



BESSER
MUSEUM
for Northeast Michigan

ART • HISTORY • SCIENCE

EMPLOYEES' HANDBOOK

Approved _____, _____, 2017 by the Board of Trustees

Replaces Jesse Besser Museum Procedures February 21, 1977; August 17, 1978; May 1, 1980; February 10, 1981; Clarification Memo, April 5, 2000; February 1, 2001; and Employees' Handbook August 18, 2009.

The Employees' Handbook defines the policies and procedures that effect employment at the Museum. Please read it carefully and ask questions if anything is unclear. The contents of the Handbook are subject to revision at any time by the Museum's Board of Trustees. Employees may propose amendments to the employee policies and procedures by submitting a proposed change in writing to the Executive Director. The Board of Trustees will consider any proposed change.



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Dear Staff,

We are fortunate to work together in a dynamic and growing Museum, dedicated to preservation, education, and public service in the fields of art, history, and science. Each of us accepts the responsibility to uphold the mission, ethics and culture of the Museum. We perform our jobs with integrity and enjoy the trust of one another, volunteers and the public. The policies and procedures set by the board of Trustees are designed to help us in this endeavor.

I ask that you join me in serving the preservation of Besser Museum for the future and the public through research opportunities, exhibitions, and programs with enthusiasm and professionalism. A museum can be a magical place to work where daily activities make a tangible difference in the lives of community members. The footprint each of us leaves behind in the Museum will be recognized and appreciated for generations to come.

Welcome to the Besser Museum team!



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VISION STATEMENT

Our vision is a community that can explore the dynamic story of Northeast Michigan's interconnected natural resources and cultural heritage through the ability to navigate the past, illuminate the present, and image the future.

MISSION STATEMENT

Our mission is to collect, preserve, interpret, and exhibit authentic articles and artifacts of art, history, and science to inspire curiosity, foster community pride, and cultivate personal legacy.

ADMINISTRATIVE STRUCTURE & GENERAL POLICY

The Board of Trustees of the Besser Museum for Northeast Michigan, Inc. hold fiduciary and policy responsibilities to ensure the mission of the Besser Museum is pursued in a lawful and ethical manner, and in compliance with State and Federal law.

The Executive Director is the sole employee of the Board of Trustees hired to enact the policies and procedures passed by the Board and to manage the daily business operations of the Museum. As the operational head of the Museum, the Executive Director is recognized as a peer by Trustees. The Board of Trustees establishes policy; the Executive Director carries out the policy and oversees the operation. The jobs are equal but divided, and this division should be the basis for communication and progress. Both parties have the same objective, to provide a properly run museum of the highest qualities.

The Executive Director alone handles all aspects of human resource management including staff employment and discharge, determining staff duties and organizational structure, and setting salaries within Board approved budget parameters.

Museum staff function within the Museum's departments that care for and research the museum's accessioned collection, develop and deliver educational exhibits and programming, care for the facility and grounds, and perform operational and business tasks necessary to operate the Museum seven days a week, year-round.

Museum staff is joined in these objectives by a volunteer corps essential to the Museum's success.

Employees with any questions regarding this policy should contact the Executive Director.



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HISTORICAL SUMMARY

In 1962, Jesse Besser, Fred Trelfa, and Dr. Russell H. Wilson formed a non-profit corporation, the Alpena Museum Association, Inc. This Association planned and directed the building of the present museum, which opened to the public May 1966. Until 1970, the Museum was an integral part of the Alpena Public School System. In 1970, the Association and the District formalized a lease agreement determining responsibilities for maintenance and operation. In 1974, the Museum changed the Museum's legal name from Alpena Museum Association, Inc. to the Jesse Besser Museum.

When Alpena Community College and the Alpena Public School System separated, the Museum was administratively attached to the College. A lease between the Museum and college in 1982 outlined their relationship. In 1992, following two years of discussion, the Alpena Community College Trustees transferred to the Museum's Board of Trustees sole physical and operational control of the museum. The name of the Museum was changed to the Besser Museum for Northeast Michigan in 2004.

Since the formal dedication of the Museum building in May 1966, other structures have been added to the Museum's grounds; a homesteader's line-cabin from the mid-1860s (1971); the Maltz Exchange Bank of 1872 (1972); the 1890s McKay Cabin (1973); the Green School built in 1895 (1981); the Spratt Methodist Church built in 1912 (1990); and the Katherine V fish tug built in 1927 (2001). The Lafarge Fossil Park was constructed on site in 2011; the Lucas Pfeiffenberger Natural Trail was constructed on site in 2012; and the DNR Chinook Research Vessel built in 1947 (2016).

Located on the Museum's grounds is a sculpture fountain by Glen Michael; a 3-inch Dual Purpose Naval Deck Gun with a breech mount similar to that made by Besser Company employees during World War II, on loan from the U.S. Navy; the bow anchor from the 1860's Steamer Pewabic, on loan from the State of Michigan; and the Eagle sculpture by Tom Moran donated by the United Communities Foundation.

The Museum is accredited by the American Alliance of Museums (AAM) in adherence to the professional standards for best practices set forth by AAM (?)



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EMPLOYMENT

The Museum is an Equal Opportunity employer. The Besser Museum for Northeast Michigan is an at-will employer, the Museum or employees may terminate the employment relationship at any time, with or without cause.

Personnel issues are first dealt with by the Executive Director. Employee issues and concerns with the Executive Director or unresolved problems may be taken to the Board of Trustees' President in accordance with the procedures set forth below.

This handbook will provide you with general information concerning the Besser Museum and your responsibilities. It cannot anticipate every question you may have and it is not designed to provide specific practices or policies for every situation. Questions concerning specific practices and policies, or how the general rules and policies apply, should be discussed with your supervisor. Read this handbook carefully and keep it for future reference.

This manual should not be construed as, and does not constitute, a contract of employment. The relationship between you and Besser Museum is an employment-at-will relationship. This means that the employment relationship is by mutual consent of you and Besser Museum. The employment relationship is not for any definite period of time. While it is expected that your employment with Besser Museum will be rewarding and long term, either you or Besser Museum may terminate the employment relationship at any time with or without notice, for any reason or no reason at all, with or without cause. It should also be understood that no representative or individual member of the Besser Museum Board of Trustees has any authority to enter into any agreement of employment for any specified period of time, or to make any agreement contrary to the foregoing. The Executive Director alone handles all aspects of human resource management including staff employment and discharge, determining staff duties and organizational structure, and setting salaries within Board approved budget parameters according to the Board Approved Delegation of Authority policy.

Nothing in this handbook, or in any other written material or verbal statements provided by Besser Museum representatives, shall limit either you or Besser Museum's right to terminate the employment relationship. These statements about the at-will nature of employment constitute the entire understanding between Besser Museum and its employees regarding this subject.

Besser Museum will not have policies and/or procedures, nor make any decisions, that are contrary to any federal, state, or local laws.

The Besser Museum Board of Trustees shall have the right to unilaterally review and revise this employee handbook periodically, including changes necessary for clarification or as recommended by legal counsel. Changes to this handbook will be communicated to the staff as soon as approved and available.



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This policy applies to all employment practices including recruiting, hiring, pay rates, training and development, promotions and other terms and conditions of employment and termination.

DISCLAIMER: Nothing in this Employee Handbook shall be construed to restrict an employee's rights under Sections 7 and 8(a)(1) of the National Labor Relations Act. No policy set forth in this Employee Handbook shall be construed or understood to prevent an employee to engage in discussions or activities involving the terms and conditions of employment, wages, hours, and working conditions.

EMPLOYMENT APPLICATIONS – REQUIREMENTS

Besser Museum relies upon the accuracy of information contained in employment applications, as well as the accuracy of other information presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, disciplinary action up to and including termination of employment.

REFERENCE AND BACKGROUND CHECKS

Candidates applying for a position with Besser Museum may be required to submit to a background check depending on the nature of the position. Change in job status may also require a current employee to undergo a background check. The results of this process may deem an employee ineligible to fill certain job positions within the company. Besser Museum will protect the confidentiality of any results received through this process. The Executive Director may respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment, wage rates, and positions(s) held. No other information (i.e., references to work habits or desires to rehire) will be released at any time.

NEPOTISM-EMPLOYMENT OR TRANSFER OF RELATED PERSONS

Immediate family members may not be employed in, or transferred into, a department in which a member of their immediate family is employed. Immediate family is defined as spouse, parent, grandparent, child, grandchild, sibling, or in-law. Employees working at the Museum who qualify by the above definitions of related cannot work in a direct supervisory relationship. In the event employees marry and by doing so work under any of the conditions above, one of them must leave the Museum through transfer or termination within three (3) months of marriage.



