

Highlights of Council Human Resources Administration

Personnel Files

Employee files are securely maintained with information in the files released on a “need to know” basis, and only to the employee, the current supervisor of the employee, or to an interviewing supervisor with the approval of the office manager.

The following are examples of routine information maintained in each employee’s file:

Required documents

- | | |
|---|---|
| a. Current letter of employment
- <i>updated within last three years</i> | f. Voluntary/Involuntary salary reductions
- <i>if applicable for 403(b), etc.</i> |
| b. Job profile | g. Verbal and/or written reprimands |
| c. Salary change letter
- <i>if different from letter of employment.</i>
<i>(Scout executive salary change approved by the council president.</i> | h. Signed receipt of employee handbook |
| d. New hire form | i. Signed conflict of interest statement |
| e. W-4 | j. Copy of current personal automobile insurance |

Other documents - *may be present as needed*

- | | |
|-----------------------|--------------------------------------|
| a. Résumé | e. Vacation (PTO) requests/carryover |
| b. Attendance records | f. Memos and awards |
| c. Education records | g. Performance reviews |
| d. Training records | h. Changes of name/address |

I-9 Employment Eligibility Verification Forms

- Maintain in a secure location in a separate file folder.
- I-9 Employment Eligibility Verification forms are required for individuals employed after 11/06/1986. For employees completing forms after May 7, 2013, Form I-9 (Rev. 03/08/13) must be used.
- I-9 forms should be signed by the council representative reviewing the supporting documents that verify the person’s legal residency.
- I-9 forms should be retained for three years after the employee’s hire date, or one year after employment is terminated, whichever is the later date.

Illness reports and/or Family Medical Leave Documentation.

- Confidentiality of medical information is required by the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- Maintain illness reports and/or family medical leave documentation in a separate employee file folder with limited access.

Letter of Employment and Job Profile

- The letter of employment is a mutual agreement signed by the employee and employer.
- Update the employee letter of employment every three years.
- Ensure job profiles are in accordance with the employee’s position and responsibilities.
- Use templates provided in the *Briefcase* for the employee letter of employment.

Employee Handbook

- The employee handbook should outline all local human resources policies and practices.
- The handbook should be in accordance with the suggested National Council guidelines for exempt and non-exempt employees.
- The council's employee manual should utilize the latest BSA template.
- Have a local labor attorney review prior to adoption.
- Obtain a signed acknowledgement of receipt for the employee handbook from each employee and place in each employee's personnel file.

Compensation

- Compensation for commissioned professionals and certified LFL executives must meet the current BSA salary range guidelines for grade and geographical location.
- Salary changes must be supported by formal authorizations signed by the Scout executive (for employees) or the council president (for the Scout executive). Documentations of change from the letter of agreement should be in employee files.
- Benefits must be given to employees who work over 30 hours per week, or if hired or rehired prior to June 1, 2004, benefits are offered to employees working 21 hours or more per week.
- Retirement benefits must be offered to part-time employees who meet eligibility requirements.
- When computing retirement benefits and life insurance value, the council must report the fair market value of any housing, or housing allowance, provided to a camp ranger or any other council employee.

IRS Accountable Plan

- The reimbursement for any ordinary and necessary business and professional expenses incurred on behalf of a council should be addressed in a council's accountable plan policy. Examples of potential reimbursement items include: cell phone, driving a personal car for business, internet usage, etc.
- The accountable plan policy should be reviewed by the council attorney.
- The employee must reimburse excess allowance in a timely manner or the council reports as income on the employee's W-2 form.
- All expenses for the employee, or even a contract laborer, must be substantiated within a reasonable period of time. *(Must be 60 days or less after the expense is paid or incurred if the council wants to qualify for the "fixed date" safe harbor substantiation rule. *)*
- Advances that are not substantiated within a reasonable period of time must be returned (paid back) within a reasonable period of time. *(Must be 120 days or less after the expense is paid or incurred if the council wants to qualify for the "fixed date" safe harbor substantiation rule. *)*

**Safe harbor is a legal provision to reduce or eliminate liability as long as good faith is demonstrated.*

Automobiles Used for Business

- As of March 1, 2016, BSA requires councils to carry a \$1,000,000 auto liability limit for both owned and non-owned automobiles used for business.
- For personal vehicles used for business, copies of current (within six months) auto insurance certificate which meet the liability limits outlined in the letter of employment.
- The council calculates the excess reimbursement from automobile use for both employee-provided and employer-owned vehicles, and reports any amounts required as income on the employee's W-2.
- Terms regarding payment for business miles, the use of a council vehicle, or the use of one's personal vehicle for business should be in writing.

