



# **DEKALB ASSOCIATION OF REALTORS®**

## ***POLICY AND PROCEDURES MANUAL***

***REVISED: 2/2018***

**In the event there is a conflict between the Policy and Procedures and the Bylaws, the Bylaws will always prevail.**

### **I. PROCEDURE FOR INITIAL ADOPTION OF THE POLICY AND PROCEDURES**

The proposed Policy and Procedures shall be made available to each Officer and Director attending the Board of Directors meeting. The President shall preside at the meeting. A motion will be made and seconded for adoption and sufficient time will then be made available for discussion. Motions and seconds for changes to the document will be accepted, discussed and voted. Any and all proposed changes will be voted on prior to voting on the document itself. A majority vote shall determine the matter. The President may elect to call for a voice vote, standing vote or written vote.

The matter shall be conducted according to Robert's Rules of Order's latest edition.

Upon adoption, the Policy and Procedures shall be effective upon affirmative vote of the Board of Directors and remain in effect until modified or abolished.

### **II. PROCEDURES TO AMEND, CHANGE, MODIFY, OR DELETE ANY PART OF THE POLICY AND PROCEDURES**

Any proposed addition, change, or deletion must first be submitted in writing to the President of the DeKalb Association. The President or the Chair of the Bylaws Committee shall recommend changes to the Executive Committee. Upon approval by the Executive Committee, the matter will then be presented to the Board of Directors. If approved by the Board of Directors, the matter shall be considered adopted.

**Note:** The Association Executive shall update the Policy and Procedures as changes occur.

### **III. DISTRIBUTION OF THE POLICY AND PROCEDURES**

A copy of the proposed Policy and Procedures shall be made available to all members of the DeKalb Association of REALTORS®.

Upon adoption, the Policy and Procedures shall be given to all current and subsequent Officers, Directors, and Committee Chairs.

The Policy and Procedures shall be made available to all members by accessing the Association website, [www.dekalbrealtors.com](http://www.dekalbrealtors.com).

**Note:** A notebook shall be kept at the Reception Desk containing the current Policy and Procedures. The notebook shall be available to Association members. Bylaws will be posted online.

#### **IV. TERMINOLOGY**

To give the reader a clearer understanding of the terms, names, or titles of various entities, the following is provided for clarification:

DeKalb Association of REALTORS®: the Association, Association, Board of Directors, DeKalb Association, DeKalb REALTORS®, DAR.

Association Executive: AE. Serves as the Chief Staff Officer. Also, Chief Executive Officer (CEO).

Georgia Association of REALTORS®: GAR, Georgia Association, the State, State Association.

Georgia Real Estate Commission: GREC, the Commission.

Georgia Multi-List Inc: Metro Listing Service, MLS, GAMLS.

National Association of REALTORS®: NAR, National Association.

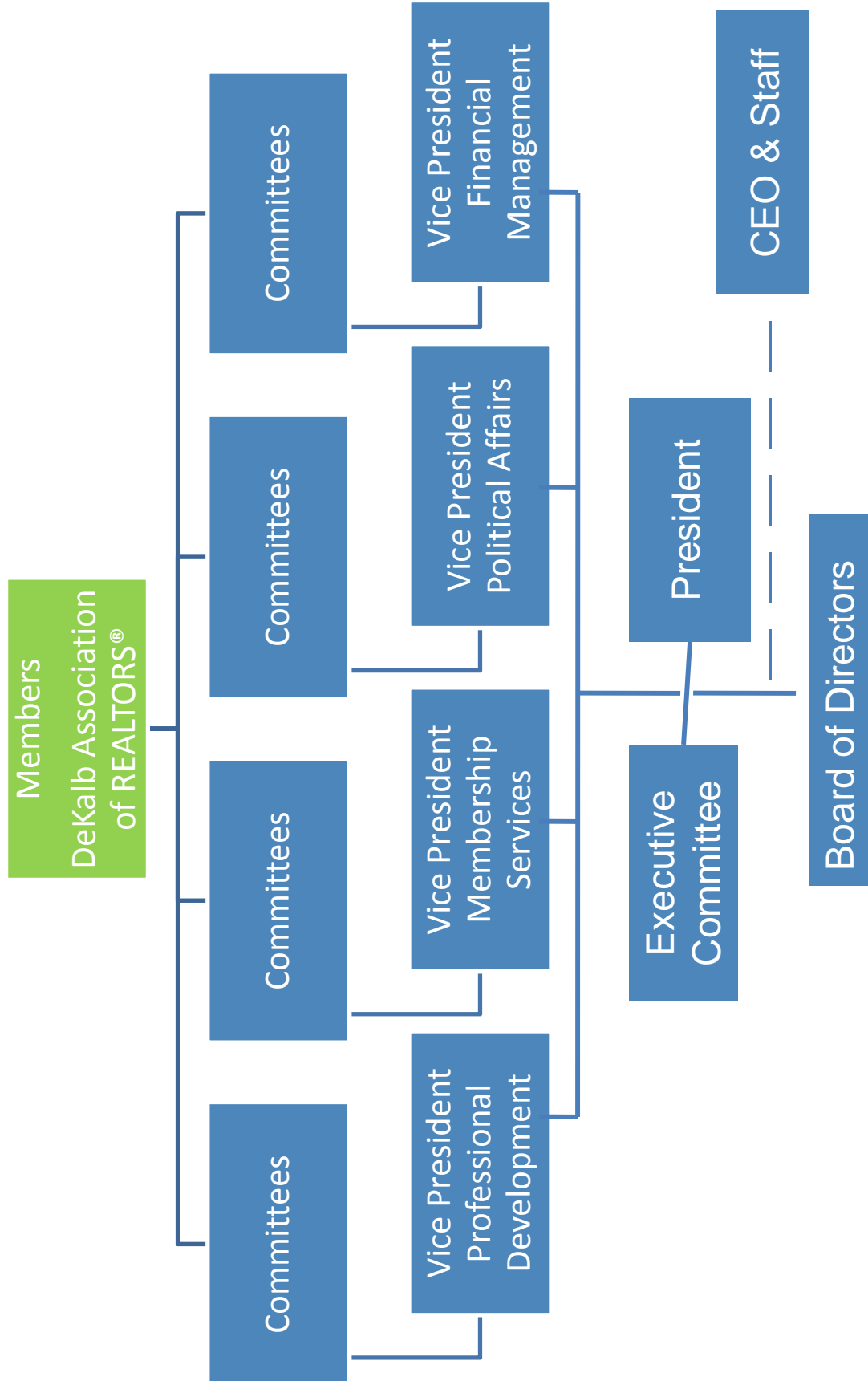
REALTORS® Political Action Committee: RPAC.

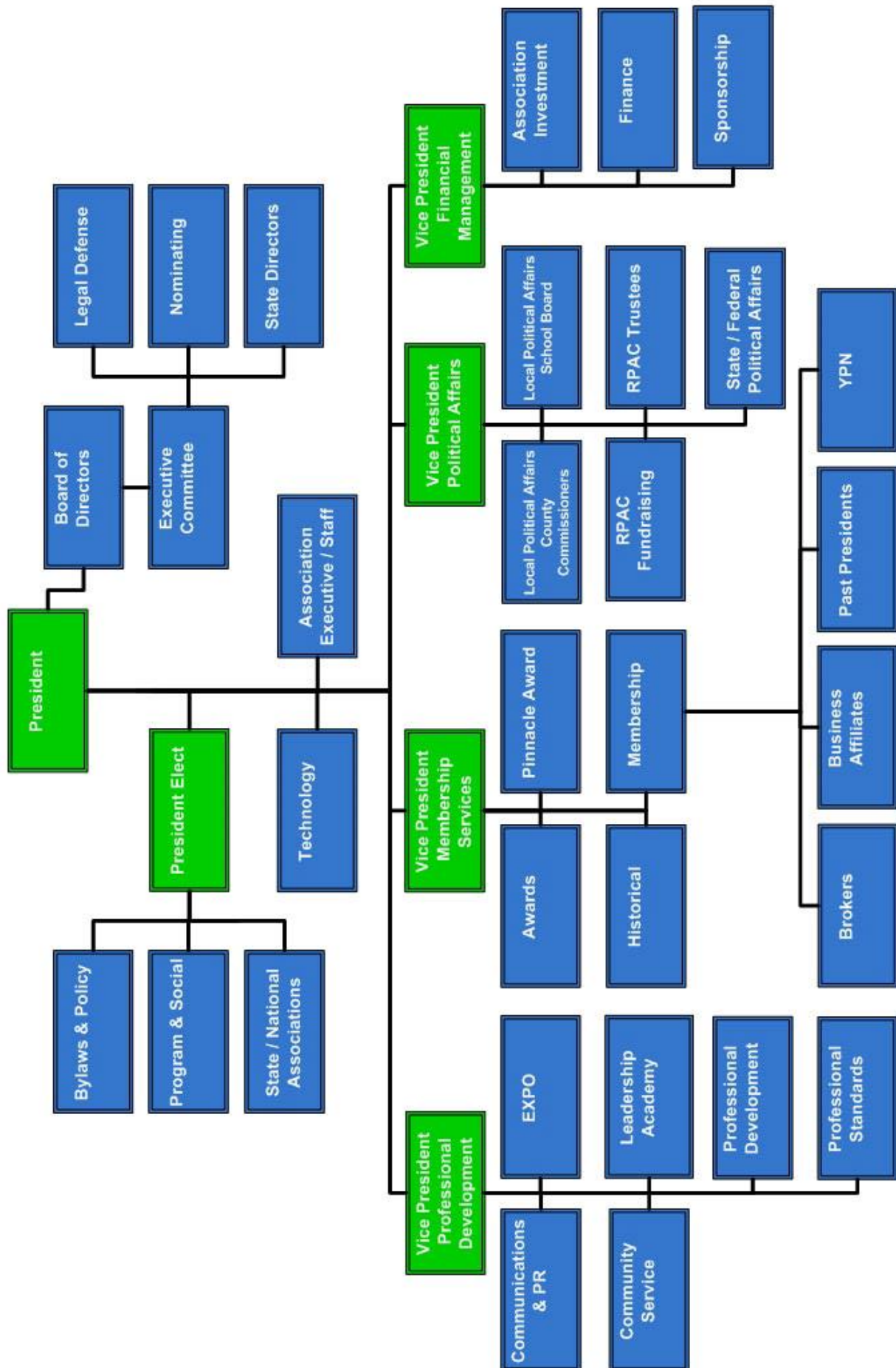
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## **BOARD OF DIRECTORS**

**Purpose:** The Board of Directors, vested with all corporate powers, shall approve changes to the Constitution and Bylaws and establish policy and procedures for the DeKalb Association of REALTORS®.

**Composition, Terms & Limits:** As defined in the Bylaws Article XI.

**Quorum:** More than fifty percent of the Board of Directors; however, the absence of Past Presidents who are members of the Board because of their Presidency of both the DeKalb and Georgia Associations will not be considered to the detriment of establishing a quorum.

### **Duties and Responsibilities:**

All corporate powers shall be vested in the Board of Directors who shall also establish policy and procedures of the DeKalb Association of REALTORS®.

Shall administer the finances of the DeKalb Association of REALTORS® and shall have authority to appropriate money.

Shall have full power to borrow money, to issue notes, bonds or certificates of indebtedness as may be deemed necessary to carry out the objectives and purposes of the DeKalb Association of REALTORS®.

May employ, or may empower the President to employ, an Association Executive and may otherwise prescribe functions of the Association Executive. The Board of Directors may also authorize the employment of such other persons as may be deemed necessary to properly conduct the activities of the DeKalb Association of REALTORS® and may employ legal counsel and fix the terms of compensation for services rendered

Shall have full power in establishing the amount of bond to be furnished by the person or persons entrusted with the funds of the DeKalb Association of REALTORS®. All members of the Board of Directors, Chairs, and staff shall be covered under general liability insurance through NAR Errors & Omission

Shall attend regular meetings as determined by the annual calendar and special called meetings.

Absence from three regular meetings shall be construed as resignation there from and Director shall be notified by e-mail and letter. At its discretion, the Board of Directors may vote to reinstate the member of the Board of Directors with a vote of three-fourths (¾) of the Board of Directors.

Removal of Officers and Directors: See Bylaws Article XI, Section 7.

**Note:** It shall be the particular duty of the Association Executive to keep the records of the Association and to carry on all necessary correspondence with the National Association of REALTORS® and the Georgia Association of REALTORS®.

## **EXECUTIVE COMMITTEE (Standing Committee – Article XIV, Section 1)**

**Purpose:** The Executive Committee shall serve as the steering committee and shall be responsible to the Directors for the effective conduct of the affairs of the DeKalb Association of REALTORS®. Additionally the Executive Committee shall recommend the formulation of Association missions, goals, objectives and related policies, and within that framework plan, coordinate, and direct the Association Executive to direct the staff to implement programs and activities of the DeKalb Association of REALTORS®.

Shall meet monthly except in July and December or on the call of the President or the Association Executive.

Absence from three regular meetings shall be construed as resignation there from and member shall be notified by e-mail and letter. At its discretion, the Board of Directors may vote to reinstate the member of the Executive Committee with a vote of three-fourths ( $\frac{3}{4}$ ) of the Board of Directors.

**Composition & Terms:** As defined in the Bylaws Articles XI & XIV.

**Restrictions:** All Executive Committee meetings will be closed except for the Association Executive unless otherwise permitted by the President. Members approved by Board of Directors.

**Quorum:** More than fifty percent

**Reporting:** Board of Directors

**Duties and Responsibilities:**

Shall review and submit to the Board of Directors any proposed changes in the Constitution and Bylaws of the DeKalb Association of REALTORS®.

Shall review and submit to the Board of Directors any proposed changes in Policy and Procedures.