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AMERICANS WITH DISABILITIES ACT (ADA)

The American with Disabilities Act (ADA) is a comprehensive federal civil rights law specifically for individuals with disabilities. It gives certain protection to qualified individuals with disabilities.

Besser Museum complies with the ADA to ensure that qualified applicants and employees with a known disability, who are able to perform the *essential functions* of the job, with or without *reasonable accommodation*, and whose employment does not pose a threat to their health and safety or that of others, are provided equal employment opportunity.

If you have any questions, you should contact the Executive Director or the U.S. Department of Labor: <https://www.dol.gov/general/topic/disability/ada>, or the EEOC: <https://www.eeoc.gov>.

EQUAL EMPLOYMENT OPPORTUNITY

Besser Museum is an Equal Opportunity Employer (EOE). It is the policy of Besser Museum to extend equal opportunity to all qualified staff members and applicants for employment without respect to race, color, religion, national origin, LGBTQ status, veterans' status, sex, age, disability, or any other protected class under the law. Besser Museum does not condone and will not tolerate discrimination, intimidation, or harassment based on these factors. Sexual harassment is prohibited whether directed toward women or men. Such conduct will subject the offending employee to disciplinary action, up to and including immediate termination.

In all hiring and employment practices, Besser Museum takes every effort to ensure that it does not discriminate against employees and applicants. This policy addresses Besser Museum's commitment to providing equal opportunity employment for all employees and applicants and to promoting diversity in the workplace.

Besser Museum will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

If you feel you have been subjected to any form of discrimination, you should contact the Executive Director as soon as possible after the incident. If you do not receive a satisfactory response, you may then go through the Employee Recourse Procedure set forth below.

Opportunity at Besser Museum is based on merit and qualifications irrespective of race, color, religion, national origin, veteran status, sex, age, disability, LGBTQ status, or any other protected class under the law. **We do not tolerate** any employee engaging in harassment or discrimination of any kind. Please see our "Non-Discrimination and Anti-Harassment Policy" and our "Sexual Harassment Policy" in this employee handbook.



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ANTI-DISCRIMINATION / HARASSMENT

Employees of Besser Museum are entitled to a working environment in which they feel, and in fact are, safe from actual or threatened physical or emotional harassment, including any type of sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, gender identity or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples.

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, emails, notes, or invitations.
- Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Harassment is not always intentional and doesn't have to be intentional to be illegal. Men can harass men, women can harass women, women can harass men, and men can harass women. It's the behavior that counts, not the gender of the participants. A person can feel harassed even if he or she is not the intended target of the behavior. While not all harassing behavior meets the



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standard of illegal conduct, **any workplace harassment is inappropriate and should not be tolerated.** If you feel harassed at work or you are aware of incidents of workplace harassment, you have a right and a responsibility to address the situation. You may confront the harasser if you feel comfortable doing so, and/or report the harassment **immediately** to the Executive Director. If these steps do not resolve the issue you may proceed with the Employee Recourse Procedure set forth below

It is illegal to retaliate in any way against an employee for complaining about, reporting, or participating in a complaint regarding workplace harassment.

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Besser Museum (e.g., an outside vendor, consultant, or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

EMPLOYEE RECOURSE-MANAGEMENT RESPONSIBILITIES

Any employee who feels subjected to discrimination or harassment (sexual and non-sexual), or who witnesses any conduct which appears to involve sexual harassment, must immediately report it to the Executive Director in writing. If you believe the issue has not been resolved you may then proceed with the Employee Recourse Procedure.

Complaints of this nature will be maintained in confidence and divulged only to the extent necessary to complete the investigation and determine the appropriate resolution.

You may also report any complaint of discrimination to the EEOC, www.eeoc.gov.

Retaliation is prohibited by federal law and Besser Museum policy. It is defined as any adverse or negative action against a person participating in any reporting, investigation, or proceeding that is perceived as: intimidating, threatening, coercing, hostile, and harassing, retribution, or violence that occurred in connection to the making and follow-up of the report. This also includes actions against an individual who has (1) complained about alleged discrimination, harassment or retaliation, (2) participated as a party or witness in an investigation relating to such allegations, or (3) participate as a party or witness in a court proceeding or administrative investigation relating to such allegations. Federal civil rights laws, including Title VII, make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws. Intimidation means to make fearful or to put into fear. Generally, proof of actual fear is not required in order to establish intimidation. It may be inferred from conduct, words, or circumstances reasonably calculated to produce fear. Any



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person violating this policy may be subject to appropriate discipline, up to and including termination.

Any individual who becomes aware of possible sexual or other unlawful harassment must immediately advise the Executive Director. If the issue has not been resolved you may then proceed with the Employee Recourse Procedure set forth below

If Besser Museum determines that this policy was violated, it will take timely and effective remedial action. Any employee who is found, after appropriate investigation, to have violated this policy (and regardless whether such conduct rises to the level of legally actionable harassment), will be subject to appropriate disciplinary action commensurate with the nature of the conduct, which may include immediate termination of employment. Steps will also be taken, as necessary, to prevent any further harassing conduct.

Any employee who knowingly brings forth false and unsubstantiated claims of harassment will be subject to disciplinary action.

ANTI-BULLYING POLICY

In addition to Besser Museum's commitment to pride a work environment free from discrimination and harassment, Besser Museum is also committed to providing an environment that is free from all forms of bullying. As with discrimination and harassment, all Board of Trustees and museum employees are expected to conduct themselves in such a way as to ensure no bullying occurs.

While no exhaustive list, the following types of behavior are examples of bullying:

- **Verbal:** Slandering, ridiculing or maligning a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; use of offensive nicknames; using a person as target of jokes; abusive and offensive remarks, shouting or raising one's voice at an individual; constant criticism on matters unrelated to minimally related to the person's job performance or description; public reprimands or public humiliation of any kind; spreading rumors and gossip.
- **Physical:** Pushing, shoving, kicking, poking, tripping; unwanted physical contact; assault or threat of physical assault; damage or threat of damage to a person's work area or property.
- **Gestures:** Nonverbal obscene or threatening gestures; glances that can convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities, not allowing a person to speak or express him or herself (i.e., ignoring or interrupting).



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As with discrimination and harassment, Besser Museum considers bullying in any form to be a serious offense and in violation of this policy. If any employee believes he or she has witnessed or been subjected to any type of bullying, the person should immediately report to the Executive Director. If this does not resolve the issue you may proceed with the Employee Recourse Procedure set forth below. Complaints are to be investigated promptly and appropriate action taken. Information obtained during investigations is kept as confidential as possible, but information about incidents of alleged bullying must be shared to the extent necessary to investigate and take any corrective action deemed appropriate by Besser Museum.

Besser Museum prohibits retaliation against any employees and applicants who complain about bullying, oppose any bullying, or participate in the investigation of complaints about bullying. Retaliation is any adverse or negative action that is perceived as intimidating, threatening, coercing, hostile, and harassing, retribution, or violence.

WHISTLEBLOWER PROTECTION POLICY

A whistleblower, as defined by this policy, is an employee of Besser Museum who reports an activity of an employee of Besser Museum that he/she considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. Appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state, or local laws; billing for services not performed or for goods not delivered; fraudulent financial reporting; forgery, and other related illegal acts.

If an employee has knowledge of or a concern about illegal or dishonest fraudulent activity by an employee of Besser Museum, the employee must contact the Executive Director immediately. If this does not resolve the issue the employee may then proceed with the Employee Recourse Procedure.

The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally or recklessly files a false report of wrongdoing is not a whistleblower and is subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas – confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower is maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense. Besser Museum will not retaliate against a whistleblower. Any whistleblower who believes he/she is being retaliated against must contact the Executive Director, or President of the Board of Trustees immediately.



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WORK PLACE VIOLENCE

Because we are committed to providing each employee a work environment that is safe and secure and free of, prejudice, harassment, threats, intimidation, and violence, to the extent possible, we have set forth the following procedures for reporting violations of our workplace violence policy and guidelines for handling violations of the policy. Workplace violence, as used in this policy, is threatening, intimidating, coercing, harassing, or violent behavior (verbal or physical) involving employees, those we serve, vendors, or anyone conducting business with or, on behalf of, Besser Museum.

Examples of prohibited workplace violence include, but are not necessarily limited to:

- Use of abusive and threatening language.
- Repeated strong, sexist, racist, or other inappropriate comments based on an individual's protected status.
- Belittling or rigid, judgmental utterance about others.
- Pursuit of another employee with the intent to harm the employee or to place the employee in fear of harm.
- Unwanted physical contact such as assault, impeding or blocking movement or any physical interference with normal work or movement when directed at an individual.
- Conspiring against, excluding or persecuting an employee or coworker.
- Violent incidents outside of work.
- Violence directed at inanimate objects, and/or vandalism.
- Bringing on to company property a firearm, a knife, explosive materials, toxic agents or any other weapon or device intended to be used as a tool of violence.
- Violating another individual's personal space while engaging in negative communication.

