A Publication of River Network Volume 13, Number 1 • 2003

River Voices

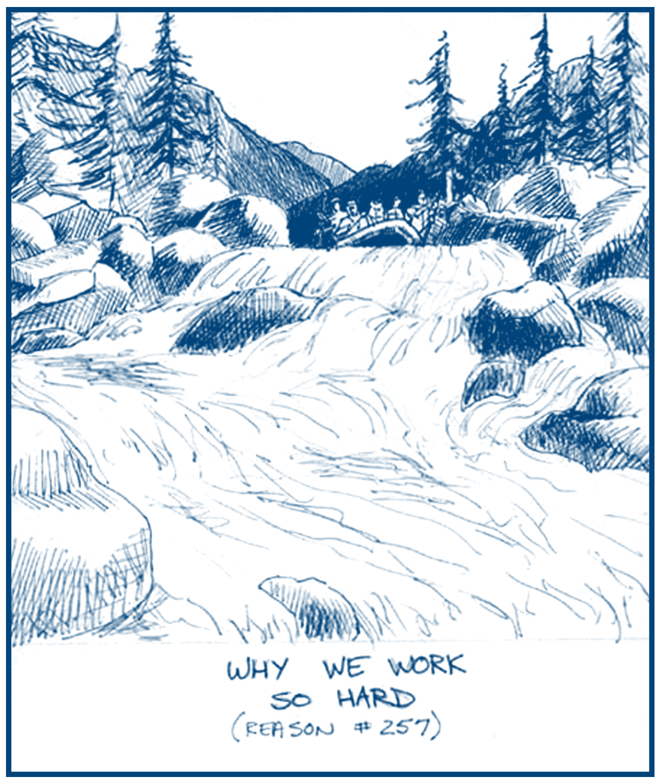
Your Personnel Best:

How to Recruit, Hire, Compensate, Orient, Evaluate, Retain and…(oh, no) Terminate

Whether you are employing your first or your twenty-first staff, the success of your mission depends on people. You may have paid staff who fundraise, or oversee water monitoring, or keep the books, or train volunteers, or plan public education, or advocate for policy changes, or all of these important activities. To navigate the alphabet soup of ADA, COBRA, ERISA, FLSA, FMLA and still maintain the vision and values of your nonprofit is a challenge for mind and heart. There must be a balance between humanely supportive and legally prudent and between flexibility and consistency. Initiative and creativity can flounder as easily in anarchy as in bureaucracy. We hope to offer in these next pages suggestions and guidelines to help you maintain fairness, equity and legal conformity in your personnel administration. It is most important, however, to keep in mind that personnel management is fundamentally about relationships. To fulfill your mission, the employer-employee relationship must be about earning trust, rewarding commitment and valuing teamwork. Nourishing relationships with staff will make it possible to plan for and manage the growth and change that are inevitable in any healthy organization. With more limited resources than the business sector, but forced to compete with them for talented staff, nonprofits particularly have capitalized on the power of providing work that satisfies the needs of the whole person. The workplace must include opportunities for development and recognition, liberally sprinkled with fun and camaraderie, and support the need for a personal life. In recent years, the best practices in personnel management have come to include that understanding. There was once a Doonesbury cartoon in which a reporter asked a Presidential candidate why he was running. He replied that he believed he was the most qualified to "wing it". That's what we all do to some degree when dealing with human complexities. With a little assistance and effort, everyone in your organization can be qualified to wing it more securely.

"It is the first of all problems…to find out what kind of work to do in this universe."

— Thomas Carlyle



River Voices

CONTENTS

River Voices is a forum for information exchange among river and watershed groups across the country. River Network welcomes your comments and suggestions. River Network grants permission and encourages sharing and reprinting of information from *River Voices*, unless the material is marked as copyrighted. Please credit River Network when you reprint articles and send the editor a copy. Additional copies and back issues are available from our national office.

Editors: Katherine Luscher, Susan Schwartz

Editorial Assistance: Jean Hamilla, Alanna Woodward

Design & Layout: Greer Graphics Inc.

Artwork: Tim Shields

National Office
520 SW Sixth Avenue, Suite 1130
Portland,Oregon 97204-1511
503/241-3506
fax: 503/241-9256
info@rivernetwork.org
www.rivernetwork.org

D.C.Office
4000 Albemarle Street NW, Suite 303
Washington, D.C.20016
202/364-2550
fax:202/364-2520
dc@rivernetwork.org

Vermont Office
153 State Street
Montpelier, VT 05602
802/223-3840
fax:802/223-6227
vt@rivernetwork.org

River Network is a national organization whose mission is to help people understand, protect and restore rivers and their watersheds.

RIVER NETWORK BOARD OF TRUSTEES

Clarence Alexander
Sarah Chappell Armentrout
Catherine Armington
Adrienne T. Atwell
Sally Bethea
David Borden, Chair
William G. F. Botzow, II
James E. Coleman, Jr.
Robert T. Coulter
Dianne Dillonridgley
Ken Margolis
Parry Mead
Tim Palmer
Dan Valens
Laurene von Klan
James T. Waring
Graham Wisner

RIVER NETWORK STAFF

Matthew Burke
Geoff Dates
Steve Dickens
Don Elder
Jean Hamilla
Tanyia Johnson
Gayle Killam
Andrea Korsen-Gernhart
Katherine Luscher
Ken Margolis
Margaret McCoy
Pat Munoz
Karin Purdy
Angie Reed
Judith Rubin
Karli Salmeron
Susan Schwartz
Gabriela Stocks
Ben Strand
James Sullivan
Glin Varco
Nicole Waldheim
Wendy Wilson
Alanna Woodward

From the President

Linda Kliewer

Let's Get Personnel

With a group of colleagues from Conservation International, I once had the opportunity to spend a day with the great business guru Peter Drucker. We spent the day exploring the problems we were facing with our new organization, and asking questions. At one point somebody asked "How important is communication?" "How important is communication?" Drucker repeated the question. "Communication isn't important—it is everything."

Over the years, I have a better understanding for what he meant. In environmental work, everything we do comes down to affecting the decisions and actions of other people—whether they are landowners, government workers or foundation representatives. No matter how brilliant our plans or how eloquent our maxims, if we don't influence the actions of others, we fail.

Because those of us in the nonprofit world are eternally scrabbling for funds to keep our programs going, we are often tempted to think that the most important people to us are our donors. They're not.

The people most important to our success are our colleagues: the board members who give of their time, the office mates who are there to advise us and back us up, our friends in sister organizations with whom we plan and work. River Network is fortunate to have a "human resources" person whose skills and sensitivity are off the chart—but managing personnel is not only her concern. The bottom line is how we treat each other, how ready we are to offer support in professional or personal crises, how we back each other up and encourage each other.

Your organization may or may not be large enough to have a "personnel officer". It doesn't matter. Each one of us is a person manager, and the amount and quality of support we offer each other is the major factor that determines the success of our organization.

Job Descriptions

By Don Elder
River Network

Good job descriptions provide a solid foundation for staff management and development. They should…

Be clear and concise. Resist the urge to list anything and everything an individual does over the course of the year in a job description. The point of a job description isn't to prove that an individual works hard and engages in a wide variety of activities. It's to give a good general sense of the nature of the job at a glance. In a page or two, a good job description lays out the most important ongoing responsibilities of the job. Individual annual work plans can provide additional detail.

Make sense to the employee and his/her supervisor. Some supervisors write or update job descriptions and simply present them to the employee as a done deal. Others ask the employee to write the job description and then simply rubber stamp it. Neither approach is good. Both parties need to understand and support the job description. They should begin their work to develop or update a job description with a conversation about past, present and evolving job duties. Either can then develop a first draft, provided that they both review the draft and discuss any new questions or issues that arise before it is finalized.

Be reviewed at least annually. As organizations grow and evolve, their needs change. Job descriptions need to change with them. An outdated job description may be worse than no job description at all. Job descriptions should be reviewed and revised at least once each year. Overhauls should normally be few and far between, but refinements should probably be made nearly every year.

