

**THE PRESIDIO TRUST
PERSONNEL POLICY
Adopted 3/17/98**

This policy is intended to guide the Executive Director of the Presidio Trust in the recruitment, classification, compensation, and retention of Presidio Trust employees. The Executive Director shall develop an employee handbook consistent with this policy and applicable law, while retaining the discretion to include additional operational and administrative procedures.

BACKGROUND

Statutory Basis

The Presidio Trust, established by the Omnibus Parks and Public Lands Management Act of 1996 (P.L.104-33), is a wholly owned government corporation subject to the Government Corporation Control Act (31 U.S.C. 91 et seq.; "GCCA").

The Trust's establishing legislation, as amended, states that "notwithstanding any other provision of law, the Trust is authorized to appoint and fix the compensation and duties and terminate the services of an executive director and such other officers and employees as it deems necessary without regard to the provisions of title 5, United States Code, or other laws related to the appointment, compensation, or termination of federal employees."

HUMAN RESOURCES MISSION

Whether it is through hiring or promotion it is the policy of the Presidio Trust that we strive to select from the highest caliber of applicants we can possibly obtain, and in so doing reward our employees with opportunities for innovation, recognition, career growth, monetary achievement, and personal satisfaction. We seek to create a workforce which is of the highest quality, is customer-oriented, competent, motivated, empowered, accountable, culturally diverse, and committed to partnership, teamwork and reinvented government.

GUIDING PRINCIPLES

To accomplish the Trust's human resources mission, the Board of Directors has adopted the following guiding principles:

- **Equal Employment Opportunity:** The Trust is committed to equal employment opportunity. We do not discriminate based on an individual's race, religion, color, national origin, ancestry, physical or mental disability, medical condition, marital

status, veteran status, sexual orientation, age or sex. This policy governs all aspects of employment at the Trust, including hiring, assignments, training, promotions, compensation, employee benefits, employee discipline and discharge, and all other terms and conditions of employment. The Trust will reasonably accommodate an individual's physical or mental disability when appropriate.

- **Merit:** The Trust's personnel system should be based on fair and open recruitment practices in order to select and advance the best qualified candidates from all segments of society.
- **At-will Employment:** Employment with the Trust is entered into voluntarily and an employee is free to resign at any time. The Trust may also conclude an employment relationship at any time with or without cause.
- **Ethics:** Government service is a public trust and each employee has the responsibility to place the Constitution, law, ethical principles, and the interests of the Trust above private interests or personal gain. The Trust's personnel system shall comply with the requirements of the Ethics in Government Act.
- **Flexibility:** The Trust's personnel system should be flexible in responding to the needs of a growing and changing entrepreneurial organization.
- **Simplicity:** The system should be easy for managers and employees to use and understand.
- **Empowerment:** The system should allow for creative approaches to facilitate an environment where managers and employees can do their best work and best achieve the mission of the organization.

IMPLEMENTATION

It is the intent of the Board of Directors that all positions will be filled under The Presidio Trust Personnel System. The Executive Director may delegate authority and responsibility under the System by written designation of managers and their respective personnel management responsibilities.

APPOINTMENTS

All employment with the Trust is at-will. Employment with the Trust is voluntarily entered into and an employee is free to resign at any time. Similarly, the Trust is free to conclude an employment relationship for any reason at any time.

Except as noted in this section, appointments will be made competitively on the basis of qualifications. Designated managers may make appointments in the following categories:

Temporary - Appointment of a limited duration to serve as an interim replacement, to temporarily supplement the work force, or to assist in the completion of a specific project. While temporary employees receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for other Trust benefits. Temporary appointments may be made non-competitively, based on qualifications.

Regular - At-will appointment without time limitation. Employees in this category are eligible for Trust benefits.

Full-time/Part-time – Both regular and temporary employees may be hired to work full-time (40 hours per week) or part-time (less than 40 hours per week). Regular part-time employees are eligible for benefits on a pro-rated basis.

Detail/IPA Employees - By mutual agreement between the Presidio Trust and an employing federal agency or non-federal agency under the Intergovernmental Personnel Act, employees of other agencies may be detailed to work with the Presidio Trust, while retaining their employment status with the agency providing the detail.

Eligibility For Federal Competitive Status

Employees appointed under the Trust's personnel system who are separated from the Trust for reasons other than removal for cause, may be eligible to acquire competitive status. Such conversions must meet the conditions prescribed by the Director of the Office of Personnel Management. These conditions will be established by an agreement between the Trust and OPM, and will be appended to this plan.