We strive to create an environment for our employees that is free of violence or threats of violence from supervisors, co-workers, and non-employees. Threats, threatening behavior, or acts of violence against any employee, client, or anyone on company property is prohibited. Any employee who violates this policy will be subject to corrective action up to and including termination of employment.



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REPORTING REQUIREMENTS:

If you believe you have witnessed, or been the subject of violent behavior in the workplace, you should first protect yourself (this includes calling 911 if imminent danger exists), then report the incident immediately to any of the following: your immediate supervisor, the Executive Director, and/or the President of the Board of Trustees.

Any employee who witnesses or receives a report of perceived or actual violence in the workplace will immediately contact the Executive Director or President of the Board of Trustees. All staff must consider the safety of Besser Museum, its employees and non-employees as the highest priority. If immediate medical or police intervention is needed or potentially needed, the employee, with administrative input as available, is to decide whether the next step should be: 1) medical/police intervention or 2) contact with the Executive Director or Board President, regardless of the day or hour. Besser Museum's Executive Director and Board President are to be notified of any potential or actual violence.

Retaliation as a result of an employee reporting violent behavior is against Besser Museum policy and is subject to disciplinary action, up to and including termination.

PREVENTION:

The safety of all Besser Museum employees, clients, non-employees, and community are of the highest priority. The Executive Director and Board of Trustees will consistently make decisions and take action that are consistent with this basic principle. Therefore, any employee who exhibits behavior, whether verbal or physical, which is potentially violent, and /or could reasonably be expected to lead to violence in the workplace, may be required to accept a management referral to seek outside assistance and/or counsel. Refusal to see outside help may be grounds for disciplinary action up to and including termination.

PERSONNEL DATA CHANGES

For your protection, convenience, and benefit, you are requested to notify the Executive Director immediately of any change in your name, address, phone number, or number of dependents. Keeping this information accurate enables us to reach you in an emergency, forward your mail and W-2 forms, maintain your insurance and other benefits, and compute your payroll deductions. This personal information will be handled with complete confidence. We will not supply personal information to unauthorized individuals.

IMMIGRATION LAW COMPLIANCE

All employees of Besser Museum are required by federal law to verify their authorization to work in the United States. In compliance with the law, Besser Museum prohibits discrimination in hiring, recruiting, referring for a fee, or discharging any person based on citizenship and national origin.



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The U.S. Immigration and Naturalization Services require the Besser Museum and candidates for employment provide specific information within three (3) days of commencing employment. Candidates for employment must complete Section 1 of Form I-9 and provide the Besser Museum with specific documents to establish their identity and employment eligibility.

Identity can be established by providing documentation such as a current state-issued driver's license, state-issued identification card, or similar document such as a school I.D. with photograph, voter's registration card, or military service card.

An employment eligibility document is a valid Social Security card, a birth certificate, or any immigration document.

Besser Museum believes in strict compliance with I-9 compliance. Besser Museum will not accept any deviation in compliance with I-9 processes. An employee that fails to comply with the I-9 requirements will be immediately terminated.

It is the policy of Besser Museum that training on I-9 compliance is a priority and the following will occur:

1. The most senior staff will always be trained on Form I-9 retention procedures
2. All I-9s will be maintained in a central location and will be accessible in a manner that allows them to be produced in accordance with government agency requests.
3. The senior staff will be responsible for storing, tracking re-verification, and purging I-9s appropriately.

SOCIAL SECURITY NUMBER PRIVACY

Besser Museum takes measures to extent possible to ensure the privacy of employees Social Security Numbers to prohibit the unlawful disclosure of social security numbers, to limit the persons who have access to the information and documents that contain social security numbers, and to set forth and practice proper procedures for the disposing of documents which contain social security numbers.

In the regular course of business, Besser Museum may collect and maintain documents, which contain social security numbers, under conditions and circumstances allowed by law. As required by law, all or more than 4 sequential digits of a social security number may not be placed on identification cards, badges, time cards, employee rosters, bulletin boards, permits, licenses, or any other materials of documents for public display. Documents, materials or computer screens that display all or more than 4 sequential digits of a social security number may not be disclosed for public viewing and is limited only to authorized personnel who have a business reason for reviewing such information.



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All documents containing social security numbers must be stored in a physically secure manner so that only authorized personnel have access to such information. Social security numbers may not be stored on computers or electronically unless they are secured from unauthorized access. Only management personnel who have legitimate business reasons to know may have access to records containing social security numbers. Social security numbers must be kept private and secure at all time. Documents may not be sent through the mail which contain all or more than 4 sequential digits of a social security number, if the number can be seen through the envelope window or is otherwise visible from the outside of the envelope of package.

If documents containing social security numbers need to be disposed of, such disposal must be done in such a way to protect the confidentiality of the social security numbers.

EMPLOYMENT CLASSIFICATION-ATTENDANCE

I certify that I have read, fully understand, and accept all of the foregoing terms of this Employee Handbook and acknowledge that while the Employee Handbook does not constitute a contract, **the limitations referenced above** DO constitute a binding contract between me and the Besser Museum.

Besser Museum clarifies the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The following are our employment category definition:

A **full-time** employee works an average of 40 hours or more per workweek. Full-time employees receive full benefits as defined in Section III of this Handbook.

A **part-time** employee works an average of 29 hours or less per workweek. Part-time employees receive limited benefits as defined in Section III of this Handbook.

EXEMPT EMPLOYEES:

Exempt employees generally do not receive overtime pay per federal and state wage and hour laws. In general, exempt employees are paid to accomplish specific goals and conditions irrespective of time requirements. In order to be an Exempt employee, the job position held by an employee must meet specific guidelines set forth by the Department of Labor.

NON-EXEMPT EMPLOYEE:

Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state laws. “Comp time” pay is strictly forbidden with non-exempt employees. Employees may ***not*** be asked to “waive their rights” to any provisions entitled them by the Department of Labor (*i.e.*, overtime pay), nor are employees entitled to request to “waive their rights.”



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The Besser Museum is open to the public seven days a week year-round except for Board approved holidays. Full-time employees are expected to work five (5), eight (8)-hour days per week starting at 8:00 a.m. until 5:00 p.m., with an un-paid hour lunch break during the day. There will be circumstances throughout the yearly schedule that will effective an employee's normal 8:00 a.m. to 5:00 p.m. work week. Prior approval from the Executive Director is needed for any work schedule changes. There will be occasions when conditions necessitate employees to work overtime. Authorization may be given by the Executive Director for full-time, non-exempt employees to adjust their work schedules depending on circumstances.

For the security of museum staff and museum property, the Besser Museum contracts with Security Solutions. The museum's security system has the building scheduled for close at 9:00 p.m. Employees will not be allowed to enter the museum before 7:00 a.m. or stay in the museum past 9:00 p.m. without authorization from the Executive Director.

IT IS THE INTENT OF BESSER MUSEUM TO FULLY COMPLY WITH THE FAIL LABOR STANDARDS ACT (FLSA) WITH REGARD TO ITS CLASSIFICATION OF EMPLOYEES. IF YOU FEEL YOU HAVE BEEN MISCLASSIFIED, PLEASE IMMEDIATELY CONTACT THE EXECUTIVE DIRECTOR.

ATTENDANCE:

Your job is extremely important to us! Therefore, you are expected to be punctual and to keep absences to a minimum. Please give consideration to the Museum and to your fellow workers by giving as much notice as possible. When an absence is unavoidable, the following steps must be taken.

Call the museum to notify the Executive Director whenever an absence is unavoidable. As mentioned before, you are required to give your managers at least 2 hours notice when an illness occurs if possible.

When an unexpected absence or tardiness arises due to an emergency, the employee must notify the Museum. Documentation from a physician may be required for absences due to illness or emergency. If you do not call, your absence will be considered a no-show subject to discipline including termination.

If an employee fails to report to work for two (2) consecutive days and has not notified the museum as stated above, he/she will be considered to have voluntarily terminated employment with Besser Museum. **This Policy is subject to compliance with the ADA.**



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COMPENSATION & BENEFITS

PAYDAY AND PAYCHECKS:

Paychecks are issued twice a month, on the 15th and on the 30th of each month. Paychecks may be automatically deposited into your banking institution if desired. Proper paperwork must be filed for automatic deposits to be made. Printed paychecks can be picked up at the Besser Museum after 12:30 p.m. on the 15th and 30th of each month. Due to the setup of payroll, early distribution is not possible. Paychecks will only be issued to the employee whose name appears on the check. You may call ahead and get permission for a family member to pick up your check; however, they must show identification.