Provide the basis for accountability. A good time for the annual review and revision is after an annual organizational work plan is developed, as part of an individual's annual performance evaluation and goal-setting process. The job description and the employee's goals for the previous year provide the basis for a fair, thorough review.

Establish structure. Clear lines of authority and accountability help groups work efficiently, happily and effectively. Among other things, a good set of job descriptions provides a clear description of the organization's overall structure.

Fit together. As a staff grows, its job descriptions should together provide a comprehensive picture of major, essential duties. A little redundancy is often good; many critical functions need backup. But there should not be gaping holes left between job descriptions that allow any critical functions to fall through the cracks. Review all the job descriptions together at least once per year. Compare them to a running list of all the essential duties to make sure that all the organization's staff needs are covered.

Be shared with other staff and discussed often. At least once a year, staff should review and discuss all the job descriptions and annual goals in a group. This helps answer questions about who is working with whom, on what, how and why. When

ELEMENTS OF A JOB DESCRIPTION

- ✘ Position Title
- ✘ Reports to, Supervises, Exempt/Non Exempt, Full/Part Time
- ✘ Overview/purpose
- ✘ Essential Responsibilities & Duties
- ✘ Other Responsibilities
- ✘ Knowledge & Skills
- ✘ Physical Requirements *(if any)*
- ✘ Working Conditions *(if anything "unusual" = other than 9-5, office setting, average travel demands, etc.)*

these things are widely understood, a staff's ability to work together productively and to adapt to new situations are enhanced.

Provide a starting point when a staff member must be replaced. A job description is not the same thing as a vacancy announcement, but it provides the basis for one. Often, when a staff member leaves, there is the potential for confusion and difficulty as remaining staffers scramble to figure out everything the departing staffer did.A solid, recently updated job description provides an important jumping-off point when a vacancy announcement and a new job description must be quickly crafted. For this reason, it is good to include in each job description a list of essential qualifications an individual would need to have to be considered seriously for the job.

Clarity matters. A well thought out job description can lead to a good hiring decision by clarifying your exact needs and helping to frame interview questions. The small amount of time necessary to establish and annually update good job descriptions pays big dividends year after year in terms of an organization's efficiency, morale and effectiveness.

S A M P L E

JOB DESCRIPTION: Clean Water Project Manager

Reports to: Clean Water Director

Supervises: Clean Water Assistant

Status: Exempt/Full time

OVERVIEW: The Clean Water Project Manager assists with strategies for implementing the Clean Water Act and planning, coordinating, and delivering river protection and restoration programs. S/he develops workshops and trainings, participates in the creation of CWA materials, provides assistance to Partner organizations, maintains state-by-state information,and researches any Clean Water Act issues.

ESSENTIAL RESPONSIBILITIES:

- Assist in developing annual program plans and budget.
- Contribute to the planning and delivery of all facets of program work.
- Maintain database of information on state-by-state implementation of the Clean Water Act, including specialized information on the CWA antidegradation policy.
- Maintain database on Clean Water Act experts and resources.
- Design and conduct workshops and training sessions nationally.
- Provide consulting services as needed to state and local groups
- Supervise the Clean Water Assistant.

OTHER RESPONSIBILITIES:

- Contribute to planning and organizing of the National River Rally.
- Administer re-grant funds for distribution to organizations doing CWA work.
- Assist the Protection and Restoration Program Director as needed.
- Assist Development staff to raise program funds as needed.

KNOWLEDGE & SKILLS:

- Bachelor's degree in relevant area plus at least four year's work experience
- Strong organizational skills and excellent written and verbal communication skills
- Familiarity with the Clean Water Act and other protection/restoration laws and techniques

PHYSICAL REQUIREMENTS: not applicable

WORKING CONDITIONS:

- Ability and willingness to travel frequently

In Search of that Perfect Someone

Recruiting & Interviewing

The budget is approved and the job description complete. It is time to initiate the recruitment process.

By Katherine Luscher
River Network

Advertising

In addition to your budget, the type and level of position should determine how and where to advertise. Postings in local newspapers and special interest papers, newsletters and selected web pages will likely generate a healthy applicant pool at little to no cost. Search firms, though expensive, can also assist with your search.

Provide as much detail about the position as possible—including deadlines for applications, the application process and minimum qualifications. State whether applications will be accepted by fax or email. Also note if phone-calls are appropriate. If space is a limiting factor, consider directing interested individuals to a web site where the job description and application process can be viewed in its entirety. The more information you provide upfront, the more likely you are to receive qualified applicants.

95 percent of 1997 college graduates were willing to make at least one false statement to get a job.

Forty-one percent had already done so.

— Nation's Business
May 1999

Interview Process

A panel approach involving 3-5 representatives from the organization is highly recommended.

A panel of staff and/or board can save time, provide a more balanced and accurate assessment of the candidates, and lead to more revealing responses as part of the group process. Determine in advance the process you will use to interview and hire the new employee. Which staff and/or board members will be involved in the hiring process and at what stages? Who has the authority to make the final decision? Is there an absolute date by which the hire must be made, or can the position be "re-opened" if no suitable candidates are found?

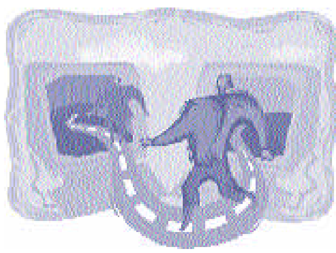
Try your best to stick to your proposed schedule. Keep in mind that you are likely to lose quality candidates to other positions if the process is too lengthy. You are also likely to waste valuable time and resources if the process is continuously delayed.

As the stacks of resumes begin to collect in your office, you'll need to decide whom you would like to interview. Which candidates most interest you based upon their past experiences, education, interests and written command of the available position?

Once the finalists have been chosen, call each individual to invite them for an interview. Let the applicant know approximately how long the interview will last, the location and any material they should bring (i.e., a list of references, a writing sample, etc.). If time permits, consider sending each applicant a copy of the job description, general information about the organization and written confirmation of the interview date and time. Do not send out rejection letters until the position has been filled. Once the hire is official, consider postcards as a less costly and more efficient way to notify candidates of your decision.

To ask or not to ask—what are the questions?

You should craft your questions to help you make one decision: should you hire this person?



Ask a standard set of questions to each applicant. Asking similar questions of each applicant will provide both consistency among the interviews and a means to evaluate objectively each candidate. The questions should also help determine if the candidates meet the minimum requirements established during the creation of the job description. Determine in advance who will ask what question.

Examples of lawful questions include:

- What made you apply for this position?
- Why did you leave your last job?
- Describe one or two of your most important accomplishments.
- What things do you look for in an organization?
- Do you prefer working alone or in groups?
- What is your long-term employment or career objective?
- How does this job fit in with your overall career goals?
- What specifically do you do to set an example for your employees/coworkers?

You are legally barred from asking questions related to religion, color, race, national origin, marital status, sex, sexual orientation, childcare arrangements or other family plans. Your questions should focus exclusively on the position and identified qualifications. Questions not related to an applicant's ability to perform a job should not be discussed.

Examples of illegal questions include:

- Do you have kids?
- Are you married?
- Do you smoke?
- What political party do you belong to?
- What nationality are you?
- What is your birthdate?

The Interview

Face-to-face interviews are the best opportunity for the applicant and potential employer to evaluate each other and determine if they share common interests.

Meeting at the place of employment will allow the candidates to experience the work environment and culture. All participating individuals should be introduced in terms of their relationship to the organization. If you do not take notes during the questioning, take a few minutes immediately following the interview to record your initial thoughts and any questions you may have regarding the qualifications of the candidate.

