



# WORKING TOGETHER AT WALLACE: A GUIDE FOR STAFF



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## Acknowledgement of Receipt

## INTRODUCTION

When you think about an employee handbook what comes to mind is likely a weighty tome that gathers dust on a shelf or takes up space on an intranet. It's heavy, filled with legal language and reads like a rule book of "do's & don'ts."

We think this guide is different. Of course it addresses the regulations and legislation that govern the workplace, and shares information about the policies and practices that guide how we work together. But we hope you find it to be less about compliance and more about explaining how these policies when shared among us, commonly understood and put into practice, contribute to making Wallace a strong learning organization and a great place to work.

We also recognize that as staff of a philanthropy we hold a 'public trust.' We must demonstrate in our grantmaking and every aspect of our business that we hold ourselves to the highest standard of ethical behavior. We act with integrity, strive for transparency, and avoid any action that could be perceived as or create a conflict of interest.

We've organized the guide this way:

- **Working Together at Wallace:** our mission, vision, guiding principles, work processes and the Wallace Approach
- **Our Workplace:** how we seek to ensure that we have a safe workplace where we demonstrate respect for each other and value the richness in diversity
- **Our Responsibilities:** understanding our responsibilities as staff members of a philanthropy, and our commitment to the highest standards of ethical behavior
- **Furthering our Reach:** what guides our approach to sharing our knowledge - in speaking engagements and presentations, in print and electronically
- **Staffing & Development:** our approach to staffing, office practices including our policy on attendance, and our performance enhancement and compensation system
- **Employee Benefits & Time Off:** our benefit plans and programs, tuition reimbursement, matching gifts, and policies on PTO, holidays, and leaves of absence
- **Business Operations:** guidelines for travel and business expenses

It's important to note a few points about this guide:

- The guide is not intended to be all-inclusive, however it does supersede any previous employee handbook.
- In the event there is a conflict between these rules and federal, state or local law, the applicable law will control.

- Descriptions of benefit plans and programs are merely brief summaries; in all cases the plan provisions as contained in the plan documents and insurance contracts govern eligibility to participate and specific coverage under the plan or program.
- With respect to these policies, practices, guidelines and procedures set forth herein:
  - The Foundation expressly reserves the right to revise, change or terminate any or all provisions from time to time, with or without notice, and to deviate from them totally or partially at any time.
  - They are not intended to form nor shall they be deemed to form any binding or contractual obligations, express or implied, upon the Foundation.
  - They do not constitute a contract or terms of employment between the Foundation and its employees whose employment may be terminated at any time for any reason. Employees should not rely on the non-binding information in this guide when making decisions related to employment.
  - The director of operations is responsible for providing the Foundation's interpretation of all policies, practices, guidelines and procedures outlined in this guide.

As members of a learning organization, we have a personal responsibility to create the kind of workplace where everyone can contribute and thrive in support of our mission. We also have a responsibility to be aware of the policies in this guide and to practice them every day, so please carefully read and review this guide and other relevant materials on the intranet. If you have questions or wish to share your thoughts about any of our policies or practices, please feel free to speak with the director of operations.

*This policy statement is not a contract of employment. The Wallace Foundation reserves the right to change or revoke this policy statement at any time without notice.*

## I: WORKING TOGETHER AT WALLACE

**VISION:** That children, particularly those living in distressed urban areas, have access to good schools and a variety of enrichment programs in and outside of school that prepare them to be contributing members of their communities.

**MISSION:** To improve learning and enrichment opportunities for children.

**GUIDING PRINCIPLES:**

Because we aspire to create change that is deeply rooted and sustainable, we:

- Take a systemic view that looks at the larger environment surrounding the issue being tackled, and engage the people and institutions involved at the appropriate level (federal, state, city, school district, and community organization).
- Work with those who have power and authority to make change, including governmental agencies (such as school districts and state and city governments) as well as non-profit institutions, in the development of innovative solutions to the issues we're targeting.
- Also support organizations who are working outside the current system, which is where innovation often begins.
- Assess the results of the innovations we support through research and evaluation.
- Encourage the use of those ideas and practices that are determined, through site experience, research, and evaluation, to represent an advantage over current practice.

**WALLACE APPROACH:**

We take a common approach to all of our work. We develop and test useful ideas “on the ground,” gather credible, objective evidence on the results of significant innovations, and then share that knowledge with the individuals and institutions who have the authority to bring those effective ideas to life in ways that bring benefits to children. There are two components to this approach:

1. **Develop innovation sites:** we work closely with sites (such as states, school districts, and cities as well as non-profit organizations) to help them plan and test new approaches for bringing about mutually-agreed upon change goals. These partners provide insights into what ideas are or are not effective and what conditions support or impede progress.
2. **Develop and share knowledge:** in concert with the innovation site work, we support independent research that fills knowledge gaps in the field. We also assess the results of the innovations we support through a range of evaluation methods. We then share our knowledge with others and encourage the use of the ideas and practices that seem most promising. In this way, we hope to expand our impact beyond our innovation sites and improve the practice and policy of those in the fields in which we work.

**INDIVIDUAL RESPONSIBILITY FOR ORGANIZATIONAL CULTURE**

The Wallace Approach requires us to be a learning organization.<sup>1</sup> To that end, we expect all our staff to behave in such a way that they contribute to an organizational culture marked by the following:

- **Supportive Climate:** A climate of respect and commitment to the Foundation and each

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<sup>1</sup> See the materials under the Learning Organization tab on the intranet for more information on learning organizations.

others' success, including but not limited to offering help to colleagues during busy periods and as opportunities arise, recognizing and celebrating successful work, teaching what you know to others and providing constructive feedback where appropriate.

- **Active Participation in Meetings:** Staff come to meetings having read all advance materials and prepared to actively listen and fully participate in the discussion. Meetings are characterized by open sharing of professional perspective, thoughtful inquiry and questioning, candor in presenting issues and problems, and a thorough review of options available to the issue at hand.
- **Shared Information:** Staff consistently and in a timely manner add updated information to the Foundation's knowledge base and GIFTS database, and contribute to our growth as a learning organization by sharing information, insight and analysis about the Foundation's work through all discussions, critical analyses, after action reviews and other vehicles.
- **High Quality Work:** All staff take pride in their work and strive to regularly produce the highest quality work possible, demonstrated by thoughtful analysis clearly communicated both orally and in writing.

### **LEAD ROLES & AFFIRMATIVE OBLIGATION TO SEEK INPUT**

At The Wallace Foundation, we work in an interdisciplinary manner that brings together various perspectives to inform our strategies and actions. Recognizing that different expertise is needed for different parts of our work, and that the needed expertise may change as the particular project grows, the senior management team assigns "lead" roles to staff, which means they have overall responsibility and authority for the designated work.

Although lead staff are responsible for the designated work, they are not expected to do that work in isolation. Rather, lead staff have an affirmative obligation to consult with others in the Foundation whose expertise or experience would be beneficial input into the issue at hand. Conversely, all staff have an obligation to offer input and expertise, even if not asked, if they believe it would benefit the Foundation's work.

### **ROLE OF STAFF EXPERTISE**

Each staff member is chosen for the particular expertise s/he brings to the Foundation's work. We value the diversity of these perspectives because our experience has been that each contributes something different which, when combined, improves and strengthens our work and creates a whole that is greater than the sum of its parts.

- **Program** staff provide in-depth knowledge of their fields and contribute to effective strategy design by identifying important problems that the Foundation may be well positioned to address. They help us understand where the most effective leverage points for change may be as we consider various strategy choices. They guide us in identifying effective organizations and fruitful places for our grant investments, and help analyze and identify the factors that propel or impede change in our sites and the fields in which we work. They manage the progress of our innovation sites and other grantees that support that site work, monitoring progress against identified performance measures and deliverables, ensuring grant monies are used as budgeted and planned, and conducting critical analyses of the work of the grantee and the Foundation's original plans for that work.

- **Research & Evaluation** staff determine what research exists upon which we can build our strategies and help identify where critical knowledge gaps are. They contribute information and analysis about prior research, inferences drawn therefrom, and possible applications of such analysis and inference to strategy development and other work under consideration. They lead the process to develop theories of change and performance measures, and to assess the impact of Wallace's initiatives. They plan fresh research as necessary, including in-depth reviews of ongoing work in our most promising innovation sites. They manage the progress of our research and evaluation grantees, monitoring progress against identified performance measures and deliverables, ensuring grant monies are used as budgeted and planned, and conducting critical analyses of the work of the grantee and the Foundation's original plans for that work.
- **Communications** staff are responsible for developing all communication and diffusion strategies for the Foundation. They identify our key audiences and develop the strategies and products to reach them. They create and/or manage all written products (print and web; internal and external), help initiate and approve all public presentations, and manage all editorial review processes. They synthesize and translate the field-tested ideas we are developing with our sites and our research into compelling products for the identified key audiences. And they work to ensure those products are useful to policymakers, practitioners, and affected and interested citizens. They manage the progress of our communications grantees, monitoring progress against identified performance measures and deliverables, ensuring grant monies are used as budgeted and planned, and conducting critical analyses of the work of the grantee and the Foundation's original plan for that work.
- **Investment** staff work to ensure our endowment is well managed, appropriately diversified among asset classes and invested with high-performing managers so as to ensure our assets grow over time and we are able to meet our annual distribution requirement (5% of the fair market value of our assets) and cover expenses incurred in running the Foundation. They work closely with Finance to ensure that the investments in our financial statements and tax returns are stated at fair value and classified appropriately.
- **Finance** staff are responsible for safeguarding our assets, making sure our internal controls are strong to prevent fraud, that our financial statements are in accordance with generally accepted accounting principles, and that we comply with all tax and regulatory requirements. They ensure the payments we make are properly authorized and protect our financial reputation by paying our bills, grants and other commitments on time.
- **Operations** staff are responsible for a wide variety of services that keep the Foundation running – human resources, travel, facilities, employee benefits and other insurance and technology. They work closely with Finance in managing payroll and our operating expense budget.
- **General Management** staff are responsible for all legal (grants and contracts) issues, serve as the corporate secretary and as the primary liaisons to the Board of Directors, schedule all Board and foundationwide events and meetings, manage the office of the President,



and work closely with all other departments in generally overseeing the work of the Foundation.

## **WORK PROCESSES**

Our work processes are designed to encourage cross-foundation work, to speed the development of strategy, and to provide more staff with opportunities to take on additional responsibility when warranted.