Federal and State law requires that Besser Museum make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. Besser Museum also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." Besser Museum matches the amount of Social Security taxes paid by each employee.

GARNISHMENT:

A wage garnishment is an order from a court of a government agency directing Besser Museum to withhold a certain amount of money from an employee's paycheck and send it to a person or agency. Wages can be garnished to pay child support, spousal support or alimony, tax debts, outstanding student loans, money owed as a result of a judgment in a civil lawsuit, or other.

If we are instructed by a court or agency to garnish your wages, you will be notified of the garnishment. Please note that we are legally required to comply with these orders. If you have a dispute or have a concern about the amount of a garnishment, you must contact the court or agency that issued the order.

LOST PAYCHECKS:

Lost paychecks will be dealt with on an individual basis. Please notify the Executive Director immediately if your paycheck has been lost, laundered, or eaten by a pet.

DIRECT DEPOSIT:

We are now offering direct deposit to employees. If you sign up for direct deposit be sure to notify us immediately if your bank account information changes.

Wages and Salaries are based on education and/or experience. Raises are based on merit and awarded with the parameters of the budget passed yearly by the Board and determined by the Executive Director.



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TIMEKEEPING:

Accurately recording time worked is the responsibility of every employee of Besser Museum. Federal and state laws require Besser Museum to keep an accurate recorded of time worked in order to calculate your pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Exempt employees must accurately record any Paid Time Off and submit information to Payroll.

If you are an employee of Besser Museum, you are expected to record your time using Besser Museum's time keeping system. Your supervisor will advise you of the way to track your time worked. If you are an hourly employee and you forget to record your time or need a correction to be made, you must submit it to the Executive Director for approval and correction.

Neglecting to record your time may cause your hours to be invalidated or incorrectly posted. Falsifying your own time record or that of another is prohibited and may be grounds for disciplinary action including termination.

Overtime work must always be approved by the Executive Director.

IT IS THE INTENT OF BESSER MUSEUM TO FULLY COMPLY WITH ALL STATE AND FEDERAL LAWS INCLUDING THE FLSA. IF YOU BELIEVE YOU HAVE NOT BEEN PAID FOR WORK, YOU MUST IMMEDIATELY CONTACT THE EXECUTIVE DIRECTOR SO THAT CORRECTIVE ACTION CAN BE TAKEN. PLEASE REVIEW SAFE HARBOR POLICY CONTAINED IN THIS EMPLOYEE HANDBOOK.

OVERTIME COMPENSATION

Business demands may occasionally require some employees to work overtime, which means more than 40 hours in a work week. Employees are required to work overtime when requested. Overtime pay will be paid to non-exempt employees when an employee has worked in excess of 40 hours in a workweek.

The Executive Director will try to inform staff well in advance of any overtime requirement. Employees may not work more than their scheduled daily or weekly hours without authorization from the Executive Director. In assigning overtime, extra hours will be distributed equitably among employees who have the required skills and abilities to perform the necessary work.

All employees considered "non-exempt" under the FLSA will be paid at the rate of time and one-half (1 ½ times their regular rate of pay) for all hours worked in excess of 40 hours in one week. Any kind of paid leave (i.e., Holiday Pay, any paid time off, Bereavement, etc.) is not considered as hours worked in the computation of overtime hours.



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All work performed in an overtime status must be approved in advance by the Executive Director, unless such overtime is a result of extenuating circumstances in which case the Executive Director must be notified that overtime has been incurred.

SAFE HARBOR POLICY

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must record correctly all work time and review your paychecks promptly to identify and to report all errors. You also must not engage in off-the-clock or unrecorded work.

REVIEW YOUR PAY STUB:

We make every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen, and are called to our attention, we promptly will make any correction that is necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any question, please use the reporting procedure outline below.

NON-EXEMPT EMPLOYEES:

If you are eligible for overtime pay or extra pay (including pay due under our handbook or a collective bargaining agreement), you must maintain a record of the total hours you work each day. These hours must be accurately recorded. You must record accurately all regular and overtime hours worked, any absences, early or late arrivals, early or late departures, and meal break. When you receive each pay check, please verify immediately that you were paid correctly for all regular and overtime hours worked each workweek.

EXEMPT EMPLOYEES:

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours that you may work for Besser Museum. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

You will receive your full salary for any workweek in which work is performed. However, under federal law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary can be reduced for the following reasons in a workweek in which work was performed:

- Full day absences for personal reasons, including vacation.



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- Full day absences for sickness or disability, since we have a sick day pay plan.
- Full day disciplinary suspensions for infractions of safety rules of major significance (including those that could cause serious harm to others).
- Family and Medical Leave absences (either full or partial day absences).
- To offset amounts received as payment for jury and witness fees or military pay.
- Unpaid disciplinary suspensions of one or more full days for significant infractions of major workplace conduct rules set forth in written policies.
- The first or last week of employment in the event you work less than a full week.

You salary also may be reduced for certain types of deductions, such as, your portion of health, dental, or life insurance premiums: state, federal, or local taxes, Social Security; or voluntary contributions to a 401(k) or pension plan. In any workweek in which you performed any work, your salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness, or disability.
- Your absence because the facility is closed on a scheduled work day.
- Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work.
- Any other deductions prohibited by state or federal law.

PLEASE NOTE: You will be required to use accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness, or disability. However, your salary will not be reduced for partial day absences if you do not have accrued paid time off.

To Report Violations of This Policy, Communicate Concerns, or Obtain More Information:

It is a violation of the Besser Museum's policy for any employee to falsify the time worked or to assist another employee in falsely reporting time worked. It is also a serious violation of Besser Museum policy for any employee, or manager, to instruct another employee to (1) incorrectly or falsely report hours worked or to under- or over-report hours worked, (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, or (3) conceal any falsification of time records or to violate this policy, do not do so. Instead, report it immediately to the Executive Director.

You should not work any hours outside of your scheduled work day unless authorized in advanced by the Executive Director. Do not start work early, finish work late, work during a



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meal break or perform any other extra or overtime work unless you are authorized to do so and that time is recorded on your time card. Employees are prohibited from performing any “off-the-clock” work. “Off-the-clock” work means work you may perform but fail to report on your time card. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge.

If you have questions about deductions from your pay, please contact the Executive Director immediately. If you believe your wages have been subject to any improper deductions or your pay does not accurately reflect all hours worked, you should report your concerns to the director immediately.

Every report will be fully investigated and corrective action will be taken, up to and including discharge of any employee(s) who violates this policy.

In addition, Besser Museum will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in Besser Museum’s investigation of such reports. Retaliation is unacceptable. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge.

BENEFITS ELIGIBILITY

As part of your employment, Besser Museum provides certain benefits. Access to good healthcare is critical in today’s economy. In order to attract and retain employees who contribute to our success, we consistently strive to provide competitive benefits. We continually assess our plans for the value they provide, as well as for the cost to you and the company.

All full-time employees are eligible to participate in our health benefits plan. See plan document for eligibility requirements. Besser Museum reserves the right to unilaterally modify, change, or delete any health benefit provided.

Open enrollment for changes to your health and dental coverage is determined by the plan document. Insurance benefits are part of new hire paperwork. Any changes to health coverage throughout the year may only be done according to any qualifying events as defined by law. Paperwork must be completed in advance and coverage changes requested will occur on the date approved by the company.

Please see the health care policy information provided to the Museum’s by the insurance carrier.

UNEMPLOYMENT COMPENSATION:

Every quarter, Besser Museum contributes funds to unemployment compensation.

The basic reason for unemployment pay is to provide some security to those who are unemployed through no fault of their own. The state is responsible for determining eligibility and



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the amount you will be paid. In order to make an unemployment claim, you must establish your right to the benefits. You must meet certain conditions before you can obtain these benefits.

WORKER’S COMPENSATION:

Worker’s compensation is automatically provided to all employees at Besser Museum’s cost. Payment under this insurance depends upon your cooperation and prompt reporting of any accident and/or injury. All accidents and/or injuries sustained while working should be reported immediately to your supervisor because of compensation insurance requirements, which limit the time in which reports are to be made to the insurance company. Failure to report and injury could result in no coverage of medical treatment or income benefit as the result of the injury.

RETIREMENT PLAN BENEFIT

Full-time employees earning at \$5,000 per year may participate in the museum’s SIMPLE Retirement Plan. The threshold of \$5,000 must be met before the employee enrolls in the Plan.

