



COMPANY POLICIES

EMPLOYMENT

The A Public Fit Theatre Company (APF) has prepared this handbook to inform the company (including administration), stage and technical talent, and volunteers of our policies and procedures. It is not all inclusive or intended to provide strict interpretations of APF's policies; rather, it offers an overview of the policies and should be used as a reference guide.

DISCLOSURE

Circumstances will obviously require that policies, practices, and benefits described in this handbook change from time to time. APF reserves the right to amend, modify, rescind, delete, supplement, or add to the provisions of the handbook as it deems appropriate from time to time in its sole and absolute discretion. However, no amendment or modification of any provision of this handbook shall be effective unless made in writing and signed by the Chairman of the Board. APF will attempt to provide notification of changes as they occur. No oral statement or representations can change or alter the provisions of the handbook.

AT WILL

Employment with APF is considered to be "at-will". "At-will" means APF or any employee has the right to end an individual employment relationship at any time for any lawful reason. The "at-will" employee shall not rely upon any representation, custom, or course of dealings as an indication that the "at-will" relationship has been altered. Only the Board of Directors can alter the "at-will" status policy, in writing.

DISCRIMINATION

1. In accordance with state and federal law, APF will not discriminate against an employee or applicant for employment because of race, disability, color, creed, religion, sex, age, sexual orientation, gender identity, national origin, ancestry, citizenship, veteran status, or non-job-related factors in hiring, promoting, demoting, training, benefits, transfers, layoffs, terminations, recommendations, rates of pay, or other forms of compensation, or any other category. Opportunity is provided to all employees based on qualifications and job requirements.
2. APF welcomes applications from people with disabilities and does not discriminate against them in any way. APF complies with the Americans with Disabilities Act (ADA) of 1990, by:

- a. Considering all applicants with disabilities for employment using the same criteria as are used for the employment of persons without disabilities.
- b. Considering employees with disabilities for promotions using the same criteria that are used for the promotion of employees without disabilities.
- c. Taking steps to make its facilities barrier-free and accessible according to appropriate federal and state statutes.
- d. Making scheduling and other adjustments to reasonably accommodate employees with disabilities.
- e. Educating employees to the fact that individuals with disabilities are employed by the nonprofit and should not be discriminated against.
- f. Posting notices explaining the provisions of ADA and staff rights under the law.

HARRASSMENT

1. APF is committed in all areas to providing a work environment that is free from harassment. Harassment based upon an individual's gender identity, race, ethnicity, national origin, age, religion, or any other legally protected characteristics will not be tolerated. All employees are expected and required to abide by this policy. No person will be adversely affected in employment with the employer because of bringing complaints of unlawful harassment.
2. APF will not tolerate sexual harassment of its employees. This means that the following behaviors are grounds for disciplinary action, including termination:
 - a. unwelcome sexual advances
 - b. requests for sexual acts or favors
 - c. insulting or degrading sexual remarks or conduct directed against another employee
 - d. threats, demands, or suggestions that an employee's work is contingent upon toleration of or acquiescence to sexual advances
 - e. retaliation against employees for complaining about such behaviors
 - f. any other unwelcome statements or actions based on sex that are sufficiently severe or pervasive to unreasonably interfere with an individual's work performance, or create an intimidating, hostile or offensive working environment.
3. Any person who has a complaint of sexual harassment against a supervisor, a co-worker, or audience member we serve should bring the problem to the attention of either their direct supervisor or the Artistic and Producing Directors.
4. APF prohibits retaliation against anyone for having raised such a complaint in good faith or cooperating with an investigation of a complaint. Complaints will

be investigated and handled as confidentially as possible in the manner described below:

- a. Complaints of sexual harassment will be investigated as promptly as possible. To the greatest extent possible, the allegations of the complaint and the identity of the persons involved shall remain confidential, to conduct a full and impartial investigation, remedy violations, monitor compliance, and administer the policy.
- b. The investigation will include, but will not be limited to, discussion with both parties and witnesses. Where appropriate, a report shall be forwarded to the Board Chairman with recommendations concerning remedial action, if necessary. The Board Chairman will review the recommendation with the Artistic and Producing Directors to determine the corrective action, if any, notify all parties of its decision, and implement that decision.

OPEN DOOR POLICY

The Company operates in an “open door” manner. All company members’ input is considered and can be presented without fear of personal recrimination or loss of his or her position. Most problems can and should be solved in discussion with your immediate supervisor; this is encouraged as your first effort to solve a problem. You may also discuss your issues and concerns with the next levels of management including the Artistic and Producing Directors. The Company reserves the right, in its sole discretion, to determine if any action is taken.

BOARD OF DIRECTORS AND STAFF RELATIONSHIPS

The APF’s Board of Directors is responsible for setting policies for the Company. The Artistic and Producing Directors are responsible for the artistic content of the Company’s production. The Artistic and Producing directors delegate different responsibilities for the running of the company to different staff members.

CONFLICT OF INTEREST POLICY

APF company members will always act in the best interests of APF and not for personal or third-party gain or financial enrichment. This policy shall apply to all members of the company, members of APF’s Board of Directors, and committees.