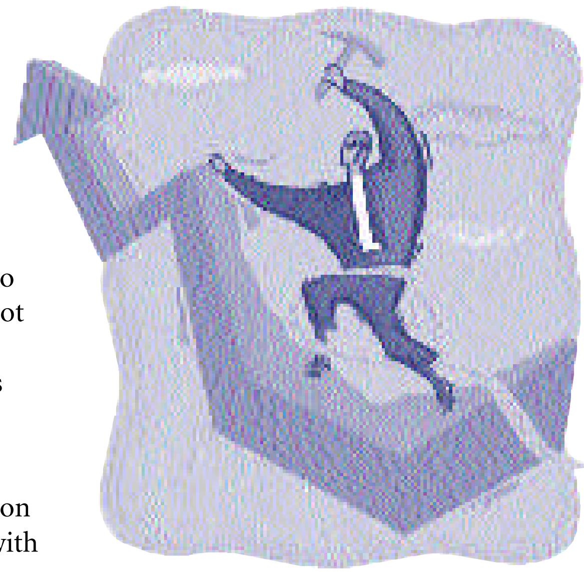
End the interview by explaining the next steps (2nd interviews? Reference Checks? Time-line?) and inviting any questions.

Always include reference checks as part of any hiring process. Contact the same number of references for each candidate (i.e., don't contact 3 references for Applicant 1 and only 1 reference for Applicant 2). The person who directly supervises the position should conduct the reference checks. Never conduct a reference check without permission from the interviewee.

Stress confidentiality to the reference; state that you need the information to make a fair hiring decision—to protect both of you. Whenever possible, insist on speaking with the individual directly responsible for

cont. on page 8

Recruiting & Interviewing, cont.



overseeing the work of the candidate. Only discuss issues related to specific job skills, general approach to the job, ability to work with others and attendance. You can ask general questions about an applicant's attitude or conscientiousness, and request a performance rating. However, be sure an explanation is included with the rating. Do not be surprised if the organization will not provide any information beyond dates of employment and position held, as this has become common policy.

All reference information should be confidential. Keep access to the information limited to those within the organization with a need to know. Also note that the discrimination laws that apply to interviewing also apply to reference checking. In order to avoid claims of discrimination, decisions based on references should be made based on objective facts.

And the winner is...

Armed with information gathered throughout the various stages of the process—from the creation of the job description to the reference checks, you are now in the position to select the best person for the job.

View the hiring process as the first steps in setting-up success for your eventual new employee. The more that everyone in the organization wants the new-hire to succeed, the more likely he or she actually will. Increase "buy-in" for the new employee by involving many staffers in each step of the hiring process. Staff should review the job description, suggest phone screen and interview questions, participate in the interview process, be involved the ranking of the candidates, and have responsibilities in the orientation and training. The more that current staff is involved in the hiring process, the more likely they are to work actively and enthusiastically with the new hire.

Lisa Wallace • Executive Director, Truckee River Watershed Council

Where to post (& find) Jobs

EcoEmploy.Com
Job openings must be related to the environment. Cost: US $1.10 per 1,200 words per day; minimum purchase is US $15.00 (fifteen dollars). Web: www.ecoemploy.com

Environmental Career Center
Our mission is to help people work for the environment through comprehensive environmental and natural resources job listings, career news, inside tips and advice, employer interviews, and career research reports. $79/month.
Web: www.environmentalcareer.com/

Environmental Careers Opportunities
Reach over 40,000 targeted job-seekers every two weeks. Rates: $89/1st week; $69/2nd and subsequent weeks. Place your ad on ECO's web site for two weeks and in their journal for four weeks (2 issues) for only $158. Web: www.ecojobs.com

Environmental Careers Organization
381 Bush Street #700 • San Francisco, CA 94104-2807
415/362-5552 (p) • 415/362-5559 (f) • Web: http://www.eco.org/

Environmental Jobs & Careers
E Jobs links to environmental opportunities in the USA and Canada. Employment includes careers such as environmental engineers, nature and wetlands scientists, GIS, technicians, chemists, earth sciences / geologists, policy and law, wildlife conservation, planning, education, wastewater treatment and operations, program and project management, natural resources, etc. Web: www.ejobs.org/

Idealist.org
For only $50 per listing, U.S. organizations can post their job openings here and reach over tens of thousands of job seekers who will automatically be sent an email with your job opening. Job postings from organizations based outside the U.S. are free.
Web: www.idealist.org

Job Seeker
24313 Destiny Ave. • Tomah, WI 54660 • 608/378-4450 (p)
Specializing in natural resource and environmental vacancies nationwide
$1.00/position announcement/day
Web: http://www.thejobseeker.net/ • Email: jobseeker@tomah.com

River Network
520 SW 6th Avenue #1130 • Portland, OR 97204 • 503/241-3506 (p)
A free service for river conservationists. Requests should be submitted electronically to: jobs@rivernetwork.org; Web: www.rivernetwork.org/interact/intjob.cfm

Forms, forms, forms…and so much more

Hiring and Orientation

By Susan Schwartz
River Network

Hiring an employee represents a significant commitment of resources and a critical legal landmark for an organization. With every employee come costs and state and federal regulation and law. Adding staff also may bring you within the scope of additional laws to which you were not previously subject. ADA or FMLA, for example, have certain minimum employee counts (15 and 50 respectively) before your organization is subject to their requirements. Having thoughtfully created a job description, recruited, interviewed, checked references and finally made a job offer, one further step should be considered—a letter of hire or employment contract. A new hire letter may be a relatively simple statement of the conditions of employment, but every new employee should receive one that states title, compensation, effective date, supervisor, customary hours and any special location, condition or orientation procedures. For a CEO or very senior level and/or highly paid employee, a contract is recommended. Since this will be a binding legal document and employment laws vary by state, you should consult with an attorney.

Throughout the hiring and orientation process, try to remember that the employer role also means at times instructor, mentor, guide, ally, sponsor, counselor, supporter, and advocate in turn, and remember your own experiences as a new employee.

Consider this scenario:

It's your first day on the job. You're excited and just a little nervous. Suddenly you have lots of questions about simple things. How does my voicemail work? The photocopier? What is the protocol for sending emails? Who orders office supplies? What is the meaning of all those strange acronyms people used at the meeting? Do I really fit in here? You'd like to ask someone, but you don't know the best person, and you don't want to bother your supervisor again; and you surely don't want anyone to think you're stupid.

An effective orientation is the cornerstone of employee retention and staff development. It is always best to formalize it as much as possible. This doesn't have to mean creating an elaborate program, but it does mean thinking and planning ahead for the new person's first days and weeks. Paying attention to the feelings of the newest staff will be the beginning of a relationship that encourages trust, communication and commitment. Orientations usually have 3 components: general, programmatic and job-specific. The last is often the only training a new employee receives, but taking the time for the other is strongly recommended. The cost of turnover is very high, and you want to make new people feel welcome. As part of the general orientation, it is helpful to have an internal to-do list for new employees. Issues to be considered prior to the new arrival include: office space; office equipment; telephone extension; email

> "Whenever you are asked if you can do a job, tell 'em, 'Certainly I can!' Then get busy and find out how to do it".
>
> —Theodore Roosevelt

account, password, and access to databases; business cards; employee handbook; benefits enrollment forms; introductions to Board, other staff and volunteers, and lists of all these key people; initial meetings with appropriate personnel. Many organizations, typically the larger ones have found a mentor to be invaluable. It not only takes some of the pressure off the supervisor, but also provides a less stressful way for the new person to ask questions and get to know a colleague immediately. As part of the general orientation, be certain to emphasize your unique mission, vision and values, and a review of your latest accomplishments. Don't forget to include in the orientation information, your external environment: other organizations with whom you partner or have alliances, donors, consultants, suppliers, all parties who will become part of their organizational life. Program orientation is another opportunity to share not only knowledge, but also enthusiasm and dedication to the important work you do. Make a personal connection with a new employee, and it is an investment for future years of service and that knowledge and judgment that only experience with your organization can bring.

