discovery rules for gathering, storing, and sharing data.

After-Hours Communications Policy

Under the Fair Labor Standards Act of 1938 (FLSA) employees are entitled to be paid for all hours worked, and non-exempt employees may use computers to, for example, check work emails away from the office and during non-scheduled hours. The purpose of this policy is to instruct non-exempt employees concerning use of electronic communications devices when not scheduled for work duty.

Employees of the Cain Center for the Arts may perform job duties using a variety of electronic communications depending on the nature of the work and responsibilities involved. Some of the required communication mediums might include cell phones, text messaging devices, computers, and handheld computers such as personal digital assistants (PDAs).

As with other types of authorized work, all time spent by non-exempt employees using electronic communications for work purposes will be considered hours worked; the time is compensable and will count toward overtime eligibility as required by law. Therefore, to avoid incurring unnecessary expenses, electronic communications should not be used outside regularly scheduled work hours unless required by management. This includes all types of work-related communication.

Non-exempt employees should not check for, read, send, or respond to work-related emails outside their normal work schedules unless specifically authorized based on job duties or direction by management to do so.

Non-exempt employees using electronic communications for work-related correspondence during unauthorized times may be subject to discipline for violating this policy. Supervisors requiring non-exempt employees to use electronic communications for work-related correspondence at unauthorized times are also subject to discipline up to and including termination.

Conflicts of Interest Policy

All employees are asked to review, sign, and date the Conflict of Interest Policy at the beginning of their employment and each year thereafter. Failure to sign does not nullify the policy.

Relations with Vendors Policy

Cain Center for the Arts makes decisions about the purchase of products and services and about vendors and contractors to use based on our values and on good financial accountability. For all Cain Center for the Arts purchases, the Cain Center for the Arts strives to ensure the best quality at the best price.

While the Cain Center for the Arts encourages employees to have friendly relations with vendors and contractors, employees shall base business decisions solely on the Cain Center for the Arts's needs and the quality and price of the products or services needed. If an employee enters into a personal relationship with an employee or owner of an entity having financial dealings with the Cain Center for the Arts, this creates a possible conflict of interest that requires full disclosure by the employee to the Executive Director.

Partisan Political Activity Policy

Cain Center for the Arts believes in the importance of civic engagement in all its forms. However, as a 501(c)(3) nonprofit, Cain Center for the Arts is strictly prohibited from participating in any partisan political activities. Doing so would immediately jeopardize the organization's tax-exempt status as a public charity. Thus, the following guidelines on partisan political activities by individual employees are very important:

- Any partisan political activity of employees shall be clearly identified as being personal and shall not identify the employee as a representative or employee of the Cain Center for the Arts.
- Engagement in partisan political activities shall be done on the employee's own time (i.e., not during time when he/she is being paid to perform Cain Center for the Arts duties).
- Cain Center for the Arts's facilities shall not be used for partisan political activities. This includes, but is not limited to, the Cain Center for the Arts's office, equipment, email accounts, website, and social networking accounts.
- No partisan political materials shall be posted in Cain Center for the Arts offices in common or personal areas.

Telecommuting Policy

This practice is not available to all employees and is subject to the approval of the supervisor and the Executive Director. The Cain Center for the Arts may allow some employees in specific positions to telecommute and work at home within designated limits as long as it does not adversely affect the employee's productivity or the efficient operation of the organization. By their very nature, some positions within the Cain Center for the Arts do not lend themselves to telecommuting.