COMPENSATION PLAN

Policy

The Presidio Trust will compensate employees in a manner encouraging the development and retention of high performers.

Coverage

All Trust positions identified by the Executive Director are compensated under this plan.

Delegation of Authority

Except as noted below, the Executive Director may delegate authority under this system to subordinate managers. Such delegation shall be in writing.

Compensation Determination

The Executive Director shall make pay determinations within budget and compensation plan authorities approved by the Board of Directors of the Presidio Trust. The Executive Director may offer incentives including recruitment bonuses, relocation allowances, and other incentives, including housing. Within Board-established parameters, the Executive Director may also make periodic compensation adjustments.

Initial Pay

Factors to be considered in setting initial pay include: the market for the particular skill and competencies needed, criticality of the position to the organization and the salary history for the position.

Normally pay is set for new employees up to the mid-point of a pay band. The Executive Director may make exceptions in cases of special qualifications, high academic or professional credentials relevant to the position, salary history or verified employment offers which justify a higher rate. When these special circumstances warrant, initial pay may be set above the mid-point of the band.

Initial pay setting beyond the mid-point of a pay band requires approval by the Executive Director. This authority may not be delegated.

Annual Increases

Trust employees who are performing satisfactorily may receive annual salary adjustments consistent with pay band adjustments determined by the Board of Directors through the annual budgeting process.

Other Salary Increases

The Executive Director may adjust pay based on individual or team performance. The Executive Director may also authorize a temporary increase to recognize temporary assignment to a lead or other position warranting a higher level of compensation.

Bonuses

The Executive Director may grant recruitment bonuses and retention allowances to be administratively determined within budget parameters set by the Board of Directors.

Recruitment Bonus: A one-time recruitment bonus of up to 25% of basic pay may be paid to an individual to whom an offer of employment has been made if it is the first person's first appointment to employment with the Trust and it is determined by the Executive Director that in the absence of such bonus, difficulty would be encountered in filling the position with a high-quality candidate. Prior to receipt of the bonus, the employee must sign an agreement to reimburse the Trust for any bonus money received if the employee fails to serve the Trust for at least twelve months.

Retention Allowance: A retention allowance may be paid to a current employee whose unusually high or unique qualification or special need of the Trust for the employee's services makes it essential to retain the employee, when it is likely the employee will leave the Trust's service. To grant a retention bonus, the Executive Director must have written evidence of a bona fide offer from another potential employer. The Executive Director may authorize a retention allowance of up to 25% of the employee's basic pay, to be paid at the same time as the employee's

regular salary. It continues to be paid as long as the circumstances giving rise to the allowance determination continue, and is not otherwise terminated by the Executive Director.

Severance Pay

The Executive Director may offer severance pay on a case by case basis.

CLASSIFICATION SYSTEM

The classification component of the Presidio Trust Personnel System, through a simple and flexible structure of broad pay banding, ensures that positions are established and classified in an equitable and fair manner.

Coverage

All positions identified by the Executive Director are classified under this system.

Classification Determination

The Board of Directors defines the broad framework for classification and compensation decisions. The Executive Director establishes and classifies positions within the parameters of this framework.

Classification System Structure

The Trust uses a broad pay banding approach to classify positions. There are five (5) pay bands.

Band 1	Clerical/Technical Support
Band 2	Entry-level and Developmental Professional/Administrative and Senior Technician and Administrative Support
Band 3	Full Performance Professional/Administrative
Band 4	Expert Professional/Administrative or Management
Band 5	Executive

Each band contains generic positions, which require similar skills and qualifications. A salary range is established by the Board for each band that is appropriate for careers in those occupations. The pay bands are adjusted annually based on a number of factors including: 1) competition in the recruitment and retention of employees, 2) the pay rates for similar positions in other organizations, and 4) the availability of funds.

Managers may establish and classify positions within delegated authority. The Executive Director must approve all classifications of new positions into Band 4 or 5.

Grading Criteria

Position descriptions, in comparison to pay band standards, is the process by which positions are classified. Borderline classification cases are referred by the manager to the Human Resources Manager for technical assistance.

Position Descriptions

All positions shall have a brief written description of the work required by the position. Position descriptions are generally written by managers with assistance from Human Resources as needed. The format shall include:

- Essential functions
- Supervisory responsibilities
- Qualifications

Position Titles

The Executive Director has discretion to title positions.

Progression within a Band

Employees are considered for within-band increases as determined by the Executive Director (i.e., on an annual cycle, etc.). Non-competitive pay increases may also be granted with or without position changes.

Promotion Between Bands

Promotion above the third pay band requires competition. Managers have the flexibility to determine whether to post positions where promotions through the third pay band are involved.

Minimum Time Required in a Band

There is no minimum time period required to serve in a band prior to promotion.

PAY BAND CHARACTERISTICS

Band 1 Clerical and Technical Support

Employees assigned to positions in Band 1 perform a range of routine entry level clerical work; e.g., filing, completing forms, and receptionist work up to the full performance level where more complex clerical , administrative and technical support work is performed. Typically, the incumbent must use personal computers and specific software.

Band 2 Entry-level and Developmental Administrative and Professional and Senior Technician and Administrative Support

Employees assigned to positions in Band 5 are responsible for directing and overseeing extensive programs/operations or serving as legal counsel to the organization. Programs are typically subdivided and headed by other managers. Executives have significant delegated budget, classification, and other personnel management authorities.

SELECTION SYSTEM

General

The Trust's positions fall into the category of excepted appointments specifically authorized by statute to be exempt from title 5 and therefore excepted from the competitive service. The Trust will conduct fair and open recruitment to fill vacancies and will ensure non-discrimination based on race, color, religion, sex, national origin, age, handicap, and political affiliation. Selections will be based on job-related skills and abilities. This system will enable the Trust to select persons best qualified to accomplish its mission.

Vacancies

Generally, vacancies will be publicized via formal vacancy announcements. Methods to announce vacancies include but are not limited to advertisements in general circulation newspapers and professional journals, mailings to professional and business groups, and special outreach advertising. Formal announcements are not required for temporary appointments and expert/consultant appointments.

Selection of Candidates

In making selections for promotions and appointments, managers will have full flexibility to determine the selection process to be used and to determine the source of candidates. This may consist of panel assessments peer reviews, interviews, or work samples. Of utmost consideration will be the fairness and uniformity of treatment of applicants for similar positions. Human Resources staff will service as consultants to managers in this process.

Selections will be based on evaluation against various job-related criteria demonstrated by education, training, experience, suitability, and information obtained from interviews or work samples.

Promotions

The Executive Director will make selections for promotion. Internal applicants may be promoted without a vacancy announcement up to the third pay band.

The Executive Director has the flexibility to determine whether to post positions for promotions through Band 3. For positions above Band 3, competition will be required.

PERFORMANCE REVIEWS

The Trust shall conduct an annual written performance review for each employee. This review shall provide a basis for making salary adjustments, identify positive performance, and indicate areas for improvement and a plan for correcting performance deficiencies.

CONDITIONS OF WORK

Hours of Work

The Trust shall provide service to the public from 8:30 a.m. to 5:00 p.m., Monday through Friday, excluding Federal holidays. The Trust shall adopt family-friendly flexible work schedules, provided such schedules do not compromise the ability of the Trust to fulfill its mission.

Fair Labor Standards Act (FLSA)

The Trust is subject to provisions of the FLSA. The Human Resources Manager shall assign FLSA determination to positions.

Overtime

FLSA overtime regulations apply to the Trust. The Trust may offer compensatory time in lieu of overtime to nonexempt employees, at a rate of one and one-half times the overtime hours worked.

BENEFITS

The Executive Director shall provide a comprehensive and competitive benefits program for eligible Trust employees. The Executive Director shall determine appropriate procedures for administering benefits. At a minimum, the program shall include the following elements:

Vacation Leave

Employees shall accrue paid vacation leave as follows:

0-3 years of service with the Trust	4 hours per pay period
3-15 years of service with the Trust	6 hours per pay period
15+ years of service with the Trust	8 hours per pay period

Vacation leave shall be prorated for eligible part-time employees. Employees may accumulate up to 160 hours of vacation leave, at which point accrual will stop if leave is not used.

Personal Leave

Eligible employees shall be granted three paid days off each year to conduct personal business. Personal leave shall be prorated for eligible part-time employees.

Sick Leave

Eligible employees shall accrue sick leave at a rate of 4 hours per pay period.

Holidays

Trust employees shall receive ten paid holidays.

Health Insurance – Medical, Dental, and Vision Care

The Trust shall offer medical, dental, and vision care insurance to eligible employees. The Trust shall cover the cost of premiums to insure the employee, subject to annual budget approval.

Life Insurance

The Trust shall offer life insurance to eligible employees.

Disability Insurance

The Trust shall offer disability insurance to eligible employees. The Trust shall cover the cost of premiums to insure the employee.

Family and Medical Leave

The Trust shall offer family and medical leave subject to the terms of the Family and Medical Leave Act.

Tax-deferred Savings

The Trust shall offer a tax-deferred savings program and contribute up to 1% of the employee's base pay. The Trust shall match employee contributions up to 5% of base salary and employees may contribute up to 10% of base salary, subject to legal limitations.

Workers' Compensation Insurance

Trust employees shall be covered by workers' compensation insurance.

Bereavement Leave

The Trust will grant up to 5 days of bereavement leave in the event of the death of an immediate family member. Regular employees shall receive paid leave; temporary employees shall receive unpaid leave.

Military Leave

Unpaid military leave will be granted in accordance with the Uniformed Services Employment and Reemployment Rights Act.

Court Leave

The Trust shall provide paid leave to serve on a jury. Employees will receive paid time off if testifying or appearing on behalf of the Trust. If an employee receives a subpoena unrelated to Trust business, they are not eligible for court leave, but must request the use of accrued annual leave or personal days to cover the absence.

Med-flex

The Trust shall administer a flexible spending program under applicable Internal Revenue Service rules that will allow eligible employees to pay for eligible non-reimbursed medical and child care expenses with pre-tax dollars.

Federal Retirement Program

The Trust may participate in federal retirement system programs, subject to program requirements.

Leave without Pay

The Executive Director has discretion to grant leave without pay to employees with at least twelve months of service.

ALTERNATIVE DISPUTE RESOLUTION

If a dispute arises between the Presidio Trust and an employee relating to the failure to promote, termination, or any unlawful harassment, the parties will agree first to attempt to settle the dispute through mediation under the American Arbitration Association's National Rules for the Resolution of Employment Disputes (the Rules), or if mutually agreed upon, under the dispute resolution rules of another organization. Thereafter, any unresolved controversy shall be settled by binding arbitration under the Rules. Disputes between the Presidio Trust and the employee subject to mediation and arbitration shall include but not be limited to claims of employment discrimination and unlawful harassment. This arbitration agreement means that both the Presidio Trust and the employee waive any right to a trial by jury to resolve these disputes.

**PRESIDIO TRUST
PAY BANDS
Adopted 3/17/98**

Band 1 Clerical and Technical Support

Employees assigned to positions in Band 1 perform a range of routine entry level clerical work; e.g., filing, completing forms, and receptionist work up to the full performance level where more complex clerical , administrative and technical support work is performed. Typically, the incumbent must use personal computers and specific software.

Pay Range \$ 14,500 - 32,500

**Band 2 Entry level and Developmental Administrative and
Professional -and-
Senior Technician and Administrative Support**

Employees assigned to positions in Band 2 perform entry level and developmental administrative or professional work (e.g., program analyst, grants), coordinate/manage administrative functions, or perform full performance level technical support duties such as auditing vouchers for payment, conducting preliminary review of data and analysis.

Typically, specific experience in work directly related to the duties is required, and/or education above the high school level.

Pay Range \$27,700 - 48,500

Band 3 Full Performance Level Professional/Administrative

Employees assigned to positions in Band 3 perform a range of program officer or administrative specialist work requiring full performance level competencies, are subject matter experts in a specialized area, plan/organize program activities, conduct analyses and review of agency functions, and/or serve as project team leader on an ad-hoc basis.

Typically, work experience directly related to the duties of the position which demonstrates the knowledge, skills and abilities to successfully perform the work is required.

Pay Range \$41,000 - 76,000

**Band 4 Expert Administrative and Professional, and
Management**

Employees assigned to positions in Band 4 perform expert, highly technical, consultant or complex administrative and professional work; develop technical guidance, policies or procedures for a specialized program area; ensure program, budget or legal compliance; and/or determine and recommend management action to resolve problems or improve efficiency or effectiveness of operations. Represents level of expertise to other agencies or organizations. Provides recommendations that are considered authoritative. May serve as team leaders with project management and technical review responsibilities for a small staff; plan coordinate and direct phases of major projects or comprehensive programs.

Employees assigned to positions in Band 4 are also managers with the full range of supervisory duties. Managers may have some or all delegated classification and budget authority for positions within the unit and perform a full range of personnel management functions. Positions direct significant subordinate functions having broad impact.

Typically, in depth experience directly related to the work is required to demonstrate the knowledge, skills and abilities essential to successful performance.

Pay Range \$69,000 - 105,700

Band 5 Executive Level Positions and Agency Counsel

Employees assigned to positions in Band 5 are responsible for serving as agency counsel or directing and overseeing extensive programs/operations at the executive director or deputy director level. Executives have significant delegated budget, classification, and other personnel management authorities.

Pay Range Up to \$125,000, or as approved by the Board of Directors