KNOW THE LAWS

Title VII of the Civil Right Act of 1964 and the Age Discrimination in Employment Act of 1967: prohibits considerations in employment based upon race, sex, age and religion. For more information, visit: *http://www.eeoc.gov/laws/vii.html and http://www.eeoc.gov/laws/adea.html*

The Americans with Disabilities Act (ADA): requires most employers to make reasonable accommodations in the workplace for employees with disabilities. Physical qualifications must be based upon the requirements of the position. For more information, visit: http://www.eeoc.gov/laws/ada.html.

Salary and Benefits Administration

By Susan Schwartz
River Network

Administering salaries and benefits is among the most challenging work in the organization. It is a place where financial and human considerations intersect. What is financially possible and prudent? How do you compensate for greater responsibilities and requirements? Are your salaries internally consistent and rational? How do donors and external stakeholders view your personnel costs? What is competitive but not overreaching the market? What are the demographics of your staff and, therefore, their greatest needs? What has your staff indicated as their priorities? What can you offer to staff to communicate their value and make them feel rewarded?

In order to attract and retain the most qualified and effective staff, an organization must analyze the total compensation package (salary and fringe benefits) in relationship both to the external labor market and the internal situation. Salary levels should be established using all the variables:

I. External Considerations
- A. General economic conditions
- B. Local and/or regional labor market
- C. Employment sector

II. Internal Considerations
- A. Organizational budget constraints
- B. Current salary structure

III. Job Related
- A. Specialty area
- B. Supervision of others
- C. Responsibility for financial and other resources
- D. Degree of decision-making, independent judgment and complexity
- E. External contacts and organizational representation

IV. Candidate specific
- A. Years of job-related experience
- B. Education or technical skills

Salaries should be reviewed periodically to assure that they remain in line with external conditions of inflation or deflation, organizational strategy, operating conditions and fiscal reality. Determine whether salaries should be competitive with the market, a step ahead of it, or just a step behind it. Consider the extent to which benefits might or should replace cash compensation. Analyze some key benchmark jobs in depth. It is important not to create internal inequities, yet it happens often when a very desirable candidate presents to you. The qualifications and experience of a candidate should be looked at in relation to the person who had the position previously and to other employees on staff with similar background and responsibilities. Salaries also vary materially in different nonprofit sectors. Associations and foundations tend toward higher salaries than environmental organizations. Salaries differ widely, too, according to area of expertise. The market rates for IT staff, for example, have fluctuated wildly in recent years; financial professionals have had stable salary increases; and some development specialties have seen an overall decrease in salaries for new hires.

Planning a program of employee benefits requires the same analysis as salary determination. There are a wide variety of possibilities, but for decisions to be responsive and compassionate they should be based on an assessment of your particular employees' needs. Given the very high costs of recruiting and training new employees, retention must be one of the factors in evaluating benefits. Employee benefits may be grouped into:

- **Statutory** – Social Security, Medicare, workers' compensation, unemployment insurance, medical leave, jury duty, military/reserve leave

- **Health and Welfare –** health insurance; disability insurance; paid holiday, vacation, sick and leave
- **Work/Life –** flexible scheduling, childcare; parenting courses; wellness program; bereavement counseling and leave
- **Retirement and Financial Planning –** life insurance, pension, 403 (b) tax-sheltered annuity, credit union; discount arrangements; college or home financing assistance
- **Voluntary –** anything for which the employee pays all the cost
- **Recognition –** achievement, special merit and length of service awards; employee of the month/year awards; birthday parties; holiday banquets; holiday gift or bonus program

Health insurance, including dental and vision coverage, is the centerpiece of any benefits program. Healthcare coverage options have increased in number and complexity over the last decade, and the trend in recent years has been one of steeply escalating costs. While once the standard in the nonprofit world was to pay the full costs of health insurance for the employee and often the family too, that is no longer the most common arrangement. A pension plan is another key benefit to consider. Complicated employee and employer rights and responsibilities under pension plans are governed under a federal law called ERISA (Employee Retirement Income Security Act). The Department of Labor provides an excellent free introductory booklet, which explains the basic provisions of ERISA.

> "The two most beautiful words in the English language are 'check enclosed' "
>
> —Dorothy Parker

All organizations, but especially smaller ones, need professional consultation to evaluate, design, maintain and manage benefit programs. Services and assistance are available from many sources—benefits consultants, attorneys, accountants, financial planners, insurance brokers, insurance carriers, payroll services, etc. They can research, recommend, administer and execute all the myriad details. When you outsource these activities, you should interview vendors, as you would job candidates, looking for companies with experience you can trust and who are committed to being accountable to your employees and supporting and communicating with them.

Whatever combination of salary and benefits offered by your organization, it is important that you adequately communicate the true value of the total compensation package that you provide. In a surprising 2002 survey result from Watson Wyatt Worldwide, 59% of 13,000 employees surveyed believed that their peers in other organizations were more highly compensated than they were.

Finally, never ignore the value of recognition and non-monetary rewards. Are your employees led from the heart? Are they…heard? encouraged? acknowledged? respected? trusted? Do they understand their importance to the mission? Do they participate in the critical organizational decisions? Do they have opportunities for networking and peer support? Do they know you're interested in their personal, professional development? These non-financial considerations are among the most crucial for long-term job satisfaction and represent an area where nonprofits can compete with any organization.

What You Need to Know About Personnel Policies

By Cynthia Cumfer, Attorney at Law & Kay Sohl, Technical Assistance for Community Service

While the law does not specifically require that you have personnel policies, clear and explicit personnel polices help to reduce intra-agency conflicts, facilitate preservating of good working relationships among staff members and protect the agency by reducing misunderstandings and bad feelings between the organization and its staff. The development of personnel policies can be a useful process for both the board and staff, striking a balance between the needs and desires of employees and the responsibilities and capabilities of the organization.

Condensed from The Oregon Nonprofit Corporation Handbook: How to start and run a nonprofit corporation

The list that follows is intended to raise questions, provide information and encourage you to select the policies and approaches most compatible with the financial resources and philosophy of your group. The list is not all encompassing and for further guidance, you may wish to review Personnel Policies from a like-minded organization.

The Philosophy and Purpose of your Program: A short statement will establish a context for the document. Being explicit about your mission and values establishes the agency's general expectations in terms of attitude and approach to clients and the community.

Noncontractual Nature of the Employee Handbook or Personnel Policies: If you want language making it clear that this document is not to be construed as making a contract with your employees, that should be included here in capital letters or bold type so that the language is not easily overlooked.

Organizational Chart: It is a good idea to include a chart illustrating the lines of authority within the organization. The chart should reflect the reality of how things are managed, not the ideal.

Nondiscrimination Policies: Many groups want to make a statement indicating that the organization does not discriminate based on various factors that are then listed. Some organizations include a statement to the effect that the organization is committed to affirmative action.

Policies that refer to affirmative action need to be carefully reviewed in light of current court cases that suggest that affirmative action is illegal in some circumstances. One option here would be to draft the policy to state that the employer is committed to affirmative action to the maximum extent permitted by law.

Sexual Harassment and Other Forms of Harassment: Most nonprofit employers are committed to maintaining a workplace environment that is free from harassment. Court cases have underlined the importance of having a sexual harassment policy and other anti-harassment policies in place.

Your harassment policy should describe harassment in terms that your employees can understand and that correspond with the legal definitions. The policy should also clearly outline a procedure that the employee can follow to complain about harassment. The procedure should provide some alternative for the employee, if the person the employee would normally complain to is the alleged harasser.

Personnel Records for Each Employee: A personnel record shall be maintained for each employee. The record shall contain:

- A completed application (including address, phone and education)
- Letter of agreement for employment
- Date of employment
- From W-4 and I-9 (proof of citizenship or permission to work)
- Payroll records

- Any evaluations
- Record of accrued vacation and sick leave
- Job description
- Record of any training certificates required for employment

The personnel policies should state who (what position) maintains the personnel records. The personnel records of the employee must be made available to the employee, who must be given a copy if requested. You should keep any medical records concerning your employees separate from the employee's personnel files. It is important that your system maintain confidentiality of the medical records.