ANNUAL LEAVE

Annual leave is available to full-time employees. The hours of annual leave available is based on length of employment. Annual leave replenishes every July 1st, unless otherwise stated in a letter of understanding at time of hire. Unused annual leave is forfeited.

1 year	40 hours (1 week)
2 -4 years	80 hours (2 weeks)
5 – 9 years	120 hours (3 weeks)
10+ years	160 hours (4 weeks)

Requests for annual leave must be submitted to the Director as far in advance of the proposed leave as possible. The Director reserves the right to deny annual leave if it would interfere with the effective operation of the Museum or its events. If the Museum’s needs prevent an employee from taking all annual leave within the year, the Director may grant a short extension period. Every employee is required to use five consecutive days of leave once in every year.

If an employee’s status changes from full-time to part-time unused annual leave will be paid to the employee at their equivalent hourly rate of pay. Upon termination of employment, annual leave is paid to the employee at their equivalent rate of pay in cash.



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HOLIDAY LEAVE

Holidays are granted with pay for full-time employees. Holidays observed are approved by the Board and may be annually accessed. The Besser Museum will be closed in observance of the following Holidays:

- New Year's Eve December 31st
- New Year's Day January 1st
- Good Friday
- Easter Sunday
- Memorial Day Last Monday in May
- Independence Day July 4th or observed day
- Labor Day 1st Monday in September
- Thanksgiving 4th Thursday in November
- Christmas Eve December 24th
- Christmas Day December 25th
- Day After Christmas December 26th

BEREAVEMENT LEAVE

Besser Museum recognizes the importance of grieving an immediate family member's death. Full time employees are eligible to take up to three days paid leave (paid at the base rate for days scheduled) following the death of an immediate family member.

For purposes of this policy, Besser Museum defines "immediate family" as your spouse, parent, mother-in-law, father-in-law, child(ren) (natural, step and/or adopted) sister, brother, sister-in-law, brother-in-law, grandparents, your spouse's grandparents, grandchildren or your spouse's grandchildren, anyone living in your household, or related to someone living in your household who is a significant relationship in your life.

EMERGENCY LEAVE

The Director may grant emergency leave with pay to full-time employees. Emergency paid leave will not exceed 40 hours per calendar year. An employee requiring more than the above limit may petition for a leave of absence without pay granted at the discretion of the Director.



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MOTHER'S RIGHTS

BREASTFEEDING:

To extent that an employee needs to breastfeed her child, or to otherwise pump for later use regarding her child, Besser Museum will provide suitable arrangements for the Employee. Employee must inform the Besser Museum of this need.

TIME AND LOCATION OF BREAKS:

Employers are required to provide a reasonable amount of break time to express milk as frequently as needed by the nursing mother. The frequency of breaks needed to express milk as well as the duration of each break will likely vary.

To the extent that an employee needs to breastfeed her child, or to otherwise pump for later use regarding her child, HIGGINS will provide suitable arrangements for the Employee. Employee must inform HIGGINS of this need.

PREGNANCY DISCRIMINATION:

HIGGINS will not discriminate against expecting mothers or mothers that have given birth with regarding terms and conditions of employment, hiring, promoting, and work conditions.

JURY DUTY

Employees required to serve jury duty will receive regular pay for the hours that jury duty coincides with their regular work schedule. A copy of the Summons and certification of service is required to document the leave with pay.

MILITARY LEAVE

Besser Museum is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the Museum's policy that no employee or prospective employee will be subjected to any form of discrimination based on that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment based on such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or company policy.

The Besser Museum will comply with all provisions of the U.S. Uniform Services Employment and Reemployment Rights Act (USERRA) for employees who are members of the U.S. Armed Services Reserve or the Michigan National Guard Reserve, including granting un-paid leave for official duty. A copy of the deployment order is required to document the leave. Employees must



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notify the Executive Director of orders, as soon as possible, and expected duration of leave, if known. In compliance with USERRA, full-time employees deployed to duty may choose to use accrued paid leave during their deployment.

SOLICITATION

Solicitation by an employee of any other employee is prohibited during either employee's work. Distribution or posting of advertising materials, handouts, and literature of any kind is prohibited at all times on company property. Employees may not wear or display political or campaign buttons, signs, stickers, etc. while they are working.

Non-employees are prohibited from trespassing, soliciting, or distributing literature on company property.

Besser Museum recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

Examples of impermissible forms of solicitation include:

- The collection of money, goods, or gifts for religious groups
- The collection of money, goods, or gifts for political groups
- The collection of money, goods, or gifts for charitable groups
- The circulation of petitions
- The distribution of literature not approved by the employer

In addition, the posting of written solicitations on company bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Employee Schedules
- Party Sheets
- Affirmative Action statement
- Internal memoranda
- Organization announcements
- Worker's compensation insurance information
- State disability insurance/unemployment insurance information

SMOKING, ALCOHOL & DRUG POLICY

Smoking is not permitted anywhere inside the offices at any time.



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We have a vital interest in providing you with a safe, healthful, and efficient work environment. We recognize that our employees are valuable. Because of this belief, we strive to maintain a safe, drug-free workplace. We have a zero tolerance for illegal drug use and/or alcohol abuse.

Further, we comply with OSHA's policy on Anti-Retaliation, incentive programs, and reporting requirements.

STATEMENT OF POLICY:

COMPANY is seriously concerned about the adverse effects of alcohol and drug abuse on the health and safety of our employees and our communities, and about maintaining standards of high performance in our business. Dependence on alcohol and/or drugs can interfere with an employee's health and job performance and may pose serious safety, health, or security risks not only to the user but to those who work with the user. The possession, use, sale, or presence of an illegal drug or alcohol in the work place poses unacceptable risks for safe, healthful, and efficient operations, and is illegal.

DEFINITIONS:

- a) Alcohol or alcoholic beverages means any beverage that may be legally sold and consumed and that has an alcoholic content.
- b) Legal drugs means prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured and pursuant to and in accordance with a valid prescription or according to manufacturer's instructions.
- c) Illegal drug means any drug that is (i) not legally obtainable, or (ii) not legally obtained by the user, or (iii) an otherwise legal drug or other substance which is used inappropriately. This term includes prescribed drugs not being used for prescribed purposes, or not being used as prescribed dosages, or not being used by the person to whom the drugs were prescribed. It also includes, but is not limited to, controlled substances as defined below.
- d) Controlled substance as used in this policy means any narcotic drug, hallucinogenic drug, amphetamine, marijuana or any other controlled substance. The term does not include the use of a controlled substance pursuant to a valid prescription or other use authorized by law.

PRESCRIPTION AND/OR LEGAL DRUGS:

- a) Use of prescription or legally obtained drugs, including over-the-counter drugs, by an employee while performing company business or while in a company facility is permitted when used in accordance with directions or prescription and when it does not pose a safety threat to the employee or others.



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- b) If your use of prescription drugs or over-the-counter drugs may affect your capacity to perform job duties or may create a danger to you or other employees, you are required to report such use to your supervisor in charge.
- c) No prescription drugs may be brought onto company premises by any person other than the person for whom the drug has been prescribed by a licensed medical practitioner, and will be used only in the manner, combination and quantity prescribed.

ILLEGAL DRUGS:

The use, possession, manufacture, distribution, or sale of illegal drugs on company property, as well as the presence of an illegal drug in an employee in any detectable amount while on company premises or performing company business, is strictly prohibited. An employee need not be affected by usage or “under the influence” of an illegal drug to be subject to disciplinary action, up to and including termination, under this policy.

ALCOHOLIC BEVERAGES:

a. No alcoholic beverages may be brought on to or consumed on company premises or adjacent parking areas except at company sponsored events authorized by a designated Agency Management Team Member.

b. Being “under the influence” of alcohol while on duty, or in conjunction with COMPANY work related business is prohibited. “Under the influence” means that you are affected by alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor of the obvious impairment of physical or mental abilities such as slurred speech or difficulty in maintaining balance. The determination of being under the influence can be established by a professional opinion, a scientifically valid test, and in some instances, by a reasonable layperson’s objective, documented opinion.

c. Drinking, reasonable evidence of drinking, including having alcoholic beverages on your breath, having slurred speech, inability to stand or walk, or displaying other signs of drinking on company premises or otherwise engaged in performing COMPANY work related duties is strictly prohibited.

d. Impaired job performance as a result of drinking alcoholic beverages is prohibited.

DISCIPLINARY ACTION:

Violation of any portion of this policy can result in disciplinary action, up to and including termination, even for the first offense. Your consent to submit to drug and/or alcohol tests as described below is required as a condition of employment, or continued employment, and your refusal to consent to such testing may result in disciplinary action up to, and including, termination for a first refusal or any subsequent refusal.



