



# **Deer Creek Homeowner's Association Employee Handbook**

**8925 Deer Creek Blvd., Montgomery, AL-36117**  
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## **WELCOME LETTER**

Welcome to Deer Creek! We are excited to have you on board and look forward to working with you for the success of our neighborhood. Our goal is to create a truly safe, kind, and beautiful community for the homeowners that live here and provide them with the best customer service, amenities, and experience. Our homeowners are at the heart of what makes Deer Creek the place it is and we strive each day to make each experience and encounter informative, efficient, and above all else welcoming.

This handbook is designed to acquaint you with Deer Creek and to provide you with information about office policies, expectations, and your responsibilities as an employee of the Deer Creek Homeowners Association. No employee handbook can anticipate every circumstance or question about policy. Consequently, Deer Creek reserves the right to revise, supplement, or rescind any policies or portions of the handbook as it deems appropriate. Employees will be notified of such changes to the handbook as they occur. If there are any differences between this handbook and other Deer Creek procedures or protocols, this handbook prevails.

As you review the policies set forth in this handbook, keep in mind that they are not intended to create a contract nor are they to be construed as a contract of employment between Deer Creek and its employees. All employees of Deer Creek are “at will” employees. The provisions contained in this handbook supersede all existing policies and practices and may not be amended or added to without the express written approval of the Board of Directors. If an employee has a work-related question not specifically covered in this Manual, it should be submitted to the Executive Director or the President of the Board of Directors. Any previous employee handbook(s) is hereby replaced in its entirety and considered null and void.

We look forward to having you as part of the Deer Creek family.

**EMPLOYEE RECEIPT AND ACCEPTANCE**

I hereby acknowledge receipt of the Deer Creek Homeowner’s Association Employee Handbook. I understand that it is my continuing responsibility to read and know its contents. I also understand and agree that the Employee Handbook is not an employment contract for any specific period of employment or for continuing or long- term employment. Therefore, I acknowledge and understand that the Deer Creek Homeowner’s Association has the right to terminate my employment at any time with or without notice and with or without cause.

I have read, understand, and agree to all of the above. I have also read and understand the Deer Creek Homeowner’s Association Employee Handbook. I agree to return the Employee Handbook upon termination of my employment.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

Please make sure you have sign and return the handout of this form to the Executive Director.

## **CONFIDENTIALITY POLICY**

Any information that an employee learns about the Deer Creek Homeowner's Association, or its members or donors, as a result of working for the Deer Creek Homeowner's Association that is not otherwise publicly available constitutes confidential information. Employees shall not disclose confidential information to anyone, including but not limited to homeowners and vendors, and any other unauthorized persons without expressed authorization from the Board and/or the Executive Director. If disclosure of confidential information is within the scope of employment and necessary to the employee's accomplishment of job duties and responsibilities, the employee shall get approval from the Executive Director prior to doing so.

The disclosure, distribution, electronic transmission, or copying of Deer Creek Homeowner's Association confidential information is prohibited. Any employee who discloses confidential Deer Creek Homeowner's Association information will be subject to disciplinary action, including termination, even if he or she does not actually benefit from the disclosure of such information.

Please refer to the handbook's section on NON- DISCLOSURE OF CONFIDENTIAL INFORMATION and your copy of the Employee Confidential Information Agreement.

# Deer Creek Homeowner’s Association

## EMPLOYEE HANDBOOK

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## 1. OVERVIEW

Deer Creek Homeowners Association, Inc. (“Deer Creek”) is an Alabama nonprofit corporation. Deer Creek’s Employee Handbook (the “Handbook”) has been developed to provide general guidelines about Deer Creek’s policies and procedures for employees. It is a guide to assist you in becoming familiar with some of the privileges and obligations of your employment, including Deer Creek’s policy of voluntary at-will employment. None of the policies or guidelines in the Handbook are intended to give rise to contractual rights or obligations, or to be construed as a guarantee of employment for any specific period of time, or any specific type of work. Additionally, with the exception of the voluntary at-will employment policy, these guidelines are subject to modification, amendment or revocation by Deer Creek Homeowner’s Association at any time, without advance notice.

The personnel policies of Deer Creek are established by the Board of Directors, which has delegated authority and responsibility for their administration to the Executive Director. The Executive Director may, in turn, delegate authority for administering specific policies. Employees are encouraged to consult the Executive Director for additional information regarding the policies, procedures, and privileges described in this Handbook. Questions about personnel matters also may be reviewed with the Executive Director.

Deer Creek will provide each individual a copy of this Handbook upon employment. All employees are expected to abide by it. The highest standards of personal and professional ethics and behavior are expected of all Deer Creek employees. Further, Deer Creek expects each employee to display good judgment, diplomacy and courtesy in their professional relationships with members of Deer Creek’s Board of Directors, committees, membership, staff, and the general public.

## 2. RIGHT TO REVISE

This Employee Handbook contains the employment policies and practices of Deer Creek in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded by the policies in this handbook.

Deer Creek reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document, except for the policy of at-will employment. Any written changes to this handbook will be distributed to all Employees so that everyone will be aware of the new policies or procedures. Changes will be effective on the dates determined by the Board. No oral statements or representations can in any way alter the provisions of this handbook. Nothing in this Employee Handbook or in any other human resource documents, including benefit plan descriptions, creates or is intended to create a promise or

representation of continued employment for any Employee. If you are uncertain about any policy or procedure, please check with the Executive Director.

### 3. VOLUNTARY AT-WILL EMPLOYMENT

Unless an employee has a written employment agreement with Deer Creek, which provides differently, all employment at Deer Creek is “at- will.” That means that employees may be terminated from employment with Deer Creek with or without cause. Any representation by any Deer Creek officer or employee contrary to this policy is not binding upon Deer Creek unless it is in writing and is signed by the Board of Directors.

### 4. EQUAL EMPLOYMENT OPPORTUNITY

Deer Creek shall follow the spirit and intent of all federal, state and local employment law and is committed to equal employment opportunity. To that end, the Board of Directors of Deer Creek will not discriminate against any employee or applicant.

Deer Creek is committed to providing equal opportunity for all employees and applicants without regard to race, color, religion, national origin, sex, age, marital status, sexual orientation, disability, political affiliation, personal appearance, family responsibilities, matriculation or any other characteristic protected under federal, state or local law. Each person is evaluated on the basis of personal skill and merit. Deer Creek’s policy regarding equal employment opportunity applies to all aspects of employment, including recruitment, hiring, job assignments, promotions, working conditions, scheduling, benefits, wage and salary administration, disciplinary action, termination, and social, educational, and recreational programs. The Executive Director shall act as the responsible agent in the full implementation of the Equal Employment Opportunity policy. Deer Creek will not tolerate any form of unlawful discrimination. All employees are expected to cooperate fully in implementing this policy. In particular, any employee who believes that any other employee of Deer Creek may have violated the Equal Employment Opportunity Policy should report the possible violation to the Executive Director. If the complaint is against the Executive Director, then the Employee should report the possible violation to the President of the Board of Directors.

If Deer Creek determines that a violation of this policy has occurred, it will take appropriate disciplinary action against the offending party, which may include termination. Employees who report, in good faith, violations of this policy and employees who cooperate with investigations into alleged violations of this policy will not be subject to retaliation. Upon completion of the investigation, Deer Creek will inform the employee who made the complaint of the results of the investigation and the disciplinary action warranted.

Deer Creek is also committed to complying fully with applicable disability discrimination laws and ensuring that equal opportunity in employment exists at Deer Creek for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory

basis. Reasonable accommodations will be available to all qualified disabled employees, upon request, so long as the potential accommodation does not create an undue hardship on Deer Creek. Employees who believe that they may require an accommodation should discuss these needs with the Executive Director.

## 5. IMMIGRATION LAW COMPLIANCE

Deer Creek is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Deer Creek within the past three years, or if their previous I-9 is no longer retained or valid.

## 6. DISABILITY ACCOMODATION

Deer Creek is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Employment decisions are based on the merits of the situation in accordance with defined criteria, and not the disability of the individual. Deer Creek is committed to taking all actions necessary to ensure equal employment opportunities for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

## 7. POLICY AGAINST WORKPLACE HARASSMENT

Deer Creek is committed to providing a work environment for all employees that is free from sexual harassment and other types of discriminatory harassment. Employees are expected to conduct themselves in a professional manner and to show respect for their co-workers. Deer Creek's commitment begins with the recognition and acknowledgment that sexual harassment and other types of discriminatory harassment are, of course, unlawful. To reinforce this commitment, Deer Creek has developed a policy against harassment and a reporting procedure for employees who have been subjected to or witnessed harassment. This policy applies to all work-related settings and activities, whether inside or outside the workplace and includes business trips and business-related social events.

Deer Creek's property (e.g. telephones, copy machines, facsimile machines, computers, and computer applications such as email and Internet access) shall not be used to engage in conduct



that violates this policy. Deer Creek's policy against harassment covers employees and other individuals who have a relationship with Deer Creek which enables Deer Creek to exercise some control over the individual's conduct in places and activities that relate to Deer Creek's work (e.g. directors, officers, contractors, vendors, volunteers, etc.).

*Prohibition of Sexual Harassment:* Deer Creek's policy against sexual harassment prohibits sexual advances or requests for sexual favors or other physical or verbal conduct of a sexual nature, when: (1) submission to such conduct is made an express or implicit condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual who submits to or rejects such conduct; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, humiliating, or offensive working environment. While it is not possible to list all of the circumstances which would constitute sexual harassment, the following are some examples: (1) unwelcome sexual advances – whether they involve physical touching or not; (2) requests for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment; or (3) coerced sexual acts.

Depending on the circumstances, the following conduct may also constitute sexual harassment: (1) use of sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; (2) sexually oriented comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess; (3) displaying sexually suggestive objects, pictures, cartoons; (4) unwelcome leering, whistling, deliberate brushing against the body in a suggestive manner; (5) sexual gestures or sexually suggestive comments; (6) inquiries into one's sexual experiences; or (7) discussion of one's sexual activities.

While such behavior, depending on the circumstances, may not be severe or pervasive enough to create a sexually hostile work environment, it can nonetheless make co-workers uncomfortable. Accordingly, such behavior is inappropriate and may result in disciplinary action regardless of whether it is unlawful. It is also unlawful and expressly against Deer Creek policy to retaliate against an employee for filing a complaint of sexual harassment or for cooperating with an investigation of a complaint of sexual harassment.