Hiring Polices: In addition to including information about The Application and Recruitment, also consider:

Job Posting: You need to decide whether the job is posted first to agency employees before it is announced to the public.

Hiring Process: How will applicants be screened, interviewed and hired? Who makes the hiring decisions? How are potential employees notified of employment? Of non-employment?

Letter of Hire: Each new employee should receive a letter of hire stating their position hours, compensation, supervisor and date to begin work.

Conditions of Employment:

EXAMPLES

The Work Day: Define the minimum work day for each job classification. Specify when and how lunch and other breaks are to be taken. Specify when and if staff meetings will be held and who is required to attend. Describe the procedure to get authorization for overtime. Inform employees if you will be expecting them to work long hours or to be available outside normal work hours.

Drug and Alcohol Use: Many employers are developing drug and alcohol policies to avoid and defend against negligent hiring and retention claims. If you want to conduct drug searches or drug tests, your policies should be drafted by a knowledgeable attorney. If your drug or alcohol policy refers to "under the influence," you should define that term (e.g., "any detectable level").

Outside Employment: The organization should make a clear policy on whether an employee can have outside employment.

Conflict of Interest: Can the organization purchase or rent goods, space or services from employees? Can employees receive gifts, money or gratuities from persons receiving benefits from the program? From funding sources? From contractors?

Employment Categories:
Exempt and Nonexempt Employees: Specify who is an "exempt" or "nonexempt" employee. Be sure to define the impact of exempt or nonexempt employee status on the availability of specific benefits. This is a crucial decision – you will need to become familiar with wage and hour law in order to correctly classify employees.

Trial Period: Your approach toward at-will employment will in part determine whether you have a trial period and what its meaning is. If you are an at-will employer, you can fire anyone, anytime for any legal reason, so a trial period is meaningless for purposes of job security. Some at-will employers will have an introductory period for purposes of determining when employees become eligible for benefits.

If you are not an at-will employer, you will want to consider in more detail issues about a trial period: Is there a trial period? How long? How is termination handled within

Because employment law is complex and lawsuits arising from employment relationships are potentially costly, your nonprofit should strongly consider having its employment policies reviewed by an attorney with specialized knowledge in employment law.

cont. on page 16

the trial period? Who can terminate an employee during the trial period? Do vacation time, sick time and other benefits accrue during the trial period? Are benefits given at all during the trial period?

Employment Classifications: If you are an at-will employer, you may want to refer to your employees as "regular full-time," "regular part-time," "temporary full-time" and "temporary part-time employees". The use of the word "regular" rather than "permanent" avoids the implication that the job is somehow protected. However, if your employees do have protection from termination without cause, then use of the term "permanent" may be appropriate.

Compensation:
Salary Range: Familiarize yourself with minimum wage laws and comply with them.

Salary Increase: What are the criteria for raises? Are raises automatic or earned?

Payroll Procedures: Describe the basis on which payroll is calculated and how often employees are paid. Also describe: what if payday is on a holiday or weekend? Is there a procedure for draws? Who will maintain, sign and approve timesheets? Inform your employees that necessary forms (W-4 and I-9) will be filed by the employee on the first day. List all voluntary and involuntary deductions to be made from the employee's salary.

Benefits:
Paid Holidays: list the regular paid holidays. If an employee is on vacation during a paid holiday, it is usually added to the accrued vacation days. Explain your position on this.

Vacation: You are not required to provide any vacation time for employes, but you'll want to consider it to keep employees for any length of time. Clearly describe: Is vacation paid or unpaid? How does it accrue? Is there a minimum period of employment before vacation can be taken? Is there a limit on the amount per year? How is it to be scheduled? Who approves vacation leaves? Is there a limit on the amount of vacation that can be accrued (note that employees who are dismissed, laid off or have resigned are entitled to and must be paid for the vacation time they have accrued)?

Sick Leave: There is no legal requirement that you provide any sick leave, other than that required for employees with long-term or serious health conditions under the disability acts and family leave required under federal and state law. If you do wish to provide short-term sick leave, consider the following: Is sick leave paid or unpaid? How does it accrue? Is there a limit? Will employees be paid for sick days accrued but not taken? You should also define what is considered sick leave apart from the employee illness (e.g., exposure to a contagious disease? Illness in the immediate family? Doctor's appointments?).

Family Leave: State and federal law contain some requirements about family leave. Not all employers are required to follow these statutes. For more information, see http://www.dol.gov/esa/whd/fmla/.

Worker Compensation: Employers are required by law to provide almost all employees with Worker Compensation benefits. Take care not to promise your employee more than the law provides, unless that is your intention.

Jury Duty: You must permit your employee to leave work to serve jury duty. You are not required to pay for jury duty service except for exempt employees.

Military Leave: You must allow leave for members of a Reserve Unit of the U.S.

report for jury duty. You do not have to give the leave with pay.

Disability Leave: State and federal law require that an employer provide reasonable accommodation for employees with disabilities, as long as that accommodation does not create an undue hardship for the employer.

Other Benefits: List all other benefits available to employees: Health care, dependent care assistance plans, retirement plans, etc. Note that fringe benefits and retirement benefits planning is an area of complex regulation; professional assistance from an attorney, accountant or retirement and benefits consultant is essential.

Employee Evaluation: Indicate different evaluation procedures for different job classifications, if any. Be careful if you are an at-will employer not to include language that implies that employees have any job security resulting from the evaluation process.

Disciplinary Action: At-will employers will often not have a disciplinary action section. If you are not an at-will employer, the disciplinary policy is important because it establishes the procedures by which you handle employee problems. Disciplinary action might include: a verbal warning or discussion, a written reprimand (placed in the personnel record), suspension (with or without pay) or dismissal. Grounds for disciplinary action include: misconduct, inefficiency, incompetence, insubordination, dishonesty, disloyalty, willful violation of an established policy or any conduct that the organization deems to be detrimental to its interest.

The Personnel Policies should state when and how written notice is to be given to the employee against whom disciplinary action is being considered.

Termination of Employment: At-will employers will generally not have this section. Other employees may want to consider these issues:

Layoff: Describe the circumstances that could result in lay-off, provide for notice and describe the system which will be used to determine order of lay-off and rehire.

Voluntary Termination: How much notice is necessary? Should it be in writing? Who can approve an early termination date if it serves the interest of the employee or the agency?

Retirement: Imposing a mandatory age for retirement is illegal in most cases as age discrimination. Get legal advice if you are considering mandatory retirement.

Involuntary Termination: How much written notice is required (usually ten days to two weeks)? Is a termination interview required? Under certain circumstances, can the employee be suspended without pay until the effective dismissal date? If necessary, can pay be provided to personnel in lieu of proper notice by the agency?

Grievance Procedure: Establish a channel for grievances, a time limit for appeals and a clear statement of final authority.

Amendments to Personnel Policies: Your policies need to have a provision that reserves your right to change them. The policies should state who has the authority to amend them.

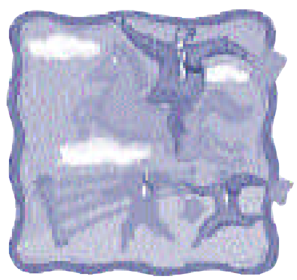
Evaluating Staff

By Diana Toledo
River Alliance of Wisconsin

While annual performance evaluations are seldom a favorite task of either employees or supervisors, they are an important and valuable vehicle for honest communication between both parties that should not be overlooked. Evaluations are opportunities to reflect and share mutual feedback on the previous year's activities, to communicate and clarify job expectations and performance, and to identify ways to maintain and improve individual employee performance through a plan of action.

At the River Alliance of Wisconsin, a seven-staff person organization, staff reviews are scheduled at the end of the employee's initial probation period (i.e., six months), and annually thereafter and are carried out by the employee's direct supervisor.

Written Feedback



The process by which performance evaluations are done was developed jointly by members of the staff over time, and has by now become standardized. This process is grounded in two documents—a standard performance evaluation form (see page 19), and each person's annual work plan. While the work plan is not formally integrated into this process, an agreed-upon work plan that establishes the expectations for the position provides the key to successful job performance.

At the time of the review, the employee and supervisor each complete the evaluation form for that employee separately. As part of that, both the employee and the supervisor establish three specific goals for the employee for the following year. These goals typically include training opportunities or specific tasks for the position. One to two days prior to the evaluation meeting, these written documents are exchanged. This approach is useful as it provides each party the opportunity to reflect on the other's perspectives, and allows time to prepare for a meaningful discussion on the issues that have been raised.

Prior to the evaluation meeting, the supervisor is obliged to incorporate other staff members' input. This varies with each supervisor; it can take the form of informal interviews or a request for written comments from other staff members who regularly interact with the employee. Staff input can provide a healthy balance to a supervisor's perspective, as well as uncover issues that may be overlooked by the supervisor.

Evaluation Meeting

The exchange of evaluation forms prior to the actual meeting ensures that neither party is surprised by the evaluation, and enables the meeting to become an opportunity for fruitful discussion. At this time, both parties revisit the previous year's goals and assess the progress made, as well as reach an agreement on the goals for the employee for the following year.

A System that Works

River Alliance of Wisconsin is committed to carrying out regular staff performance evaluations as part of its personnel management activities. Having undergone numerous modifications over the years, the current review process is one that has worked well and from which staff have benefited greatly in terms of improved communications, clearer employee expectations, recognition of staff strengths and contributions and specific plans for improving individual employee performance.

RIVER ALLIANCE OF WISCONSIN
STAFF PERFORMANCE REVIEW

Employee Name: ____________________ Rating period: _______________

PERFORMANCE REVIEW SUMMARY:
_____Compliance with Organization's mission/Specific Program Mission (max. 13)
_____Staff Management – if applicable (max. 13)
_____ Planning (max. 13)
_____Quality (max. 13)
_____Team effort/cooperation (max. 9)
_____Communication (max. 13)
_____ Problem solving (max. 13)
_____Quantity (max. 13)
_____Grand total (max. 100)

Reviewer ____ Date ____________________

MISSION COMPLIANCE:
- ❑ *Understands the mission, goals and objectives of the organization.*
- ❑ *Understands the mission, goals and objectives of the ____________ Program.*
- ❑ *Reinforces, supports and pursues the attainment of organizational goals and objectives.*
- ❑ *Provides a positive influence in pursuit of program objectives.*

Comments:

MANAGEMENT (IF APPLICABLE):
- ❑ *Provides clear direction and guidance to staff.*
- ❑ *Understands the role of a manager as mentor, advisor and guide.*
- ❑ *Employs both positive reinforcement and constructive criticism to motivate staff.*

Comments:

COMMUNICATION:
- ❑ *Employs effective communication skills when listening, speaking and writing.*
- ❑ *Demonstrates tact and diplomacy.*

Comments:

PLANNING, SCHEDULING AND PRIORITIZING:
- ❑ *Organizes and plans personal work assignments.*
- ❑ *Performs job tasks efficiently and in a timely manner.*
- ❑ *Prioritizes, coordinates and plans tasks to ensure completion.*
- ❑ *Minimizes time lost in non-productive activity.*

Comments:

PROBLEM SOLVING/DECISION MAKING:
- ❑ *Implements solutions on a timely basis.*
- ❑ *Identifies issues and problems, collects relevant information and determines sound course of action.*
- ❑ *Monitors effectiveness of solutions and makes changes as needed.*

Comments:

QUALITY:
- ❑ *Completes work in an accurate, neat, well-organized and thorough manner.*
- ❑ *Requires minimal review.*
- ❑ *Produces error free work.*

Comments:

QUANTITY/TIMELINESS:
- ❑ *Consistently generates amount of work expected.*
- ❑ *Manages concurrent assignments.*
- ❑ *Minimizes time lost in nonproductive activity.*

Comments:

TEAM EFFORT/COOPERATION:
- ❑ *Works well with volunteers/board members.*
- ❑ *Displays a "get it done" attitude.*
- ❑ *Establishes positive working relationship with others.*

Comments:

SUMMARY:
In addition to an overall summary of the review categories, the employee should also be prepared to identify three goals (s)he would like to attain by the time of his/her next review at [DATE]. The supervisor and the employee as part of the oral portion of this review should mutually agree to the following goals.
1.
2.
3.

WORDS OF ADVICE

The process we have is to give the form to the individual,have them respond and return the original with responses to the Director 24 hours prior to the evaluation. This allows the Director to spend time looking over the responses and discuss them in greater detail. We then sit down for anywhere from 1 to 3 hours, going over the questions, responses and any other issues that arise. Of course, the Director gives additional comments for each employee, about strengths, weaknesses, colleague interaction, etc.But the form provides a basis on which the evaluation centers and outlines general areas of discussion that can delve into specifics. This process allows for input from employees regarding office structure, individual needs, work load, etc. It also helps to remove the fear factor of evaluations, because the gist of the evaluation is covered through the form.

Jeremy P. Muller
Executive Director
West Virginia Rivers Coalition

Burnout!

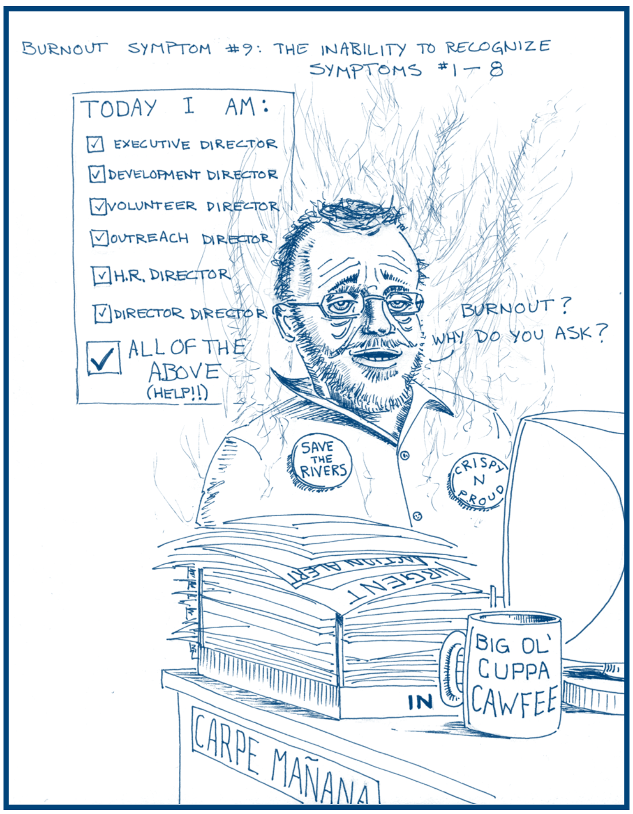
By Steve Dickens
River Network

You're feeling a high degree of responsibility. After all, the problems you've set out to address are huge and demand immediate attention: deteriorating water quality and quantity, in-stream ecological instability, human health problems resulting from toxic contamination. The list is huge…

You're feeling frustrated at your lack of ability to make a difference. Your job never seems to end. Your email accumulates at a rate faster than you can respond to it.

You decide to get more serious…drink more coffee…work later! You'll make a difference. What's that you say? The economy has devastated foundation giving, Bush is filling the courts with cronies who think the Clean Water Act was inspired by "Muslim extremists"…there's a war that will cost billions of additional dollars we don't have?

You say you'll just have to work even harder…? Ahhh, you'll take up drinking Mountain Dew now and work through a few weekends. In a few weeks you're sure to make a difference!



Control is an illusion. You have none. At best you can take charge of your own life. Attempts to control uncontrollable events lead to burnout! It's not that you shouldn't try to change the world. It's that you must realize your job is to do your best and let go of the outcome, which is beyond our control.

Burnout is the one sure thing that will keep any of us from making a difference.

Burnout is the physical and emotional exhaustion and frustration that comes from the feeling you're unable to end stresses and problems. And we're all at risk, especially in these challenging times.

Burnout happens because we neglect our more basic human needs.

Life, work and political activity are best accomplished when one is balanced. It's important to take the time to balance your life. It's great if you love your work, but don't let your whole life be defined by your work. Balance is achieved by addressing our physical (exercise, nutrition, sleep), environmental (connection with the natural world, quality of our physical environs), emotional, social and spiritual needs. Take a trip to that wilderness stream you're trying to protect; put some nice prints up in your workspace; schedule some time with a close friend to chat about how challenging it's been; make some fun plans with friends; start that meditation or yoga practice. What's really essential? Commit time daily to addressing the other critical areas of your life. And then work with confidence, knowing you'll be able to sustain the effort for the long haul.

VOICES FROM THE FIELD: STAYING HEALTHY FOR OUR RIVER

OAR has a happy, part-time staff of four+, with three of us here since 1998. Each of us works from 18-30 hours/week. We don't have a big budget, but we do have several policies in place here that I think help to keep all of us (including me) content while we work for our "ship to come in." Here are a few of them:

1. Flexible hours. At the beginning of each year, each staff person sets her own schedule. We try to make sure there is someone in the office every morning, and that there is one day when we all come in, but otherwise, people are free to pick their days & hours. We work fewer hours in the summer, and take off time during school vacations, etc. We have been able to attract and retain mid-career professional moms this way - people who have great professional skills, but value the family-friendly schedules.

2. We try to make good use of everyone's skills, not just the ones we thought we hired them for. For example, our staff scientist was hired to run the water quality monitoring program, but we have since discovered she's an artist and has a flair for computer work, so she's designed websites, greeting cards, and photographed the river for the organization. Our office manager/membership coordinator used her experience running author events at a book store to organize our most successful annual meeting event ever; our speaker was author/birder David Sibley, on the day his newest book went on sale - we had an enthusiastic turnout of 170 in a spectacular location, thanks to her efforts.

3. We laugh a lot. Okay, it's not really a policy, but wouldn't you rather work in an office where people make each other laugh than one where everyone sits grimly staring at their computers? So would we.

Julia Blatt
Organization for the Assabet River, MA

It has always been good policy in our office to get out on the rivers that we seek to protect and enhance. A multi-day raft trip for the staff and friends is always an excellent way of reinvigorating morale and regenerating new ideas.

Jeff Crane
NORTH FORK RIVER IMPROVEMENT ASSOCIATION, CO

cont. on page 22

8 STEPS TO BURNOUT

① Plan staff meetings for Monday mornings after weekend board retreats to "catch it while it's fresh in our minds."

② Insist on being a part of every decision made.

③ Magnify all conflicts between co-workers as they occur by saying "can we put this on next week's agenda and get everyone involved?"

④ Make sure everyone has three bosses.

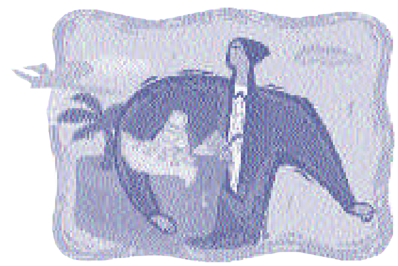
⑤ Adopt a clarifying mission statement like "save the planet."

⑥ Win the "most days without a vacation" contest.

⑦ Just hold a contest to see who really is the best environmentalist.

⑧ Never say "no."

Voices from the Field, cont.



The Board of Directors and the Executive Director of Amigos Bravos: Friends of the Wild Rivers is aware that burnout comes with the job. It is a known factor among nonprofits that have been around for a while. Since staff can be an organization's greatest asset, we try to keep our assets healthy and sane by offering some incentive to take time for fun and relaxation. After all, we are living in beautiful New Mexico where "time off" and enjoying the outdoors is an important cultural value. We love that!!

Amigos Bravos offers a 32-35 hour workweek as our full time equivalency. Since most of our timelines and deadlines do not always fall within a four-day workweek, staff has the option to use over time accumulated, within reason, during other times in the year. If schedules allow it, staff can look forward to a three day weekend most weeks throughout the year. This option is wonderful for mental health. Staff can go away for the weekend or just take time to ski, river raft, snowshoe and hike, read a book or sleep!! As a result, Monday morning does not seem quite so overwhelming when the fast track begins all over again.

Amigos Bravos also offers other great benefits to keep the passion burning…twelve holidays a year, including your birthday, and a minimum of three weeks vacation in the first year. The vacation package gets better with time on the job. In addition, we offer a retirement plan that Amigos Bravos contributes to after two years of employment and best of all yet, a paid three month sabbatical after seven years of employment. Now that is an incentive to stay on the job!

How do we get all the work done?? We all work hard at full speed for four days multi-tasking knowing that the three-day weekend is just ahead of us or we have the flexibility to take longer breaks throughout the year. It really makes a difference.

In Taos, many businesses just close on a good ski day. They hang a sign "Gone Skiing." Seems like a sound business practice to us! Stay healthy and keep the passion alive for the rivers.

Linda Carlson
Amigos Bravos, NM

Into the Abyss:

Layoffs, Reductions and Terminations

By Susan Schwartz
River Network

At some time in the life cycle of almost every nonprofit organization, it becomes necessary to consider reducing personnel expenses. Every organization has some potential for cutting back, but the extent to which you do so will depend upon the severity of your financial situation, the uncertainty of your environment and your evaluation of your future prospects. There are several ways to trim expenses in addition to the lay-off of employees, and working through this process can be a catalyst for improvement and even growth.

THESE ARE THE MOST DIFFICULT OF ALL ADJUSTMENTS TO MAKE, BUT USUALLY WHERE THE GREATEST EXPENSES ARE. INVOLVE EVERYONE IN AN OPEN PROCESS: EXPLAIN, PROVIDE INFORMATION, DISCUSS, SEEK ADVICE AND COUNSEL, LISTEN CAREFULLY TO ALL INPUT.

Consider a staff leasing arrangement in which all your staff is employed by a company that "hires" them, pays them, provides health and other benefits, and maintains all personnel records, thus eliminating payroll and personnel administration costs from your budget.

Redesign jobs and processes with staff to eliminate everything absolutely unnecessary and gain essential productivity or reduce the number/hours of staff.

Re-evaluate the employee vs. consultant decision for every activity; the best decision is an individualized one.

Talk to staff about various flexible plans to reduce on a temporary or permanent basis their hours or paid vacation or omit annual increases or rollback their current base salaries.

Discuss with staff the possibility of occasional unpaid days or short unpaid leaves of absence, which can re-energize, as well as save payroll costs.

Suspend employee perquisites and benefits until the financial picture improves.

cont. on page 24

Layoffs

If layoffs become necessary, they should be handled in an honest, humane and systematic manner. While emotions can run high around this issue, here are a few dos and don’ts to consider:

DO:

- Manage the end of an employee relationship as carefully as you would the beginning-respectfully, humanely and thoughtfully.
- Communicate, communicate, communicate as much information as soon as you can to explain the financial circumstances that make layoff necessary.
- Face the fears: have staff meetings to enable people to discuss their anxiety and ask questions; morale will suffer even for those not losing their jobs, so make time for many group and one-to-one meetings.
- Talk to people in a quiet, private place; prepare what you'll say; be brief with the message, but allow them time to talk out their feelings.
- Handle every layoff consistently in terms of notice and final paycheck, explain how much accrued vacation time they will receive and what, if any, severance.
- Provide enough time for departing staff to make the appropriate plans.
- Provide letters of recommendation and other job-finding assistance.
- Consider severance, especially in relation to the employee's length of service, but make an equitable policy for all.
- Explain COBRA and any other post-termination benefits; assure staff they will receive good references; write letters if they want or let them know whom to call for that reference.