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ILLEGAL DRUG ABUSE OR PRESCRIPTION DRUG OR ALCOHOL USE ON THE JOB:

- a) A person presently using illegal drugs will not knowingly be employed or allowed to perform work for COMPANY.
- b) Off duty abuse of alcohol which results in excessive absenteeism or tardiness or is the cause of accidents or poor performance will result in discipline up to and including termination.

SAFETY OF WORKFORCE; WORK RULES; DRUG AND/OR ALCOHOL TESTS:

In order to ensure the safety of all personnel, as a condition of employment, all employees may be required to submit to tests to determine alcohol, abuse of prescription drugs and/or illegal drug use in the following circumstances:

- a) Pre-Placement: To the extent permitted by applicable law, all applicants selected for potential employment may be required to pass a drug-screening test. All offers of employment are conditioned on a successful drug screen. The provider of the test will be determined by the COMPANY. The cost of the test will be paid by the COMPANY.
- b) Reasonable Suspicion: Reasonable suspicion means suspicion based on specific personal observations by the supervisor or a reliable witness concerning such factors as the appearance, behavior, speech, or breathe odor of an employee. If the employee is acting in an abnormal manner and/or a supervisor has reasonable suspicion to believe that an employee is under the influence of alcohol or illegal drugs, the employee may be required to provide an appropriate specimen for laboratory testing by a medical or testing facility designated by BESSER MUSEUM
- c) Post-Accident-Illness/Injury: Any employee with a work-related accident or illness resulting in personal injury (necessitating medical treatment) or substantial damage to property may be required to submit to testing for illegal drug or alcohol use or abuse immediately or as soon thereafter as allowed by the employee's medical condition. For purposes of this provision, the employee will only be required to submit to drug/alcohol testing for incidents for which employee's drug/alcohol use is likely to have contributed to the incident or there is a reasonable basis to investigate whether drug or alcohol use may have caused or contributed to the injury or illness, and for which the drug/alcohol test can accurately identify impairment caused by drug/alcohol use.
 - (i) The provider of the test will be determined by COMPANY and the cost of the test will be paid by COMPANY.
 - (ii) For purposes of this policy, reasonable suspicion means that employee reasonably believes that the incident was caused in part or in whole because the employee was under the influence of drugs or alcohol.



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- (iii) The purpose of this provision is to ensure compliance with OSHA's requirements regarding drug testing.
- d) **Post-Accident-Injury/Illness-Mandatory Testing. Subsection b) above does not apply to mandatory Federal (DOT) or state workers' compensation testing provisions or testing under a state free workplace program to comply with workers' compensation provisions. In such case or under these particular circumstances, employees are required to submit to post-accident-illness/injury drug and alcohol tests.**
 - (i) The provider of the test will be determined by COMPANY and the cost of the test will be.

REFUSAL TO COMPLY WITH MANAGEMENT REQUEST FOR SCREENING:

Refusal to comply with a management request to a drug or alcohol screening will be viewed as insubordination and an employee may be terminated.

Examples of behaviors that constitute refusal to submit to an alcohol or controlled substance screen are as follows:

1. Refusing to provide a specimen. This includes providing an insufficient volume of urine without a valid medical explanation.
2. Tampering with, adulterating, or substituting a specimen.
3. Failing to appear for testing within two hours of being notified.
4. Leaving the scene of an accident without just cause prior to submitting to a test.
5. Leaving collection facility before submitting to a test.
6. Failing to permit an observed or monitored collection when required.
7. Failing to take a second test when required.
8. Failing to undergo a medical examination when required with reasonable time frame.
9. Failing to cooperate with any part of the testing process.
10. Once test is underway, failing to remain at site and provide a specimen.



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OUTSIDE EMPLOYMENT

Besser Museum respects the right of our employees to engage in activities outside of their employment. However, employees must avoid situations that could involve a conflict of interest or adversely affect the employee's ability to meet the company's work requirements.

SAFETY

Your personal safety and that of your co-workers and our guests are of primary concern to the company; your share responsibility for safety. Careful attention has been given by both the company to design work areas, procedures and practices to ensure safe working conditions. Failure to follow and adhere to these procedures and practices jeopardizes both your own safety and that of others. This may result in disciplinary action up to and including dismissal.

If an injury, sustained on the job, is an emergency, proceed to the nearest emergency room. For all other injuries follow the procedures outlined below:

1. Contact your supervisor and notify them of your injury.
2. Complete a "First Report of Injury."
3. Depending on the requirements of our insurance carrier, you may be required to submit to a "POST INJURY" drug/alcohol test.
4. Within the restrictions/limitations placed by the medical practitioner, employees injured on the job, and unable to perform their regular duties, may be assigned transitional duty, if available. Transitional duty is a temporary assignment. Duration will be based on medical documentation and continued recovery, with an anticipated return to full duty.

Be sure to report even minor injuries, even if you think that you do not need to seek medical care.

COMMUNICATION

Open communications among staff and management is critical to our success and to yours. You are encouraged to consult with your manager if you have questions, problems or ideas that you feel should be discussed. If you are uncomfortable discussing a matter with your manager, or you are not satisfied with the response received, you should arrange a meeting with the Executive Director.

INTERNET AND INTRANET USER POLICY

Besser Museum encourages the use of these media and associated services because these information technologies make communication more efficient and effective and because they are



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valuable sources of information, e.g. about vendors, customers, new products and services. However, electronic media and services provided by the Besser Museum, including access to the Internet and or Besser Museum property and their purchases are to facilitate Besser Museum business.

This policy statement cannot lay down rules to cover every possible situation. Instead, it expresses the Besser Museum's philosophy and sets forth general principles to be applied to the use of electronic media and services, which are accessed on or from Besser Museum premises, accessed using Besser Museum computer equipment or via Besser Museum-paid access methods; and/or used in a manner that identifies the individual with the Besser Museum.

1. The Internet, including the World Wide Web may not be used for transmitting, retrieving or storage of any communications of a discriminatory or harassing nature, derogatory to any individual or group, obscene or X-rated, or a defamatory or threatening nature, for "chain letters," or for any purpose which is illegal or against Besser Museum policy and, therefore, contrary to the Besser Museum's interest.
2. Access to the Internet, including the World Wide Web is provided for use in connection with the business. **All non-business related use of company computer equipment or services is prohibited.**
3. Electronic information created and/or communicated over computer equipment or services provided or owned by the Besser Museum are subject to being monitored by Besser Museum personnel and the Besser Museum reserves the right, in its sole discretion, without notice to review all electronic files and messages and usage to the extent necessary to ensure that electronic media and services are being used in compliance with the law and with this and other museum policies.
4. Users must respect the confidentiality of other people's electronic communications and may not attempt to read, "hack" into the system or other people's logins, "crack" passwords, breach computer or network security measures or monitor electronic file or communications of other employees or third parties.
5. No email or other electronic communications may be sent over the Internet, including the World Wide Web, which attempts to hide the identity of the sender or represent the sender as someone else.
6. Anyone obtaining electronic access to other Besser Museum's or individual's materials must respect all copyrights and may not copy, retrieve, modify or forward copyright materials, unless permitted by the copyright owner or permitted by law. No employee may download or install any unauthorized software, program executable code or image from any source without explicit written approval from the Executive Director.



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7. Company-provided Internet/Intranet and e-mail privileges, like computer systems and networks, are considered company resources and are intended for business purposes only. Employees should be aware that usage is or may be monitored for unusual or prohibited activity.
8. Corporate e-mail accounts, Internet IDs and Web pages are not to be used for anything other than corporate-sanctioned communications. The distribution of any information through the Internet, computer-based services, e-mail and messaging system is subject to the scrutiny of the museum. The Besser Museum reserves the right to determine the suitability of this information.

This policy applies to all employees of Besser Museum. Exceptions to this policy should be obtained in writing, approved by the Executive Director and/or the Besser Museum Board of Trustees.

WORKPLACE RULES

Besser Museum believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in the area. If employees have concerns about work conditions or compensation, they are encouraged to voice these concerns openly and directly to the Executive Director.

Our experience has shown that when employees deal openly and directly with the Director, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that we amply demonstrate our commitment to you by responding effectively to your concerns.

You must conduct yourself with honesty. You are required to comply fully with applicable laws, to deal fairly and honestly with the public and private sectors, and to seek guidance from your Executive Director when questions arise. You must be vigilant in ensuring compliance with applicable federal, state, and local laws affecting other employees, business relationships and those we serve. You must avoid situations involving, or which could involve, conflicts of interest, and must maintain the confidentiality of corporate records, data and other proprietary information, and be in compliance with all HIPAA regulations.