*Prohibition of Other Types of Discriminatory Harassment:* It is also against Deer Creek's policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, gender, religion, sexual orientation, age, national origin, disability, or other protected category (or that of the individual's relatives, friends, or associates) that: (1) has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Depending on the circumstances, the following conduct may constitute discriminatory harassment: (1) epithets, slurs, negative stereotyping, jokes, or threatening, intimidating, or hostile acts that relate to race, color, gender, religion, sexual orientation, age, national origin, or disability; and (2) written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, sexual orientation, age, national origin, or disability and that is circulated in the workplace, or placed anywhere on Deer Creek's premises such as on an employee's desk or workspace or on Deer Creek's equipment or bulletin boards. Other conduct may also constitute discriminatory harassment if it falls within the definition of discriminatory harassment set forth above. It is also against Deer Creek's policy to retaliate against an employee for filing a complaint of discriminatory harassment or for cooperating in an investigation of a complaint of discriminatory harassment.

*Reporting of Harassment:* If you believe that you have experienced or witnessed sexual harassment or other discriminatory harassment by any employee of Deer Creek, you should report the incident immediately to your supervisor or to the Executive Director. Possible harassment by others with whom Deer Creek has a business relationship, including customers and vendors, should also be reported as soon as possible so that appropriate action can be taken.

Deer Creek will promptly and thoroughly investigate all reports of harassment as discreetly and confidentially as practicable. The investigation would generally include a private interview with the person making a report of harassment. It would also generally be necessary to discuss allegations of harassment with the accused individual and others who may have information relevant to the investigation. Deer Creek's goal is to conduct a thorough investigation, to determine whether harassment occurred, and to determine what action to take if it is determined that improper behavior occurred.

If Deer Creek determines that a violation of this policy has occurred, it will take appropriate disciplinary action against the offending party, which may include termination. Employees who report violations of this policy and employees who cooperate with investigations into alleged violations of this policy will not be subject to retaliation. Upon completion of the investigation, Deer Creek will inform the employee who made the complaint of the results of the investigation and the disciplinary action warranted.

Compliance with this policy is a condition of each employee's employment. Employees are encouraged to raise any questions or concerns about this policy or about possible discriminatory harassment with the Executive Director. In the case where the allegation of harassment is against the Executive Director, please notify the President of the Board of Directors.

## 8. DRUG-FREE WORKPLACE

Deer Creek strives to provide a drug-free, healthy, and safe workplace for Employees and members. Use of illegal or controlled substances, whether on or off the job, can detract from an Employee's work performance, efficiency, safety, and health, and therefore seriously impair the Employee's value to Deer Creek.

In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other Employees and exposes Deer Creek to the risks of property loss or damage, or injury to other persons. Employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner. The following rules and standards of conduct apply to all Employees either on Deer Creek property or during the workday (including meals and rest periods).

Behavior that violates Company policy includes but is not limited to:

- Possession or use of an illegal or controlled substance, or being under the influence of an illegal or controlled substance while on the job;
- Employees shall not consume alcoholic beverages at any time during working hours or at any function in association with work.
- Any individual taking prescribed medication should consult with his/her physician(s) to determine whether the medication may have an adverse effect on job performance or workplace safety. Employees should report the use of physician-prescribed or over-the-counter medications which are likely to adversely affect job performance or workplace safety to the Executive Director.
- Distribution, sale or purchase of illegal or controlled substance while on the job.

Violations of this policy may lead to disciplinary action, up to and including termination. Such violations may also have legal consequences.

In order to enforce this policy, Deer Creek reserves the right to:

- Conduct searches of Deer Creek property, Employees, and/or an Employee's personal property being used on Company property or in the performance of your duties, and to implement other measures necessary to deter and detect abuse of this policy;
- Test any Employee for any reason at any time, including pre-employment drug testing, post-accident or injury drug testing, and random drug testing.
- Test any employee based on reasonable suspicion that the employee may be under the influence, following workplace accidents or unsafe practices, or as a follow-up procedure where the

employee previously has tested positive or has completed a drug rehabilitation or counseling program.

An Employee's conviction on a charge of illegal sale or possession of any controlled substance while off Deer Creek property will not be tolerated because such conduct reflects adversely on Deer Creek. In addition, Deer Creek will keep people who sell or possess controlled substances off Deer Creek premises in order to keep the controlled substances off the premises. Any Employee who is using prescription or over-the-counter drugs that may impair the Employee's ability to safely perform the job, or affect the safety or well-being of others, must notify the Executive Director of such use immediately before starting or resuming work.

## 9. SOLICITATION

Employees are prohibited from soliciting (personally or via electronic means) for membership, pledges, subscriptions, the collection of money or for any other unauthorized purpose anywhere on Deer Creek property during work time, especially those of a partisan or political nature. "Work time" includes time spent in actual performance of job duties but does not include lunch periods or breaks. Non-working employees may not solicit or distribute to working employees. Persons who are not employed by Deer Creek may not solicit or distribute literature on Deer Creek's premises at any time for any reason.

Employees are prohibited from distributing, circulating, or posting (on bulletin boards, refrigerators, walls, etc.) literature, petitions, or other materials at any time for any purpose without the prior approval of the Executive Director or his/her designee.

## 10. COMPLAINT RESOLUTION

Deer Creek is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the Executive Director. If a situation occurs where you feel a complaint is necessary, we encourage you to discuss it with the Executive Director. If you do not feel comfortable discussing your concerns with the Executive Director, or are not satisfied with the response, you are encouraged to contact the President of the Board. The Board's decision is final. Nevertheless, if you are not satisfied, the next step will be to request arbitration. All disputes are resolved through arbitration and the Arbitrator's decision is final. Every effort will be made to maintain confidentiality to the extent possible. However, it is important to know that from time to time, information gathered and statements taken may be shared with others on a need-to-know basis only. Appropriate action will be taken where warranted.

You will not be penalized, formally or informally, for voicing a complaint with Deer Creek in a reasonable, business-like manner, or for using the problem resolution procedure. Retaliation

against an Employee utilizing this procedure will not be tolerated. Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can Employees and Management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure job security.

## 11. HOURS OF WORK, ATTENDANCE AND PUNCTUALITY

### A. Hours of Work.

The normal work week for Deer Creek is designated by the Board, between 8:00 am and 6 pm, Monday through Friday, including one hour (unpaid) for lunch. Employees may request the opportunity to vary their work schedules (within employer-defined limits) to better accommodate personal responsibilities. Subject to Deer Creek work assignments and Executive Director approval, the employee's supervisor/Executive Director shall determine the hours of employment that best suits the needs of the work to be done by the individual employee.

### B. Attendance and Punctuality

Attendance is a key factor in your job performance. Punctuality and regular attendance are expected of all employees. Excessive absences (whether excused or unexcused), tardiness or leaving early is unacceptable. If you are absent for any reason or plan to arrive late or leave early, you must notify the Executive Director as far in advance as possible and no later than one hour before the start of your scheduled work day. In the event of an emergency, you must notify the Executive Director as soon as possible.

For all absences extending longer than one day, you must telephone your immediate supervisor prior to the start of each scheduled workday. When reporting an absence, you should indicate the nature of the problem causing your absence and your expected return to work date. A physician's statement may be required as proof of the need for any illness - related absence regardless of the length of the absence. Employees should complete a leave-slip and submit to the Executive Director or his/her designee for each absence.

An employee who is absent from work for three consecutive days without notification to his or her supervisor/ Executive Director will be considered to have voluntarily abandoned his or her employment. The employee's final paycheck will be mailed to the last mailing address on file with Deer Creek. Excessive absences, tardiness or leaving early will be grounds for discipline up to and including termination.

## 12. STANDARDS OF CONDUCT

To ensure orderly operations and provide the best possible work environment, Deer Creek expects Employees to follow rules of conduct that will protect the interests and safety of all

Employees and Members and the organization. The purpose of these rules is not to restrict your rights, but rather to be certain that you understand what conduct is expected and necessary. While it is not possible to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment.

This list is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and Deer Creek operations are also prohibited.

- Violation of any policy, practice and/or procedure;
- Neglect of job responsibilities or unsatisfactory performance;
- Falsification, misrepresentation or alteration of employment records, employment information, or other Deer Creek records, including lying about sick or personal leave; falsifying reason for a leave of absence or other data requested by Deer Creek;
- Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any time, either your own or another employee's;
- Theft and deliberate or careless damage or destruction of any Deer Creek property, or the property of any employee, customer, supplier, or visitor in any manner;
- Theft or unauthorized removal or borrowing of Deer Creek property or the property of fellow employees without prior authorization, including unauthorized use of Deer Creek equipment, time, materials, or facilities;
- Engaging in acts (or threats of acts) of violence or coercion, making threats of violence toward anyone, intimidating, fighting, or provoking a fight during working hours, or on Deer Creek property, or when representing the Deer Creek;
- Engaging in criminal conduct whether or not related to job performance;
- Insubordination, including but NOT limited to failure or refusal to obey the lawful orders or instructions of a supervisor, member of the Board of Deer Creek, or the use of abusive or threatening language toward a supervisor or member of the Board of Deer Creek.
- Using inappropriate language such as: profanity, cussing, swearing, vulgar, obscene, abusive or insulting language, including unwelcome name-calling and inappropriate jokes or racial slurs at any time on Deer Creek premises;
- Displaying indifference or rudeness towards a member or fellow employee; or any disorderly/antagonistic conduct on company premises;

- Immoral conduct or indecency on Deer Creek property;
- Conducting a lottery or gambling on Deer Creek premises;
- Failing to obtain permission to leave work for any reason during normal working hours;
- Sleeping or loitering on scheduled work time;
- Violating any safety, health, security or Company policy, rule, or procedure;
- Committing a fraudulent act or breach of trust under any circumstances;
- Any act of harassment, sexual, racial or other; telling sexist or racist jokes; making racial or ethnic slurs;
- Being under the influence of a controlled substance while at work; use, possession or sale of a controlled substance in any quantity while on company premises, except medications prescribed by a physician which do not impair work performance;
- Solicitations or distribution of any nature on Deer Creek property during scheduled work time;
- Violating safety rules, practices, or engaging in conduct that creates a health hazard, including smoking in unauthorized areas.

Please note: nothing in this list alters the Deer Creek’s policy of at-will employment. Deer Creek remains free to terminate the employment relationship at any time, with or without notice, and in the absence of any violation of these rules.

### 13. EMPLOYMENT POLICIES AND PRACTICES

#### A. Definition of Terms

1. Employer. Deer Creek is the employer of all full-time, part-time and temporary employees. An employee is hired, provided compensation and applicable benefits, and has his or her work directed and evaluated by Deer Creek.

2. Full-Time Employee. A Full Time Employee regularly works at least 40 hours per week. Overtime for full-time employees is any hours over 40 hours per week. Any overtime worked will be rewarded with comp time.

3. Part-Time Employee. A Part Time Employee regularly works less than 35 hours per week but no less than 15 hours per week. Overtime for part-time employees is any hours over 40 hours per week. Any overtime worked will be rewarded with comp time.

4. Exempt Employee. An Exempt Employee is an employee who is paid on a salary basis and meets the qualifications for exemption from the overtime requirements of the Fair Labor Standards Act (“FLSA”).

5. Non-Exempt Employee. A Non-Exempt Employee is an employee who is paid an hourly rate and does not meet the qualifications for exemption from the overtime requirements of the Fair Labor Standards Act (“FLSA”). For Non-Exempt Employees, an accurate record of hours worked must be maintained. Deer Creek will compensate non-exempt employees in accordance with applicable federal and state law and regulations.

6. Temporary Employee. An individual employed, either on a full-time or part-time basis, for a specific period of time less than six months. Temporary employees are entitled only to those benefits required by statute or as otherwise stated in the *Deer Creek Homeowner’s Association Employee Handbook*.

All employees are classified as Exempt or Non-Exempt in accordance with federal and state law and regulations. Each employee is notified at the time of hire of his or her specific compensation category and exempt or non-exempt status.

7. Timesheets. All employees must complete, within two days of the end of each pay period, their timesheets for review and approval by the Executive Director. Accurately recording time worked is the responsibility of every employee. Tampering, altering, or falsifying time records, or recording time on another employee’s time record may result in disciplinary action, including separation from employment with Deer Creek and listed as non-re-employable with Deer Creek.

## B. Introductory Period

All new and rehired employees work on an introductory basis for the first 90 calendar days after their date of hire. The introductory period is intended to give new and rehired employees an opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Deer Creek uses this period to evaluate employee capabilities, work habits, and overall performance. Reasonable consideration and assistance will be given to help the employee succeed; however, Deer Creek may end, at any time, the employment relationship during or after the introductory period, with or without cause or advance notice.

Any significant absence will automatically extend an introductory period by the length of the absence. If Deer Creek determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.



Upon satisfactory completion of the introductory period, employees enter the "regular" employment classification. However, satisfactory completion of the introductory period does not affect in any way the "employment at-will" status of the employee. That is, Deer Creek may still end the relationship at any time with or without cause or advance notice.

#### 14. POSITION DESCRIPTION AND SALARY ADMINISTRATION

Each position shall have a written job description. In general, the description will include the: purpose of the position, areas of responsibilities, immediate supervisor(s), qualifications required, salary range, and working conditions affecting the job, e.g., working hours, use of car, etc. The Executive Director shall have discretion to modify the job description to meet the needs of Deer Creek.

Paychecks are distributed bi-weekly on the 15th and the last day of each month, except when either of those days falls on a Saturday, Sunday or holiday, in which case paychecks will be distributed on the preceding workday. Timesheets are due to the Executive Director within two days of each pay period. All salary deductions are itemized and presented to employees with the paycheck. Approved salary deductions may include: federal and state income taxes; social security, Medicare, and state disability insurance; voluntary medical and group hospitalization insurance premiums (if in force and if paid by employee) and other benefits (e.g., life insurance, retirement).

#### 15. WORK REVIEW

The work of each employee is reviewed on an ongoing basis with the Executive Director to provide a systematic means of evaluating performance. The annual performance review is a formal opportunity for the supervisor and employee to exchange ideas that will strengthen their working relationship, review the past year, and anticipate Deer Creek needs in the coming year. The purpose of the review is to encourage the exchange of ideas in order to create positive change within Deer Creek. To that end, it is incumbent upon both parties to have an open, and honest discussion concerning the employee's performance. It is further incumbent upon the Executive Director to clearly communicate the needs of Deer Creek and what is expected of the employee in contributing to the success of Deer Creek for the coming year.

Both the Executive Director and the employee should attempt to arrive at an understanding regarding the objectives for the coming year. This having been done, both parties should sign the performance review form, which will be kept as part of the employee's personnel record and used as a guide during the course of the year to monitor employee progress relative to the agreed upon objectives. The Executive Director reviews the work of all employees of the HOA and the HOA Board conducts reviews for the Executive Director.

A performance review will be conducted for all new employees after the introductory 90 day period and at regular six month intervals for the remainder of the their employment term. All reviews will be shared with the employee and filed as part of the employee's personnel record.

## 16. ECONOMIC BENEFITS AND INSURANCE

Deer Creek shall provide a competitive package of benefits to all eligible full-time employees. The following outline of available benefits is provided with the understanding that benefit plans may change from time to time. For eligibility requirements, refer to the Plan document for each benefit program. Continuation of any benefits after termination of employment will be solely at the employee's expense and only if permitted by policies and statutes. The HOA Board will determine levels of deductibility and co-payments for all insurance related benefits annually.