Confidentiality Policy

Because the Cain Center for the Arts considers certain information to be confidential and/or proprietary, it will provide each new employee with instructions on the

confidentiality of information and records, and each employee must sign a confidentiality agreement at the beginning of their employment and annually thereafter at the beginning of the Cain Center for the Arts's fiscal year on the first work day of July. Employees may not communicate this information without authorization from their supervisor. Confidential information can include the following information about the Cain Center for the Arts or about the organizations it serves: certain business information such as financial and marketing data or strategies, budget information, bid proposals, contract negotiations; information on internal organizational issues or problems, research and development ideas, current or proposed policies, meeting minutes, passwords, access codes, fundraising information, and donors' or prospective donors' names or affiliations; personnel actions such as promotions, demotions, terminations, personnel controversies, compensation, payroll data, and performance appraisals; information that is of a personal or confidential nature; certain legal advice, opinions, and documents; and any other information designated as confidential. If employees are not sure if the information they are handling is confidential, they shall consult their supervisor or the Executive Director, where appropriate.

If discussing or transmitting confidential information, staff shall follow these guidelines:

- Do not reveal any confidential information unless your supervisor approves it;
- Be sure that confidential information is properly marked and secured before transmittal;
- Ensure that the recipient has a legitimate need to know the confidential information;
- Avoid displaying confidential information where it can be easily observed;
- Immediately inform your supervisor of the loss of any confidential information;
- Limit reproduction and distribution of such information;
- Secure confidential documents in locked cabinets or containers when not in use;
- Make sure that you properly dispose of all confidential information.

Employees may not remove any confidential information from the Cain Center for the Arts's offices without specific authorization to do so. Employees who are leaving the Cain Center for the Arts must return all confidential and sensitive information to their supervisor before departing.

As previously mentioned, the Cain Center for the Arts strives to ensure that all data collected is compliant with the U.S. Department of Justice, U.S. Federal Trade Commission's Safe Harbor Guidelines, Section 512 of the Digital Millennium Copyright Act, and e-discovery rules for data sharing. Employees are expected to abide by the related rules and regulations.

Use of Computers, the Internet, Social Media, and All Forms of Information Technology Policy

The Cain Center for the Arts's information technology systems (networks, software, computers, Internet access, and any others) are tools provided to employees to enhance productivity and performance on the job. Limited non-business use is permitted on personal time (i.e., during lunch or after work). However, all data, files, information, and

communications that are created, stored, or transmitted using the Cain Center for the Arts's information systems are the property of the Cain Center for the Arts and shall not be considered private. The Executive Director or other employees shall have access of this property at any time.

Employees shall exercise good judgment in their use of e-mail, the internet, and social media. Failure to do so or to abide by any of the Cain Center for the Arts's policies may result in suspension of privileges or other disciplinary action, up to and including termination.

All employees shall first be familiar with and follow the Cain Center for the Arts's Code of Ethics and its personnel policies on "Confidentiality" and "Use of Computers, the Internet, and All Forms of Information Systems." All communications must respect the privacy and confidentiality of the Cain Center for the Arts's staff, board, funders, Members, partners, and other stakeholders. None of these groups shall be cited or obviously referenced without their written approval.

Misuse or unauthorized disclosure of confidential information not otherwise available to persons or firms outside of the Cain Center for the Arts is prohibited.

Examples of inappropriate uses of technology include, but are not limited to, the following:

- Violation of law or government regulation.
- Unauthorized access to computer systems or networks, including any access of the Cain Center for the Arts's data on behalf of a third party.
- Unauthorized installation and/or download of software. Please note that all installations must have prior approval.
- Promotion or expression of disrespect for an individual, discrimination, or anything that constitutes a personal attack.
- Viewing, copying, or transmitting material with sexual, profane, or discriminatory content or any form of obscenity. All of the forms of diversity discussed at the beginning of the Cain Center for the Arts's personnel policies also are protected in the use of social media and other electronic communications just as they are in the Cain Center for the Arts's workplace itself.
- Transmission of harassing or soliciting messages.
- Transmission of unsolicited advertising or any advertising that is not approved by the employee's supervisor.
- Use of copyrighted material without express permission or legal right.
- Any use of chat-based or instant messaging software.
- Any use for personal financial gain, or in a manner that could create a potential conflict of interest for the Cain Center for the Arts or its employees.
- Defamatory, inflammatory, or derogatory statements about individuals or any organization or their products.
- Waste of the Cain Center for the Arts's resources, including network resources, in any form.
- Transmission or forwarding of spam e-mail.
- Recreational games or other recreational purposes.

- Any use that involves the risk of corruption or destruction of data.
- Any discussion on social media of confidential Cain Center for the Arts information not otherwise available to persons or firms outside of the Cain Center for the Arts.

The same principles and guidelines that apply to Cain Center for the Arts employees' activities in general also apply to their activities online, both at and outside of work. This includes all forms of online publishing and discussion, including but not limited to blogs, wikis, file-sharing, user-generated video and audio, social networks, and other social media applications.

Social media applications have become increasingly important arenas for the kind of engagement and communication that are vital to the Cain Center for the Arts' mission. Each social media tool and medium has proper and improper uses. While the Cain Center for the Arts encourages all employees to join a global conversation, it is important for staff to understand what is recommended, expected, and required when they discuss Cain Center for the Arts-related topics, whether at work or on their own time.

Any social media activity is a permanent public record. It is the same as writing in the Cain Center for the Arts's name a signed letter to the editor of a newspaper that will be archived permanently. Employees should not write anything that they or the Cain Center for the Arts would be embarrassed to see printed on the front page of a national newspaper or to be heard by everyone who watches TV news or reads news online.

Only staff authorized to do so by the President may speak on behalf of the Cain Center for the Arts or establish or update a Cain Center for the Arts presence on a public social network. Unless authorized to speak for the Cain Center for the Arts, staff are representing only themselves when communicating through social media. All employees shall exercise good judgment and follow the intention of this policy in the use of the Cain Center for the Arts's materials and logo.

Engagement in social media will vary by job position at the Cain Center for the Arts. Employees are responsible to discuss with their supervisor how much of their job — if any — necessitates their on-the-job participation in social networking of any sort, and act accordingly.

With its strong belief in transparency and honesty, the Cain Center for the Arts strongly discourages the use of anonymous postings or the use of pseudonyms when employees participate in online conversations, posts, or comments that relate to the Cain Center for the Arts or issues with which the Cain Center for the Arts is engaged.

The Cain Center for the Arts respects employees' right to free speech. Employees are free to express themselves and their opinions in whatever way they see fit as long as they are clearly representing themselves as individuals and not speaking as employees of the Cain Center for the Arts or referring to the Cain Center for the Arts in any way, and as long as they fully comply with the confidentiality and ethics policies cited earlier.

Cain Center for the Arts supervisors and executives have a special, additional responsibility when communicating in online public spaces. By virtue of their positions, they must consider whether personal thoughts they publish may be misunderstood as

official Cain Center for the Arts positions. Also, supervisors should assume that their own staff will read what is written. A public website or social network is not the place to communicate Cain Center for the Arts policies to employees.

Employees shall be sure that what they say electronically is factually correct and does not include inflammatory statements or attempt to engage in an aggressive or defensive way. If employees see misrepresentations made about the Cain Center for the Arts by media, analysts, or other online users, they shall inform an authorized Cain Center for the Arts spokesperson. That spokesperson will decide if or how to respond.

Whistleblower Policy

If an employee reasonably believes that some policy, practice, or activity of the Cain Center for the Arts is in violation of the law or a clear mandate or public policy, that employee shall file a written complaint with the Executive Director. If the violation involves the Executive Director, the employee shall file a written complaint with the President of the Board.

The Cain Center for the Arts will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of the Cain Center for the Arts, against another employee of the Cain Center for the Arts, or against another individual or entity with whom the Cain Center for the Arts has a business relationship if that protest or complaint is based on a reasonable belief that the practice is in violation of law or a clear mandate or public policy.

The Cain Center for the Arts also will not retaliate against an employee who discloses or threatens to disclose to a supervisor or a public body any Cain Center for the Arts activity, policy, or practice that the employee reasonably believes is in violation of a law, a rule or regulation mandated pursuant to law, or a clear mandate or public policy.

An employee is protected from retaliation only if he or she brings the alleged unlawful activity, policy, or practice to the attention of the appropriate person at the Cain Center for the Arts as designated above and gives the Cain Center for the Arts a reasonable opportunity to investigate and correct the alleged unlawful activity.

Grievances or Complaints Policy

For grievances or complaints from constituents: To reflect its mission and commitment to excellence, the Cain Center for the Arts addresses any grievances from its constituents as quickly and fully as possible. To ensure that Member organizations are aware of this commitment, this statement is given to each Member at the time of initial enrollment and at each renewal: “The Cain Center for the Arts is committed to addressing problems when they occur. Any staff member or volunteer who is unable to resolve a constituent’s complaint is expected to bring the problem to the attention of his or her supervisor or other senior staff. If the problem or concern is not resolved, we encourage you to bring it to the immediate attention of (in this priority order) the Executive Director, Board President, or Board Vice President.”

For employees’ grievances or complaints: The Cain Center for the Arts gives all employees the opportunity to seek internal resolution of work-related concerns. Whenever people work together, differences will occasionally arise. When

this happens, the employee should talk frankly and early with the individual who is the source of the concern. If the problem cannot be resolved after a good faith effort, the employee should attempt to resolve the problem informally with their supervisor as soon as possible.

In exceptional cases where a solution cannot be reached, the employee may file a formal, written grievance with the Executive Director within a reasonable time after the concern arises by outlining clearly the nature of the grievance. The employee must give a copy of the written grievance to the person who caused the grievance, to that person's supervisor, and to their own supervisor. The Executive Director (or authorized designee) will set up a meeting to discuss the complaint. As necessary, he or she may also meet with others who are named in the complaint or who may have knowledge of the facts set forth in the complaint. He or she shall give the employee a written response to the complaint. If it can be resolved, the terms of the resolution shall be recorded and signed by the employee and the Executive Director (or authorized designee).

If the grievance involves the Executive Director, the employee may file a written grievance with the President of the Board. The Board or, at the Board's request, the Executive Committee shall then determine the method it will use to resolve the grievance, and the Board's decision shall be final. No employee who has filed a complaint in good faith shall be unlawfully disciplined or otherwise retaliated against. This policy does not apply to other disciplinary issues, including termination.

ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

The Employee Handbook contains important information about Cain Center for the Arts, and I understand that I should consult the Executive Director regarding any questions not answered in the handbook. I have entered into my employment relationship with Cain Center for the Arts voluntarily, and understand that there is no specified length of employment.

I understand and agree that no person other than the Executive Director may enter into an employment agreement for any specified period of time, or make any agreement contrary to Cain Center for the Arts's stated employment-at-will policy.

Since the information, policies, and benefits described herein are subject to change at any time, I acknowledge that revisions to the handbook may occur, except to Cain Center for the Arts's policy of employment-at-will. All such changes will generally be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Executive Director has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I understand that this handbook is neither a contract of employment nor a legally-binding agreement. I have had an opportunity to read the handbook, and I understand that I may ask my supervisor or Executive Director any questions I might have concerning the handbook. I accept the terms of the handbook. I also understand that it is my responsibility to comply with the policies contained in this handbook, and any revisions made to it. I further agree that if I remain with Cain Center for the Arts following any modifications to the handbook, I thereby accept and agree to such changes.

I have received a copy of the Cain Center for the Arts's Employee Handbook on the date listed below. I understand that I am expected to read the entire handbook. **Additionally, I will sign the two copies**

of this Acknowledgment of Receipt, retain one copy for myself, and return one copy to Cain Center for the Arts representative listed below on the date specified. I understand that this form will be retained in my personnel file.

Signature of Employee Date

Employee's Name - Printed

Company Representative Date