- **Senior Management Team – general oversight function**  
SMT is responsible for the general management of all aspects of the Foundation’s work.
- **All Staff – sharing and contributing**  
Meetings are regularly held during which staff may learn about and contribute their thinking to strategy designs, grant recommendations, implementation updates, critical analyses of grants and other topics of foundation-wide interest or importance.
- **Strategy Teams**  
Much of Wallace’s work is done in interdisciplinary teams that combine relevant expertise from our various departments. For example, program, research & evaluation, and communications staff are most often involved in developing new initiatives; staff from operations and communications work together on web planning; etc. For all of this work, having a clear, coherent strategy with appropriate progress and success measures is key.

While the strategies will differ depending on the issue, there are common and predictable steps that need to be followed in all strategy development work. The following example outlines what those steps are, how they need to be sequenced, and the specific roles each design team member must lead. Although this example is geared to developing strategy for new grant-funded initiatives, the steps are the same (but the players will be different) for other work, such as the development of strategies to guide changes to our web site or to our risk management practices.

- **Step 1: Problem Identification.** *Program leads (with affirmative obligation to seek input).* For new work, identify the problem we want to solve. Why is this a problem we should take on? Who else is working in this area? What do we think Wallace might be uniquely positioned to contribute, and what’s the basis of that thinking? Who is in a position to make change on this issue? For our existing work, the questions are slightly different: What more, if anything, in our existing sites should we do and why? Are there modest knowledge gaps that, if answered, would further the impact of our existing work? What of our previous work is worthy of sharing and encouraging others to adopt and on what basis do we make that judgment? Is there “next generation” work we should consider?
- **Step 2: Analysis of Available Research.** *R&E leads (with affirmative obligation to seek input).* Is there prior research related to the issues we’ve identified in step 1? What does that research say and what inferences can be drawn from that prior research to the problem or issue we’re considering? For existing work, this might include lessons about effective adaptation and replication strategies as well as lessons from the diffusion literature.

- **Step 3: Strategy Development.** Program leads (with affirmative obligation to seek input). Based on our work in steps 1 and 2, what are some strategies we might employ to address the problem? What do we think these strategies might accomplish? What are the pros and cons of each of these potential strategies? Of the strategies presented, which do we think are the most promising?
- **Step 4: Development of Theory of Change & Performance Measures.** R&E leads (with affirmative obligation to seek input). In this step we test the efficacy and sufficiency of our chosen strategies by putting them in a proposed theory of change and articulating progress and outcome measures. Are these strategies likely to produce the progress measures we've identified? Are the strategies as a whole sufficient to address the problem we've identified? Are there other or different strategies we should consider? As a whole, is the strategy feasible?
- **Step 5: Strategy Implementation.** Even the best strategy is likely to fail without effective execution. Thus we depend on staff assigned to specific tasks to diligently monitor ongoing work through regular check-ins, careful review of budgets and analysis of reports, and the preparation of critical analyses and other assessments that are shared with appropriate members of the SMT and staff.

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## II: OUR WORKPLACE

- Equal Employment Opportunity
- A Respectful Workplace
- Workplace Safety
- Alcohol and Drug-Free Workplace

## EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of The Wallace Foundation that all persons are entitled to equal employment opportunity and to have all employment and personnel decisions made solely on the basis of merit without regard to race, color, religion, gender, national origin or ancestry, physical or mental disability, age, sexual preference, marital or veteran status, status as a victim of domestic violence, status as a victim of sex offenses or stalking, or predisposing genetic characteristics or any other characteristics protected by applicable local, state, or federal law.

Further, the Foundation does not condone conduct which discriminates against any staff member based on these characteristics. This equal employment opportunity principle shall be applied in all aspects of the employment relationship and personnel actions, including but not limited to, recruiting, hiring, orientation, assignment, employee development, promotion, separation, pay and compensation, benefits, granting of and returning from a leave of absence, and training and professional development.

### REPORTING AND RESOLUTION PROCESS

You must not assume that management at the Foundation has knowledge of any/all discriminatory situations that may exist. If you believe you have been discriminated against, or observe or become aware of conduct that involves discrimination against any other staff member, you have an obligation to report the incident of discrimination to the director of operations. In the event the complaint involves the director of operations or the operations unit, or you are otherwise uncomfortable reporting to the director of operations for any reason, report the complaint to the president or to the chair of the Board of Directors.

Upon receipt of a report, the Foundation will investigate the complaint promptly, fairly and thoroughly. Every effort will be made to protect the privacy of both the staff member reporting the concern and the person(s) named. If, upon investigation, it is determined that a staff member or manager of the Foundation was involved in a discriminatory incident, the Foundation will take appropriate disciplinary action up to and including termination.

### NO RETALIATION

The Foundation prohibits any form of retaliation against a staff member for raising a bona fide complaint under this policy, for assisting in an investigation arising from a complaint, or otherwise opposing discrimination. If you believe you have experienced retaliation, you must report your complaint to the director of operations or to the president or to the chair of the Board of Directors.

### FOLLOW-UP

Once the matter has been resolved, the Foundation will, for a reasonable period of time, continue to monitor the staff involved to ensure that no further incidents occur.

## **DISABILITY IN THE WORKPLACE**

The Foundation endeavors to make a reasonable accommodation to the known physical or mental limitations of a qualified employee with a disability to the extent practicable, unless it would impose an undue hardship or impair the operation of our business.

In general, it is a staff member's responsibility to notify us of the need for an accommodation. If you believe you need assistance to perform your job duties due to physical or mental condition, please notify the director of operations. You may be asked for input about the type of accommodation needed, or the functional limitations caused by your disability.

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## A RESPECTFUL WORKPLACE

The Wallace Foundation is committed to a workplace where we foster mutual respect and working relationships that are free of harassment. Harassment, whether based on race, color, religion, gender, national origin or ancestry, physical or mental disability, age, sexual preference, marital or veteran status, status as a victim of domestic violence, status as a victim of sex offenses or stalking, predisposing genetic characteristics, or any other characteristic protected by applicable local, state or federal law is a form of discrimination and is unlawful. All staff must be familiar with this policy and ensure that their own workplace behavior and interactions are respectful and free from any behavior that is unwelcome or offensive, or interferes with the work effectiveness of others.

While all forms of discriminatory harassment are prohibited, the Foundation wishes to emphasize the special problems of sexual harassment. Sexual harassment is defined as unwelcome and/or unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. Sexual harassment is not limited to harassment of women by men. It includes the harassment of men by women and of gender-based harassment of individuals of the same sex as the harasser. Such conduct is prohibited in any form at the workplace, at work-related functions, or outside the workplace if it affects the workplace. This policy applies to all Foundation managers, staff, guests, and persons doing business or otherwise collaborating with the Foundation.

The following is only 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 communications about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations;
- Nonverbal conduct that includes the display or circulation of posters, drawings, pictures, cartoons, or calendars; leering, whistling, suggestive or insulting looks, sounds, gestures;
- Physical conduct that includes touching, assaulting, or impeding or blocking normal movements, intentional touching of the body (i.e., brushing, patting, pinching, kissing), inappropriate display of body parts, coerced acts of a sexual nature or other physical interferences with work directed at an individual;
- 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;
- Threats and demands that include non-work-related sexual conduct necessary to keep or get a job, to avoid some other loss, or as a condition of job benefits, security or promotions;
- Retaliation that includes retribution for reporting harassment or discrimination, or having assisted another employee to report harassment or discrimination.

Staff who violate this policy and management employees who condone, overlook, or allow unlawful harassment of others, or hinder any investigation of harassment complaints, are subject to disciplinary action up to and including immediate discharge.

#### **REPORTING AND RESOLUTION PROCESS**

You must not assume that management at the Foundation has knowledge of any/all harassment situations that may exist. If you believe that you have been harassed, or observe or become aware of conduct that involves the impermissible harassment of any other staff member, you should tell the harasser that his or her actions are not welcome and they must stop, if you feel comfortable enough to do so, and you should *immediately* report your complaint to the director of operations. In the event the complaint involves the director of operations or the operations unit, or you are otherwise uncomfortable reporting to the director of operations for any reason, report the concern to the president or the chair of the Board of Directors.

Upon receipt of a report, the Foundation will investigate the complaint raised promptly, fairly, and thoroughly. Every effort will be made to protect the privacy of both the staff member reporting the complaint and the person(s) named. If, upon investigation, it is determined that a staff member or manager of the Foundation was involved in harassing conduct, the Foundation will take appropriate disciplinary action up to and including termination.

#### **NO RETALIATION**

The Foundation prohibits any form of retaliation against a staff member for raising a bona fide concern under this policy, for assisting in an investigation arising from a complaint, or otherwise opposing harassment. If you believe you have experienced retaliation, you must report your concern to the director of operations or to the president, or to the chair of the Board of Directors.

#### **FOLLOW-UP**

Once the matter has been resolved, the Foundation will, for a reasonable period of time, continue to monitor the staff members involved to ensure that no future incidents occur.

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## WORKPLACE SAFETY

The Wallace Foundation is committed to maintaining a safe work environment and expects that all staff will share in this responsibility.

### OFFICE ACCESS AND BUILDING SECURITY

The management of our office building provides building security personnel who are on duty 24/7, and limits access to the building and the Foundation's office to staff with a valid access card. By building management policy, only visitors who have been registered in WallaceGuests in advance will be admitted at the lobby desk to come up to the office.

### EMERGENCY PROCEDURES

The Foundation complies with all building procedures for fire, evacuation or other emergency situations, and building management conducts drills on a regular basis. There is a designated Fire Team composed of Wallace staff members, and staff are instructed to gather in the 7<sup>th</sup> floor elevator lobby *immediately* when an alarm signals an emergency situation. Emergency wallet cards are issued to all staff which include the emergency telephone number and web site address, conference call-in number, and the designated meeting locations for staff check-in in the event of a building or city-wide evacuation.

The meeting locations for staff check-in are:

- Building evacuation: 8<sup>th</sup> Avenue & 34<sup>th</sup> Street (northeast corner)
- City evacuation: 9<sup>th</sup> Avenue & 33<sup>rd</sup> Street (northwest corner)

### SAFETY

The Foundation complies with all applicable safety regulations. In the event of a concern or incident relating to safety, you must immediately report it to the director of operations.

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## ALCOHOL AND DRUG-FREE WORKPLACE

The abuse of alcohol, drugs or other substances can impair job performance in the office or while conducting Wallace business outside the office and/or have an adverse effect on productivity and the Foundation's reputation.

If you have an alcohol or drug dependency, you are strongly encouraged to seek advice and obtain treatment before the dependency affects your job performance. Appropriate treatment may be available through the Foundation's health insurance plan, and you should contact the insurance company in advance to understand what coverage is provided under the plan.