### A. Health Insurance

Deer Creek currently provides individual health and dental insurance benefits for eligible full-time employees except those who are insured through their spouse, retired military, or other plans, beginning after the 90-day probationary period of employment. Eligible employees may elect to participate in available health plan(s) offered by Deer Creek. Deer Creek presently pays the individual insurance premium for all eligible employees. Deer Creek may require employees to pay a portion of insurance premium in the future. Information about Deer Creek's health plan(s) will be provided to the employee at the time of employment.

### B. Social Security/Medicare/Medicaid

Deer Creek participates in the provisions of the Social Security, Medicare and Medicaid programs. Employees' contributions are deducted from each paycheck and Deer Creek contributes at the applicable wage base as established by federal law.

### C. Workers' Compensation and Unemployment Insurance

Employees are covered for benefits under the Workers' Compensation Law. Absences for which worker compensation benefits are provided are not charged against the eligible employee's sick leave. To assure proper protection for employees and Deer Creek, any accident that occurs on the job must be reported to the Executive Director immediately, or no later than 48 hours after the incident, even if there are no injuries apparent at the time. Forms for this purpose are available at the HOA Office.

## 17. LEAVE BENEFITS AND OTHER WORK POLICIES

### A. Holidays

Deer Creek full-time employees are eligible for the following holidays:

- New Year's Day
- Memorial Day
- Independence Day

- Labor Day
- Thanksgiving Day and the day After Thanksgiving Day
- Christmas Day

Full-time employees may also be eligible for other holidays as approved by the HOA Board.

#### B. Vacation

During the first 90 days of employment full and part-time employees will not earn Vacation benefits. During the remaining nine months of first year employment, a full-time employee will earn two weeks (10 days) of paid Vacation. This does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials. Vacation time must be used in the calendar year or lost, i.e., vacation time does not accumulate from one year to another.

Upon separation of employment, employees in good standing will normally be paid for earned, unused vacation time. Use of paid time off (PTO) is subject to approval by the Executive Director and must be requested using the appropriate leave request form. Employees are expected to use vacation time in the fiscal year in which vacation time is earned.

#### C. Military Leave

Employees who are inducted into or enlist in the Armed Forces of the United States or are called to duty as a member of a reserve unit may take an unpaid leave in accordance with applicable law. The employee must provide advance notice of his or her need for a military leave and Deer Creek will request a copy of the employee's orders, which will be kept on record by Deer Creek. The time an employee spends on military leave will be counted as continuous service for the purpose of determining eligibility and accrual for various benefit plans and policies.

For military leaves extending 30 days or less, Deer Creek will continue to pay the portion of the premium on health insurance, if any, that it was paying before military leave began. In order to continue such health insurance, the employee must continue to pay his or her portion of premiums during this period. For military leaves extending beyond 30 days, the employee will have the option to continue his or her insurance coverage at the employee's cost. Upon return from military leave, employees will be reinstated as required by law and benefits will be reinstated with no waiting periods.

#### D. Civic Responsibility

Deer Creek believes in the civic responsibility of its employees and encourages this by allowing employees time off to serve jury duty when required and to serve as nonpartisan Election Day poll workers when appropriate and approved.

1. *Jury Duty*. For time served on jury duty, Deer Creek will pay employees according to state law. Employees must provide Deer Creek a copy of proof of service by the court in which they serve.

#### E. Resignation.

Employees are encouraged to give at least 2 weeks written. This language does not change the employee's at-will status of employment. Failure to give Deer Creek the required notice will jeopardize the employee's good standing. Such employee cannot do future business with Deer Creek in any capacity and will be classified as not eligible for rehire. (For additional information, please refer to the Deer Creek Board Resolution adopted on February 25, 2021).

#### F. Termination or Lay-off.

Under certain circumstances, the termination or lay-off of an employee may be necessary. Employees who are terminated or laid off are entitled to receive accrued, unused Vacation benefits. The Executive Director has the authority to discharge an employee from the employ of Deer Creek, with the approval of the Board of Directors. The Board of Directors has the authority to lay-off or terminate an Executive Director. As stated above, all employment at Deer Creek is "at-will;" employees may be terminated from employment with Deer Creek with or without cause.

## 18. RETURN OF PROPERTY

Employees are responsible for Deer Creek equipment, property and work products that may be issued to them and/or are in their possession or control, including but not limited to:

- Telephone cards,
- Credit cards,
- Identification badges,
- Office/building keys,
- Office/building security passes/keycards
- Computers, computerized drives, electronic/voice mail codes,
- Intellectual property (e.g., written materials, work products), and
- Usernames and passwords to all accounts made within the scope of employment

In the event of separation from employment, or immediately upon request by the Executive Director or his or her designee, Employees must return all Deer Creek property that is in their

possession or control. Where permitted by applicable law(s), Deer Creek may withhold from the employee's final paycheck the cost of any property, including intellectual property, which is not returned upon separation or when requested. Deer Creek also may take any action deemed appropriate to recover or protect its property.