May conduct necessary Association business between meetings of the Board of Directors, subject to subsequent approval by the Board of Directors.

Annually evaluate the strategic plan and update as needed. The Executive Committee serves as the Strategic Planning Task Force. Additional task force members may be appointed by the President to the task force as needed. The purpose of strategic planning is to assure that future decisions made by the Association revolve around its vision and mission statement and goals. This committee is responsible to 1) set the short and long-term strategy for the Association, 2) guide the implementation of the Strategic Plan, and 3) develop future leadership for the Association.

## **PRESIDENT**

**Purpose:** The President shall be the Chief Elected Officer of the DeKalb Association of REALTORS®.

**Term:** One (1) year

**Reporting:** Executive Committee, Board of Directors

**Duties and Responsibilities:**

Serves as Chair of the Board of Directors.

Serves as Chair of the Executive Committee.

Serves as Chair of the State Directors.

Supervises the Legal Defense Fund.

Supervises the Technology Task Force.

Serves as member of the Strategic Planning Task Force.

Oversees the Association Executive in the conduct of the business of the DeKalb Association of REALTORS® and shall see that all orders and resolutions of the Board of Directors are carried into effect.

Serves as an ex-officio voting member of all committees except the Nominating Committee, but absence from committee meetings will not serve to the detriment of establishing a quorum. Will serve as an ex-officio non-voting member of the Nominating Committee.

Serves as Chair of and official spokesperson for the DeKalb Association of REALTORS® and can, at his/her discretion, appoint a spokesperson for the Association.

Shall appoints, with the President-Elect, subject to approval of the Board of Directors, a Chair and Vice Chair (wherever authorized) and a sufficient number of people to staff the standing committees of the DeKalb Association, and may appoint, such other committees and task forces as defined in Article XIV, Section 2 of the Bylaws. Task Forces are appointed to evaluate, develop and recommend and complete courses of action on specific subjects. Those task force groups will normally expire after one year unless a longer period of time is needed.

Shall have the general power and duties usually vested in the office of President of a corporation.

Appoints a sub-committee from the Executive Committee to complete a Performance Evaluation Report on the Association Executive annually or more often if deemed necessary.

Serves as a Director of Georgia Multi-List, Inc., unless not qualified under MLS rules.

Performs such other duties as directed by the Board of Directors or the Executive Committee.

The President is expected to attend State and National REALTOR® meetings and other meetings authorized by the Board of Directors.

**FINANCES:** It has been a policy that the current President be given a discretionary annual allowance to use on a need basis for items not addressed in the budget not to exceed \$2,500.00 annually. The Finance Committee must approve any amount in excess of the allowance.

**President's General Expenses Addressed in the Budget:**

The DeKalb Association of REALTORS® shall furnish two tickets to the President for Association social functions, one ticket to each membership meeting, and Pinnacle Award events, including ticketed functions of the Association including Women's Council meetings.

The (seated) President shall be reimbursed for two (2) GAR conventions/meetings and one (1) NAR Meeting (Washington, DC) and GAR Leadership Training:

Expenses:      Airfare or car mileage, allowance as used by the IRS.  
                     Hotel – number of nights determined by official program.  
                     Meals – three meals per day.  
                     Convention/Meeting Registration.  
                     Tips/Shuttle/Taxi.  
                     NAR Convention: Up to \$500.

## **PRESIDENT-ELECT**

**Purpose:** The President-Elect shall, in the absence of the President, or at any time when requested to do so by the President, discharge the duties of the President. The President-elect shall succeed to the office of President.

**Term:** One (1) year or as selected by the Nominating Committee and membership

**Reporting:** President, Executive Committee, and Board of Directors

### **Duties and Responsibilities:**

Serves as Vice Chair of the Board of Directors.

Serves as Vice Chair of the Executive Committee and reports its actions to the Board of Directors.

Serves as Chair of the Bylaws Committee.

Serves as Chair of the Strategic Planning Committee Task Force, a sub-group of the Executive Committee.

Serves on the Program Committee, usually as Chair.

Serves on the Finance Committee.

Serves on the Association Investment Committee.

Works with the President and Vice Presidents to appoint Chairs and Vice Chairs of committees and task forces after the Nominating Committee meeting.

Performs such other duties as directed by the Board of Directors, the Executive Committee or the President.

The President-Elect is expected to attend the following meetings: DeKalb REALTORS® Membership Meetings/Forums; DeKalb RPAC Fundraising events; two state conventions each year; GAR Leadership

Development Conference and the GAR Regional Meeting; as incoming President, the NAR Leadership Summit and the NAR Conference & Expo. Is strongly encouraged to attend the NAR REALTOR® Party Convention (Washington, DC).

Expenses shall be reimbursed by the Association according to Policy and the Budget to include the GAR Regional Meeting and GAR Leadership Development Conference, the NAR Leadership Summit and the NAR Conference & Expo:

Expenses:      Airfare or car mileage, allowance as used by the IRS.  
                     Hotel – number of nights determined by official program.  
                     Meals – three meals per day.  
                     Convention/Meeting Registration.  
                     Tips/Shuttle/Taxi.  
                     NAR Conference in DC: Up to \$1,000.

Additional reimbursements will be considered according to the budget (such as stipend to attend the NAR REALTOR® Party Convention in Washington, DC.).

### **IMMEDIATE PAST PRESIDENT**

**Purpose:** To support and advise the President and Board of Directors.

**Term:** One (1) year

**Reporting:** President, Executive Committee, and Board of Directors

**Duties and Responsibilities:**

Serves as Chair of the Nominating Committee.

Serves on the Executive Committee.

Serves on Strategic Planning Task Force.

Serves on the Association Investment Committee.

Serves on the Board of Directors.

The Immediate Past President shall preside should the President and President-Elect be unable to serve at a Membership meeting or Directors meeting and if the President is not available to appoint an officer to serve.

### **VICE PRESIDENT of FINANCIAL MANAGEMENT**

**Purpose:** Supervises the financial activities of the Association, the Association Investment, Sponsorship and Finance Committees, Fiscal Policies and Procedures, and budgeting.

**Limit:** One (1) year.

**Reporting:** President, Executive Committee, and Board of Directors

**Duties and Responsibilities:**

Serves on the Executive Committee, Strategic Planning Task Force, and the Board of Directors.

Serves as Corporate Treasurer.

Serves as Chair of the Finance Committee.

Develops annual budget with the Finance Committee.

Serves on the Association Investment Committee.

Presents financial statements at Board of Directors meeting.

Reviews and recommends changes as necessary to Fiscal Policies and Procedures.

Presents budget to Executive Committee and Board of Directors for approval.

Attends meetings of assigned committees and task forces as often as possible and acts as an advisor and liaison to the Board of Directors. Reports regularly for Committees assigned.

Assists the President and President-Elect in selecting the most qualified members to serve as Chairs and Vice-Chairs.

*(See Fiscal Policy and Procedures, p. 31)*

### **VICE PRESIDENT of MEMBERSHIP SERVICES**

**Purpose:** Coordinates the activities of Awards, Membership (Orientation, Brokers, Business Affiliates, YPN, Past Presidents), Pinnacle Award and Historical Committees and other task forces as assigned.

**Term:** One (1) year

**Reporting:** To the President, Executive Committee, and Board of Directors

**Duties and Responsibilities:**

Serves on the Executive Committee, Strategic Planning Task Force, and Board of Directors.

Attends meetings of assigned committees and task forces as often as possible and acts as an advisor and liaison to the Board of Directors. Reports regularly for Committees assigned.

Assists the President and President-Elect in selecting the most qualified members to serve as Chairs and Vice-Chairs.

### **VICE PRESIDENT of POLITICAL AFFAIRS**

**Purpose:** Coordinate activities of the REALTORS® Political Action Fundraising Committee, RPAC Trustees, Local Political Affairs (County Commissioners and School Board), and State & Federal Political Affairs Committee and other task forces as assigned.

**Term:** One (1) year

**Reporting:** To the President, Executive Committee, and Board of Directors

**Duties and Responsibilities:**

Serves on the Executive Committee, Strategic Planning Task Force, and Board of Directors.

Attends meetings of the assigned committees and task forces as often as possible and acts as an advisor and liaison to the Board of Directors. Reports regularly for Committees assigned.

Assists the President and President-Elect in selecting the most qualified members to serve as Chairs and Vice-Chairs.

**VICE PRESIDENT of PROFESSIONAL DEVELOPMENT**

**Purpose:** Coordinates the activities of the Communications and Public Relations, Community Outreach, Leadership Academy, Professional Development, Professional Standards and Real Estate EXPO Committees and other task forces as assigned.

**Term:** One (1) year

**Reporting:** To the President, Executive Committee, and Board of Directors

**Duties and Responsibilities:**

Serves on the Executive Committee, Strategic Planning Task Force, and Board of Directors.

Attends meetings of the assigned committees and task forces as often as possible and acts as an advisor and liaison to the Board of Directors. Reports regularly for Committees assigned.

Assists the President and President-Elect in selecting the most qualified members to serve as Chairs and Vice-Chairs.

**CEO/ASSOCIATION EXECUTIVE**

**Purpose:** Serves as the staff liaison between the President, the Executive Committee, and the Board of Directors.

**Term:** Per contract

**Reporting:** To the President, Executive Committee, and Board of Directors

**Duties and Responsibilities:**

Implements the Bylaws, Policies and Procedures, and Employee Handbook and performs the duties and responsibilities of the Association Executive in accordance with the Bylaws and Policy and Procedures as set forth by the Executive Committee and the Board of Directors. The Employee Handbook is available to the Executive Committee upon request.

Responsible for the day to day effective management of the DeKalb Association of REALTORS®.

**STATE DIRECTORS**

**Purpose:** Represents the DeKalb Association of REALTORS® at the State Association Meetings.

**Number on Committee:** Varies according to allotted number of State Directors

**Makeup:** Officers and State Directors of the DeKalb Association of REALTORS® as elected by the membership as a State Director and any additional as appointed by the President and approved by the Board of Directors.

**Term:** One (1) year

**Limits:** See DeKalb Association of REALTORS® Bylaws

**Reporting:** Executive Committee, and Board of Directors

**Duties and Responsibilities:**

Attends State Association Meetings, is responsible for reviewing the GAR Board of Directors Package prior to the vote, attends the Region Caucus prior to the GAR Board of Directors meeting, and is in attendance for the vote at that Board of Directors Meeting.

Informs Association members of State and National services and meetings and encourages involvement.

Attends DeKalb State Directors Caucuses and Regional Meetings as needed.

NOTE: State Directors are to attend the two GAR annual Board of Directors meetings. If attendance is not possible, State Directors and Alternates shall notify the Association Executive before the Early Bird Registration Deadline to allow time for an Alternate Director to be named for purposes of voting representation for the Association. DeKalb Association State Directors and Alternates must register for the GAR meeting before the Early Bird Deadline.

State Directors receive a budgeted reimbursement stipend for attending the two state conventions. A State Director replaced because of non-registration by the early bird deadline is not eligible for reimbursement regardless of attendance at a GAR convention.

All requests for funds shall be channeled through the Finance Committee to the Executive Committee and Board of Directors.

## **LEADERSHIP ACADEMY**

The Leadership Academy's purpose is to identify and develop leadership qualities in our members. Academy students will be selected for the Leadership Academy based on who may best serve as a local leader in the future based on their track record of volunteer performance for their local association and/or civic organizations, their leadership potential and their personal integrity.

The selection committee will be the seated President and President-elect and past Deans of the Academy.

Applicants for the Leadership Academy must be members in good standing of DeKalb REALTORS® prior to submitting an application and during the year that they are students in order to graduate.

The Dean of the Academy will serve as the volunteer coordinator for the Leadership Academy program for the academy year, assisted by the Associate Dean. The Dean reports to the Vice President for Professional Development.



The Dean and Associate Dean are selected by the seated President and President-elect and past Deans of the Academy, and confirmed by the Executive Committee and Board of Directors. After the term as Associate Dean, the Associate Dean will be appointed Dean for the following year.

It is strongly recommended that the Dean and Associate Dean positions be filled by past Leadership Academy graduates, current or past officers, former Deans, or graduates of the Leadership Academy of the Georgia or National Associations.

Before the Academy year, past Deans will be asked to review and recommend updates to curriculum. Both the Dean and the Associate Dean will meet with staff to review procedure, materials and syllabus prior to the Academy year, and will assist in instruction. The Dean leads all Academy sessions; if unavailable, sessions will be led by the Associate Dean. *(Updated 9/2016)*

## ***Committees/Task Forces***

All requests for funds are to be channeled through the Vice President of Financial Management for inclusion in the report to the Executive Committee as to the budgeting impact of such funds requested.

At the request of an officer, the Executive Committee or the Board of Directors, a committee chair may be requested to make a report to the officer, Executive Committee or Board of Directors.

### **ASSOCIATION INVESTMENT COMMITTEE**

**Purpose:** Oversight responsibility for the management of Association funds invested and the 401K plan.

**Number on Committee:** Five (5).

**Chair:** Appointed by President

**Makeup:** Vice President of Financial Management, the Immediate Past President and three others appointed by President. The President, President-Elect and Association Executive serve as ex-officio members.

**Restrictions:** See Article 10, Section 5 of the Bylaws. Committee members approved by Board of Directors.

**Term:** Three (3) year staggered terms for appointees

**Limits:** Six consecutive years

**Quorum:** Fifty percent of the Association Investment Committee members.

**Reporting:** Vice President of Financial Management, Executive Committee, and Board of Directors

**Duties and Responsibilities:**

Oversees responsibility for the management of Association funds invested.

Drafts for Board of Directors approval any changes in investments guidelines.

Meets with investors a minimum of two times each year to insure guidelines are followed.

Chair of committee shall report a minimum of twice a year to the Executive Committee and Board of Directors.

## **AWARDS TASK FORCE**

**Purpose:** The Awards Committee shall be responsible for the criteria, development and presentation of awards for the DeKalb Association of REALTORS®.

**Number on Committee:** Varies from four to ten (4 – 10)

**Chair:** Appointed by President

**Vice Chair:** Appointed by President-Elect

**Makeup:** REALTORS® or Brokers from various companies

**Term:** Varies

**Quorum:** Majority Present

**Reporting:** Vice President of Membership Services

**Duties and Responsibilities:**

Shall receive, review and select from the annual applications the recipients for REALTOR® of the Year Award, the Mary Nelson REALTOR® Spirit Award, the Clark Harrison Community Service Award, the Rookie of the Year Award, and present the awards to the recipients at the appropriate function. When appropriate, the above named award winners will be forwarded for state and national awards.

## **BYLAWS & POLICY COMMITTEE (Standing Committee – Article XIV, Section 1)**

**Purpose:** This committee shall prepare such revisions or amendments to the Bylaws and the Policy and Procedures Manual of the DeKalb Association of REALTORS® and shall prepare official resolutions and proclamations as directed by the Executive Committee or the Board of Directors.

**Number on Committee:** Minimum of five (5)

**Restrictions:** Committee members approved by Board of Directors.

**Chair:** President-Elect

**Term:** One (1) year

**Quorum:** Majority present

**Reporting:** Executive Committee, Board of Directors, General Membership

**Duties and Responsibilities:**

Drafts in proper form revisions or amendments to the Constitution and Bylaws of the DeKalb Association of REALTORS® as directed by the Board of Directors and/or the National Association of REALTORS® or as requested by Association committees/task forces.

Drafts in proper form revisions or amendments to the Policy and Procedures of the DeKalb Association of REALTORS® as directed by the Board of Directors or as requested by Association committees/task forces.

Drafts in proper form official resolutions and proclamations of the DeKalb Association of REALTORS® as directed by the Board of Directors.

Drafts in proper form documents expounding policy position or expression of the DeKalb Association of REALTORS® as directed by the Board of Directors.

Insures that proposed changes to the Bylaws are published as required in the Bylaws Article XVII.

## **COMMUNICATION AND PUBLIC RELATIONS TASK FORCE**

**Purpose:** This task force shall be responsible for overseeing Association, electronic and print, print communication.

**Number on Committee:** Determined by the Chair

**Chair:** Appointed by the President

**Vice Chair:** Appointed by the President-Elect

**Makeup:** Vice President of Professional Development, Task Force Chair and Vice Chair, and the desired members at large

**Term:** One (1) year

**Quorum:** Majority Present

**Reporting:** Vice President of Professional Development

**Duties and Responsibilities:**

Meets as needed to plan and review material for the Association e-Newsletters and media releases.

Secures input from various Committees and member groups.

## **COMMUNITY OUTREACH COMMITTEE**

**Purpose:** To plan activities that would benefit the community and enhance the REALTOR® image.

**Number on Committee:** Varies –minimum of three (3)

**Chair:** Appointed by President

**Vice Chair:** Appointed by President-Elect

**Term:** One (1) year for Chair, two (2) years for Vice Chair

**Quorum:** Majority Present

**Reporting:** Vice President of Professional Development

**Duties and Responsibilities:**

Plans activities that would benefit the community and enhance the REALTOR® image.

## **FINANCE COMMITTEE**

**Purpose:** The Finance Committee monitors income and expenditures, prepares budgets and recommends adjustments as needed to the Board of Directors.

**Composition:** Vice President of Financial Management and a minimum of five others as appointed by President. The President, President-Elect and Association Executive serve as ex-officio members.

**Restrictions:** All committee meetings are restricted to committee members and appropriate staff unless otherwise permitted by the committee. Committee members must be approved by Board of Directors.

**Number on Committee:** Varies — A minimum of six (6)

**Chair:** Vice President of Financial Management

**Vice Chair:** immediate Past President or a Past President, appointed by the President-Elect

**Term:** Two Year Staggered Terms

**Limits:** Six consecutive years

**Quorum:** Majority Present

**Reporting:** Executive Committee, and Board of Directors

**Duties and Responsibilities:**

Presents an annual budget to the Board of Directors for approval.

Reviews as necessary requests for unbudgeted expenditures or changes to the budget, and submits approved requests and budget changes to Board of Directors for approval.

Suggests changes to Fiscal Policy and Procedures for approval by the Board of Directors.

Reviews all financial reports.

Chair of committee shall submit a report for each regular meeting of the Executive Committee and Board of Directors.

**GRIEVANCE COMMITTEE** *(See Professional Standards Committee)***HISTORICAL COMMITTEE**

**Purpose:** To keep the Historical Records up to date that relate to the Association and to preserve these records for historical purposes.

**Composition:** A minimum of five members, to include some Past Presidents.

**Chair:** Appointed by the President

**Vice Chair:** Appointed by the President-Elect

**Makeup:** REALTOR® and Affiliate members

**Quorum:** Majority Present

**Reporting:** Vice President of Membership Services

**Duties and Responsibilities:**

Assures that all reports and materials are updated and maintained.

Assures that a DVD is created and maintained yearly for the outgoing President of the Association and presented to the President at the December meeting.

Reviews DeKalb Association Hall of Fame nominations and selects recipients. Recipients who meet the GAR Hall of Fame criteria will be forwarded to the DeKalb Association Board of Directors for consideration and approval for submission for the GAR Hall of Fame.

**LEGAL DEFENSE TASK FORCE**

**Purpose:** To monitor Association legal defense issues, should they occur.

**Chair:** Appointed by President

**Makeup:** Members appointed by President when deemed necessary

**Quorum:** Majority Present

**Reporting:** President, Executive Committee and Board of Directors

**Duties and Responsibilities:**

A legal defense fund has been established for use only at such time as a legal issue needs to be defended by the Association and/or if assistance by the Association is needed by an Association member to appeal a lawsuit that affects the real estate industry. The Task Force recommends action to the Board of Directors.

The Association shall retain the services of legal counsel for consultation as needed.

NOTE: For an explanation of the use of Legal Defense Funds, see Fiscal Policy and Procedures.

### **MEMBERSHIP AND ORIENTATION COMMITTEE**

**Purpose:** Set goals to increase and maintain membership. Provide well planned and educational Orientation for new applicants.

**Composition:** Vice President of Membership Services, Committee Chair, and Vice Chairs of Orientation, Brokers, Business Affiliates and Young Professionals Network (YPN) and additional members as appointed by the President and/or President-Elect.

**Number on Committee:** Varies

**Chair:** Appointed by President

**Vice Chair:** Appointed by President-Elect

**Term:** One (1) year

**Quorum:** Majority Present

**Reporting:** Vice President of Membership Services

**Duties and Responsibilities:**

Plans communication with brokers and offers opportunity to get involved.

Plans programs for orientation, brokers, Business Affiliates, Past Presidents and YPN, working with Program Committee.

Presents a list of all new applicants is to be presented to the Board of Directors after each Orientation class for their approval.

(Orientation is required for each new applicant according to the Bylaws. Content includes the Bylaws of the Association, the National Code of Ethics, Fair Housing, and services of the Association. Certificate and REALTOR® pin presented at the conclusion of orientation.)

Continually pursues additional services for the Association and its members.

Encourages Association members to develop their professional skills and enroll as candidates for the various professional designations of the Institutes, Societies, and Councils of the National Association.

### **NOMINATING COMMITTEE**

**Purpose:** The Nominating Committee shall be responsible for annually nominating a slate of Officers and Directors to serve the DeKalb Association of REALTORS®, the Executive Committee, and GAR as State Directors.

**Composition/Number on Committee:** Seven (7) members (See Bylaws Article XI, Section 4); members to be approved by the Board of Directors

**Chair:** Immediate Past President

**Makeup:** As stated in Bylaws Article XI, Section 4A

**Restrictions:** All committee meetings are restricted to committee members and appropriate staff. The Nominating Committee consists of the following-Members:

- The Immediate Past President, who serves as Chairperson
- Two Past Presidents
- At least one member currently serving on the Board of Directors who is not a Past President
- Balance of Committee shall be members who are not Past Presidents and not currently serving on the Board of Directors

The Current President and/or President-elect shall attend all meetings and shall be ex-officio non-voting members. Excluding the Chair, of the six other committee members, no more than one representative from any principal broker shall serve as a voting member on this committee.

**Term:** One (1) year

**Quorum:** Five (5)

**Reporting:** Executive Committee, Board of Directors and general membership

**Duties and Responsibilities:**

Shall whenever appropriate and in accordance with the Bylaws of the DeKalb Association of REALTORS®, recommend to the Executive Committee the names of those qualified to serve as President, President-Elect, Vice President of Membership Services, Vice President of Professional Development, Vice President of Political Affairs and Vice President of Financial Management, Executive Committee, Directors for the local Association and the names of Directors for the Georgia Association of REALTORS®. Candidates for Officer positions shall not serve on the Nominating Committee. Any member(s) of the committee being considered for election as a Director or State Director shall recuse themselves at the time of discussion regarding their own candidacy.

Specifically, the Nominating Committee shall select, in accordance with the Bylaws of the DeKalb Association of REALTORS®, one candidate for each office, one candidate for each place to be filled on the Board of Directors, one candidate for each place to be filled on the Executive Committee, and a candidate for the number of positions as Directors of the Georgia Association of REALTORS® (GAR) as set forth in the Bylaws of GAR.

NOTE: The President-Elect shall appoint the nominated Vice Presidents to their respective areas of responsibility.

### [PINNACLE AWARD COMMITTEE](#)

**Purpose:** Functions as an Admissions Committee charged with the responsibility of qualifying members for the award in accordance with established guidelines.

Qualifications for Pinnacle Award will be subject to the approval of the Board of Directors.

Categories, awards, the awards function for presentation of awards, the rules, and the admission fees are to be determined by the Committee.

This committee is self-sustaining, developing its own budget with the approval of the Board of Directors.

**Number on Committee:** 20 – 25, or at the discretion of the Chair

**Chair:** Appointed by President

**Vice Chair:** Appointed by President-Elect

**Makeup:** All of the committee members must be members of the Pinnacle Awards with a status of no less than Life Membership, as defined in the Pinnacle Awards Rules & Regulations.

**Qualifications for Chair:** Must have served at least three years on the Pinnacle Awards Committee prior to being appointed by President.

**Qualifications for Vice-Chair:** Must have served at least three years on the Pinnacle Awards Committee prior to being appointed by President-Elect.

**Restrictions:** See Makeup.

**Term:** Three (3) years

**Quorum:** Greater than fifty percent of committee

**Reporting:** Vice President of Membership Services

**Duties and Responsibilities:**

Meetings: Meetings are scheduled at the request of the Chairperson.

Summer: Purpose is to organize the year's schedule, including dates for application submission, application review meeting, awards ceremony, and assignment of sub-committees. Develop budget and fund-raising strategy.

January: Application review and qualification.

February: List of applicants and qualification recommendations presented to the Executive Committee and Board of Directors.

March: Awards function – presentation of awards.

April: End of year review. Changes to rules are discussed as related to any problems in procedure during the previous awards year. Changes submitted to Executive Committee and Board of Directors for approval.

## POLITICAL AFFAIRS COMMITTEE

**Purpose:** To keep REALTOR® members abreast of local, state, and national Legislative issues.

**Composition:** Vice President of Political Affairs, Chair and Vice Chair of Local Political Affairs (County Commissioners), Chair and Vice Chair of Local Political Affairs (School Board), Chair and Vice Chair of State & Federal Political Affairs, Chair and Vice Chair of RPAC Fundraising, Chair of RPAC Trustees, President, President-Elect; any appointed Federal Political Coordinator (FPC) if a member of the Association, and politically interested and involved Association members

**Number on Committee:** Varies

**Chair:** Vice President of Political Affairs

**Term:** One (1) year



**Quorum:** Majority Present

**Reporting:** Executive Committee and Board of Directors

**Duties and Responsibilities:**

Members of the committee are encouraged to attend the State and National Conventions.

Annually reviews the membership participation in the “Call to Action” plan of NAR.

A member shall be responsible for attending and reporting to the Association’s Board of Directors on meetings of the DeKalb School Board, the local County Commissioners, and the GAR State & Local Government Affairs Committee.

Reviews and be acquainted with any and all legislation that in any way affects the real estate industry. Know the public officials and attend preset related meetings affecting the real estate industry including the Georgia Association of REALTORS® Legislative meetings when the Georgia General Assembly is in session and at County Commission and School Board Meetings.

Provides updates to the membership as requested at membership meetings and at Board of Directors meetings.

Publish information to the membership in the e-newsletter and/or website.

#### [School Liaison Job Description](#)

**Purpose:** To inform REALTORS® and the community about current initiatives of the DeKalb County Public Schools. To develop and maintain a relationship and two-way communication with the school board and school administration.

**Number on Task Force:** Varies

**Composition:** Vice President of Political Affairs and interested members appointed as Chair and Vice Chairs, preferably with a connection to the school system.

**Chair:** Appointed by the President

**Vice Chairs:** Appointed by the President-elect

**Restrictions:** Committee members must be approved by Board of Directors.

**Term:** One year

**Quorum:** Majority Present

**Reporting:** Vice President of Political Affairs

**Duties:**

- Attend/Observe the [monthly school board meetings](#)
- Provide a summary of those meetings to the committee



- Notify staff of items that should be sent to the membership or posted on the website
- Encourage engagement of members in the local school councils
- Alert membership and community about public meetings and education focused ballot initiatives.

#### County Commissioners Liaison Job Description

**Purpose:** To inform REALTORS® and the community about current initiatives of DeKalb County. To develop and maintain a relationship and two-way communication with the DeKalb County Board of Commissioners.

**Number on Task Force:** Varies

**Composition:** Vice President of Political Affairs and interested members appointed as Chair and Vice Chairs, preferably with a connection to County Commissioners.

**Chair:** Appointed by the President

**Vice Chairs:** Appointed by the President-elect

**Restrictions:** Committee members must be approved by Board of Directors.

**Term:** One year

**Quorum:** Majority Present

**Reporting:** Chair of State and Federal Political Affairs

**Duties:**

- Attend/Observe the monthly [DeKalb County Board of Commission meetings](#)
- Provide a summary of those meetings to the committee
- Notify staff of items that should be sent to the membership or posted on the website
- Alert membership and community about public meetings and County focused ballot initiatives.

#### State and National Association Affairs Liaison Job Description

**Purpose:** Plans activities for state conventions for member attendees. Informs Association members of state and national services and meetings and encourages involvement. Plans DeKalb Association State Director caucuses as needed.

**Term:** One year

**Reporting:** Vice President of Political Affairs

**Restrictions:** Selected by President.

#### PROFESSIONAL DEVELOPMENT COMMITTEE

**Purpose:** To provide educational programs as a benefit of membership in the DeKalb Association of REALTORS®. To develop programs addressing timely issues, matters of concern and industry issues.

**Number on Committee:** Varies –minimum of three (3) minimum of three (3)

**Chair:** Appointed by President

**Vice Chair:** Appointed by President-Elect

**Makeup:** Members should reflect the diversity of the Association, its Societies, and Councils (including Women's Council) and also reflect the varied size offices.

**Term:** One (1) year for Chair, two (2) years for Vice Chair

**Quorum:** Majority Present

**Reporting:** Vice President of Professional Development

**Duties and Responsibilities:**

Schedules classes and other professional development opportunities, such as Brown Bag Lunch and Learn Sessions, by working with Association staff and the Association calendar.

Plans topics for these classes and assists in obtaining the speakers for them.

Classes shall be provided at a minimal cost to the members of the DeKalb Association of REALTORS®. A higher fee may be charged to non-members providing there is space available. Request Finance Committee to budget for classes provided to the membership at no cost as a member benefit.

Includes a designation course in the annual education plan.

Provides training for new instructors for Orientation and Code of Ethics.

Presents program on Fair Housing annually to membership.

Assists Real Estate EXPO Task Force with programming/speaker/instructor suggestions.

### **PROFESSIONAL STANDARDS COMMITTEE** (Standing Committee – Article XIV, Section 1)

**Purpose:** At the request of the State Association's state-wide Professional Standards Program, the Grievance Committee reviews complaints and arbitration requests to determine if a hearing is warranted. The Grievance Committee makes only a preliminary evaluation as necessary to make these decisions. The committee does not hold hearings, does not decide whether a violation of the code has occurred, does not mediate or arbitrate business disputes. The members of the Professional Standards Committee serve on panels to provide a means for resolution regarding unethical conduct, contractual and non-contractual disputes in accordance with the Cooperative Enforcement agreement.

**Composition:** Should have a balanced representation of Brokers, Agents, male and female; should include representations of various cultural and ethnic groups

**Number on Committee:** As allotted by the State Association

**Chair:** Appointed by the President

**Restrictions:** As determined by the State Association. Must be current in training as required by the State Association. Members approved by Board of Directors.

**Reporting:** Vice President of Professional Development

**Duties and Responsibilities:**

As part of the state-wide Professional Standards Program, the function of Grievance Committee is to make only such preliminary investigations and evaluations of complaints received against any member

of the Association or MLS as required to determine whether the complaint warrants further consideration by a hearing panel of the Professional Standards Committee. This includes review of requests for Arbitration to determine if a request is of a voluntary or mandatory nature and if the proper parties are named. To serve on and/or chair hearing panels to consider matters of alleged unethical conduct by members, or arbitration of commission disputes between members and render decisions on such. The Professional Standards Committee shall have the power and authority to hear and determine all matters involving a charge properly made of unethical conduct on the part of any member of the Association or the DeKalb Association's MLS involving business disputes between members of the Association or members of MLS. These hearings shall be governed by the National Association of REALTORS® Code of Ethics and Arbitration Manual, which is revised on an annual basis.

The Chair assists in recommending members for this committee.

### **PROGRAM & SOCIAL COMMITTEE**

**Purpose:** Provide DeKalb Association of REALTORS® members with the best possible programs for the membership meetings/forums.

**Composition:** President-Elect and other committee members

**Number on Committee:** Varies -- Minimum of three (3)

**Chair:** Appointed by the President-Elect

**Reporting:** President-Elect

**Duties and Responsibilities:**

Plans meetings and forums. With the Membership Committee, organize social functions and events, and develop camaraderie among members.

General membership meetings shall be called to order and followed by the Pledge of Allegiance and a inter-denominational prayer or inspirational message.

Coordinates with staff including, but not limited to, location, menu, expenses, speaker and promotion materials for meetings, forums, and social events.

Assists with other social functions as directed by the President and/or Vice President of Membership Services.

### **REAL ESTATE EXPO TASK FORCE**

**Purpose:** Organize and present an annual exhibitor event for the membership.

**Composition:**

President-elect, Vice President of Professional Development, Sponsorship Chair, and others.

**Number on Committee:** Varies

**Chair:** Appointed by President

**Vice Chair:** Appointed by President-Elect

**Term:** One (1) year

**Quorum:** Majority Present

**Reporting:** Vice President of Professional Development

**Duties and Responsibilities:**

Establishes venue.

Establishes fees charged for sponsorship and exhibitors.

Reaches each Business Affiliate member by email, letter, or telephone to request funds to become an event sponsor or exhibitor.

Solicits additional sponsors and exhibitors.

Plans program for the event.

Promotes event to the real estate firms and agents in DeKalb county.

### **RPAC FUNDRAISING COMMITTEE**

**Purpose:** To achieve designated financial goals through fundraising and direct solicitation of membership. RPAC goal for the Association established by the Georgia Association of REALTORS® based on membership. Close coordination with the Political Affairs Committee is essential.

**Composition:** Members of the Political Affairs Committee and other interested members.

**Reporting:** Vice President of Political Affairs

**Chair:** Appointed by the President

**Vice Chair:** Appointed by the President-Elect

**Term:** One (1) year or as appointed by the President

**Quorum:** Majority Present

**Reporting:** Vice President of Political Affairs

**Duties and Responsibilities:**

The function of the REALTOR® Political Action Committee and its goal is to raise voluntary funds from members of the DeKalb Association of REALTORS® for use in making campaign contributions to political candidates at the Federal, State, and local levels, as well as supporting issues of concern to the real estate industry.

Appoints a Call to Action representative.

### **RPAC TRUSTEES TASK FORCE**

**Purpose:** Request funds from GAR to determine how the funds are to be used in supporting local issues and/or candidates

**Number on Committee:** Varies – not to exceed a total of seventeen (17)

**Chair:** Appointed by the President

**Vice Chair:** N/A

**Makeup:** Vice President of Political Affairs; Current RPAC Chair, plus the two immediate past Chairs; Current State & Federal Political Affairs Chair, plus two immediate past Chairs; Current Local Political Affairs (County Commissioners) Chair; Current Local Political Affairs (School Board) Chair; GAR RPAC Trustees and/or Alternates provided they are members of DeKalb Association of REALTORS®

The Association President may appoint two additional members to provide the broadest representation of the Association membership.

The Association President may also appoint additional members where a vacancy occurs due to duplication of offices/positions held.

**Quorum:** Majority Present

**Reporting:** Vice President of Political Affairs

**Duties and Responsibilities:**

Selects the names of those candidates and/or issues at the local and state levels for the Association to submit to the State RPAC Trustees for political contributions/support.

### **SPONSORSHIP COMMITTEE**

**Purpose:** Raise funds for Association to offset expenses.

**Composition:**

Chairs of Pinnacle Award Committee, Program Committee, Real Estate Expo Task Force, RPAC, Fundraising Committee, Vice President of Financial Management; other members appointed by the President

**Number on Committee:** Varies

**Chair:** Appointed by President

**Vice Chair:** Appointed by President-Elect

**Term:** One (1) year

**Quorum:** Majority Present

**Reporting:** Vice President of Financial Management

**Duties and Responsibilities:**

Develops criteria for partnership categories.

Reaches each Business Affiliate member by email, letter, or telephone to request funds to become an event sponsor.

Solicits new Business Affiliate members/sponsors.

Promotes good will between Business Affiliates and the Association.

Promotes partnerships at Association functions and e-newsletters.

### **STRATEGIC PLANNING COMMITTEE (See Executive Committee)**

### **TECHNOLOGY TASK FORCE**

**Purpose:** To assess current technology platforms on a continual basis and consult with technology experts for recommended upgrades for staff operations and methods of membership communication.

**Number on Committee:** Varies

**Chair:** Appointed by President

**Vice Chair:** Appointed by President-Elect  
**Makeup:** REALTORS®, Affiliate Members  
**Term:** One (1) year  
**Quorum:** Majority Present  
**Reporting:** President  
**Duties and Responsibilities:**

As assigned by the President.

## ***Procedural Policies***

### **ANTITRUST COMPLIANCE POLICY AND PROCEDURES**

It shall be the policy of the DeKalb Association of REALTORS® to be in strict compliance with all Federal and State Antitrust laws, rules and regulations. Therefore:

1. These policies and procedures apply to all membership, board, committee and other meetings and events of the Association, and all meetings attended by representatives of the Association.
2. Discussions of prices or price levels is prohibited by any Association member. In addition, no discussion is permitted of any elements of a real estate company's operations which might influence price such as:
  1. Cost of operations, supplies, labor or services;
  2. Allowance for discounts;
  3. Terms of sale including credit arrangements; and,
  4. Profit margins and markups, provided this limitation shall not extend to discussions of methods of operations, maintenance, and similar matters in which cost or efficiency is merely incidental.
3. It is a violation of Antitrust laws to agree not to compete, therefore, discussions of division of territories or customers or limitations on the nature of business carried on or products sold are not permitted.
4. Boycotts in any form are unlawful. Discussion relating to boycotts is prohibited, including discussions about blacklisting or unfavorable reports about particular companies including their financial situation.
5. It is the DeKalb Association of REALTORS® policy that all meetings attended by representatives of the Association where discussion can border on an area of antitrust sensitivity, the Association's representative request that the discussion be stopped and ask that the request be made a part of the minutes of the meeting being attended. If others continue such discussion, the Association's representative should excuse himself from the meeting and request that the minutes show that he left the meeting at that point and why he left. Any such instances should be reported immediately to the President and staff of the Association.
6. It is the DeKalb Association of REALTORS® policy that a copy of these Antitrust Compliance Policies and Procedures be given to each officer, director, committee member, official representative of member companies and DeKalb Association of REALTORS® employees

annually and that the same be read, or understood at all meetings of the membership of the DeKalb REALTORS®.

## **CONFIDENTIALITY AND NON-DISCLOSURE POLICY AND AGREEMENT**

This Confidentiality and Non-Disclosure Agreement (Agreement), dated as of \_\_\_\_\_, is by and between the **DeKalb Association of REALTORS®** (“DAR”), a Georgia corporation, and \_\_\_\_\_, an Individual (“Recipient”). This Agreement shall govern the conditions of disclosure of information by DAR to the Recipient of certain information considered to be confidential by DAR relating to the Recipient’s participation with or on any DAR Committee, Sub-Committee or Task Force (the “Purpose”).

- 1. Confidential Information Defined.** Confidential Information of DAR shall include any information that is marked as “confidential” by DAR, or is represented by DAR as being confidential or declared “confidential” either before or within a reasonable time after its disclosure, or that the Recipient knew or, based on the content of and the circumstances surrounding its disclosure, should have known was confidential, all of such including, but not limited to all documents, data, records, files, memoranda, reports, email transmissions, fax transmissions and other sources of information of whatever kind regarding DAR, or its business, including without limitation, information about any committee, its members, its process, applicants (including the contents of any applications) and selected candidates. All recommendations made by any committee, sub-committee or task force shall go forth united unless authorized by the chairman.
- 2. Protection of Confidential Information.** Recipient agrees to use the Confidential Information solely for the Purpose described above. Recipient agrees to use no less than a reasonable degree of care in protecting the Confidential Information, and further shall not disclose the Confidential Information to any third party without the prior written consent of DAR. Further, in the event Recipient becomes aware of an unauthorized disclosure of the Confidential Information of DAR, Recipient shall: (a) immediately notify DAR; (b) take all reasonably necessary steps to prevent further unauthorized access and/or use; and (c) cooperate with DAR in its efforts to secure the Confidential Information and protect its rights therein. I acknowledge and agree that if I have violated the confidences of the DAR <insert name of board of directors, committee, task force or other group>, that I will be dismissed from that committee, board or other group.
- 3. Breach of Agreement.** In the event that the recipient fails to abide by the terms of this agreement, recipient shall be reported by the Chair or Vice Chair or any member who becomes aware of the breach of confidentiality to the Board of Directors and shall be subject to discipline in accordance with the Constitution and Bylaws and Policies and Procedures of the DeKalb Association of REALTORS®, Inc. I agree that the appeal to the Executive Committee will be my only recourse to such dismissal and hereby waive any other rights I may otherwise have to challenge the dismissal.
- 4. Return or Destruction.** Recipient shall keep records of the tangible items of Confidential Information furnished to it by DAR. Upon notice received from DAR, and/or upon cessation of the parties’ pursuit of the Purpose, Recipient shall return or destroy all copies of all tangible items of Confidential Information immediately.
- 5. Term.** Confidential Information disclosed pursuant to this Agreement will be subject to the terms of this Agreement in perpetuity.

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6. **Entire Agreement and Amendment.** By signing below, I accept my appointment to the entity identified above, acknowledge reading and understanding this Confidentiality Agreement and agree to all terms and provisions set forth herein.
  7. Each officer and director shall sign an original of this agreement and it will be on file in the Association Office.

## **CONFLICTS OF INTEREST AND DISCLOSURE OF CERTAIN INTEREST**

This conflict of interest policy is designed to help directors, officers, committee members and employees of the DeKalb Association of REALTORS® (DAR) identify situations that present potential conflicts of interest and to provide DAR with a procedure that, if observed, will allow a transaction to be treated as valid and binding even though a director, officer, committee member or employee has or may have a conflict of interest with respect to the transaction. In the event there is an inconsistency between the requirements and procedures prescribed herein and those in federal or state law, the law shall control.

All DAR officers, directors and committee members are required to complete and sign the Conflict of Interest and Disclosure Policy Agreement each year. The Statement will be provided to all DAR officers, directors and committee members by December 1.

Failure to submit a signed Conflict of Interest and Disclosure Policy Agreement shall be construed as a resignation by the director or officer, except the Board of Directors at its next regular meeting, upon review of a signed Conflict of Interest and Disclosure Policy Agreement, may be majority vote, reinstate such director or officer to his or her office.

### **1. Definitions**

- a. A Conflict of Interest is any circumstance described in Part 2 of this Policy.
  - b. A Responsible Person is any person serving as an officer, director or committee member for DAR.
  - c. A Family Member is a spouse, domestic partner, parent, child, or spouse of a child, brother, sister, or spouse of a brother or sister, or a responsible person.
  - d. A Material Financial Interest in an entity is a financial interest of any kind that, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect a Responsible Person's or Family Member's judgment with respect to transactions to which the entity is a party. This includes all forms of compensation. (The board may wish to establish an amount that it would consider to be a "material financial interest".)
  - e. A Contract or Transaction is any agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a loan or grant, the establishment of any other type of pecuniary relationship, or review of a charitable organization by DAR. The making of a gift to DAR is not a Contract or Transaction.
2. Conflict of Interest Defined – For purposes of this policy, the following circumstances shall be deemed to create Conflicts of Interest:
- a. Outside interest
    - (i) A Contract or Transaction between DAR and a Responsible Person or Family Member.
    - (II) A Contract or Transaction between DAR and an entity in which a Responsible Person or Family Member has a Material Financial Interest or of which such person is a director, officer, committee member, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator, or other legal representative.



b. Outside Activities

- (i) A Responsible Person competing with DAR in the rendering of services or in any other Contract or Transaction with a third party.
- (ii) A Responsible Person's having a Material Financial Interest in, or serving as a director, officer, committee member, employee, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator, or other legal representative of, or consultant to, an entity or individual that competes with DAR in providing services or in any other Contract or Transaction with a third party.
- (c) Gifts, Gratuities and Entertainment – A Responsible Person accepting gifts, entertainment, or other favors from any individual or entity that:
  - (i) does or is seeking to do business with, or is a competitor, of DAR; or
  - (ii) has received, is receiving, or is seeking to receive a loan or grant, or to secure other financial commitments from DAR;
  - (iii) is a charitable organization;

Under circumstances where it might be inferred that such action was intended to influence or possibly would influence the Responsible Person in the performance of his or her duties. This does not preclude the acceptance of items of nominal or insignificant value or entertainment of nominal or insignificant value that are not related to any particular transaction of DAR.

3. Procedures

- a. Before Board or Committee action on a contract or Transaction involving a Conflict of Interest, a director, officer or committee member having a Conflict of Interest and who is in attendance at the meeting shall disclose all facts material to the Conflict of Interest. Such disclosure shall be reflected in the minutes of the meeting.
- b. A director, officer or committee member who plans not to attend a meeting at which he or she has reason to believe that the board or committee will act on a matter in which the person has a Conflict of Interest shall disclose to the Chair of the meeting all facts material to the Conflict of Interest. The Chair shall report the disclosure at the meeting and the disclosure shall be reflected in the minutes of the meeting.
- c. A person who has a Conflict of Interest shall not participate in or be permitted to hear the board's or committee's discussion of the matter except to disclose material facts and to respond to questions. Such person shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting.
- d. A person who has a Conflict of Interest with respect to a Contract or Transaction that will be voted on at a meeting shall not be counted in determining the presence of a quorum for purposes of the vote. The person having a Conflict of Interest may not vote on the Contract or Transaction and shall not be present in the meeting room when the voting is taken, unless the vote is by secret ballot. Such person's ineligibility to vote shall be reflected in the minutes of the meeting.
- e. Responsible Persons who are not members of the Board of Directors of DAR, or who have a Conflict of Interest with respect to a Contract or Transaction that is not the subject of board or committee action, shall disclose to the Chair or the Chair's designee any Conflict of Interest that such Responsible Person has with respect to a Contract or Transaction. Such disclosure shall be made as soon as the Conflict of Interest is known to the Responsible Person. The Responsible Person shall refrain from any action that may affect DAR's participation in such Contract or Transaction.

In the event it is not entirely clear that a Conflict of Interest exists, the individual with the potential conflict shall disclose the circumstances to the Chair or the Chair's designee, who shall determine whether there exists a Conflict of Interest that is subject to this policy.

4. Confidentiality – Each Responsible Person shall exercise care not to disclose confidential information acquired in connection with such status or information of the disclosure of which might be adverse to the interest to DAR. Furthermore, a Responsible Person shall not disclose or use information relating to the business of DAR for the personal profit or advantage of the Responsible Person or a Family Member.
5. Review of Policy – Each new Responsible Person shall be required to review a copy of this Policy and to acknowledge in writing that he or she has done so.
6. Each Responsible Person shall annually complete a disclosure form identifying any relationships, positions, or circumstances in which the Responsible Person is involved that he or she believes could contribute to a Conflict of Interest arising. Such relationships, positions, or circumstances might include service as a director of or consultant to a not-for-profit organization, or ownership or a business that might provide goods or services to DAR. Any such information regarding business interests of a Responsible Person or a Family Member shall be treated as confidential and shall generally be made available only to the Chair, the Association Executive, and any committee appointed to address Conflicts of Interest, except to the extent additional disclosure is necessary in connection with the implementation of this policy.
7. This policy shall be reviewed annually by each member of the Board of Directors. Any changes to the policy shall be communicated immediately to all Responsible Persons, at which time the revised policy must be signed.

**Conflict of Interest Policy**  
**Conflict of Interest/Disclosure Reporting Statement**

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Please describe below any relationships, positions, or circumstances in which you are involved that you believe could contribute to a Conflict of Interest arising (as described in DAR's Policy on Conflicts of Interest).

I hereby certify that the information set forth above is true and complete to the best of my knowledge. Should any other potential or real conflict arise, I will disclose it to the Board/Committee prior to discussion and voting. I have reviewed, and agree to abide by, the Conflict of Interest and Disclosure Policy of DAR that is currently in effect.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
For the term: January 1, \_\_\_\_\_ through December 31, \_\_\_\_\_

## **FISCAL POLICY AND PROCEDURES**

### **Application Fees**

Application fees shall be waived one-time for previous members of the DAR that are reapplying or for previous members of other local Boards/Associations in Georgia within the past 12 months. At the

discretion of the Association Executive, when all or several agents from a firm join at the same time, the application fee may be waived. *(Updated 2/2018)*

#### Audit/Review/Compilation

The CPA does a monthly financial review and procedural testing when preparing monthly financial reports for the Association. The CPA completes an annual financial report and, after approval of the Board of Directors, files a tax return for the Association and its Subsidiary, DWHIP. Annually, a separate CPA provides a review as required by NAR's Core Standards. *(Updated 2/2018)*

#### Bad Checks (NSF or Closed Account)

Returned checks will not be re-deposited. The signer of the check will be called. The member will be given two (2) weeks to replace the check with money order, cashier's check, certified check or credit card, if the member still has credit card charging privileges. A \$40 returned check fee will be assessed that must be paid when the check is replaced. Member not replacing check within the two (2) week time-frame will be placed on inactive status until payment is made. Broker will be notified.

#### Bank Accounts

Only bank accounts/financial institutions approved by the Board of Directors may exist in the name of the Association or its Subsidiary, the DeKalb Workforce Housing Initiative Program (DWHIP). The Association Executive may transfer funds within Association deposit accounts (for example, from Operating Account to Reserve Account) as needed to replenish operating or payroll accounts or to maximize interest earned. Withdrawals from savings or the investment account require the signature of both the Association Executive and an elected officer.

#### Budget

Each year, the Finance Committee develops a budget for the coming year, for approval by the Board of Directors no later than the June meeting to allow adequate time for dues billing. Staff, Officers, Directors, and Committee Chairs are expected to operate within that approved budget. Staff, Officers, Directors, and Committee Chairs must request funding from the Board of Directors for non-budgeted items.

#### Cash

The name of the person presenting cash payment, the amount, and the purpose is noted on the deposit slip by the staff person accepting the payment and entered into the RAMCO database. Cash will only be accepted up to \$40. All other payments must be credit card, check, cashier check or money order.

#### Check Signing/Writing

All checks require two original signatures.

All signatories must be approved by the Board of Directors.

All checks over \$2,000 or for a credit card bill, regardless of the amount, require the signature of one officer.

Dividing a payment into a series of checks to avoid the signature of an officer is prohibited. Violation of this policy would be grounds for employment termination.

When necessary for an elected officer to sign a check, first consideration is for the Vice President of Financial Management. If not available, the next person would be the President, then President-Elect, then other officers.

The person writing checks (the Association Executive) does not make deposits except when the Member Services Director is on vacation.

#### Conflicts of Interest

See Conflict of Interest/Confidentiality Policy in the Association's Policy & Procedures.

#### Contracts

Any contracts must be approved and signed by the Association Executive to assure the monies are within the budget of the committee.

#### Conventions

The Association Night Out for members will be scheduled by staff. Meals for officers, state directors and staff attending will be paid by the Association; other members will be invited but will be expected to pay for their meals; officers other than the President and others attending must pay for their guests. State Directors will be reimbursed for GAR Inaugural Meeting \$200 and for GAR Conference \$300 if the Directors register before Early Bird Discount and attend both Regional Caucus and Board of Directors meetings.

#### CPA

The professional services of a CPA are used to prepare monthly and annual financial statements and tax returns. The CPA serves as bookkeeper, making journal entries, balancing the checkbook, checking RAMCO reports against accounts receivable, payments, deposits and withdrawals, and recording changes in the investment account.

#### Credit Card

Only the Association Executive shall have the use of the Association credit card, to be used for Association expenses only. The Association Executive also possesses an ATM card for the Association and its Subsidiary, the DeKalb Workforce Housing Initiative Program (DWHIP). These ATM/withdrawal cards may only be used for Association/DWHIP approved expenses, and documentation of withdrawals with receipts are kept for monthly review by the CPA. In addition, an officer must approve payment of credit card bills. These ATM cards are only used when cash is necessary – for example, for paying taxi fare when traveling.

#### Deposits

Deposits are not made by the same person who writes checks. Deposits are made by the Director of Member Services.

Deposits will be made daily or as necessary.

A report of deposits is reviewed monthly by the CPA for accuracy.

Deposits should be in compliance with the Bylaws, Article X, Section 5.

#### Document Retention

See Document Retention Policy in the Association's Policy & Procedures.

#### Dues Refunds

- A. Dues are non-refundable.

- B. Designated REALTOR Not Renewing – Agents may receive a pro-rated refund on dues, if not already paid to GAR and NAR, should their Designated REALTOR choose to not renew their Association membership. After December 31, no dues refunds will be made regardless of the date payment was received. (*Updated 2/2018*)

#### Expenses

A committee chair or member shall have authority for expenditure only with consent of the majority of committee members or the Executive Committee if within the Committee's budget. If the Committee has no budget, the chair must have approval from the Association Executive or Executive Committee. Any and all expenses, such as but not limited to, speakers, instructors, meeting room deposits, contracts for events, must be approved and signed by the Association Executive to assure the monies are within the budget and the scope of the committee. The Association Executive shall obtain approval of the expenditure from the Executive Committee if the expenditure is not in compliance with the budget. For reimbursement of approved expenses, the member, Committee, or staff person must submit appropriate receipts.

#### Financial Information Disclosure

An outside CPA prepares monthly financial reports and tax returns. These items are sent to the Finance Committee and the Board of Directors for review. Tax returns are available at the front desk for public review.

#### Financial Statements

The CPA produces financial reports for the Finance Committee, Executive Committee, and Board of Directors each month, which are distributed to each group. The Vice President of Financial Management, at regularly scheduled meetings of the Board of Directors, reviews the current financial report and submits for filing. In January, the Board of Directors approves the year-end financial report and the tax return.

#### Fraud Awareness and Prevention

To protect the Association, various steps have been taken, including:

1. Separate Finance and Association Investment Committees.
2. Staff and volunteer assignments for specific financial related tasks (i.e., not all staff are assigned to accept monies; all monies accepted must be entered into RAMCO or the RPAC database; checks require two signatures; etc.)
3. Board of Directors approves all signatories.
4. An outside CPA prepares monthly financial reports and reconciles bank statements.

#### Investments

The Association uses the services of a professional investment company. The Association has adopted investment policies and guidelines. (*see Investment Policy*)

#### Legal Defense Fund

All interest from the Legal Defense Fund bank account shall be accrued in the bank account until the amount totals \$100,000.00. Any amounts earned over \$100,000.00 shall be placed in the General Operating Fund.

It is the intent to use Legal Defense Funds only for an appeal of a lawsuit lost by a member which affects the real estate industry. No more than \$5,000.00 per lawsuit shall be expended except with approval of the Board of Directors. All monies disbursed from the Legal Defense Fund are to be approved by the Board of Directors. If funds decrease to \$50,000.00, each member will be assessed \$5.00 on the annual dues billing.

#### Legal Counsel

Only the President and Association Executive are authorized to communicate with Legal Counsel.

#### Past Due Notices/Collections

Policy for nonpayment of dues is found in the Bylaws, Article X, Sections 2-4. The procedures are intended to be the same for all financial obligations owed to the Association.

#### Payment Plans for New Members

For any failed payments, the member will be notified via email, the broker copied and a note added to the member's record. Their membership will be inactivated until the failed installment amount has been received, including any subsequent scheduled payments and/or late fees that have passed. A late fee of \$75 will be charged to all renewing members on the payment plan who have not renewed their membership in full as of December 25. *(Updated 2/2018)*

#### Payment Plan Refunds

Dues are non-refundable. *(Updated 2/2018)*

#### Payments

All payments are noted in RAMCO database with the name of the person making the payment, the amount, and the purpose of the payment and staff person accepting payment. A report of payments is checked by the CPA monthly against bank deposit records for discrepancy.

Whenever possible, the following procedure is followed:

Dues payments and class registrations are handled by the Member Services Director.

RPAC payments are handled by the Association Executive or the Administrative Assistant.

Event registrations are handled by the Communication & Events Coordinator, the Administrative Assistant, the Receptionist, or the Association Executive.

Payments to individuals or companies require invoices or receipts.

#### Petty Cash

Petty Cash is kept by the Member Services Coordinator. Each month, she balances Petty Cash and submits the form for replenishment to the Association Executive.

Upon receipt, the Association Executive obtains cash from the cash bank account to give to the Member Services Director to replenish Petty Cash.

Petty Cash is not to exceed \$200.

A form is kept with Petty Cash noting cash put in/taken out and the staff person responsible.

#### President's Discretionary Line Item

The current President will be given a discretionary allowance to use on a need basis for items not addressed in the budget and not to exceed the amount budgeted annually.

#### Reimbursement of Volunteer and Staff Expenses

Volunteers and staff are reimbursed for pre-approved expenses according to policies adopted by the Board of Directors. Such expenses are budgeted and include but are not limited to travel to state and national meetings, lodging, etc.

**President:**

The Association shall furnish two tickets to the President for Association social functions, one ticket to each membership meeting and two tickets to the Installation, and one ticket for the Pinnacle Award event and Women's Council meetings.

The (seated) President shall be reimbursed for two (2) GAR conventions/meetings and one (1) NAR Meeting (Washington, DC) and GAR Leadership Training:

Expenses:     Airfare or car mileage, allowance as used by the IRS.  
                  Hotel – number of nights determined by official program.  
                  Meals – three meals per day.  
                  Convention/Meeting Registration.  
                  Tips/Shuttle/Taxi.  
                  NAR Convention: Up to \$500.

**President-Elect:**

The (seated) President-Elect shall be reimbursed for attendance at the GAR Leadership Conference and NAR Leadership Summit and the NAR Convention:

Expenses:     Airfare or car mileage, allowance as used by the IRS.  
                  Hotel – number of nights determined by official program.  
                  Meals – three meals per day.  
                  Convention/Meeting Registration.  
                  Tips/Shuttle/Taxi.  
                  NAR Conference in DC: Up to \$1,000.

**Association Executive:**

The Association shall furnish two tickets to Association functions, social and business events to the Association Executive and each staff member. The Association funds the cost of the Association Executive and staff's meals at membership meetings, Women's Council and Pinnacle Award events. The Association Executive shall be reimbursed for two (2) GAR meetings, two (2) NAR meetings, GAR and NAR Leadership Meetings, GAR AE meetings and the NAR AE Institute. Any other meetings require approval of the Executive Committee.

Expenses:     Airfare or car mileage, allowance as used by the IRS.  
                  Hotel – number of nights determined by official program.  
                  Meals – three meals per day.  
                  Convention/Meeting Registration.  
                  Tips/Shuttle/Taxi.

A discretionary fund of \$150.00 shall be allocated per convention for the purpose of networking during the conventions.

**Recruiting**

All companies/members are prohibited from recruiting at any DeKalb Association of REALTORS® sponsored event or on the premises of the DeKalb Association of REALTORS® offices. All potential

violations will be reported to the CEO, who will forward to the Executive Committee for investigation.  
(Updated 2/2018)

#### Reserves

The Association maintains a cash reserve account that may be used during the year for operational expenses. That account is replenished when the Operating Account exceeds \$38,000. The Legal Defense Fund maintains a cash account of \$100,000. Additional funds are in the investment account.

#### Security

A safe is located in the Association office. The combination is held by the Association Executive.

#### Sponsors

DAR and its Committees and Councils will not solicit sponsors for any event that has not been approved by the BOD. (Updated 2/2018)

#### Succession

It is the policy of the Association that no more than 3 Officers (or 2 Officers and the Association Executive) travel in the same vehicle or be on the same flight when traveling to events, conferences, and conventions.

In the case of the death, resignation or firing of the Association Executive, a search committee will be formed to conduct a national search for a replacement, using among others, ASAE, NAR, and GAR resources. The Board of Directors will give authority to the search committee to select and hire the new Association Executive. In the interim time before the new Association Executive begins work, if the current Association Executive is no longer with the Association, the President or his/her designee will serve as the liaison to staff. Whenever possible, a period of up to two months will be used for the current Association Executive to orient the new AE. To ensure a smooth running organization in the absence of the Association Executive, staff members are cross-trained, and a Procedure Manual is maintained. The President (or designee) would assign staff to the additional responsibilities until a new Association Executive (or interim) begins work for the Association.

The search committee shall be appointed by the President and approved by the Board of Directors. The search committee shall consist of the Officers, if available to serve, and at least one past president in addition to the Immediate Past President. Additional committee members may include other members of the Board of Directors, and up to one member at-large. The committee shall not number more than nine (9). (Updated 2/2018)

#### Transfer of Funds

The Association Executive may transfer funds within Association deposit accounts (for example, from Operating Account to Reserve Account) as needed to replenish operating or payroll accounts or to maximize interest earned. A record of all transfers is reviewed monthly by the CPA.

#### Travel Expense Reimbursement

Approved expenses are outlined in this Policy. See Reimbursement of Volunteer and Staff Expenses.

#### Volunteers



Volunteers do not accept payments, write checks, withdraw funds or use the Association credit card or ATM card. Only staff may do so, so that properly documentation is maintained.

#### Whistleblower Policy

See Whistleblower Policy in the Association's Policy & Procedures.

### **DUES/LATE FEE WAIVER**

#### GUIDELINES for Granting a Waiver for Late Fees or Dues:

Members called up for active military duty may have their local membership dues waived during the time of service. During that time, membership will be temporarily suspended and be reinstated at no penalty as long as the licensee's real estate license is active. The suspension is necessary because the national and state associations will otherwise require a dues payment for the individual. *(Updated 2/2018)*

Members otherwise requesting a waiver of late fees or dues must submit the request in writing to the Association Executive at least three days prior to a meeting of the Board of Directors. The request should provide details and documentation to enable the Directors to make an informed decision. The responsibility lies with the member making the request to provide convincing rationale / documentation, and the member will be so informed at the time he or she makes contact with the Association regarding a possible waiver.

#### Late Fees –

- A. A late fee of \$25 will be charged to all members who have not renewed their membership as of October 1.
- B. A late fee of \$50 will be charged to all members who have not renewed their membership as of November 1.
- C. A late fee of \$75 will be charged to all members who have not renewed their membership as of December 1. *(Updated 2/2018)*

### **APPLICATION FEE POLICY**

Application fees shall be waived one-time for previous members of the DAR that are reapplying or for previous members of other local Boards/Associations in Georgia within the past 12 months. At the discretion of the Chief Executive Officer, when all or several agents from a firm join at the same time, the application fee may be waived. *(Updated 2/2018)*

### **INVESTMENT POLICY STATEMENT**

#### **Overview and Summary**

The purpose of the Investment Policy Statement ("IPS") is to establish a clear understanding between the DeKalb Association of REALTORS® Association Investment Committee ("Committee") and the Financial Services Advisors ("Advisors") as approved by the Board of Directors about the investment goals and management procedures applicable to the portfolio.

This Investment Policy Statement:

- Identifies the Association's expectations, objectives and preferences concerning management of the portfolio
- Describes the asset allocation that has the potential to generate favorable long-term returns at a level of risk that is acceptable to the Association.
- Establishes guidelines for the selection of investment managers for any mutual funds or separately managed accounts that may be included in the portfolio.
- Lists permissible and non-permissible securities and transactions.
- Provides guidelines for evaluating the portfolio performance.
- Defines responsibilities of the Committee and the Advisors.
- Sets guidelines for ongoing communications, reporting and meetings between the Advisors and the Committee.

### **Establishing an Investment Approach:**

#### **Investment Goals**

The goal of these funds is for capital appreciation, income and capital preservation.

#### **Time Horizon**

All accounts are long term investors unless noted or cash needs are required over the short term.

#### **Tax Policy**

All accounts are tax exempt from capital gain and income taxes.

#### **Risk Tolerance**

Based on the short-term and long-term goals for these funds, the portfolio is primarily focused on long-term capital appreciation with a secondary preference for current income. The resulting mix of stocks and bonds required to achieve that balance reflects a **Moderately Aggressive** risk profile (*Approved 6/7/17*).

#### **Asset Allocation**

Research has shown that a portfolio's asset allocation has greater influence on performance than security selection or market timing. Based on historical data relating to long-term performance and volatility characteristics of various asset classes, the table below lists the asset classes that will be considered. The table also shows the target allocation and allocation ranges that we believe to best suited to the Association's goals, risk tolerance and time horizon.

### **Additional Investment Policy Factors**

#### **Rebalancing**

Over time, movements in the financial markets may cause the portfolio's investments in various asset classes to vary from the targeted allocation range. Consequently, every quarter, the Advisors shall review the Portfolio and each asset class in which the Portfolio is invested. If the then-current weighting of an asset class differs from the target weighting by 5% or more, the Advisors shall restore the portfolio to the proportions selected by the Committee on Page 4 or otherwise at the Committee's instruction.

## **Policy Review**

The Committee and Advisors will review the Investment Policy Statement on an annual basis or more frequently as determined by the Committee.

## **Liquidity**

The Portfolio will maintain cash reserves in the range established in the Investment Policy Statement in addition to any reserves requested by the Committee. They will be invested in money market reserves or other cash-like vehicles and will be liquid in a minimum of three business days.

## **Permissible and Non-permissible Investments**

### **Permitted Asset Classes**

- Cash and cash equivalents
- Fixed Income
  - Domestic bonds
    - Investment grade
    - High Yield
    - Municipal
  - Non-U.S. bonds
    - Developed
    - Emerging
- Equities
  - U.S.- Large, Mid & Small Cap
  - Non-U.S.- Large, Mid & Small Cap
  - Emerging Markets
- REIT's
- Alternative Investments

### **Permitted Security Types**

- Mutual Funds (stocks, bonds, money markets and alternative investments)
  - Alternative investment mutual funds utilizing long/short hedging strategies are permitted
- Individual stocks
- Exchange-traded funds
- Individual bonds rated A or better
- Preferred stocks

### **Prohibited Securities**

- Private placements
- Direct short sales

## **Communications**

The Advisors will meet with the Committee on a quarterly basis to review the asset allocation, investment performance, economic outlook and recommendations. The Advisors will also keep the Committee informed of any material changes in the Advisor's outlook or recommended investment approach.

## Duties and Responsibilities

The Committee shall be responsible for:

- Defining and approving investment goals and policies of the Portfolio.
- Approving or disapproving the Advisor's recommendations concerning investment policy, objectives and specific investments.
- Providing the Advisors with relevant information on the Association's financial status and risk tolerances and also notifying the Advisors of any material change to this information.
- Selecting investment advisors for approval by the Board of Directors.
- Reviewing this policy at least annually. To revise the policy requires a vote of the Association's Board of Directors.

The Advisors shall be responsible for:

- Structuring and implementing an asset allocation that is commensurate with the Committee's investment objectives, time horizon, risk profile, preferences and constraints.
- Selecting and recommending specific investments, securities, and investment managers within each asset category.
- Monitoring the performance of all Portfolio assets.
- Recommending changes, if appropriate.
- Meeting with the Committee quarterly and being available at other times, within reason, at Committee's request.
- Preparing and distributing periodic reports.

### Investment Policy Statement – Moderate Aggressive

(Current risk profile on a scale of 1-10, we are about 6 as “Moderate Aggressive”)

#### DeKalb Association of REALTORS®

**Objective:** Current Income & Capital Appreciation

**Risk profile:** Moderate Aggressive

Asset Class	Target Allocation	Allocation Range	Risk Level	CMA *
Cash or Cash Equivalents	5.00%	0 - 20%	2.10%	0.50%
U.S. Government Bonds, U.S. Investment Grade Corporate Bonds, Preferreds	19.00%	10 - 60%	2.80%	5.00%
High Yield bonds	10.50%	0 - 15%	4.80%	9.20%
International Bonds	2.50%	0 - 25%	1.80%	7.90%

U.S. Large Cap Stocks	27.00%	0 - 55%	7.10%	15.70%
U.S. Mid Cap Stocks	6.00%	0 - 12%	7.60%	18.30%
U.S. Small Cap Stocks	7.00%	0 - 10%	7.80%	20.10%
Developed International Stocks	12.00%	0 - 25%	9.40%	16.50%
Emerging Market Stocks	6.00%	0 - 12%	8.80%	24.10%
Commodities	0.00%	0 - 7%	4.40%	19.20%
Alternative Investments	5.00%	0 - 15%	5.50%	6.70%
<b>TOTAL</b>	<b>100%</b>	<b>100%</b>		

\*The capital market assumptions are estimates of forward-looking average annual returns for a particular asset class. They are not guaranteed and do not represent the return of a particular security or investment.

## **MEMBER PRIVACY POLICY AND PROCEDURES**

**Personal Information:** The DeKalb Association of REALTORS® shall not release personal information of members (such as: home telephone, home fax, home address, cell numbers or e-mail addresses) to the general public.

**Membership Directory:** The DeKalb Association of REALTORS® shall maintain an online Membership Directory at [www.dekalbrealtors.com](http://www.dekalbrealtors.com) that displays individual member's name with office name, phone number, and city location. This information shall not be provided in any other format or to the general public or non-members.

**Membership Directory Updates:** The DeKalb Association of REALTORS® shall maintain and update the membership information on the DAR website via the NAR NRDS system.

**Membership Rosters:** A DeKalb Association of REALTORS® member broker may request an emailed list of members affiliated with that brokerage. Business Affiliate Members may receive a member list that contains name, brokerage name and phone number in pdf format only. Membership Rosters shall not be provided in any other format or to the general public or non-members. *(Updated 2/2018)*

## **POLITICAL ENDORSEMENT OF CANDIDATES**

The Association does not endorse political candidates. Requests for GARPAC funding for candidates does not constitute endorsement.

## **SEXUAL HARASSMENT COMPLAINT PROCEDURES**

Procedures to be followed by the DeKalb Association when considering complaints alleging sexual harassment of Association employees by members:

Sexual harassment is any verbal or physical conduct of a harassing nature, requests for sexual acts or favors, unwelcome sexual advances, or any other conduct with the purpose or effect of unreasonably interfering with an individual's work performance by creating a hostile, intimidating, or offensive work environment.

### **COMPLAINT PROCEDURE**

Any employee who believes that he/she has suffered sexual harassment by any member of the Association must bring the problem to the attention of the President or Association Executive. The complaint does not have to be in writing; however, it is helpful if details of dates, times, places, and witnesses, if any, to the alleged harassment can be provided.

All complaints will be investigated promptly and with strictest confidentiality by an investigatory team comprised of the President, President-Elect, and/or Vice President and one (1) member of the Board of Directors selected by the highest ranking officer not named in the complaint after consultation with counsel for the Association. If the complaint involves the President, President-Elect, and/or Vice President, they shall be replaced on the investigatory team by the immediate Past President or, alternatively, by another member of the Board of Directors selected by the highest ranking officer not named in the complaint. Both the complainant and the accused will be provided a full opportunity to present their cases. Witnesses interviewed will be provided only such information as is necessary to elicit from them their observation and other relevant information.

Disciplinary action against any member found to have sexually harassed an Association or GAMLS employee may include verbal or written warning, probation, suspension or expulsion depending on the gravity of the incident. Prior incidents of similar behavior shall be taken into consideration when determining the appropriate disciplinary action. Such decision shall be made by the investigatory team, including the Association Executive.

Clear, strong, and convincing shall be the standard of proof by which alleged allegations of sexual harassment are determined. Clear, strong, and convincing shall be defined as that measure or degree of proof which will produce a firm belief as to the validity of the allegations sought to be established.

It is contrary to the policy of the DeKalb Association for a member to retaliate against any employee who files a charge of sexual harassment. All possible steps will be taken to eliminate the possibility of retaliation resulting from the filing of a complaint.

In the event a complaint of sexual harassment is found to be totally and completely without basis, appropriate disciplinary measures may be taken against the employee who brought the complaint. While this is in no way intended to discourage employees who believe they have been the victim of sexual harassment from bringing a complaint, the Association recognizes that a charge of sexual harassment can cause serious damage to the personal reputation and professional career of the accused.

## **SIGNATURE POLICY**

The use of the Association's name in a signature must always define the Member's status. Members must put the word "Member" as follows:

Member, DeKalb Association of REALTORS®

Leadership Team must identify their position and year of service. Examples:

2015 President, DeKalb Association of REALTORS®

2017 Awards Committee Chair, DeKalb REALTORS® (*Updated 9/2016*)

## **SOCIAL MEDIA POLICY**

### **Overview**

Social media is a set of integrated tools that allow people to build a network or community for interacting through the creation and/or distribution of interests, messages, stories, and information. Social media can be used both personally and professionally, and social networks provide opportunities for people with a common history or interest to connect and share content with each other.

Social media can take many different forms, including Internet forums, blogs, wikis, podcasts, pictures (e.g., Flickr, Shutterfly), video (e.g., YouTube) rating and bookmarking, etc. Technologies include: blogs, picture-sharing, vlogs, wall postings, email, instant messaging, music-sharing and Voice Over Internet Protocol (VoIP), to name a few.

The DeKalb Association of REALTORS® and its subsidiary, the DeKalb Workforce Housing Initiative Program (DWHIP), respect the right of its members and staff (collectively "Users") to engage in blogging, social networking, and other public discourse via the Internet. We are aware that social media sites such as Facebook and Twitter, professional networking sites such as LinkedIn and Plaxo, and others can be used as important tools in business. This policy sets forth some guidelines for appropriate use when participating in such activities either using our computers and on-site wireless systems, or using personal devices and systems.

### **Guidelines**

Staff Users should only use our computers for work-related matters. Member Users are permitted to briefly use our designated computers and onsite wireless to participate in social networking sites and other public discourse on the Internet, according to time limits as posted. Both Staff and Member Users are subject to the following prohibited uses:

- Users are prohibited from any communications or other use that would violate our business policies, including REALTOR® ethics, nondiscrimination, and anti-harassment policies, or any use contrary to the interests of the Association;
- Users are prohibited from any communication or other use that is abusive, harassing, vulgar, obscene, or offensive;
- Users are prohibited from posting gossip, rumors, lies, falsehoods, defamatory comments, personal attacks, harassing, discriminatory, menacing or otherwise inappropriate and offensive content. For example, Users:
- May not disparage the Association, its staff or members;

- May not engage in disputes;
- Must correct any mistakes as quickly as possible;
- Users are prohibited from engaging in communications that disparage or demean other individuals based on race, national origin, marital status, sex, sexual orientation, disability, age, religion, or any characteristic protected under federal, state or local law. Disparaging communications include distasteful jokes or communications that disparage or defame the products or services of the Association, other Users, vendors or competitors;
- Users are prohibited from communicating any information pertaining to Association copyrighted materials, trade secrets, proprietary information, or any other highly or sensitive confidential information, except with express permission from the Association Executive/CEO;
- Users are prohibited from participating in solicitations, including solicitation for commercial ventures, religious or political causes, fundraisers or outside organizations while using the Association's computers or on-site wireless;
- Users are prohibited from accessing, viewing, downloading, copying or sending sexually explicit materials or other offensive materials while using the Association's computers or on-site wireless;
- Users are prohibited from using the Association's computers or on-site wireless for gambling, wagering or day-trading during business hours.
- Any communication sent externally, including messages placed on the Internet, which refer to the Association or its products or services in a way that could be interpreted as stating an Association position, policy or viewpoint must receive written approval in advance from the Association Executive/CEO.

If a User chooses to participate in blogging, social networking or other public discourse on their own time and with their own equipment, these activities may still be subject to violations of this policy. If a User comments on the Association or identifies him or herself as an Association member or staff, the User must be professional and courteous, and follow the standards of acceptable business communications. In addition:

- Users must explicitly and conspicuously state that the views they are articulating are their own and not the views of the Association. Users must not state or imply they are speaking for the Association.
- Users must not disclose any confidential or proprietary information about the Association, its members, staff or suppliers. This includes any information that is not already in the public domain or that might give any of the Association's competitors a competitive advantage. Proprietary information is not to be discussed or referred to on any social networking site, even in private messages between site members who have authorized access to the information. If a User is unsure about what information falls under this policy, he or she should check with the Association Executive management.
- Users must not disclose any personal or confidential information about third parties, including other Users, Association employees or others associated with the Association, or post pictures of them, without their permission.
- Users must not use vulgar or sexually explicit language.
- Users must not discriminate on the basis of race, gender, religion, age, disability, sexual orientation or any protected criteria.
- Users must not use Association trademarks or copyrighted material without written permission.



- Users must respect copyright laws, and reference or cite sources appropriately. Plagiarism applies online.

Each User will be held personally responsible for the posting of unauthorized Association content on the Internet. If a User chooses to engage in blogging, social networking or other public discourse on the Internet, each does so at his or her own risk. The Association will not indemnify Users from claims resulting from such activities.

### **Use of Online or Internet Software/Document Downloads**

Software and/or documents downloaded from an online service or the Internet to the Association's computers could pose potential problems for the Association. Downloaded software from an online service or the Internet could contain a computer virus that might affect the operation of the Association's computer network. No software/documents may be downloaded from an online Internet source without the prior approval of the Association's Information Technology (IT) department or the Association Executive/CEO. If a User believes he or she has inadvertently downloaded software/documents from the Internet, the IT staff should be contacted immediately.

### **Privacy**

To assure the proper and authorized use of its communications, computer systems and on-site wireless, the Association reserves the right to monitor its systems. This includes stored communications and data stored on the equipment of the Association's third-party vendors or suppliers.

Users should be aware that the Association will generally monitor for certain types of activities, such as visiting Internet sites that may be inappropriate for the workplace and monitoring when a specific business need is presented. This might include monitoring to determine excessive personal use; to investigate uses that may violate the Association's policies against discrimination and harassment; to determine whether trade secrets, copyrighted material or other highly sensitive or confidential information are being communicated; or to investigate other communications that may be illegal or otherwise adversely affect the welfare of the Association, its Members, and its employees.

By using the Association's system and on-site wireless, each User knowingly and voluntarily consents to being monitored as described above, and acknowledges the Association's right to conduct such monitoring. Users do not have a right to expect privacy on the Association's communication and computer systems. Users should not use the Association's systems for any communication for which they expect or want personal privacy.

### **Disciplinary Action**

Any violation of this policy can result in disciplinary action, including but not limited to, deletion of inappropriate posts or exemption from participating in Association social media or membership/staff suspension or termination.

### **Social Media Policy for DeKalb REALTORS® Leadership and Staff**

DeKalb REALTORS® (the "Association") values social media. Its proper use creates awareness of our purpose and mission. It is also a great communication and marketing tool. As a leader/staff of DeKalb

REALTORS®, what you share on the Internet is (or may be interpreted to be) representative of DeKalb REALTORS® and, in any event, must be approached with caution. The written word is easily misunderstood and misinterpreted, especially in a leadership position as you are held to a higher standard by others.

DeKalb REALTORS® also respects your right to interact and communicate about non-Association related matters using the Internet. In order to protect the Association from the posting of comments and information that may have a harmful effect on its reputation and/or its employees, the following policy has been developed. For the purpose of this policy, “*engaging in social media*” means posting or uploading content to any type of electronic communication including but not limited to websites, blogs, social networks, discussion boards, and listservs.

- Since the Internet is public space, you must refrain from engaging in social media that may disparage or harm the image or reputation of the Association or any of its employees.
- You assume any and all risks associated with engaging in social media.
- Before engaging in social media, know the Association’s position on issues. Be sure it is clear that *your* opinion and views expressed are yours alone and that any statements, opinions and beliefs do not necessarily reflect the views of the Association.
- When engaging in social media, be vigilant to ensure that you do not disclose any information that is confidential or proprietary to the Association or to any third party that has disclosed information to us. This includes but is not limited to the use of Association trademarks and copyrighted material.
- Use discretion when posting photos of leadership, staff and members from REALTOR® events.
- When engaging in social media, do not expect your comments to be private. Even comments posted in private groups can easily be shared publicly.
- When it comes to political advocacy and candidate campaigns, represent and conduct yourself online as a member of the DeKalb REALTOR® Party, which supports real property rights regardless of political affiliation.
- RPAC investments should not be solicited in any online public forum.
- Do not share or publicly post any decisions that are confidential. This includes Association matters, personnel, staffing, professional standards decisions, and financial information.

I have read, understand, support, and as a condition to holding my leadership/staff position with the Association, agree to fully abide by the above Social Media Policy. I will direct any inquiries or concerns, whether or not specifically addressed in the policy statement, to the Association CEO. I understand that any violation of this policy could result in my removal from my leadership/staff position.

## **WHISTLEBLOWER POLICY**

The Association requires that its financial affairs be managed professionally, honestly, and in accordance with sound accounting practices and the requirements of its Bylaws.

The purpose of this policy as a key defense against fraud occurring in an organization is the availability of a means for constituents to anonymously report suspected wrongdoing.

Federal law prohibits retaliation against whistleblowing with respect to a violation of a federal law or regulation, to include: Forgery or alteration of documents; unauthorized alteration or manipulation of computer files; fraudulent financial reporting; pursuit of a benefit or advantage in violation with the DAR conflict of interest policy; misappropriation or misuse of DAR resources, such as funds, supplies, or other assets; authorizing or receiving compensation for goods not received or services not performed; authorizing or receiving compensation for hours not worked.

Any director, officer, or member should report violations or suspected violations of this policy. Any member of the Association who suspects that the policy is being violated, or suspects other irregularities or wrongdoing, shall immediately report the same to the Association Executive and/or the Association President. If the member is uncomfortable raising these issues with either of these persons for any reason whatsoever, the member shall report the same to any member of the Executive Committee.

The Whistleblower Policy is intended to encourage and enable directors, volunteers and members to raise concerns within DAR for investigation and appropriate action. With this goal in mind, no director, officer or member who, in good faith, reports a concern shall be subject to retaliation. Moreover, a volunteer who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including dismissal from the volunteer position.