The use, possession, sale or distribution of illegal drugs and narcotics, and of alcoholic beverages, and the misuse of prescription drugs on Foundation premises or while on Foundation business is prohibited.

If you are under the influence of alcohol or drugs when reporting to work, on Foundation premises, or while on Foundation business you are in violation of this policy. Disciplinary action, up to and including immediate termination, will be taken for any violation of this policy.

There may be occasions in the office, e.g., all-staff or holiday events, or outside the office at conferences and business events, where moderate consumption of alcoholic beverages that does not impair your job performance is appropriate. As such, this will not be considered a violation of this policy.

Drug and alcohol testing will be carried out in compliance with any applicable state and federal laws and regulations.

The Foundation is committed to maintaining confidentiality with respect to all aspects of this policy.

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### III: OUR RESPONSIBILITIES

- Code of Ethics
- Whistleblower Policy for Staff and Volunteers
- Confidentiality of Information
- Appropriate Use of Technology

## CODE OF ETHICS

As staff of The Wallace Foundation, we hold ourselves to the highest standard of ethical conduct in all aspects of the Foundation's business. This includes acting at all times in an honest and ethical manner, in compliance with all laws and regulations, and avoiding actual or potential conflicts of interest.

This Code of Ethics applies to all Foundation staff. Additionally, staff members who are officers enumerated in Exhibit A, "key employees"<sup>1</sup> and Investment staff of the Foundation are subject to certain additional or alternative procedures and requirements as indicated below.

### **THE FOLLOWING PROVISIONS APPLY TO ALL STAFF:**

#### **Conflict Of Interest**

We recognize that as staff of a philanthropy we hold a 'public trust.' We must demonstrate in our grant making and every aspect of our business that we hold ourselves to the highest standards of ethical behavior. We act with integrity and strive for transparency. Under New York State and federal law, conflicts of interest are not inherently illegal, nor are they to be regarded as a reflection upon the integrity of the individual involved. It is the manner in which the individual and the Foundation deal with a disclosed conflict that determines the propriety of the transaction.

Staff should not knowingly act in any way that might reasonably create an actual or potential conflict of interest or impair your objective and independent judgment and actions with regard to fulfilling your responsibilities within the Foundation.

*A conflict of interest* may exist:

- i) When you or one of your related parties (defined below) has a direct or indirect personal, business or financial interest in any transaction, agreement or arrangement that the Foundation is a participant in, or
- ii) In any other circumstance where there could be an actual or potential conflict of interest for some other reason, including when your interests or those of one of your related parties may be seen as competing with the interests of the Foundation.

Such transactions may include (but are not limited to) compensation arrangements with the Foundation, and grants, contracts, investments and other transactions in which personal, business or financial benefit is or will be provided to you or one of your related parties.

*"Related parties"* are defined as:

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<sup>1</sup> The term "key employee" means any person who is in a position to exercise substantial influence over the affairs of the Foundation within the meaning of Section 4958(f)(1)(A) of the Internal Revenue Code and Section 53.4958-3(c), (d) and (e) of the Treasury Regulations. Specifically, in the case of the Foundation, "key employees" consist of the members of the Senior Management Team.

- i) *Relatives*, including a spouse or domestic partner; ancestors (e.g., parents, grandparents); siblings and half-siblings; children; grandchildren; great grandchildren; spouses of siblings, half-siblings, children, grandchildren, and great grandchildren; and members of the individual's household;
- ii) Any entity or trust of which you or one of your relatives described in paragraph (i) above serves as a director, trustee, officer or employee.
- iii) Any entity or trust in which you or one of your relatives described in paragraph (i) above have a 35% or greater ownership or beneficial interest or, in the case of a partnership or professional corporation, a direct or indirect ownership interest in excess of 5%.
- iv) Any other entity or trust in which you or one of your relatives described in paragraph (i) above have a material financial interest.

If you suspect that there may be a conflict of interest, you must disclose in good faith the nature and extent of such interest and all other material facts about the interest or transaction, if applicable, to the Senior Counsel. You must obtain the approval of the Senior Counsel before engaging in the activity in question.

Additionally, at the time of hire and annually thereafter, and whenever there is a change in the information relevant to this Policy, you are required to complete and sign a disclosure statement for this Conflict of Interest Policy and submit it to the Senior Counsel.

### **Outside Employment or Consultancies**

So that the Foundation may review and advise whether the activity is permitted, prior to accepting any outside employment or consultancy, all staff are required to disclose such employment or consultancy in writing to the Director of HR, IT and Shared Services. The disclosure should include information about the organization, your specific scope of responsibilities, any fees or remuneration, length/term of this employment or consultancy, and if/how the Foundation will be identified.

Your request will be reviewed by the Director of HR, IT and Shared Services who will respond in writing, indicating whether or not the activity is permitted and, if permitted, what conditions apply and under what circumstances you may be required to abstain from Foundation discussions and decisions.

### **Board and Advisory Committee Memberships**

Membership on boards and advisory committees of existing or potential grantee organizations or business relationships is generally not permitted. Under certain circumstances, participation in a professional association that is related to the Foundation's business, (e.g., Grantmakers in the Arts, Grantmakers for Education, Philanthropy New York) may be approved. You must present a request in writing to the Director of HR, IT and Shared Services following the guidelines for disclosure of outside employment and consultancies.

## **Participation in Review Panels**

You may be asked to participate as an expert reviewer on a panel, as the Foundation sometimes requests external experts to participate on review panels for our work. Such requests should be reviewed with and approved by the Director of HR, IT and Shared Services to ensure that participation would not present any conflict of interest and can be appropriately balanced with your responsibilities at the Foundation. You may not accept any fee or honoraria, but the Foundation will reimburse covered travel expenses for panel participation that has been approved.

## **Political Activities and Affiliations**

Foundations are strictly prohibited from engaging in political activities, and as such, you may not engage in any political activity or affiliation that could be attributed to your role with the Foundation.

If you are involved in a political activity, you must inform the organization that your participation is as an individual and not in any way representing or on behalf of the Foundation.

The Foundation may not be identified in any listings or other materials.

## **Gifts, Service, Tickets and Tables**

You may not accept any gift, entertainment, service, or favor other than that of nominal value, which might be regarded as creating an obligation to a third party doing business with or desiring to do business with the Foundation. For purposes of this policy, nominal value means any tangible or intangible item that does not go beyond a courtesy associated with normal business practice or is in any way intended to influence the relationship with the Foundation. In addition, when conducting business, you must pay for your meals and other related expenses.

You may not accept any ticket (free or otherwise) to performances or exclusive invitations to events sponsored by grantees, potential grantees or other organizations with a business relationship with the Foundation. Such events include private receptions, galas, performances, readings, lectures and workshops. The Foundation does not purchase tables or raffles or otherwise support fundraising efforts. Our support of charitable causes is through our grantmaking programs only.

## **SPECIFIC CONFLICT OF INTEREST PROCEDURES FOR OFFICERS AND KEY EMPLOYEES**

**The following section applies only to officers and key employees.** Under New York Not-for-Profit Corporation Law, officers and key employees are subject to additional requirements with respect to conflicts of interest (defined above). (These requirements also apply to the Foundation's Board of Directors.) The Audit Committee of the Board will oversee the implementation of and compliance with these Conflict of Interest procedures.

### **A. Disclosing, Addressing and Documenting Conflicts of Interest**

#### *i. Disclosure*

In the event any officer or key employee or his or her related parties (as defined above) has a direct or indirect personal, business or financial interest in a transaction, grant or contract request that the Foundation is considering, the officer or key employee shall disclose in good faith the nature and extent of such interest or involvement and all other material facts about the transaction, grant or contract request to the Senior Counsel, who shall make a determination and report the outcome to the Audit Committee of the Board; or if in the context of a Board meeting, to the full Board; or if in the context of an Investment Committee meeting, to the Investment Committee. Disclosure shall be made prior to any consideration of the proposed transaction by the Board or committee, or promptly after the officer or key employee has knowledge of the relevant facts if he or she had no actual knowledge prior to the relevant Board or committee action.

#### *ii. Respond to Questions; Recusal; Refrain from Influence*

The officer or key employee shall answer any questions and provide any information reasonably requested by any board member or committee member pertaining to the officer's or key employee's interest in the transaction, grant or contract or regarding the terms of the proposed transaction, grant or contract. Beyond responding to such requests for information, the officer or key employee shall not be present at or participate in the deliberations or vote on such transaction or grant request and shall refrain from attempting to improperly influence the deliberations or voting on the matter.

#### *iii. Steps and Standard for Foundation Approval*

Once the Foundation becomes aware of an actual or potential conflict of interest, the Board of Directors or relevant committee must determine, acting without the presence, participation or influence of the interested officer or key employee, that the transaction or grant in question is fair and reasonable to the Foundation and is in the Foundation's best interests. In determining whether the proposed transaction or grant is fair, reasonable and in the Foundation's best interests, the Board or Committee will review available information regarding the cost or benefit of comparable arrangements, if any. If an officer or key employee

or one of their related parties has a substantial financial interest in a transaction, the Board or committee must consider whether the Foundation is able to obtain with reasonable efforts a more advantageous alternative arrangement that would not give rise to a conflict of interest. Such proposed transaction or grant request must be approved by not less than a majority of the members of the Board or Committee, as applicable, present at a meeting at which there is quorum. Interested board members, if any, may be counted solely for determining the presence of a quorum.

*iv. Disclosure to the Audit Committee*

If a conflict of interest transaction is reviewed by a Board committee other than the Audit Committee, the existence of the matter and its disposition (including compliance with the requirements of this Policy) must be promptly disclosed to the Audit Committee.

*v. Documentation*

The minutes of the meeting at which the transaction is discussed shall reflect all disclosures and recusals with respect to the transaction or grant, together with the basis for all determinations and approvals, including the terms of the applicable transaction or grant; any data the Board or committee relied upon in determining that the transaction or grant is reasonable and in the best interests of the Foundation, including consideration of any comparable arrangements (to the extent considered); how such comparability data was obtained; and the determination made.

**B. Disclosure Statement**

At the time of the initial election, appointment or hiring of any officer or key employee and annually thereafter, such individual must complete, sign and submit to the Senior Counsel of the Foundation a written disclosure statement identifying to the best of his or her knowledge:

- i) any entity or trust of which such individual is an officer, director, trustee, member, owner (either as a sole proprietor or a partner) or employee and with which the Foundation has a relationship;
- ii) any transaction in which the Foundation is a participant and in which the individual or related party with respect to that individual might have a conflicting interest; and
- iii) any other interests that could give rise to a conflict of interest.

Each officer and key employee must update his or her disclosure statement as necessary to reflect changes during the course of the year. Completed disclosure statements will be available for inspection by any member of the Board. Senior Counsel will review the disclosure statements and provide a copy of all completed disclosure statements to the Chair of the Audit Committee and will periodically update the Chair of

the Audit Committee concerning compliance with the disclosure statement requirements of this Policy.

## **SPECIAL INVESTMENT PROCEDURES FOR OFFICERS, KEY EMPLOYEES AND INVESTMENT STAFF**

Officers, key employees and all Foundation Investment staff have a duty not to engage in any investment activity that conflicts or competes with the Foundation's interests and a duty not to derive personal financial benefit through the use of special knowledge or privileged information acquired through their service as an officer, key employee or member of the Foundation's Investment staff. The Specific Conflict of Interest Procedures for Officers and Key Employees outlined above will apply if the Investment Committee is considering investment activity that could potentially give rise to a conflict of interest. Additional limitations as set forth below may also apply.

The Foundation will not normally invest directly in organizations in which an officer, key employee or member of the Foundation's Investment staff has a material ownership interest or holds a board position.

If the Investment Committee discusses a matter in which a Committee member or his or her related party has a direct or indirect financial interest, such Committee member must disclose such interest to the Investment Committee, and apart from responding to the Committee's requests for information, the interested Committee member must not be present at or participate in the discussion or attempt to influence any deliberations or voting on the matter. In making any determinations involving a conflict of interest, the Investment Committee shall follow the Specific Conflict of Interest Procedures for Officers and Key Employees outlined above and shall promptly report any such determinations made to the Audit Committee.

Officers, key employees and members of the Foundation's Investment staff shall comply with all laws and regulations relating to the use and communication of material non-public information. This includes the duty not to communicate, or trade while in possession of, material non-public information.

Officers, key employees and members of the Foundation's Investment staff and their related parties are not permitted to seek or receive any personal benefit or advantage in connection with the investment or prospective investment of assets of the Foundation, or to use the prestige or influence of their position for such purpose. In the Investment area, a personal benefit might include, for example, a placement fee, a reduced management fee or a reduced minimum investment, or any other benefit not available to every other qualified investor. Any offer of such a personal benefit must be disclosed to the Senior Counsel, who shall make a determination and report the outcome to the Audit Committee and the Investment Committee.

Officers, key employees and members of the Foundation's Investment staff must also disclose any arrangement under which they or their related parties are proposing to co-invest with the Foundation to the Senior Counsel, who shall make a determination and report the outcome to the Audit Committee and the Investment Committee.



Officers, key employees and members of the Foundation's Investment staff are required to obtain approval from the Senior Counsel (who shall make a determination and report the outcome to the Audit Committee) prior to any investment in an IPO from a company in which the Foundation holds an equity or debt interest. Secondary public offerings by publicly-traded companies in which the Foundation owns less than 10% of the equity are excluded from this rule. The Senior Counsel should promptly report any such request and approval to the Investment Committee.

With respect to any investment matter, if there is any doubt or any potential for doubt with respect to whether a conflict of interest exists in a specific situation, the conflict must be disclosed to the Investment Committee in accordance with the Conflict of Interest Policy and the Investment Committee shall review the situation in accordance with the Specific Conflict of Interest Procedures for Officers and Key Employees outlined above.

### **CONFLICTS INVOLVING THE SENIOR COUNSEL**

Notwithstanding any of the above, any conflicts involving the Senior Counsel shall be disclosed to the President, who shall make a determination and report the outcome to the Audit Committee.

### **SELF-DEALING RULES FOR OFFICERS**

An excise tax is imposed for any direct or indirect act of self-dealing between a private foundation and a "disqualified person," e.g., a director or officer of the Foundation or member of their family.<sup>2</sup>

Self-dealing transactions generally include these actions between a private foundation and a disqualified person:

- The sale, exchange or leasing of property, even if at arms-length price.
- The lending of money.
- The furnishing of goods, services or facilities.
- Payment of compensation or expenses (other than reasonable compensation or expenses necessary to the carrying out of the Foundation's charitable purposes).
- The transfer or use of the Foundation's income or assets by or for the benefit of a disqualified person.

As a general rule, the public recognition "benefit" a disqualified person receives as a consequence of being associated with the Foundation's charitable activities is not self-dealing because the benefit is considered incidental or tenuous. However, recommending that the Foundation make a grant that fulfilled a personal pledge would be self-dealing.

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<sup>2</sup> For purposes of self-dealing, "family members" are considered to include a spouse, ancestors, children and their spouses, grandchildren and their spouses, and great grandchildren and their spouses. This definition is consistent with the definition of a disqualified person under the Internal Revenue Code.

Wallace Foundation Staff Officers<sup>3</sup>

President

Treasurer

Chief Investment Officer

Assistant Treasurer Chief

Financial Officer

Corporate Secretary

Assistant Secretary

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Code of Ethics

April 2014

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<sup>3</sup> As of April 25, 2014

## WHISTLEBLOWER POLICY FOR STAFF AND VOLUNTEERS

If a Foundation employee or volunteer (other than members of the Board of Directors) becomes aware of or has a reasonable good faith belief that the Foundation may be involved in illegal activity, fraud or violation of organization policy (as described in Exhibit 1), or if the employee or volunteer suspects any impropriety regarding the Foundation's accounting methods, internal controls, audit processes or any other financial matter, the employee or volunteer should immediately report such concern ("suspected wrongful act") to the Senior Counsel. If it is impractical or inappropriate for the employee or volunteer to notify the Senior Counsel, the employee or volunteer may contact the President, or if inappropriate to notify the President, the Chair of the Audit Committee of the Board of Directors.

Reports may be submitted in writing or verbally, and should contain as much detail as possible to allow an appropriate investigation to begin. Reports may be submitted anonymously or not. Anonymous reports of suspected wrongful acts that do not contain sufficient detail may prevent an investigation from beginning. The employee or volunteer should retain all documents that could be relevant to an investigation of the matter.

All reports will be received and acted upon in confidence to the maximum extent possible given legal requirements and the need to gather facts, conduct an effective investigation, and take necessary corrective action.

The Senior Counsel shall be responsible for administering this Whistleblower Policy. When the President receives a complaint, he or she shall inform the Senior Counsel, unless it is inappropriate to do so. When the Senior Counsel receives a complaint, he or she shall inform the President, unless it is inappropriate to do so. The Senior Counsel or President will apprise the Audit Committee of all complaints (including those not shared with the President or Senior Counsel) and investigations. Following investigation, the Foundation will take such appropriate remedial and disciplinary action as it deems justified by the circumstances.

No adverse action, including but not limited to intimidation, harassment, discrimination, adverse employment consequences or other retaliation may be taken against an employee or volunteer who in good faith reports allegations of improprieties or illegal activities which the employee or volunteer reasonably believes to be true, or for assisting in the investigation of a complaint.

The improprieties covered by this policy include, but are not limited to, the following:

- Supplying false or misleading information on the Foundation's financial documents;
- Providing false information to or withholding material information from the Foundation's auditors;
- Violations of the Foundation's policies as described in Exhibit 1;
- Foundation assets being used for personal gain or benefit;
- Payment for services or goods that are not rendered or delivered;
- Embezzlement and fraud; or
- Planning, facilitating or concealing any of the above.

**List of Wallace Policies  
As of May 2014**

**Board of Directors**

1. Board Member Code of Ethics (last revised April 2014)
2. Business Travel Reimbursement Policy for Directors (last revised 2012)
3. Director Sponsored Grants (last revised January 2014)

**Staff**

4. Staff Code of Ethics (last revised April 2014)
5. Travel and Expense Guidelines (last revised September 2011)
6. Matching Gifts (last revised October 2012)
7. Records Retention (last revised May 2005)
8. American Express Corporate Credit Card Acknowledgment of Receipt (last revised January 2012)

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## CONFIDENTIALITY OF INFORMATION

It is the responsibility of each staff member to properly safeguard any and all Foundation information that is secret, confidential or proprietary information or know-how of the Foundation (hereinafter collectively referred to as the “Confidential Information”) and promptly return it at the end of the employment relationship. Confidential Information includes but is not limited to personnel and payroll data, grantee organization information, proposals and review processes and decisions, grantee agreements, investment processes and decisions, financial records, manuals, records, vendor relationships, contractual agreements and provisions, computer programs and other such information, inclusive of all media (print, electronic or other) formats in which the Confidential Information is stored. All Confidential Information is the exclusive property of The Wallace Foundation.

You may not disclose any Confidential Information to any person who does not have an official need to know in the course of fulfilling your responsibilities for the Foundation. Further, you or a family member may not use Confidential Information for personal or financial advantage or to provide any direct or indirect benefit to you or any family members. As defined in the Internal Revenue Code as a “disqualified person” and for purposes of this policy, family members are considered to include spouse, ancestors, children and their spouses, grandchildren and their spouses, and great grandchildren and their spouses.

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## APPROPRIATE USE OF TECHNOLOGY

The Wallace Foundation makes available information technology and communications systems to facilitate and support Foundation staff in accomplishing business goals and objectives and has established standards for appropriate use of such systems by staff. This policy addresses systems integrity, access, and staff's personal responsibility to maintain the security of our systems and comply with all Foundation policies in their use of technology.

### OWNERSHIP

All hardware, software, communications systems, equipment, electronic data (including email and all documents), and voice mail messages are the property of the Foundation. The Foundation reserves the right to access, review and copy the content of any and all programs, directories (whether personal or shared), files, documents, and email, voice mail or other messages stored on its information or communications systems at any time for any purpose and without notification to staff.

### SYSTEMS INTEGRITY, CONFIGURATION AND MANAGEMENT

The Foundation has established standards for systems configuration, setup and software that apply to the network, office computers, Foundation laptops, smart phones and any other electronic equipment. If other software or applications are required for you to do your work, please discuss with the Information Technology Manager who will review and determine whether such additional software or applications can be made available.

We operate in full accord with copyright, licensing provisions and all applicable agreements for all of the Foundation's software and materials. Therefore, no copies should be made of any software or materials. In addition, staff may not download, upload or otherwise add any unauthorized or illegally obtained software, videos, music or other materials to any computer or electronic systems owned by the Foundation.

To protect the technology infrastructure, the Foundation uses an application to block SPAM, phishing emails, viruses and other malware. As a precaution, staff should check with the Information Technology Manager *before*:

- Using Flash drives on both a home computer and office computer, and using any disks or CD's on Foundation equipment; and
- Using MP3 audio players (iPods, etc.), personal memory keys, and other digital storage devices with any Foundation equipment.

Staff may check personal email if needed using web-based email services (e.g., Gmail, Yahoo, AOL) only.<sup>1</sup> We ask that staff recognize their responsibility and accountability to not take any action that will compromise the integrity of the Foundation's system.

Because internet radio requires a significant amount of bandwidth and slows the performance of our overall systems, staff may not access it or download music sites on the Foundation's equipment.

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<sup>1</sup> Accessing personal email through Outlook Express or POP3/STMP poses a security threat to the network.

For business continuity, the Foundation maintains a process to back-up and store data that is on the network drives only. Therefore, staff should use these shared network drives for *all* work. Generally, each unit will establish and manage the organization of files on the shared unit drive.

To support the most efficient operation of the system, staff should periodically review and delete files that are no longer needed. In addition, the Foundation has established a limit for e-mailboxes. Staff are responsible for reviewing, deleting or storing email files to maintain their e-mailbox within the limits.

### **ACCESS, SECURITY AND CONFIDENTIALITY**

Appropriate access to the Foundation's systems, files and data is determined for each staff member at the time of hire based on their responsibilities, and the Information Technology Manager configures this access. The Foundation has a password policy to further manage access and security of the system.

All users, particularly those with access to confidential information, have a responsibility to protect the Foundation's data in compliance with our Confidential Information policy. If such data must be transmitted, please discuss this in advance with the IT Manager to ensure appropriate safeguards are in place. During the work day, screens should be locked when away from your desk. When leaving the office for the day, please logoff or lock the screen, and turn off the monitor. Confidential information should not be taken out of the office on a laptop, disk, memory key or any other media.

All users should comply with third party policies that protect confidential and proprietary information and copyright laws that govern the transmission, downloading, printing or sharing of any copyrighted materials or confidential information.

### **APPROPRIATE USE**

The Foundation's information technology and communications systems are provided to support staff in accomplishing our business objectives. All policies of the Foundation apply to electronic communications, including but not limited to our intent to maintain a productive workplace free of harassment, avoid conflicts of interest and prohibit engagement in political activity. The Foundation's equipment and your email address should not be used for personal blogging, social networking or while on social media sites.

Technology and electronic equipment is made available to support the work of the Foundation. Personal use should be limited, incidental, and take place outside the work day. Personal telephone use should be for local region calling only. If circumstances require a personal cell phone to be turned on during the business day, it should be switched to a non-audible signal.

Email should conform to standards for Foundation correspondence, be clear and succinct, and address topics that are appropriate for written communication. Review emails before sending – an email becomes a permanent document that can be forwarded to anyone. Confidential or

sensitive topics generally are better addressed in person to allow for discussion.

### **TRAINING AND SUPPORT**

To effectively utilize technology in our work, the Foundation requires certain levels of proficiency by staff. An initial orientation to our information and communications systems is provided at the time of hire, and IT staff is available for ongoing support. Opportunities to enhance required skills are available either by working with “expert users” internally or, if necessary, through selected training programs identified in consultation with the director of operations.

IT staff will troubleshoot and resolve technical issues, and assist users in determining the best technology approach for the business need, e.g. sending an email to all grantees, conference registration, posting of conference materials. This support is for the Foundation’s system, hardware and software only; unfortunately our IT staff are not available to provide advice or assistance with personal electronic equipment.

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## IV: FURTHERING OUR REACH

- Public Commentary and Presentations

## PUBLIC COMMENTARY AND PRESENTATIONS

To help advance our mission to expand learning and enrichment opportunities for children and to share what we are learning with policymakers and practitioners, we seek out and often accept opportunities to represent the Foundation at various meetings and to participate in other public forums. These opportunities may take many forms, including but not limited to speaking engagements, writing articles for print or electronic media, and participating in blogs and on other social media sites. In this policy we share our process for making decisions about participation in these public engagements as part of your role and responsibilities at Wallace. We also recognize that many staff participate personally on social media sites and engage in social networking, and share a few points that we ask you to be mindful of when doing so in your personal life.

Decisions about public engagements – speaking, writing and social media - rest with the director of communications, and all invitations should be reviewed with the director of communications before accepting or refusing them. By centralizing this responsibility, we make sure we pursue the best opportunities for the Foundation overall,<sup>1</sup> incorporate consistent initiative and foundation-wide messages that extend our reputation, and determine who is best positioned to represent the Foundation.<sup>2</sup> The director of communications and the staff member designated to represent the Foundation will also reach agreement on key messages and content to be presented on behalf of Wallace.

When writing for external publications, our practice for bylines is typically “By the staff of The Wallace Foundation,” with a footnote listing the staff involved in the creation of the document.<sup>3</sup> This approach signals that the views expressed represent the views of the Foundation rather than an individual staff member. Articles by the president will carry the president’s byline because, by virtue of the office, it is assumed the president is representing the views of the Foundation.

When participating *personally* on social media sites, social networking or blogging, we ask that you be mindful of the following:

- The lines between personal and ‘official’ professional identification can get blurry in social media. If you are commenting in an area where the Foundation is working, participating on a site engaged in advocacy or politics, or commenting on the work of an organization or former staff member, your comments could reasonably be perceived by others as representing the Foundation. Therefore, in all such cases please identify yourself as a staff member of Wallace and add a disclaimer. The disclaimer can simply say: “*The views and postings on this site are my personal views and do not represent those of The Wallace Foundation.*”
- Be aware of your responsibility to protect confidential and proprietary information of the Foundation, grantees and partners. This includes strategy discussions, information con-

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1 Factors considered for acceptance include: Do we have content to share that is relevant to the audience? Is the audience one we seek to reach? Is the sponsoring organization/publication/venue/social media site reasonably credible and consistent with our brand? Is our presence needed to mitigate possible misrepresentations?

2 Factors considered for who represents the Foundation: What is the level of the audience/readership: leadership or staff? Initiative specific or foundation-wide? Who will have maximum credibility with the audience? Who is available? For speaking engagements: Are there media present? Panel or keynote?

3 Exceptions include articles where the ideas represented are predominantly those of the author, rather than the Foundation, or reflect specialized knowledge of the author.

tained in proposals, grantee reports, Board discussions, finance and investments, personnel information, and all information described in our *Confidentiality of Information* policy. Please do not use the Wallace logo or tagline in personal postings.

In general, we encourage you to be familiar with and understand the policies, terms and conditions of any site you use, paying particular attention to the personal information you post and the site's policies on privacy and use. Respect and comply with copyright, trademark and fair use laws, appropriately citing references and sources. Remember that you are *personally* responsible for any content you publish.

#### **CONTACT FROM MEDIA**

Please immediately refer any/all requests for information or comment from external media to the director of communications.

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## V: STAFFING AND DEVELOPMENT

- Employment
- Offices Practices: Attendance
- Performance Enhancement & Compensation System

## EMPLOYMENT

The Wallace Foundation is committed to employment practices that ensure qualified individuals are placed in positions to support the achievement of the Foundation's mission and goals, to maintain a diverse workplace where differing perspectives are a source of strength, and to comply with all applicable laws and regulations.

### RECRUITMENT, HIRING AND ORIENTATION

The Foundation's recruiting process aspires to draw from a robust and diverse candidate pool,<sup>1</sup> engage prospective candidates through a well-defined interview process, and enable timely decisions to fill open positions. The director of operations is responsible for managing the recruiting and employment process for the Foundation.

For eligibility for and coverage under the Foundation's benefit plans and certain personnel policies, the Foundation hires into one of two categories of employment:

- A *full-time regular employee* is hired to work the Foundation's normal full-time work week on a regular basis at an established salary level. The employee may be exempt or non-exempt based on the position.<sup>2</sup> Generally the full-time regular employee is eligible for coverage under the benefit plans and time off policies.
- A *temporary employee* is hired for a specified duration, generally on a full-time basis in an exempt position. A temporary employee is not eligible for coverage under the Foundation's benefit plans except where mandated by law, but will be paid for designated holidays. If the temporary position extends for a period greater than six (6) months, the Foundation may, at its sole discretion, provide a limited number of PTO days.

### Orientation Period

The first three months of employment is designated as an orientation period. Please see the Performance Enhancement & Compensation System overview in the Human Resources section of the intranet for our process to set goals for the orientation period, review performance and make a determination whether or not to continue employment.

### SEPARATION

While The Wallace Foundation hopes that employment relationships are long-term and rewarding, all employment relationships are on an at-will basis, meaning both you and the Foundation reserve the right to terminate the employment relationship at any time, for any reason, or for no reason.

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1 The Foundation will not employ family members of staff when such employment would result in one relative supervising another or working in the same unit. For purposes of this policy, "family members" includes spouse, parent, grandparent, sibling and all comparable relationships including any relative or dependent who regularly lives in the staff member's household.

2 To comply with U.S. wage and hour laws, exempt and non-exempt status is designated for each position. Overtime payments in accordance with applicable laws will be paid to non-exempt employees. Payment of overtime is not required for exempt employees. For further information, please see Office Practices: Attendance.

Your separation from the organization may be voluntary (generally a resignation) or involuntary (a termination). In the case of a resignation, the Foundation requests that an employee provide at a minimum one-month's notice in writing. Generally, an involuntary separation or termination results from failure to improve performance against mutually agreed-upon standards defined in a performance plan, a reduction in force, or a violation of the Foundation's policies.

In either case, the director of operations will schedule an exit interview with the employee to review benefit plan coverage, discuss applicable Foundation policies such as protection of confidential information, and receive all Foundation property.

#### **REFERENCES**

All external inquiries related to staff, including but not limited to reference checks and requests for employee information, should be referred to the director of operations immediately. In response to reference calls, the Foundation will generally provide only the dates of employment and position title. Any written request for information requires a signed authorization by the employee before the Foundation will release that information.

Postings to social media sites, e.g., LinkedIn, commenting on the work of a former staff member are considered references. If you comment on a personal basis, please include a disclaimer as noted in our guidelines for social media in the policy *Public Commentary & Presentations*.

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## OFFICE PRACTICES: ATTENDANCE

At Wallace our approach to work is to engage with colleagues to share information and ideas, develop strategy, solve problems together, collaborate on implementation and management of our day-to-day responsibilities, and make readily available to each other our experience and expertise in an interdisciplinary team environment. We know from our experience that this approach strengthens the work itself and our workplace as a learning organization. This approach to work guides our thinking on attendance and ‘work time’ and the policies described here.

Although our interdisciplinary team-based structure depends on and benefits from our physical presence in the office, we also recognize that there may be limited circumstances where certain assignments or projects lend themselves to “work from home.” We also recognize that such assignments or projects are generally likely to fall within the responsibilities of exempt staff. In all such cases, a request to work at home must identify the specific work to be accomplished and be *approved in advance* by your supervising director. If approved, it is expected that the staff member is available as needed via telephone and email throughout the work day. This policy is not intended to result in a regular schedule of work at home, nor is it intended to be used on days of inclement weather or other travel disruptions or circumstances that prevent a staff member from coming to the office on what would otherwise be a regularly-scheduled day of work in the office.

For non-exempt staff, we define the normal work week as 37 ½ hours scheduled between the hours of 8:30 a.m. and 5:30 p.m. Overtime is paid in compliance with applicable wage and hour regulations.<sup>1</sup>

### Attendance

Regular attendance and punctual arrival are the responsibilities of every staff member. However, we recognize that there will be circumstances - personal emergency, sickness or transportation delays - that result in lateness, the need to take an unplanned PTO day, or to leave early. In these situations, you should contact your supervising director as soon as possible to advise of the situation. The PTO day should be indicated on the unit calendar in Outlook by the individual designated in the unit to manage the calendar entries to ensure accuracy in the daily attendance sheet for emergency situations.

In the event of an absence of five or more consecutive working days due to illness or injury, the Foundation may request you provide, consistent with the privacy policy under HIPAA, a note from a licensed physician or medical facility.

Generally, five separate occurrences of unplanned absence are considered excessive. Such a situation will be included in ongoing performance discussions and may be the basis for disciplinary action up to and including termination.

It is the policy of the Foundation to remain open for business in the event of inclement weather or other disruptions - such as transit problems – unless there is a state of emergency declared and It is the policy of the Foundation to remain open for business in the event of inclement weather or other disruptions - such as transit problems – unless there is a state of emergency declared and

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<sup>1</sup> Overtime is paid at one and one-half times the base rate of pay for time worked beyond 40 hours in a work week.

businesses must close. If you are unable to report to the office when the office is open, PTO should be used.

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## PERFORMANCE ENHANCEMENT AND COMPENSATION

At the Wallace Foundation, our Performance Enhancement system reflects and reinforces how we work across the Foundation to produce high-quality work, have a high level of engagement, and demonstrate the behaviors that contribute to an organizational culture that is a strong learning organization. Our Compensation system provides the opportunity to earn merit increases based on individual performance within an overall salary structure designed to maintain a competitive market position.

### Performance Enhancement

There are three elements of the performance enhancement system:

- *Goals and responsibilities:* provide a clear understanding of what work the staff member is expected to do, the expected outcomes of that work and the accompanying performance measures that indicate the work is well done.
- *Core competencies:* describe the behaviors, skills and expertise a staff member should demonstrate in accomplishing goals and fulfilling responsibilities
- *Overall performance ratings & targeted foundation-wide distribution:* determined by the senior management team to differentiate individual performance among staff in similar positions

More information about the Performance Enhancement system can be found in the Human Resources section of the intranet.

### *Setting Goals and Responsibilities*

To ensure that every staff member understands performance expectations for the year, we develop goals and responsibilities that link our individual work to the goals and strategies for the Foundation, initiative or unit. Every goal/responsibility should include *specific outcome measures* as these form the basis for assessment.

### *Core Competencies*

The Foundation has set five core competencies (plus an additional competency for senior management): Individual Responsibility & Teamwork; Work Planning & Project Management; Analytical Skills; Communications; and External Relationships.

We rate performance on individual competencies as part of the annual review, indicating how consistently *quality* is demonstrated in the competency and providing supporting examples.

### *Overall Performance Ratings*

We have overall performance ratings for three reasons: they serve as a summary indicator of a staff member's performance for the year, it's a way to respond to the strong feedback in the employee surveys on the need to differentiate performance and recognition, and they are a tool we use to determine merit increases.

We are an organization of strong performers, deeply committed to our work. We set a very high bar for everyone -- and consistently meet it. So when we talk about 'good solid performance' we mean staff who are meeting our high bar – and that is the majority of staff.

Senior management considers both contributions (meeting the measures on goals and responsibilities) and how the work was accomplished (quality consistently demonstrated for core competencies) in making decisions about overall ratings. The senior management team comes together to discuss each staff member's performance for the year. In making decisions about overall ratings, senior management uses the following guidelines:

- Outstanding Performance (5%): exceeds on most goals/responsibilities, consistently demonstrates quality on competencies required for the position, and makes a special contribution that advances the Foundation's effectiveness
- Excellent Performance (25%): exceeds on most goals/responsibilities, and consistently demonstrates quality on competencies required for the position
- Good Solid Performance (65%): meets on most goals/responsibilities and exceeds on some, and consistently demonstrates quality on most competencies required for the position
- Needs Improvement (5%): does not meet several goals/responsibilities, and does not consistently demonstrate quality on competencies required for the position

### **Compensation**

Our *total compensation* approach recognizes that compensation includes both salary and the wide range of benefits that the Foundation provides. Our goal is to be competitive with the marketplace to attract, retain and motivate highly qualified staff who, working together, are responsible for implementing the Foundation's mission.

### *Competitive Market Surveys*

Our process for establishing a competitive compensation program is rigorous, comprehensive and objective. We regularly conduct market reviews for staff positions and orient our salaries to the market median, reflecting prevalent market practice.

### *Job Family Bands*

To manage our competitive positioning and overall salary budget, we use a salary structure known as Job Family Bands. This type of structure suits us well in two ways. First, it reflects the different areas of skill and expertise we have at the Foundation: administrative support, communications & editorial services, finance, information technology, investments, professional support, operations, program, and research & evaluation. And it acknowledges that, given our size and staffing structure, salary growth and development will generally be within a position rather than through promotion to a different level.

Job family bands are developed using the competitive market median to create a minimum and maximum salary for each position. Managers share the applicable band with staff during individual performance and salary review discussions.

### *Merit Matrix*

The merit matrix used to determine individual merit increases is developed each year based on the projected market trend and overall merit budget, as approved by the Foundation's Board of Directors. The matrix provides guidelines that link performance and compensation, indicating the range of a possible merit increase based on your overall performance rating and where your salary is within the job family band. Managers will also share the matrix with staff during individual performance and salary review discussions.

*This policy statement is not a contract of employment. The Wallace Foundation reserves the right to change or revoke this policy statement at any time without notice.*

## VI: EMPLOYEE BENEFITS & TIME OFF

- Employee Benefits
- Tuition Reimbursement
- Matching Gifts
- PTO
- Holidays
- Leaves of Absence

## EMPLOYEE BENEFITS

Employee benefit plans and programs are an integral part of The Wallace Foundation's total compensation package for regular, full-time employees. Our total compensation philosophy is to be competitive with the marketplace in order to help us attract, retain and motivate highly skilled managers and staff who, working together, are responsible for implementing the Foundation's mission. The Foundation complies with applicable provisions of the Health Insurance Portability and Accountability Act (HIPAA) and all other applicable local, state and federal laws and regulations.

A full description of the benefit plans and programs offered by the Foundation, and employee enrollment information are provided to the employee at the time of hire. Changes to the plans and updates are communicated when made. Presented below are brief summaries of the employee benefits offered by the Foundation.<sup>1</sup> Further description and links to the sites for the medical, dental, retirement and flexible spending accounts are on the intranet in the Human Resources section.

**The Wallace Foundation 403(b) Retirement Plan:** Upon completion of six months of continuous service, the Foundation contributes the equivalent of 15% of your earnings to the 403(b) plan. From the first day of employment, you can also build savings through your own pre-tax contributions. The plan offers a broad portfolio of funds from which to choose your investments. In addition to the plan document itself, the Summary Plan Description (SPD) includes information on employer contributions, employee contributions through salary reductions, contribution limits, loans, withdrawals, and designation of a beneficiary.

**Health:** The Oxford/United Healthcare Freedom Metro Access plan is a point-of-service plan which allows you to choose in-network or out-of-network services.

The Foundation pays 80% of the cost for all categories of coverage (employee, employee & spouse, employee & child(ren), family); the employee pays 20% through payroll deduction. You may elect to pay your contribution to the health plan premium on a pre-tax basis, thereby reducing your taxable income.

**Dental:** The Guardian plan is a Preferred Provider Organization (PPO) providing 100% reimbursement for preventive care both in- and out-of-network, and other covered services. The Foundation pays 100% of the cost of coverage.

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<sup>1</sup> In all cases, the plan provisions as contained in the plan documents and insurance contracts govern eligibility to participate and specific coverage under the plan or program. The Foundation reserves the right to change any of these plans or programs at any time. The contracts and other plan documents are available from the director of operations. Unless otherwise noted, coverage begins on the first day of employment as a full-time regular employee.

**Flexible Spending Accounts:** The Foundation offers you the opportunity to set aside pre-tax dollars from your pay for reimbursement of qualifying health and dependent care expenses. This is in addition to your election to use pre-tax dollars for your contribution to the health plan premium. You are able to set aside up to \$5,000 for the health care plan and \$5,000 for dependent care.

**Short-term Disability:** Short-term disability benefits are provided under the New York State statutory plan through Guardian. The benefit is the equivalent of 50% of your salary to a maximum of \$170/week, beginning on the eighth consecutive day of certified disability. The Foundation pays 100% of the cost of this coverage.

**Supplemental Short-term Disability:** If you are certified as disabled and receiving a short-term disability benefit, the Foundation will supplement this benefit to maintain your full salary for a certain period, based on your length of service.

For additional information on Short-term Disability and Supplemental Short-term Disability, please see the *Leaves of Absence* section of the guide.

**Long-term Disability:** Long-term disability benefits provide the equivalent of 60% of your salary to a maximum of \$10,000 per month, offset by any other payment you are receiving for disability, and subject to determination by the insurance company. LTD benefits begin after a continuous six-month period of certified disability. Long-term disability benefits are provided through Guardian and the Foundation pays 100% of the cost of this insurance.

**Life Insurance/Accidental Death & Dismemberment:** Life insurance provides your beneficiary with a benefit equal to three times your earnings to a maximum of \$1,000,000 (guaranteed issue up to \$420,000 and thereafter subject to good health certification). AD&D benefits are paid to you following a schedule based on the type of loss to a maximum of \$500,000. These benefits are provided through Guardian and the Foundation pays 100% of the cost of this insurance.

**Business Travel Accident Insurance:** Business travel accident insurance provides a benefit payable in the event of death or permanent total disability of six times salary to a maximum of \$3,000,000 if you are on authorized business travel. This benefit is provided through CIGNA Life Insurance Company of New York and the Foundation pays 100% of the cost of this insurance.

**TransitChek Program:** You can designate a portion of your pay on a pre-tax basis to purchase TransitCheks (vouchers) or MetroCards for commuting by public transit and eligible vanpools.

**Workers Compensation:** This benefit is provided in compliance with the New York State statutory plan through Federal Insurance Company (CHUBB). It provides salary replacement assistance in the event of an on-the-job injury or illness to eligible individuals who meet the qualifying requirements in compliance with New York State regulations. The Foundation pays 100% of the cost of this insurance.

**Social Security/Medicare:** The Foundation contributes an amount equal to your own statutorily-required contribution, resulting in a monthly retirement benefit and health insurance when eligible.

**Unemployment Insurance:** Unemployment insurance provides temporary financial assistance to eligible individuals who meet the qualifying requirements. It provides a statutory benefit that is funded through payments made by the Foundation.

Privacy Practices for Protected Health Care Information

The Health Insurance Portability and Accountability Act (HIPAA) established requirements for employers to maintain the privacy of protected health information (PHI) and to provide individuals with notice of these legal duties and privacy practices. PHI is defined as group health plan information that is individually identifiable and medical or financial in nature including information about claims, treatment, utilization and enrollment. Notices of privacy practices are distributed at time of hire, and are available on the Foundation's intranet.

The Foundation has designated the director of operations as the privacy officer and taken actions to ensure that PHI is used only for the purpose for which it was provided, and is stored in a secure manner and place. The Foundation has procedures in place to investigate and respond promptly to any employee concern with respect to PHI.

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## TUITION REIMBURSEMENT

Full-time regular employees who have successfully completed the orientation period are eligible for reimbursement of tuition for degree programs at a fully-accredited institution of higher education.

We provide reimbursement for tuition only for courses successfully completed with a passing grade. Costs for books, registration, activity/laboratory/special fees, entrance tests or class materials are not covered.

Although the maximum annual reimbursement any employee can receive is \$5,000, the amount of tuition reimbursement the Foundation provides is dependent on the degree being pursued:

- For coursework toward an initial bachelor's degree, the Foundation will reimburse 100% of tuition costs;
- For coursework towards a first master's degree, the reimbursement percentage is 50%.

In all cases, reimbursement is made only for coursework that meets the criteria outlined in this policy and only if the staff member continues to be an employee in good standing at the time the reimbursement payment is made by the Foundation. Staff members should consult with their personal tax advisor regarding the tax treatment of payments made under this policy.

Staff members should advise the director of operations in writing in advance of starting any course work.<sup>1</sup> To request reimbursement for courses taken and successfully completed with a passing grade, a staff member should complete the tuition reimbursement form and submit it to the director of operations.

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<sup>1</sup> This review is for budget purposes and to confirm the degree program to be pursued is at an accredited institution.

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## MATCHING GIFTS

The Wallace Foundation supports the generosity of its staff by matching their contributions to qualifying not-for-profit organizations. Staff who have successfully completed the orientation period are eligible to participate in this program. The Foundation will match a staff member's gifts on a two-to-one basis, up to an annual maximum Foundation contribution for each employee of \$2,000.<sup>1</sup>

To qualify for a matching contribution, an organization must be not-for-profit, located in the United States, and recognized as a tax-exempt public charity under Section 501(c)(3) of the Internal Revenue Code. The Foundation will **not** match contributions to:

- Any organization that promotes or engages in violence, terrorism, bigotry, or the destruction of any state;
- Religious, political, fraternal and veterans organizations;
- Programs that operate under sponsorship and tax-exemption of a religious organization;
- Fulfill tithes or other religious-related financial commitments;
- Cover the donor's cost for services, tuition, books or student fees;
- Cover the cost of ticket purchases, subsequent fees or other direct value or benefits received by the donor; and
- Individuals or private foundations.

In addition, the following are **not** eligible for the Foundation's matching contribution if the staff member's contribution is:

- Made jointly by several individuals or with funds provided by other individuals;
- For the private benefit of the donor, his or her family members,<sup>2</sup> or individuals designated by the donor;
- Real or personal property, insurance premiums or bequests; and
- Previously pledged but not yet paid.

If the Matching Gifts form is received from the organization more than one year after the date of the staff member's contribution, the contribution will not be matched by the Foundation. If the staff member has separated from service but made a contribution in compliance with all provisions of this policy while still an active employee, the Foundation will match eligible gifts to qualifying organizations.

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<sup>1</sup> A staff member may make a contribution of \$1,000 to a single organization that will be matched by the Foundation's \$2,000 contribution. Or a staff member may contribute to a number of different organizations, where each gift will be matched two-to-one up to a maximum annual Foundation contribution of \$2,000.

<sup>2</sup> For purposes of this policy, family members are considered to include spouse, ancestors, children and their spouses, grandchildren and their spouses, and great grandchildren and their spouses. This definition is consistent with the definition of a disqualified person under the Internal Revenue Code.

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## PAID TIME OFF (PTO)

The Wallace Foundation maintains a paid time off (PTO) program for full-time regular employees<sup>1</sup> intended to provide for periods of rest, relaxation and continued well-being. As of October 2011, a staff member is eligible to accrue PTO as follows:

Years of Service	PTO Days
During year of hire:	
· If hired January 1 - March 31	15
· If hired April 1 – June 30	12
· If hired July 1 – September 30	8
If hired October 1 – December 31	4
After year of hire	20
After five years	25
After 10 years	30
After 15+ years	30

While you accrue PTO during your orientation period, except in special circumstances approved in *advance*, time off is not granted until you successfully complete the orientation period.

Staff should schedule PTO (for full- or half-day) as far in advance as possible but with at least two weeks notice, following the Foundation's procedure for requesting time off.

There may be certain circumstances when a staff member must schedule a doctor's appointment, school visit or other special meeting during regularly scheduled work hours. If the time required is a half-day, a half-day of PTO should be taken. If the time required is less than a half-day, with the approval of their supervising director, non-exempt employees may 'make up the time' by working during lunch break or before or after regularly scheduled work hours within that same week.

If a designated holiday occurs during vacation, the day will be paid as a holiday, not a PTO day.

If an illness occurs during scheduled PTO, that time will ordinarily be paid and recorded as PTO. However, should the illness extend for eight consecutive days during the period of paid time off and be certified as an absence under Short-term Disability, a change from PTO days to Short-term Disability days may be considered by the director of HR, IT and Shared Services.

Up to five (5) PTO days may be carried over from one calendar year to the next.

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<sup>1</sup> A temporary employee, as described in the *Employment* policy, whose position extends for a period greater than six months, may be granted, at the Foundation's sole discretion, a limited number of PTO days.

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## HOLIDAYS

The Wallace Foundation issues an annual schedule designating up to twelve (12) paid holidays for full-time regular and temporary employees. The number of paid holidays in any given year is determined by the Foundation in its sole discretion. If a designated holiday occurs on a Saturday, it will generally be observed on the preceding Friday. Holidays falling on a Sunday are generally observed on the following Monday.

If a non-exempt employee is required to work on a designated holiday, the employee will be paid at time-and-one-half for hours worked.

If a designated holiday occurs during scheduled Paid Time Off, that day is paid and recorded as a holiday, not as a PTO day.

Holiday pay during a leave of absence is determined by the type of leave (see *Leaves of Absence* policy).

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## LEAVES OF ABSENCE

The Wallace Foundation's Leave of Absence policy is designed to comply with all applicable local, state and federal laws and regulations and to provide eligible employees with extended time away from work to manage personal or family responsibilities, recover from an illness or injury, or respond to civic duties.

### **BEREAVEMENT**

The Foundation offers four days of paid time off for staff after the death of an immediate family member. An immediate family member for these purposes includes spouse, parent, grandparent, child, grandchild, sibling and all comparable relationships, including any relative or dependent who regularly lived in your household at the time of death. The Foundation offers one day of paid time off for staff to attend the funeral of any other relative. Please request bereavement leave from your supervising director.

### **FAMILY & MEDICAL LEAVE**

The Family and Medical Leave Act (FMLA) provides eligible staff with up to twelve (12) work weeks of unpaid leave for certain family and medical reasons or up to 26 weeks for military caregiver leave during a rolling 12-month period.

To be eligible for FMLA Leave, a staff member must have been employed by the Foundation for at least 12 months or 52 weeks, and have worked at least 1,250 hours in the previous 12-month period.

FMLA Leave may be taken for one of the reasons listed:

- Birth of a child and in order to care for that child
- Placement for adoption or foster care and to care for the newly placed child
- To care for a spouse, parent or child with a serious health condition<sup>1</sup>
- The serious health condition of the staff member
- Qualifying exigency leave<sup>2</sup> for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation
- Military caregiver leave to care for an ill or injured service member

### **Scheduling of leave**

The staff member may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 work weeks (or 26 work weeks to care for an ill or injured service member) over a 12-month period.<sup>3</sup> Leave for birth, adoption or foster care of a child

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1 A "serious health condition" as it applies to a staff member or a spouse, parent or child for whom the staff member would provide care is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider or any absence to receive multiple treatments for restorative surgery that would result in a period of incapacity for more than three days if not treated.

2 The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing

must be taken within one year of the birth or placement of the child. Intermittent leave or a reduced schedule requires approval by the director of operations before the start of the leave.

**Use of paid and unpaid leave**

A staff member must use all accrued PTO prior to being eligible for unpaid FMLA leave. Any paid leave, for example certified disability for the birth of a child, will be designated as FMLA leave and run concurrently with FMLA.<sup>4</sup>

**Benefits eligibility**

During paid or unpaid FMLA Leave, Foundation-provided health benefits continue at the same level and under the same conditions as if the staff member had continued to work. While on paid leave, payroll deductions will continue for the amount of the premium due. While on unpaid leave, the staff member must submit timely payment of the employee portion of the premium to continue coverage. Specific information regarding payment of premiums will be provided at the time of leave.

During unpaid FMLA Leave, the staff member is **not** eligible to receive the Foundation’s contribution to the retirement plan, may not make any voluntary retirement plan contributions, and will not accrue PTO days or be entitled to pay for designated holidays.

**Reinstatement upon return to work**

Upon return to work from an approved FMLA Leave, a staff member will be reinstated to his/her former position or another position with equivalent pay, benefits and terms and conditions of employment. An employee who fails to return to work at the end of the leave or has not met requirements for notifications or certifications during the leave, forfeits the right to reinstatement to the same or similar position.

**Certifications**

Certification is required for the serious health condition of a staff member or family member, and for qualifying exigency or serious illness or injury of the service member. The Foundation will use the forms, format and procedures provided by the Department of Labor (DOL) for such certifications.