## 19. PERSONNEL RECORDS

Personnel records are the property of Deer Creek, and access to the information they contain is restricted and confidential. A personnel file shall be kept for each employee and should include the employee's job application, copy of the letter of employment and position description, performance reviews, disciplinary records, records of salary increases and any other relevant personnel information. It is the responsibility of each employee to promptly notify his/ or her supervisor in writing of any changes in personnel data, including personal mailing addresses, telephone numbers, names of dependents, and individuals to be contacted in the event of an emergency. Employees may review their files only if authorized by the Executive Director or his/her designee. Employees shall not remove any records or documentation from the file.

## 20. OUTSIDE EMPLOYMENT

Individuals employed by Deer Creek may hold outside jobs as long as they meet the performance standards of their job with Deer Creek. Employees should consider the impact that outside employment may have on their ability to perform their duties at Deer Creek. All employees will be evaluated by the same performance standards and will be subject to Deer Creek scheduling demands, regardless of any outside work requirements.

If Deer Creek determines that an employee's outside work interferes with their job performance or their ability to meet the requirements of Deer Creek, as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with Deer Creek.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals or organizations for materials produced or services rendered while performing their jobs with Deer Creek.

## 21. CONFLICT OF INTEREST

It is important to Deer Creek that all employees observe high ethical standards and treat both our customers and fellow employees fairly. Employees must not allow personal or financial relationships with customers to interfere with the best interests of Deer Creek, similarly, personal or family relationships between employees within the same department will not be allowed to create the appearance of favoritism or otherwise affect the workplace.

Giving gifts to or accepting gifts from persons with whom the Company conducts or may conduct business is unacceptable and is contrary to Company policy. To protect you and the Association, every employee must understand the serious implications of accepting "business gifts" from any individual or firm who supplies or wishes to supply materials or services to Deer Creek. Accepting gifts or kickbacks will result in termination of employment and being listed as ineligible for rehire.

## 22. EMPLOYMENT OF RELATIVES

Deer Creek does not permit simultaneous employment of an employee and his/her close relatives. Close relatives include the following: spouse, father, mother, son, brother, sister, .in-law relationships of the same degree, or persons living together who share a similarly close relationship. This rule will not be applied retroactively to result in the termination of any current employee who already has one of the above-described relationships with another employee as of the effective date of this policy. However, no such employee will be permitted to work under the direct or indirect supervision of, or within the same Department as, any person with whom he or she already has such a relationship. The HOA Board must approve all exceptions to this policy.

## 23. NON-DISCLOSURE OF CONFIDENTIAL INFORMATION

Any information that an employee learns about Deer Creek, or its members or donors, as a result of working for Deer Creek that is not otherwise publicly available constitutes confidential information. Employees may not disclose confidential information to anyone who is not employed by Deer Creek or to other persons employed by Deer Creek who do not need to know such information to assist in rendering services.

Employees are required to sign a non-disclosure agreement as a condition of employment. Any employee who discloses confidential Deer Creek information will be subject to disciplinary action (including possible separation), even if he or she does not actually benefit from the disclosure of such information.

The protection of privileged and confidential information, including trade secrets, is vital to the interests and the success of Deer Creek. The disclosure, distribution, electronic transmission or copying of Deer Creek's confidential information is prohibited. Such information includes, but is not limited to, compensation data, program and financial information, including information related to donors, and pending projects, proposals, and personnel matters.

Discussions involving sensitive information should always be held in confidential settings to safeguard the confidentiality of the information. Conversations regarding confidential

information generally should not be conducted on cellular phones, or in elevators, restrooms, restaurants, or other places where conversations might be overheard.

## 24. ARBITRATION

Employees are required to sign an arbitration agreement as a condition of employment. The arbitration agreement is binding and any and all disputes or claims between the parties related to or arising out of the employee's application for employment, employee's employment and/or the employee's separation from employment with Deer Creek will be resolved through arbitration with the American Arbitration Association. (For additional information, please refer to your copy of Deer Creek's Binding Arbitration Agreement).

## 25. COMPUTER AND INFORMATION SECURITY

This section sets forth some important rules relating to the use of Deer Creek's computer and communications systems. These systems include individual PCs provided to employees, centralized computer equipment, all associated software, and Deer Creek's telephone, voice mail and electronic mail systems. Deer Creek has provided these systems to support its mission.

Although limited personal use of Deer Creek's systems is allowed, subject to the restrictions outlined below, no use of these systems should ever conflict with the primary purpose for which they have been provided, Deer Creek's ethical responsibilities, or with applicable laws and regulations. Each user is personally responsible to ensure that these guidelines are followed.

All data in Deer Creek's computer and communication systems (including documents, other electronic files, email and recorded voice mail messages) are the property of Deer Creek. Deer Creek may inspect and monitor such data at any time. No individual should have any expectation of privacy for messages or other data recorded in Deer Creek's systems. This includes documents or messages marked "private," which may be inaccessible to most users but remain available to Deer Creek.

Deer Creek's systems shall not be used to create or transmit material that is derogatory, defamatory, obscene or offensive, such as slurs, epithets or anything that might be construed as harassment or disparagement based on race, color, national origin, sex, sexual orientation, age, physical or mental disability, medical condition, marital status, or religious or political beliefs. Similarly, Deer Creek's systems must not be used to solicit or proselytize others for commercial purposes, causes, outside organizations, chain messages or other non-work related purposes. Deer Creek's systems shall not be used to air personal grievances or spread false or misleading information or allegations.