To ensure orderly operations and provide the best possible work environment, we expect employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

The offenses and disciplinary actions listed on the following pages are not all-inclusive. Any unacceptable conduct, though not specifically covered by the following items, may result in disciplinary action, up to and including termination.



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Repeated violation of the same rule, violation of more than one rule in a single act or violations of different rules at different times shall be cause for accelerated or compound disciplinary action including termination.

1. Poor job performance, including carelessness, poor quality of work, and failure to complete assigned tasks in a timely fashion.\
2. Acts of violence, threats of violence, or dishonesty involving managers, guests or fellow employees.
3. Excessive absenteeism or tardiness or any absence without approval.
4. Unauthorized handling of personal affairs during working time, including use of cell phones, telephones, or other employer-owned communication equipment.
5. Falsification of employment applications or other company records, including payroll information.
6. Violation of federal, state, or local law or failure to follow prescribed rules or regulations that could result in potential legal action.
7. Deliberate misrepresentation of facts to a supervisor or other museum representative concerning any work-related matters.
8. Engaging in harassment of any kind, including displaying offensive sexual material, or sexual harassment toward another employee or guest.
9. Possession or sale of firearms, explosives, or other dangerous or unauthorized materials on museum property.
10. Smoking/eating in unauthorized areas or unauthorized times.
11. Failure to report a workplace accident or being involved in an excessive number of workplace accidents.
12. Removing, defacing, or altering museum postings.
13. Failure to adhere to company policies and procedures.

CUSTOMER RELATIONS

Impressions are constantly changed and formed by every contact our customers have with our service. Every time our customer hears or sees anything having to do with Besser Museum, it strengthens or changes their perception of us.



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We expect our visitors to have great expectations and a very positive impression of us. It is up to each employee to fulfill these expectations and build a lasting impression. We must consider quality in every aspect of what we do and say. Our reputation is our future.

Internal problems should be discussed with the Executive Director, not customers. At one time or another we all become frustrated as a result of our own internal problems. These problems may result from a period of turnover, administrative backlog, human error, or other issues. However, when we communicate these inefficiencies to our customers, we only lose our own credibility.

Failure to provide excellence in service as deemed necessary by the Besser Museum will result in disciplinary action, up to and including termination.

EMPLOYEE RECOURSE PROCEDURE

We have a sincere interest in employee well-being and in responsiveness to employment related issues. As a result, employees are free to discuss matters related to their job either personally or in writing, without fear of retaliation. You may submit your complaint to the Executive Director, in writing, who will undertake the investigation. If you believe it would be inappropriate to discuss the matter with the Executive Director, you may inform the Director of your intent to submit your complaint to the President of the Board of Trustees. If the Executive Director is the subject of the report you need not discuss it with him or her before submitting your complaint to the President of the Board. The following are the steps to filing a complaint:

Step One

Complete a written complaint.

- You should keep a copy for yourself.
- Give a copy to the Executive Director.
- If the complaint is about the Executive Director, a copy of the complaint should be submitted to the President of the Board of Trustees.

Step One Response

A response will be given to you. The timing of the response will be subject to the necessary time needed for a thorough investigation, if required, and any other issues that may surround the complaint. Periodic follow-up will be given throughout the courses of the investigation.

Step One Conclusion

You will be given a reasonable amount of time (generally five (5) days, no more than ten (10) to accept or reject the initial response. If you are not satisfied with the response, you may reject the response and appeal to Step Two.



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Step Two

The initial written complaint will be forwarded to the Executive Director and a copy will be forwarded to the President of the Board of Trustees.

Step Two Response

A response will be given to you. The timing of the response will be subject to the necessary time needed for additional investigation, if required, and any other issues that may surround the complaint. Periodic follow-up will be given throughout the courses of the investigation.

Step Two Conclusion

You will be given a reasonable amount of time (generally five (5) days, no more than ten (10) to accept or reject the response given in Step Two. If you are not satisfied with the response, you may reject the response and appeal to Step Three.

Step Three

The initial written complaint will be forwarded will be forwarded to the President of the Board of Trustees.

Step Three Response

The President of the Board of Trustees may request a meeting with all parties involved. Notes of the meeting will be taken and initialed by all parties at the meeting. A response will be given to you by the President of the Board of Trustees. The timing of the response will be subject to the necessary time needed for any additional investigations, if required, and any other issues that may surround the complaint. Periodic follow-up will be given throughout the course of the investigation.

Step Three Conclusion

The written response of the President of the Board of Trustees will be the final response given.

Due to the amount of time needed for a thorough investigation, the provisions of this policy are not available to employees who have already submitted their separation notice, or are no longer employees.

JOB PERFORMANCE ASSESSMENT

An annual job performance assessment will be conducted by the Executive Director. The purpose of the assessment is to review the employee's performance against the job description and establish future objectives. The goal is to applaud strengths and develop a plan to overcome weaknesses. If an employee disputes issues within the evaluation they may place a written statement of disagreement in their file. An employee may request to see their personnel file and expect access within a responsible period.



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EMPLOYMENT SEPARATION

Upon termination, an employee must return Museum property issued to them. Employees covered by health benefits will receive continued coverage through the last day of the month discharge.

DRESS CODE GUIDELINES

A neat, well-groomed appearance reflects favorable on the Besser Museum and you, and inspires the confidence of those we serve.

Clothing should be clean, neat in appearance and of modest nature.

To the extent that you require an accommodation to this policy because your religion or religious beliefs, please immediately inform the Executive Director with your request so that Besser Museum made evaluate your request and take appropriate action.

SECURITY POLICY

The museum holds in trust for the public the artifacts and specimens that document the art, history and science of Northeast Michigan. Employees are expected to give security top priority in their daily museum operations. No employee may loan a restricted key that has been issued to him/her to anyone else. Lost keys must be reported immediately to the Director.

Any employee who makes a duplicate copy of a Museum key, loans his/her key to someone else, or leaves an outside door of collections door un-secured will be subject to disciplinary action up to and including termination.

CONFLICT OF INTERESTS

Besser Museum expects employees to avoid activities that create a conflict of interest with their responsibilities to the museum. While each employee is entitled to privacy in his or her personal affairs and endeavors, each employee has a duty to be free of outside interest, investments, activities and/or influences which might:

- a) Violate any law, ordinance, or government regulation; or
- b) Impair the exercise of a supervisor's or employee's judgment, fiduciary responsibility, initiative or efficiency in acting for the company; or
- c) Expose an employee or the museum to legal liability or public criticism; or
- d) Be harmful or detrimental to the museum or which would violate high standards of professional conduct.



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It is our policy not to permit you or your immediate family members to accept, either directly or indirectly, any types of services, vacations, cash payments (other than reasonable reimbursement of out of pocket expenses), or loans from any person with whom you relate to in the course of your work with Besser Museum.

OUTSIDE CONSULTING, COMMITTEES & SPEECHES

Employees are encouraged to speak to community groups and serve on advisory committees that promote the museum or promote the visibility of the museum in the community. Paid outside consultation or teaching is permitted as long as preparation time and museum resources are not utilized as part of this activity.

COMMERICAL PUBLICATIONS & OTHER CREATIVE ACTIVITIES

Publication of original research by employees is encouraged. The product of original research or writing performed during work hours is subject to copyright by the museum. Films, videotapes, artwork, education kits, computers programs, etc., that can be copyrighted or patented, and that are developed during regular work hours and with museum resources, are the property of the Museum.

POLITICAL ACTIVITY

Employees of the Museum, as a Public Charity, cannot be associated with political lobbying or candidate campaigns during regular work hours. No museum resources can be used for such activities, including telephones, computers, copiers, supplies, etc. Employees can not engage in campaign or political activity as an identified museum employee. An employee who pursues political activity in violation of these rules will be terminated immediately.

WEATHER OR PUBLIC EMERGENCY

Weather or public emergency situations are granted paid leave if public safety personnel mandate public behavior during the emergency that prohibits and employee reporting to work or if the Director declares the museum's facilities closed. If an employee cannot report to work because of the weather or an emergency, she/he must notify the Director as soon as possible, the grant of paid emergency leave may be granted at the discretion of the Director.

SECURITY-COMPUTER AND INSPECTIONS

As we continue to implement technological advances in our day-to-day operations, it is very important that we also take the extra steps necessary to ensure we maintain the proper protection of medical information. In April 2005, the HIPAA Security Rule went into effect. The Rule states that we are to "ensure the confidentiality, integrity, and availability of all electronic protected health information the covered entity creates, receives, maintains, or transmits." As a



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result of these guidelines and our overall desire to maintain the integrity and security of our data, our level of computer security has been raised, and we now monitor the security of our network and workstations very closely.