Imputed Income

- The council calculates life insurance and the Scout Executives' Alliance amounting to over \$50,000 for each employee and, if required, shows amounts of imputed income on the employees' W-2 form.
- The IRS requires calculation and payment on employer-paid and employee pre-tax contributions for life insurance. The results of this calculation are added to the employee's W-2.

Exempt and Non-Exempt Employees

- Federal laws must be followed for exempt and non-exempt employees regarding payments for overtime and adherence to the Fair Labor Standards Act (FLSA).
- "Comp time" beyond the work week is prohibited by federal law.
- Gain legal advice anytime an employee is classified as exempt and they are not a commissioned professional or the office manager.

Staff Development

- Create a culture where employees thrive. The environment should respect each person's time, offer open, timely two-way communication, contain clear expectations, and have appropriate timelines. Consider the creation of a "Sunshine Committee" to ensure celebrations are a part of the culture!
- A review of employee performance must be conducted at least annually for each employee.
- SMART goals should be established with the input of the employee.
- The regularly scheduled annual review is to take place shortly after January 1 for performance during the preceding year regardless of tenure in the position.
- Performance reviews for all commissioned positions should be ready for discussion and approval by the area director at the time the Scout executive's appraisal is conducted.
- All employees should be current with BSA youth protection certification. (Every two years.)
- All employees should have at minimum an annual opportunity for training with the potential to improve or enhance their job performance.

Staff Meetings Should...

- be scheduled on a regular basis and structured in a way to respect staff member's time.
- have a preliminary agenda a minimum of 72 hours prior detailing expectations of reports or info required from participants.
- have a final agenda the day prior. *(If updates to preliminary agenda were made.)*
- include all council employees periodically.
- be forward thinking, have recognition, fellowship, team building, training components, and even door prizes if possible.
- utilize collaboration between staff members for delivery.
- offer variety. (Consider conducting business in conjunction with a staff walk, try a new, more private location, or meet somewhere fun for fellowship before or after the meeting.)
- NOT be exclusively lecture based OR simply a meeting to report on numbers and projections.

Confidential Documentation Related to Employment Action

- Include full name, date, time, and location.
- Notes on a legal pad are considered more authentic than typed documents.
- Keep confidential information in separate, locked files.
- Ensure the office manager or the next in command knows where documentation can be located.

Employment Action

The Scout executive should have access to the briefcase for various employment action items.

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Required Federal and State Law Notices

- All charts and notices required by federal and state law should be posted. Resources for updated and consolidated posters: www.allinoneposters.com or www.postercompliancecenter.com

Required Federal Posters:

- Employee Polygraph Protection Act
- Equal Employment Opportunity Act - includes Genetic Information Nondiscrimination
- Fair Labor Standards Act – 2009 Minimum Wage
- Family and Medical Leave Act
- OSHA Job Safety Health Protection
- Uniformed Services Employment and Reemployment Rights Act

Required State Posters:

- Wage and Hour Laws, Overtime Laws
- Workers' Compensation
- Unemployment Compensation
- Other state required items

OSHA Laws

- The council must establish written safety policies, rules, procedures, and training which meet minimum federal and state OSHA requirements for the following: (Reference: A Guide to OSHA Plans 19-431A and OSHA laws that affect camps and conferences 19-450A. Numbers in brackets reference OSHA's Occupational Safety and Health Standards.)

Examples include:

- Emergency Action Plan [29CFR 1910.38]
https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_id=9726&p_table=STANDARDS
- Fire evacuation plans are posted with a designated assembly area.
- Fire drill log is maintained.
- Fire Prevention Plan [29CFR 1910.30]
https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9722
- Fire extinguishers are certified annually and inspected monthly.
- Hazard Communications Plan [29CFR 1910.1200]
https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=standards&p_id=10099
- Safety Data Sheets (SDS) are on hand and up-to-date for each hazardous substance used by the council.
- Lockout/Tag-Out Program [29CFR 1910.147]
https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=DIRECTIVES&p_id=1792
- Blood borne Pathogens [29CFR 1910.120]
https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=standards&p_id=9765