**Request for FMLA and reporting**

When the need for FMLA Leave is foreseeable, the staff member should provide notice of the need for the leave to the director of operations at least 30 days in advance of the qualifying circumstance. If 30 days notice is not practicable, the staff member should provide notice as soon as practicable. The Foundation may request information in writing as permitted to determine if the request is a qualifying circumstance for FMLA Leave. The Foundation will provide a written determination whether or not the request qualifies as FMLA Leave and information on benefits coverage and time off policies during the leave.

**SHORT-TERM DISABILITY**

Short-term disability leave is available to eligible staff for a short term absence for a certified non-work-related illness or injury, including pregnancy. Short term disability leave applies to

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<sup>3</sup> If a husband and wife both work for the Foundation, the husband and wife may only take a combined total of 12 weeks of leave for birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent “in-law”) or 26 weeks to care for a covered injured or ill service member.

<sup>4</sup> For example, if a staff member is certified disabled for six weeks for the birth of a child, the six weeks will be designated as FMLA leave and counted toward the 12-week period.

such absences whose duration is eight consecutive days but not more than 26 weeks in a consecutive 52-week period.

To be eligible for short term disability benefits, an employee must be a regular or temporary full-time employee, employed by the Foundation for at least four (4) weeks, or previously employed in New York State as defined in the statute.

#### **Short-term Disability Benefit**

For absences certified under the New York State Disability Benefits Law the benefit is equal to 50% of the employee's average weekly wage, to a weekly maximum of \$170.

#### **Supplemental Short-Term Disability Pay**

The Foundation provides regular full-time staff supplemental short-term disability pay, which supplements the statutory benefit to provide full salary coverage for the certified period of disability based on continuous length of service, as follows:

- Four or fewer years of service: up to four weeks of supplemental short-term disability pay.
- Five or more years of service: two weeks of supplemental short-term disability pay for each full year of service, to a maximum of 26 weeks.

The statutory short-term disability benefit is paid to the Foundation for so long as a staff member is receiving supplemental short-term disability pay from the Foundation.

#### **Benefits Coverage**

While a staff member is receiving both statutory benefits and supplemental short-term disability pay from the Foundation, coverage under the Foundation's health, dental, life, long-term and short-term disability plans continues, subject to employee contributions being made as required and compliance with other plan provisions. The employee is not eligible to accrue PTO days.

When a staff member is in receipt of statutory benefits only, the Foundation does not contribute to the retirement plan, the staff member may not contribute to the retirement plan, and there is no accrual of PTO days or pay for designated holidays. Coverage under the Foundation's health, dental, life, long-term and short-term disability plans continues, subject to employee contributions being made as required and compliance with other plan provisions.

To apply for the short-term disability benefit, an employee must complete a Short Term Disability Claim Form as soon as possible upon becoming aware of an eligible absence, but within no more than thirty (30) days of becoming disabled. Once the employee and physician have completed the applicable sections of the claim form, it should be returned to the director of operations.

When a disability has ended, a staff member must be medically certified by the physician to return to work. This certification must be in writing and presented to the director of operations either before or immediately upon return to work.

#### **WORKERS' COMPENSATION**

A staff member who suffers a job-related injury or illness may be entitled to medical expenses, lost income and other compensation through the Foundation's workers compensation coverage as required under New York Workers' Compensation Law. Any accident which occurs on the job should be reported immediately to the director of operations.

In compliance with the law, medical benefits are paid from the date of injury, and lost wage benefits are paid after the first seven (7) days of absence from work due to the injury or illness. Full-time regular employees are eligible for supplemental disability pay and benefits continuation as outlined in the section describing short-term disability leave.

To return to work after an injury or illness under Workers' Compensation, the staff member must be medically certified by the physician to return. This certification must be in writing and presented to the director of operations either before or immediately upon return to work.

### **JURY OR WITNESS DUTY**

All full-time regular employees are eligible for paid leave in the event that they are summoned to jury duty or required to testify as a witness under subpoena in a judicial proceeding, provided that the employee is not a party to the lawsuit.

A staff member should inform their supervising director as far in advance as possible of scheduled jury duty and present a copy of the jury summons, subpoena or other court order to the director of operations. Upon return, a staff member should provide the director of operations the court documentation of jury duty served or satisfactory proof that his/her presence was required to testify pursuant to the subpoena or other order.

### **PERSONAL LEAVE**

Full-time regular employees who have been employed by the Foundation for at least one year may request unpaid personal leave for a period of up to three months to address personal matters not covered by other types of leaves.

While a staff member may be able to return to the same or equivalent position, there is no reinstatement requirement or guarantee that the same or equivalent position will be available upon return from a personal leave.

There will be no accrual of PTO or contributions to the retirement plan during a personal leave. Continued coverage under the Foundation's benefits and insurance programs will be subject to the terms and conditions of each policy. In all cases, the staff member will be responsible for payment of the full premium due (both employer and employee contribution) for any period of continued coverage.

To request unpaid personal leave, the staff member must make a written request to the director of operations at least thirty (30) days in advance of the leave indicating the reason for the request and the expected length of time off.

### **MILITARY SERVICE**

The Foundation will grant leaves of absence for military service in compliance with the provisions and requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as amended. This will include leave for periods of voluntary or involuntary service in the armed forces for all types of active duty, inactive duty training and full-time National

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## VII: BUSINESS OPERATIONS

- Travel & Business Expense Guideline



## TRAVEL & BUSINESS EXPENSE GUIDELINES

Our work at The Wallace Foundation often requires that we travel or hold meetings at our office to advance Wallace strategies and initiatives, support the diffusion of knowledge, and manage business relationships across all areas of the Foundation. We also sponsor and participate in convenings and conferences as speakers, and as listeners and learners to benefit the Foundation and for professional development.

Our guidelines address how we develop travel plans, standards for travel, the process for making travel arrangements, and filing expense reports.

### Travel Planning and Reservations

The Foundation's annual travel and business expense budget includes airfare and other transportation costs, lodging and meals when traveling on Foundation business, and conference fees and costs for meetings with guests and staff offsite and at our office. Budgets are developed based on the work plan for the year and our standards for travel. Directors are responsible for managing their travel budget and the director of communications for managing the travel budget for diffusion of knowledge.

The office services manager makes all travel arrangements and reservations for all staff in accordance with the Foundation's standards. Every effort should be made to submit travel requests by email to the office services manager well in advance of the trip, and no less than thirty (30) days.

### Travel Standards

Our travel standards are based on a "common sense" approach, take into consideration the purpose for travel, and rely on advance planning to be cost effective:

- **Air:** Coach class: lowest cost direct flight
- **Rail:** Coach class for all rail travel; for Acela this is business class
- **Lodging:** "Mid-market" hotels, generally Hyatt, Hilton, Marriott or Kimpton hotels whenever available.<sup>1</sup> If the hotel stay is in conjunction with a conference, we will book as part of the conference using the conference rate.
- **Transportation to and from the airport:** Staff select taxi, car service or public transportation considering availability and cost.
- **Meals:** Meal expenses should be reasonable and generally should be within these ranges *per person including gratuity*: breakfast (\$10 to \$20), lunch (\$25 to \$35), and dinner (\$45 to \$70). As the IRS requires, when traveling, personal meals will be eligible for reimbursement only when your travel includes an overnight stay.

As covered in the Code of Ethics policy, you may not accept any gift, entertainment, service or favor other than that of nominal value, which might be regarded as creating an obligation to a third party doing business with or desiring to do business with the Foundation. This principle applies to meals with grantees, partners, prospective grantees or partners, investment managers, vendors or professional colleagues.

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<sup>1</sup> Reservations for staff hotel stays in New York City use 'best rate' online services.

If you are conducting a **business** meeting during a meal with grantees, partners, prospective grantees or partners, investment managers, vendors or professional colleagues, you may pay for reasonable meal expenses for the meeting participants and the Foundation will consider this a reimbursable expense.

- **Car rental:** Reservations will be made with national vendors for either an economy or mid-size car. Staff should decline insurance as the Foundation's insurance covers rental cars.
- **Staff traveling or attending meetings:** The number of staff traveling or attending a meeting or conference will be guided by the business purpose. Site visits which require gathering a great deal of information in a limited time, multiple tracks of interest at a conference, brainstorming and planning meetings with grantees, signaling the importance of an event, and providing logistical support when we are meeting hosts may mean attendance by more than one staff member.
- **Personal automobile:** When a personal automobile is used for business purposes, reimbursement will be according to IRS guidelines and rates. The current IRS reimbursement rate is posted under Travel in the Forms section of the Intranet.

### **Other Business Meals and Catering**

Reasonable expenses for business meals are considered eligible for reimbursement in these situations:

- A business meal is hosted either offsite or at the Foundation with guests and/or Wallace staff; and
- A luncheon (either onsite or offsite) with members of the team or unit to welcome new staff, for ongoing team and staff development, or recognize staff who are leaving the Foundation.

For meals at the Foundation's office, catering arrangements should be made through the office services manager, using the Meeting & Catering Request Form available in the Forms section of the Intranet.

### **Reporting & Reimbursement**

All expenses incurred, including those billed directly to the Foundation must be reported on the Business Travel & Expense Report. All expenses must be business-related and reasonable to be considered for reimbursement. A completed Business Travel & Expense Report, should be submitted with proper documentation and signatures to Finance within thirty days of incurring the expense.

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**WORKING TOGETHER AT WALLACE:  
A GUIDE FOR STAFF**

**ACKNOWLEDGEMENT OF RECEIPT**

I understand that the purpose of this guide is to inform me about The Wallace Foundation guidelines and procedures and nothing contained in this guide or any communication by a management representative, whether written or oral, constitutes an employment contract between The Wallace Foundation and myself. Additionally, any and all previous verbal and/or written guidelines that are contrary to those herein are null and void. I further understand that my employment can be terminated at any time with or without cause or notice at either my option or The Wallace Foundation's option.

I understand that all information presented to me in this guide is subject to change with or without notice at the discretion of The Wallace Foundation.

Furthermore, I acknowledge that this guide is neither a contract of employment nor a legal document.

I have received this guide and have been informed that it is additionally available on the intranet. I understand that it is my responsibility to read it in order to understand the guidelines, policies and practices contained therein. If there is anything I do not understand, I will request an explanation from the director of operations.

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Employee Signature

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Employee Print Name

---

Date





The Wallace Foundation  
5 Penn Plaza, 7th Floor  
New York, NY 10001  
212.251.9700 Telephone

[www.wallacefoundation.org](http://www.wallacefoundation.org)

Our vision is that children, particularly those living in distressed urban areas, have access to good schools and a variety of enrichment programs in and outside of school that prepare them to be contributing members of their communities. Our mission is to improve learning and enrichment opportunities for children. We do this by supporting and sharing effective ideas and practices.