EMPLOYEES HAVE NO EXPECTATIONS OF PRIVACY WITH REGARD TO COMPUTERS, INTERNET, TELEPHONES, DESKS, LOCKERS, AND OTHER STORAGE DEVICES PROVIDED TO EMPLOYEES.

Desks and others storage devices may be provided for your convenience, but remain the sole property of the employer. Accordingly, they as well as any articles found within them, can be inspected by a police officer or representative of the employer at any time, either with or without prior notice.

We also wish to discourage theft or unauthorized possession of the property of employees, our company, clients, and visitors. To facilitate enforcement of this policy, Besser Museum or its representative may inspect not only desk and offices, but also packages and persons entering and/or leaving the premises. If you wish to avoid inspection of any articles or materials, you should not bring such items onto museum premises.

Besser Museum may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

Because we are sensitive to the legitimate privacy of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

EMPLOYEES HAVE NO EXPECTATIONS OF PRIVACY WITH REGARD TO COMPUTERS, INTERNET, TELEPHONES, DESK LOCKERS, AND OTHER STORAGE DEVICES PROVIDED TO EMPLOYEES.

SOCIAL MEDIA POLICY

Social media are powerful communication tools and further employees' personal reputations. Because they blur the lines between personal voice and institutional voice, Besser Museum has crafted the following policy and guidelines to help clarify how best to enhance and protect personal and professional reputations when participating in social media. Social media has expanded the way people communicate. Besser Museum views online networking communities as tools to strengthen the museum, its culture, conditions of employment and further employment and further employees' personal reputation.

As a business, Besser Museum is held to a different standard when it comes to its online communications.

This policy and the guidelines set forth herein should be applied to any online medium where information may reflect back on the image of Besser Museum. This policy and guidelines applies to all forms of social media including, but not limited to: blogs, message boards, Internet forums,



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blogs (WordPress[®]), microblogs (Twitter[®]), online profiles (Facebook[®] / LinkedIn[®] / Match[®] / Myspace[®]), diaries, journals, wikis, podcasts, chat rooms, picture albums (Flickr[®] / Picasa[®] / Shutterfly[®]), videos (YouTube[®]), email, instant messaging or any other form or process.

DISCLAIMER: Nothing in this policy shall be construed to restrict an employee's rights under Section 8(a)(1) of the National Labor Relations Act and specifically Section 7 of the Act. This policy does not apply to discussions or activities involving your terms and conditions of employment, wages, hours, and working conditions.

A. General Guidelines

In order to maintain the museum's reputation and legal standing and to protect confidential and proprietary information of Besser Museum and its customers, the following guidelines apply to all employees of Besser Museum when using Besser Museum's internet, computer, or related systems or devices or when using their personal systems or devices outside of work.

- Do not post as an agent or representative of Besser Museum without first acquiring permission from the owners.
- Do not unlawfully reveal confidential and/or proprietary information regarding Besser Museum and its members
- Do not reveal client/member information.

Be aware of Liability. You are responsible for what you post on your own site and on the sites of others. Individual bloggers have been held liable for commentary deemed to be copyright infringement, defamatory, proprietary, libelous, or obscene (as defined by the courts).

- Respect Besser Museum's time and property. Do not engage in personal social media conversations unrelated to your job, job conditions, and/or terms of employment while at work during normal work hours (excluding breaks or lunch break).
- Maintain transparency. The line between professional and personal business is sometimes blurred. Be thoughtful about your postings and the content of such postings and potential audiences. Be honest about your identity. In personal posts, you must be clear that you are sharing your views as an individual, not as a representative of the Museum.
- Do not participate in personal social media conversations while at work.
- Do not approve recommendations or testimonials.



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- Do not post obscenity, profanity, sexual references or references to illegal drugs.
- Do not engage in any discriminatory conduct of any nature or form as proscribed under State and Federal law.

B. Posting as an Individual

- Be authentic. Be honest about your identity.
- Use a disclaimer. If you publish content on any website outside of the Museum and it has something to do about work you do, or subjects associated with the Museum, use a disclaimer such as this “The postings on this site are my own and do not represent the Museum’s position, strategies or opinions.”
- Do not illegally use Besser Museum’s logo or copyright material.
- Be accurate.
- Be aware of Liability. You are responsible for what you post on your own site and on the sites of others. Individual bloggers have been liable for commentary deemed to be copyright infringement, defamatory, proprietary, libelous, or obscene (as defined by the Courts). Discriminatory conduct of any nature or form as proscribed under State and Federal law.
- Besser Museum reserves the right to monitor comments or discussions about its employees, clients, competitors and the industry posted by anyone for the purpose of protecting legitimate protected proprietary, confidential and financial information, enforce anti-harassment and anti-discrimination policies, and to protect client confidential information.
- Employees are also cautioned that they should have **no expectation** of privacy or confidentiality using Besser Museum’s equipment or facilities.
- Failure to comply with this policy may lead to disciplinary action up to and including termination. If appropriate, the museum will pursue all available legal remedies. The museum will also report suspected unlawful conduct to the appropriate law enforcement authority.



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ACKNOWLEDGEMENT AND AGREEMENT

***** Important Read Carefully *****

I acknowledge receipt of **Besser Museum**'s Employee Handbook day _____. I understand and agree that I am bound by the policies, terms and conditions of employment set forth in this Employee Handbook. However, notwithstanding the foregoing, nothing in this Handbook modifies, alters, waives or changes any individual written employment contracts between **Besser Museum** and me. To the extent the policies in the Handbook conflict with such individual written employment contracts, the terms of the individual contract controls. I understand and agree that **Besser Museum** has the right to unilaterally modify and /or terminate any policies, practices, procedures and standards it has adopted or implemented, to the extent not limited by law. I also understand that this Manual is not a contract, express or implied, and it does not guarantee employment for any specific duration.

I understand and agree that my employment with **Besser Museum** is "at will" and that I may terminate my employment at any time, for any reason, with or without notice and the Besser Museum may do the same. I understand and agree that the Policies and conditions stated in this Employee Handbook govern my employment at **Besser Museum**. I understand and agree that this Employee Handbook supersedes and cancels any prior contrary verbal or written policies, statements, understandings, or agreements concerning the terms and conditions of my employment with **Besser Museum**. I understand and agree that no employee has the authority to change the terms of my employment as stated in this Employee Handbook other than the Executive Director of Besser Museum.

I further understand that while the policies in the Employee Handbook do not constitute a contract, I agree, acknowledge and affirm that the limitations set forth below DO constitute a binding agreement between me and the Besser Museum the consideration of which is my employment, continued employment, participating in benefits, and other compensation.

To the extent permitted by state law, I understand and agree that I shall not commence any state law action or suit related to my employment: 1) more than six months after the termination of my employment, if the action or suit is related to the termination of my employment; or 2) more than six months after the event or occurrence on which my claim is based, if the action or suit is based on an event or occurrence other than the termination of my employment. While I understand that the stature of limitations for state law claims arising out of my employment with Besser Museum may be longer than six (6) months, I agree to be bound by the six (6) month period limitations set forth herein and I waive any statute of limitations to the contrary. Should a court determine in some future lawsuit that this provision allows an unreasonably short period of time to commence a lawsuit, the court shall enforce within the minimum reasonable time within which the suit should have been commenced as provided by the then existing law.



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To the extent permitted by law, I understand and agree that I shall not commence any EEOC administrative action related to my employment: 1) more than six months after the termination of my employment, if the action or suit is related to the termination of my employment; or 2) more than six months after the event or occurrence on which my claim is based, if the action or suit is based on an event or occurrence other than the termination of my employment. While I understand that the time period for filing and EEOC charge may be longer than six (6) months, I agree to be bound by six (6) month period of limitations set forth herein and I waive any statute of limitations of filing requirements to the contrary. To the extent permitted by law, I understand and agree that any Federal law claim or lawsuit relating to my employment must be filed no more than 185 days after the date of filing a proper and timely charge with the EEOC, NLRB, or if any other administrative agency has occurred or expired. While I understand that the statute of limitations for claims arising out of an employment action may be longer than 185 days, I waive any statute of limitations to the contrary, unless federal law prohibits such waiver or prohibits such a reduction in the statute of limitations.

THE CONSIDERATION FOR THE WAIVERS SET FORTH ABOVE IS MY EMPLOYMENT, CONTINUED EMPLOYMENT AND OPPORTUNITY TO RECEIVE PAY, BONUSES AND BENEFITS AS PROVIDED BY BESSER MUSEUM.

I certify that I have read, fully understand, and accept all of the foregoing terms of this Employee Handbook and Acknowledgement and Agreement and acknowledge that while the Employee Handbook may not constitute a contract, the limitations referenced above DO constitute a binding contract between me and Besser Museum.

Employee Signature:

Print Name of Employee:

Date:
