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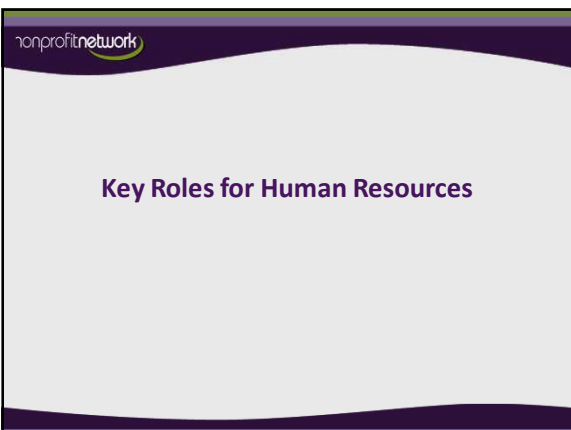
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Who was the Best Boss you ever had?



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Who do you manage?



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You have been hired to manage the daily operations of the organization and the board has delegated this responsibility to you.

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Let's get the legal stuff out of the way....

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The number one reason nonprofits are sued is by employees for discrimination or wrongful termination.

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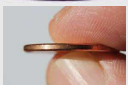
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### Contractor vs. Employee

- Does the company control or have the right to control what the worker does and how the worker does the job? (Employee)
- Does the company control the business aspects of the worker's job? These include arrangements like how the worker is paid, whether expenses are reimbursed, and who provides tools and supplies. (Employee)
- Is there a written contract or employee benefits such as a pension plan, insurance, or vacation pay? (Employee)
- Will the relationship continue and is the work a key aspect of the business? (Employee)

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### Fair Labor Standards Act (FLSA)

Exempt vs. Non- Exempt  
Or – Do they get paid overtime?



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### Penalties for failing to pay people properly:

Employers may be assessed civil money penalties of up to \$1,100 for each willful or repeated violation of the minimum wage or overtime pay provisions of the law.

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### Minimum Wage

- 2020 = \$9.65

For a part-time employee = \$10,036  
For a full-time employee = \$20,072



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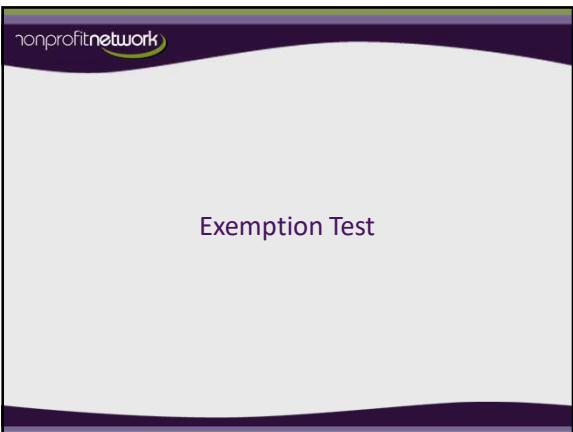
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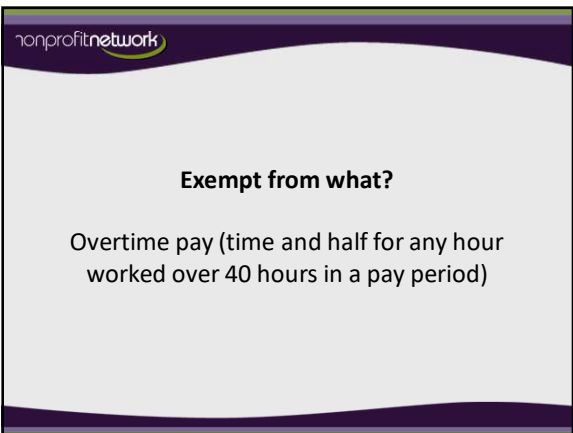
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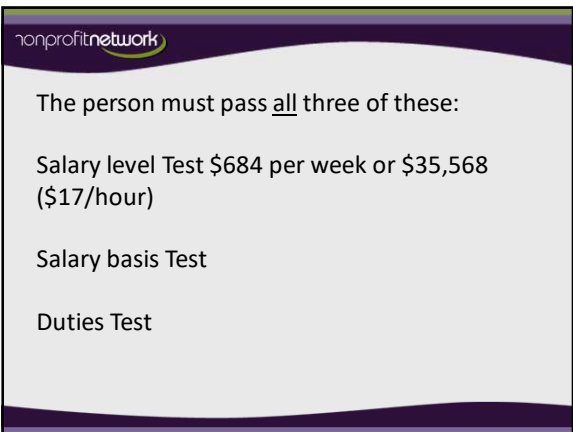
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### “Executive”

For a position to be exempt because the person is an “executive” they must do all of these:

- regularly supervises two or more other employees, and also
- has management as the primary duty of the position, and also,
- has some genuine input into the job status of other employees (such as hiring, firing, promotions, or assignments).