Security procedures in the form of unique user sign-on identification and passwords have been provided to control access to Deer Creek's host computer system, networks and voice mail

system. In addition, security facilities have been provided to restrict access to certain documents and files for the purpose of safeguarding information. The following activities pose security risks for Deer Creek's system and should be avoided; these activities, include but are not limited to the following:

- Attempts should not be made to bypass, or render ineffective, security facilities provided by the company.
- Passwords should not be shared between users. If written down, password should be kept in locked drawers or other places not easily accessible.
- Document libraries of other users should not be browsed unless there is a legitimate business reason to do so.
- Individual users should never make changes or modifications to the hardware configuration of computer equipment. Requests for such changes should be directed to computer support or the Executive Director.
- Additions to or modifications of the standard software configuration provided on Deer Creek's PCs should never be attempted by individual users (e.g., autoexec.bat and config.sys files). Requests for such changes should be directed to computer support or the Executive Director.
- Individual users should never load personal software (including outside email services) to company computers. This practice risks the introduction of a computer virus into the system. Requests for loading such software should be directed to computer support or the Executive Director.
- Programs should never be downloaded from bulletin board systems or copied from other computers outside the company onto company computers. Downloading or copying such programs also risks the introduction of a computer virus. If there is a need for such programs, a request for assistance should be directed to computer support or management. Downloading or copying documents from outside the company may be performed so as not to present a security risk.
- Users should not attempt to boot PCs from flash drives. This practice also risks the introduction of a computer virus.
- Deer Creek's computer facilities should not be used to attempt unauthorized access to or use of other organizations' computer systems and data.
- Computer games should not be loaded on Deer Creek's PCs.
- Unlicensed software should not be loaded or executed on Deer Creek's PCs.



- Company software (licensed) should not be copied onto flash drives or other media other than for the purpose of backing up your hard drive. Software documentation for programs developed and/or licensed by the company should not be removed from the company's offices.
- Individual users should not change the location or installation of computer equipment in offices and work areas. Requests for such changes should be directed to computer support or management. There are a number of practices that individual users should adopt that will foster a higher level of security. Among them are the following:
  - Turn off your personal computer when you are leaving your work area or office for an extended period of time.
  - Exercise judgment in assigning an appropriate level of security to documents stored on the company's networks, based on a realistic appraisal of the need for confidentiality or privacy.
  - Remove previously written information from flash drives before copying documents on such devices for delivery outside Deer Creek.
  - Back up any information stored locally on your personal computer (other than network based software and documents) on a frequent and regular basis. Should you have any questions about any of the above policy guidelines, please contact the Executive Director.

## 26. INTERNET ACCEPTABLE USE POLICY

At this time, desktop access to the Internet is provided to employees when there is a necessity and the access has been specifically approved. Deer Creek has provided access to the Internet for authorized users to support its mission. No use of the Internet should conflict with the primary purpose of Deer Creek, its ethical responsibilities or with applicable laws and regulations. Each user is personally responsible to ensure that these guidelines are followed. Serious repercussions, including termination, may result if the guidelines are not followed.

Deer Creek may monitor usage of the Internet by employees, including reviewing a list of sites accessed by an individual. No individual should have any expectation of privacy in terms of his or her usage of the Internet. In addition, Deer Creek may restrict access to certain sites that it deems are not necessary for business purposes. Deer Creek's connection to the Internet may not be used for any of the following activities, including but not limited to:

- The Internet must not be used to access, create, transmit, print or download material that is derogatory, defamatory, obscene, or offensive, such as slurs, epithets, or anything that may be construed as harassment or disparagement based on race, color, national origin, sex, sexual orientation, age, disability, medical condition, marital status, or religious or political beliefs.

- The Internet shall not be used to access, send, receive or solicit sexually oriented messages or images or any other inappropriate use as determined by the Executive Director or the Board of Directors.
- Downloading or disseminating of copyrighted material that is available on the Internet is an infringement of copyright law. Permission to copy the material must be obtained from the publisher. For assistance with copyrighted material, contact computer support or the Executive Director.
- Without prior approval of the Executive Director, software should not be downloaded from the Internet as the download could introduce a computer virus onto Deer Creek's computer equipment. In addition, copyright laws may cover the software so the downloading could be an infringement of copyright law.
- Employees should safeguard against using the Internet to transmit personal comments or statements through e-mail or to post information to news groups that may be mistaken as the position of Deer Creek.
- Employees should guard against the disclosure of confidential information when using the Internet e-mail or news groups.
- Employees should not download personal e-mail or Instant Messaging software to Deer Creek computers.
- The Internet should not be used to send or participate in chain letters, pyramid schemes or other illegal schemes.
- The Internet should not be used to solicit or proselytize others for commercial purposes, causes, outside organizations, chain messages or other non-job-related purposes.
- The Internet should not be used to endorse political candidates or campaigns The Internet provides access to many sites that charge a subscription or usage fee to access and use the information on the site. Requests for approval must be submitted to your supervisor. If you have any questions regarding any of the policy guidelines listed above, please contact your supervisor, or the Executive Director.

Approved by the Deer Creek Board of Directors on this the 11<sup>th</sup> day of February 2021.