DON’T:

- Surprise your staff with news of lay-offs.
- Try to protect your staff with over-optimism regarding your financial situation.
- Take the discussion outside of the organization until all staff are informed.
- Ignore staff suggestions regarding alternatives to lay-offs, such as voluntary hour and/or salary/benefit reductions.

Involuntary Termination

While the financial circumstances requiring layoffs and other retrenchments are difficult, perhaps the most demanding situation in personnel is the involuntary termination of an employee. It is also an area where there is potentially significant legal liability, so every organization must carefully plan for this inevitable situation. Considering the economic realities and the number of wrongful discharge lawsuits, organizations in these times should consider employment-practice liability insurance as a necessary cost of operating. It has become relatively inexpensive for an employee to file suit, and many states have eased laws to make it easier to sue and recover damages on charges of illegal dismissal. You may well have to face the cost of defending against a lengthy law suite or some type of government administrative procedure, plus the potential for an expensive court judgment and/or fines and penalties. You can fire an employee legally but still lose a lawsuit when a sympathetic jury reviews the manner in which you ended the relationship with your employee.

Preparing for an involuntary termination must begin when the Employee Handbook/ Policy and Procedures Manual is written. Regardless of your organizational culture, it is strongly recommended that you affirm the employment-at-will principal. Recognition of that policy must also inform other sections of your handbook, such as those on new employee introductory (not "probationary") conditions, indication of full time (not "permanent") status, progressive discipline (may be omitted), disciplinary action, or employee appeal and grievance procedures (termination can not be included). To protect the organization, you should reiterate that no policy is meant to constitute a contractual obligation, and that either the employer or the employee may terminate the relationship at any time

without reason. There will need to be a legal review of your policies to assure that they are internally consistent, and that you do not inadvertently indicate a promise or set up an expectation that employment is other than at-will. Disclaimers are necessary. In order to protect the organization further, every employee should acknowledge in writing the receipt of the policy manual and the reading of its contents. If you have utilized an employment contract for a key position, be certain that the agreement outlines the specific circumstances under which it may be terminated, particularly the failure to attain specified goals and objectives, and any arrangements for severance, recommendations, repayment of moving expenses, etc. By clarifying expectations with your employees, many legal problems can be avoided.

Above all, remember to try to ease the pain in whatever way is available to you. Show respect for the employee's feelings by maintaining confidentiality, by protecting their dignity, by providing severance to cushion the financial loss, and by offering some outplacement services if possible. Be sensitive to the sense of loss, anger, vulnerability and frustration of someone who has been terminated. If there is little reason to expect an act of hostility, avoid the confrontational gestures, like requiring immediate vacating of the office or escorting the person out the door. Such acts can naturally have a very negative effect on the morale of other staff, who will easily identify with the loss of financial security and self-worth inherent in termination. Your aim, after all, is always fairness to everyone and that fair-mindedness should certainly extend to the newly discharged employee.

Resources & References

ICL - The Institute for Conservation Leadership designs and conducts programs to assist environmental and conservation leaders in developing skills, networking and accessing resources. The Institute works with local, state, regional and national groups throughout the broad conservation and environmental community.
http://www.icl.org/

TACS - Technical Assistance for Community Services provides assistance to nonprofit organizations to help them develop the people and skills they need to achieve their missions. TACS provides workshops, networks and consultations on financial management, board development, strategic planning, building diversity, organizational development and leadership issues.
http://www.tacs.org/

TREC - Training Resources for the Environmental Community is a social change organization committed to sustainable environmental integrity and diversity in Western North America. As activists serving activists, we catalyze the environmental community through leadership development, capacity building and leveraging resources.
http://www.trecnw.org/about.html

Publications

Literature Review and Model Framework of Nonprofit Capacity Building by Scott Brumburgh, Coletter Thayer, Allison H. Fine. (2002) This manual is designed to relate to the ability to improve fundamental organizational performance and includes models, including Organizational Self-Assessment, Fundraising and Strategic Management. Innovation Network, Inc., 1001 Connecticut Avenue, NW, Suite 900, Washington, D.C. 20036; Phone: 202/728-0727. www.innonet.org.

The Oregon Nonprofit Corporation Handbook: How to Start and Run a Nonprofit Corporation (2001) by Cynthia Cumfer and Kay Sohl provides a step-by-step guide for nonprofits on group formation, incorporation, bylaw creation, tax exempt status, record keeping systems and fiscal and personnel policies. Technical Assistance for Community Services, 1903 SE Ankeny, Portland, OR 97214; Phone: 503/239-4001.

WEB

CompassPoint Nonprofit Services is a nonprofit training, consulting and research organization with offices in San Francisco and Silicon Valley. Designed to increase the effectiveness and impact of people working and volunteering in the nonprofit sector, their site has a variety of articles and resources on personnel policies and other helpful information. 706 Mission Street, 5th Floor, San Francisco CA 94103; Phone: 415/541-9000; 408/248-9505 (Silicon Valley).
http://www.compasspoint.org

Free Management Library (SM) is a complete, highly integrated library for nonprofits and for-profits and is a service mark of Authenticity Consulting, LLC. Phone: 763/971-8890. http://www.mapnp.org/library

Minnesota Council of Nonprofits works to continually inform, involve, strengthen and increase the capacity and effectiveness of nonprofits and the nonprofit sector in Minnesota. 2314 University Ave. #20, St. Paul, MN 55114; Phone: 651/642-1904; Fax: 651/642-1517; Greater MN: 1-800/289-1904;
http://www.mncn.org

LET RIVER NETWORK HELP YOU KEEP YOUR HEAD ABOVE WATER.

Join the River Network Partnership and connect to the information and resources you need to stay afloat!

- **Access our River Source Information Center with the 1-800 hotline:** Let us help you research a particular issue and put you in touch with the necessary contacts and resources through one-on-one consultations.
- **Log onto our Partner-only web site:** Browse the updated postings of funding sources, upcoming events and trainings, and download river clipart.
- **Receive the myriad of Partner benefits**, including subscriptions to *River Voices* and *River Fundraising Alert*, a copy of the *Directory of Funding Sources for River and Watershed Conservation Organizations*, and a copy of either *Starting Up: A Handbook for New River and Watershed Organizations* or *How to Save a River*…and more!

www.rivernetwork.org

SIGN ME UP!

Annual Partner Dues are only $100

❑ *Organizational Partner* ❑ *Agency/Tribal Partner* ❑ *Individual Partner*

Name ____________________ *Phone* ( ) ____________

Org/Agency ____________________ *E-mail* ____________

Address ____

City ____________________ *State* ________ *Zip* ________

❑ *My check is enclosed*

Please charge my credit card: ❑ *VISA* ❑ *MasterCard*

Card# ____________________ *Exp. Date* ________

Signature/Name on card: ____________________

You will receive your initial set of Partner materials, including your choice of: *(check one)*

❑ **How to Save a River** ❑ **Starting Up: A Handbook for New River and Watershed Organizations**
❑ **River Talk!** ❑ **The Clean Water Act: An Owner's Manual**

Please make your check payable to River Network and return this form to:

River Network, 520 SW 6th Ave., Suite 1130, Ptld., OR 97204-1511 Phone: 503/241-3506

River Network works to support you and your needs. We provide training and technical assistance to our Partner groups. River Network does not promote legislation or represent your organization in legal matters.

520 SW Sixth Avenue, Suite 1130
Portland, Oregon 97204-1511

ADDRESS SERVICE REQUESTED

NON PROFIT
U.S. POSTAGE
PAID
PORTLAND, OR
PERMIT NO. 3470

Visit River Network's Resource Library

It's As Easy As 1, 2, 3!

Find information on organizational development and specific river conservation issues.

Over 300 Online Resources from Accounting to Youth.*

You can search three ways for a resource *or* contact Katherine Luscher to add one of your own.

**Be the first to give us a legitimate "Z" resource and win a River Network Partnership.*

www.rivernetwork.org/library/resource/index.cfm

Katherine Luscher, Partnership Director | 503.2413506 ext 16 | kluscher@rivernetwork.org