## **PROCEDURES FOR VIOLATION OF CONFIDENTIALITY, CONFLICT OF INTEREST, AND WHISTLEBLOWER POLICY**

### **REPORTING RESPONSIBILITY:**

All Directors, officers and members have an obligation to report violations or suspected violations of Confidentiality, Conflict of Interest, and/or Whistleblowing policies to the Association Executive, the President, or a member of the Executive Committee.

### **AUTHORITY OF EXECUTIVE COMMITTEE AND HANDLING OF ALL REPORTED VIOLATIONS:**

All reported concerns will be forwarded to the Executive Committee in accordance with the procedures set forth herein.

The Executive Committee shall address all reported concerns. The Association Executive, President or member of the committee shall immediately notify the Executive Committee of any such report. The Association Executive will notify the sender and acknowledge receipt of concern within five (5) business days, if possible. It will not be possible to acknowledge receipt of anonymously submitted concerns. All reports will be promptly investigated by the Executive Committee, and appropriate corrective action will be recommended, if warranted by the investigation, to an appointed panel of five (5) members of the Board of Directors who did not serve on the original investigation panel, to be selected by the DAR President or the highest ranking officer not included in the complaint. In addition, action taken must include a conclusion and/or follow up with the complainant for complete closure of the concern. The Executive Committee has the authority to retain outside legal counsel, accountants, private investigators, and any other resource deemed necessary to conduct a full and complete investigation of the allegations.

### **ACTING IN GOOD FAITH:**

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates an improper accounting, auditing practice, a violation of the Code of

Ethics, or a DAR policy, procedure or bylaw. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in disciplinary action against the accuser.

#### **CONFIDENTIALITY**

Reports of concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline as outlined in DAR's Confidentiality and Non-Disclosure Policy and Agreement.

#### **WEATHER POLICY**

If the DeKalb County school system is closed due to severe weather, the office will be closed if twelve (12) month school employees do not report for work. If twelve (12) month employees report for work on a delayed scheduled, that same schedule will be followed by the Association. Classes scheduled during that time will be cancelled. Committee meetings scheduled during that time will either be held via conference call or cancelled, at the discretion of the committee chair. If schools are not in session, the President will determine office closure.

## ***Miscellaneous***

#### **MISCELLANEOUS GENERAL POLICIES**

Keys to the office and security entry code shall be issued to staff after completion of 90 day probationary period of satisfactory employment.

All committee meetings including task forces and ad hoc shall be conducted in the Association office between 8:30 a.m. and 5:00 p.m. Monday – Friday unless coordinated with the Association Executive to the contrary.

The Executive Committee and/or the Board of Directors shall authorize the President and/or the Association Executive to communicate with legal counsel. If an emergency arises and the Association Executive determines legal counsel is needed, the Association Executive may consult with/or hire legal counsel for up to two (2) hours consultation. Beyond two (2) hours, the authorization of the President is required. Such authorization should be brought to the attention of the Executive Committee and/or the Board of Directors as soon as feasibly possible.

Staff shall not recommend or refer individual members or firms in regard to real estate services, but will refer the person requesting information to the online Member Directory.

## **FRED WICKHAM EDUCATIONAL CENTER**

The Fred Wickham Educational Center may be rented when available to Association members and real estate entities Monday – Friday from 8:30 a.m. – 5:00 p.m. Fees will be set by the Board of Directors annually. Fees for coffee set by the Board of Directors. Payment is due prior to use or upon room reservation. Cancellation notice to be received by DeKalb Association five (5) working days prior to date of event to waive cancellation charges in the amount set by the Board of Directors.

Equipment rental to be determined by the Association at time of request. Staff will confirm in advance and after function that projector is in good working order. Bulb not included.

See Staff for Rental Agreement Form.

The Board of Directors room may be rented. The cost is determined by the Board of Directors.

### **EMPLOYER/EMPLOYEE GUIDELINES (*See Employee Handbook for all Office/Staff Policies*)**

These guidelines are not intended to and do not create a contract of employment. Policies and guidelines may be revised at any time at the employer's sole discretion.

#### **I. PERFORMANCE REVIEW**

Performance reviews are an excellent opportunity to provide feedback to your employees. In a performance review, you should discuss both the employee's outstanding accomplishments and those behaviors that need improvement. The Association Executive and the employee should set goals to be met by the next performance review. Such goal setting is a good motivating technique to make employees feel they have a say in their work. Frequent performance reviews can also help you catch misguided behaviors before they develop into major problems. One's positive attitude toward performance appraisals can make rewarding experiences for both you and your employees.

Review all new, transferred, or promoted employees six (6) months after the starting date in the new position. The employee's second performance review should be done six to twelve (6 to 12) months after the first and the third and subsequent reviews on an annual basis thereafter. The Association Executive may conduct additional performance reviews if the employee's performance or behavior warrants it.

All performance appraisals must be documented in writing and signed by the employee. Keep in mind that performance reviews do not necessarily require wage and salary adjustments.

#### **II. DISCIPLINARY ACTION**

The Association Executive is responsible for the Association's employee discipline process. A goal of any progressive disciplinary systems is to establish a mutual understanding between the Association and an employee with an agreement from the employee that future rule violations will not occur and that future performance will be acceptable. Employees who violate established rules and regulations, fail to perform their jobs according to the accepted standards, or who otherwise conduct themselves in a detrimental manner to the Association, other employees, customers, or visitors, are subject to progressive discipline up to and including termination of employment.

Outlined below are the steps of the Association's progressive discipline policy and procedure. The Association reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training, the employee's work record, and the impact the conduct and performance issues have on the organization. disciplines employees in a uniform and progressive manner. This means steps should be followed when disciplining poor employee performance and violation of any standards of conduct which have been developed. The steps, arranged in order of their severity, are:

1. Verbal Warning
2. Written Warning
3. Final Written Warning/Probation/
4. Suspension
5. Discharge

The decision on which step to take depends on the nature of the violation or performance problem, its seriousness, frequency, and the employee's record.

### **Verbal Warning**

For many minor infractions or performance problems, the Association Executive or supervisor only needs to give the employee a verbal warning to correct the situation. You should meet with the employee as soon as possible after the problem, and in the conversation, clearly explain the violation or performance problem.

Next, tell the employee why it is a violation or problem and discuss the future behavior expected of the employee. Note in writing the date, time and content of the conversation for future reference. If the employee repeats the behavior, or if the situation doesn't improve within a reasonable period of time (this depends on the seriousness of the infraction), you may repeat the verbal warning or proceed to the next step in the process.

### **Procedure: Administering a Verbal Warning**

1. Meet with the employee.
2. Explain the nature of the violation or the performance problem. Discuss the problem and its resolution with the employee.
3. Describe the future behavior expected of the employee.
4. Note the date, time, and the content of the conversation in writing.
5. If the employee repeats the behavior, either give another warning or administer the next disciplinary action, the written warning.

If necessary, within five (5) business days of this meeting, the supervisor will prepare written or electronic documentation for Human Resource ("HR"). The employee may be asked to sign,

acknowledge this document and to demonstrate his or her understanding of the issues and the corrective action.

## **Written Warning**

The next step in progressive discipline is to issue a written warning. Use written warnings if an employee:

- Continually repeats minor violations
- Has performance problems that have been unresolved by verbal warnings
- Violates more serious standards of conduct
- Has major significant performance problems

In this memorandum, describe in detail the facts involved in the infraction or performance problem. Also, outline the behaviors and objectives expected of the employee by a specified time in the future. Have the employee sign the memorandum. This shows that the employee has received, acknowledged, and understood the memorandum. This does not mean, however, that the employee has necessarily agreed with its contents.

Allow the employee to make a written response.

Next, send a signed copy of the written warning (with the employee's response, if any) to the employee's personnel file. If the situation does not improve within the specified time period, repeat the written warning or take the steps required for probation, suspension, or discharge.

## **Procedure: Issuing a Written Warning to an Employee**

1. Create a written memorandum describing the facts involved in the problem.
2. Meet with the employee to discuss the memorandum.
3. Have the employee sign the memorandum acknowledging receipt and understanding of it.
4. Allow the Employee to offer a written response to the warning.
5. Put a signed copy of the memorandum (with the employee's response, if any) in the employee's personnel file.

## **Final Written Warning/Probation/Suspension**

In most instances, this disciplinary actions should be used if the verbal and written warnings did not result in improved behavior and work performance. To issue a Final Written Warning or to place an employee on probation or suspension is a serious step in the progressive discipline process. Below is an outline of the procedure for each action.

### **Final Written Warning**

Final Written Warning is prepared in the same fashion as the written warning except that the employee is made aware that this is a last chance step. Furthermore, when appropriate, it should be made clear that if the employee fails to improve or violates any other policy or performance standard the Association is likely to terminate his or her employment.

### **Probation**

Prepare a memorandum that explains the reasons he or she is being placed on probation. Also, specify the following:

- Length of the probationary period
- Behaviors or level of job performance expected during and by the end of the probationary period
- Consequences of failing to meet the expectations by the specified time

The usual consequences of the employee failing to improve are to consider discharge or to actually discharge the employee.

Meet with the employee and discuss the contents of the memorandum. Have the employee sign the memorandum, acknowledging receipt and understanding of its content. The employee may provide a written response.

Put a signed copy of the memorandum along with a copy of the employee's written response, if any, in the employee's personnel file.

#### **Procedure: Placing an Employee on Probation**

1. Prepare a memorandum explaining why you are putting the employee on probation.
2. Meet with the employee and discuss the contents of the memorandum.
3. Have the employee sign the memorandum to acknowledge receipt and understanding.
4. Let the employee provide a written response.
5. Put the signed copy of the memorandum along with the employee's response, if any, in the employee's personal file.

#### **Suspension**

Suspension can be used as a disciplinary action if your verbal and written warnings and probation failed to correct the problem. However, suspension is most often used when an incident warrants immediate action. In such cases, you can suspend the employee with or without pay for a specified time, pending investigation of the occurrence.

The following offenses will automatically result in a suspension pending investigation and may result in your immediate discharge:

- Dishonesty or falsification of the Association's records
- Unauthorized use or possession of property that belongs to the Company, a coworker or the public
- Possession or control of illegal drugs, weapons, explosives, or other dangerous or unauthorized materials



- Fighting, engaging in threats of violence or violence, use of vulgar or abusive language, such as curse words, insults, sexually explicit talk, or racial slurs, horseplay, practical jokes, or other disorderly conduct that may endanger others or damage property
- Insubordination or failure to comply with the Association's health, safety, or other lawful rules
- Unauthorized or careless use of the Association's materials, equipment, or property
- Unauthorized and/or excessive absenteeism or tardiness in violation of the Association's attendance policies
- Lack of teamwork, poor communication, unsatisfactory performance, unprofessional conduct, or other conduct that is improper for the workplace, such as threatening or intimidating fellow employees or visitors
- Sexual or other illegal harassment or discrimination
- Unauthorized use or disclosure of the Association's business secrets, confidential financial data, or other similar confidential information
- Violation of the Association's Drug Free/Alcohol Free Policy
- Violation of any lawful the Association's policy

Within five (5) business days a written document outlining that the employee may be subject to additional discipline up to and including termination if immediate and sustained corrective action is not taken will be executed. The employee will be asked to sign to acknowledge this document and to demonstrate his or her understanding of the issues and the corrective action.

**Important note:** Nothing in this policy provides any contractual rights regarding employee discipline or counseling, nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between the Association and its employees.

### III. TERMINATION

The most serious step in the progressive discipline procedure is a recommendation to terminate employment. Generally, the Association will try to exercise the progressive nature of this policy by first providing warnings, a final written warning, or suspension from the workplace before proceeding to a recommendation to terminate employment. However, the Association reserves the right to combine and skip steps depending on the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action. The final decision to terminate an employee will require approval from the Association Executive.

State and Federal laws have great impact on terminations, and they must be handled with expertise. If an incident occurs that you believe could be cause for immediate termination, contact your legal counsel. If the behavior is a repeated offense, the employee's file must be sufficiently documented to support the termination. Before you discharge an employee, review all documentation with your legal counsel.

### IMPORTANT REMINDERS

All incidents of misbehavior, conversations with employees regarding those incidents, memoranda, employee responses, and other information pertinent to the misbehavior or performance problems must be documented in the personnel file.

When violations or performance problems are documented, be objective and give only the facts. Do not include personal feelings or opinions about the employee or the incident in either the memorandum or verbal warnings. *(Updated 6/17)*

## DAR DOCUMENT RETENTION POLICY

Type of Document	Minimum Requirement
Accounts payable ledgers and schedules	7 years
Bank Reconciliations	7 years
Bank statements	7 years
Bills of Sale	7 years
Checks	10 years
Contracts (still in effect)	Length of contract plus 7 years
Correspondence (general)	2 years
Correspondence (with vendors)	7 years
Depreciation Schedules	Permanently
Duplicate deposit slips	2 years
Employment applications	3 years
Expense Analysis/expense distribution schedules	7 years
Insurance policies, etc.	Length of policy plus 10 years
Internal audit reports	3 years
Inventories of products, materials, and supplies	7 years
Invoices (to customers, from vendors)	7 years
Legal Opinions, lawsuits, and correspondence regarding legal matters	10 years
Membership applications and records	Permanently
Minute books, bylaws and articles of incorporation	Permanently
Notes and Deeds to Secure Debt Length instrument plus	7 years
Outside audit reports	20 years
Payroll records and summaries	7 years
Personnel files (terminated employees)	7 years
Records of ethics hearings and commission arbitrations	10 years
Retirement records	10 years
Tax returns and worksheets	20 years
Trademark registrations and copyrights	Permanently
Withholding tax statements	7 years
Year End Financial Statements	20 years
Professional Standards Paperwork/Files	1 Year After Appeal Time Expiration
Professional Standards Tape Recording	At expiration of Appeals Process
School/Education Records	5 years