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### “Administrative”

For someone to pass the administrative job duties test, the duties must be:  
office or nonmanual work, which is:

- (b) directly related to management or general business operations of the employer or the employer's customers, and
- (c) a primary component of which involves the exercise of independent judgment and discretion about
- (d) matters of significance.

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You can't let or ask people to work for free.  
Employees can't volunteer their time to do their job.  
You can't replace an employee with a volunteer.



Do you have to pay employees to attend your Annual Dinner Fundraiser?

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**Comp Time is not legal.**

Employers compensate their employees for overtime hours with time off, instead of overtime pay.

Employees can flex their time within a pay period.

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Employment Policies



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If it's a written policy – follow it.

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The employee files:

- > job description for the position
- > job application and/or resume
- > offer of employment
- > IRS Form W-4 (the Employee's Withholding Allowance Certificate)
- > receipt or signed acknowledgment of employee handbook
- > performance evaluations
- > forms relating to employee benefits
- > forms providing next of kin and emergency contacts
- > I-9

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**Benefits**

What do you offer and why?

What are benefits that don't cost a lot of money?

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## Equity/Racism/Bias

- Job postings – where are you searching?
- Know where your hiring practice comes from.
- What questions are you asking and what are you requiring?

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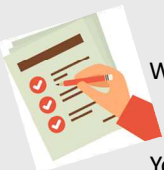
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## Evaluating

Who is in charge of:  
yours?  
Your direct reports?  
Their direct reports?

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## When someone needs to move on



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### Firing Basics

- Succession plan
- Evaluate the legal risks – PIP, Evals
- Prepare for the day
  - Letter
  - Check
  - Boxes
- The Day
  - Get to the point
  - Its not about you – be kind
  - Listen to what they have to say
  - Ask if they would like an exit interview and with who
  - Cover (both verbally and in the letter)
    - Unused benefits
    - Last Check
    - Unemployment
- After
  - Tell those who need to know (don't break confidentiality)
  - Next steps



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### Stay Interview Questions:

Why do you show up?  
Why do you love about your job?  
What could we do to improve?  
What, and possibly who, do you think needs to be more effective?

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### What do your employees care about?

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**Management Fundamentals**

**Division of labor** – work is subdivided according to their expertise  
**Party of authority and responsibility** – these co-exist and have balance  
**One boss** – no one receives instructions from more than one person, unity of command  
**Unity of Direction** – efforts of all members directed toward a common goal  
**Equity** – fairness, kindness and justice  
**Order** – proper and systematic arrangement of things and people  
**Discipline** – observance of rules and regulations, sincere obedience and respect of authority  
**Initiative** – eagerness to initiate actions without being asked to do so  
**Fair Remuneration** – wages determined logically and appropriately. Reasonable, satisfactory and rewarding  
**Stability of Tenure** – employees positions and responsibilities do not change frequently

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What is your management style?

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**Management Basics**

- Staff meetings
- 1:1 meetings with staff
- Leadership meetings
- Corrective Action
- Direction and Delegation
- Division of duties

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33

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### Building your Organization's Culture



A photograph of several petri dishes containing cultures of different colors: blue, red, yellow, and green.

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A pyramid diagram with five horizontal layers. From top to bottom, the layers are labeled: RESULTS (blue), ACCOUNTABILITY (light blue), COMMITMENT (teal), CONFLICT (green), and TRUST (dark green).

5 Behaviors of a Cohesive Team model

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### Building the Organization's Culture

- What about Communication?
  - The Phone
  - Meetings
  - The Board
  - External



A photograph of a coiled telephone cord with a handset at the end.

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### Does Your Staff Structure Support Your Organization's Goals?



The slide features a purple icon of an organizational chart with a manager at the top and several staff members below, all enclosed in a rounded rectangular frame.

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### The Employee Manual



The slide features a photograph of two hands pointing at a map spread on a stone surface.

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### Record Keeping

- Employee Files
  - What goes in, What stays out?
  - Where do you keep them?
  - Where is yours kept?
  - Who has access?
  - What are the laws around letting employees look at their files?
- Confidentiality
- Reference Checks for past employees

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### Professional Development

- Evaluation practices
- Training – supporting growth and development of current employees
- Performance Improvement Plans
- Succession planning

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### Questions?



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### Upcoming ED Academy Sessions:



- Session 4: November 10th, 9 am - 12 pm**  
Trust, More Trust, Team and Leadership - Regina Pinney
- Session 5: December 8th, 9 am - 12 pm**  
Fund Development - Katena Cain
- Session 6: January 12th, 9 am - 12 pm**  
Key Roles of the ED in Financial Management - Regina Pinney
- Session 7: February 9th, 1 pm - 4 pm**  
Nonprofit Tech - Andy Wolber/Laura Fuller
- Session 8: March 9th, 9 am - 12 pm (New for 2020!)**  
Marketing for the ED - Know Your Audience - Laura Fuller
- Session 9: April 13th, 9 am - 12 pm**  
Change, Crisis Management, and Tending to Self - Sharon Castle

\*Please note the Feb 9<sup>th</sup> session will be from 1 pm until 4 pm!

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**Thank You!!**

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