When encountering potential conflicts of interest, employees and board members shall identify the potential conflict and, as required, they shall remove themselves from all discussion on the matter.

Specifically, members of the APF staff and others shall:

- Avoid placing (and avoid the appearance of placing) one's own self-interest or any third-party interest above that of APF; while the receipt of incidental personal or third-party benefit may necessarily flow from certain APF activities, such benefit must be merely incidental to the primary benefit to APF and its purposes;
- Not engage in any outside business, professional or other activities that would directly or indirectly materially and/or adversely affect APF;
- Not engage in or facilitate any discriminatory or harassing behavior directed toward other APF staff, members, officers, directors, meeting attendees, exhibitors, advertisers, sponsors, suppliers, contractors, or others in the context of activities relating to APF;
- Not solicit or accept gifts, gratuities, free trips, honoraria, personal property, or any other item of value from any person or entity as a direct or indirect inducement to provide special treatment to such donor with respect to matters pertaining to APF without fully disclosing such items to the Board of Directors;
- Provide goods or services to APF as a paid vendor to APF only after full disclosure to, and advance approval by, the Board, and pursuant to any related procedures adopted by the Board; and
- Not persuade or attempt to persuade any member, exhibitor, advertiser, sponsor, subscriber, supplier, contractor, or any other person or entity with an actual or potential relationship to or with APF to terminate, curtail or not enter into its relationship to or with APF, or to in any way reduce the monetary or other benefits to APF of such relationship.

APF recognizes that its employees and others may hold a wide range of personal beliefs, values, and commitments. These beliefs, values, and commitments are a conflict of interest when they prevent employees or others from fulfilling their job responsibilities. They are a conflict of interest if employees or others attempt to use APF's time and facilities for furthering them, or if employees or others attempt to convince others of their personal beliefs after they have been asked to stop.

INTERPRETATION OF THIS STATEMENT OF POLICY:

The areas of conflicting interest listed, and the relations in those areas which may give rise to conflict, are not exhaustive. Conflicts might arise in other areas or through other relations. It is assumed that the employees, directors, officers, and others of APF will recognize such areas and relation by analogy.

The fact that one of the interests described exists does not necessarily mean that a conflict exists, or that the conflict, if it exists, is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances it is necessarily averse to the interests of APF. However, it is the policy of the Board that the existence of any of the interests described shall be disclosed before any transaction is consummated. It shall be the continuing responsibility of the APF

staff, Board, officers, and others to scrutinize their transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures.

DISCLOSURE POLICY AND PROCEDURE:

Transactions with parties with whom a conflicting interest exists may be undertaken only if all the following are observed:

1. The conflicting interest is fully disclosed in writing;
2. The person with the conflict of interest is excluded from the discussion and approval of such transaction;
3. A competitive bid or comparable valuation exists; and
4. The Board, others, or a duly constituted committee thereof has determined that the transaction is in the best interest of the organization.

Disclosure in the organization should be made to the Producing Director (or if she or he is the one with the conflict, then to the Board Chair) within 10 business days, who shall bring the matter to the attention of the Board or a duly constituted committee thereof. Disclosure involving directors or others should be made to the Board Chair, (or if she or he is the one with the conflict, then to the Board Vice-President) who shall bring these matters to the Board or a duly constituted committee thereof.

The Board or a duly constituted committee thereof shall determine whether a conflict exists and in the case of an existing conflict, whether the contemplated transaction may be authorized as just, fair, and reasonable to APF. The decision of the Board or a duly constituted committee thereof on these matters will rest in their sole discretion, and their concern must be the best interest of APF and the advancement of its purpose and mission.

ANNUAL DISCLOSURE REQUIREMENT:

To implement the foregoing, the Associate Producing Director of APF shall provide to each employee, volunteer, board of director, and other annually a copy of the Conflict of Interest Policy and questionnaire as a means of disclosure of potential conflicts.

Regardless of provisions for an annual questionnaire, every employee, volunteer, and other shall report any change in personal status that might be construed to be in conflict with the interests of APF as described above. If the Executive Director determines that any matter, situation, or connection so disclosed is contrary to the interest of the organization, such conflict shall be eliminated within a reasonable time.

CODE OF ETHICS:

Employees and others of APF are expected to adhere to the following code of ethics:

- I will not discriminate against or refuse professional services to anyone based on race, color, creed, age, sex, sexual orientation, gender identity, religion, or nationality.
- I will respect the rights and views of my colleagues, and treat them with fairness, courtesy and good faith.
- I will not exploit the trust of the public or my co-workers. I will make every effort to avoid relationships that could impair my professional judgment.
- I will not engage in or condone any form of harassment or discrimination.
- I will respect the confidences of my co-workers.
- When I replace a colleague or am replaced, I will act with consideration for the interest, character and reputation of the other professional.
- I will not engage in any type of illegal activities under state or federal law.
- I will extend respect and cooperation to colleagues of all professions.
- If I have the responsibility for employing and evaluating staff performance, I will do so in a responsible, fair, considerate and equitable manner.
- If I know that a colleague has violated ethical standards, I will bring this to my colleague's attention. If this fails to result in corrective behavior, I will report the activity to my supervisor.
- I will accurately represent my education, training, experience and competencies as they relate to my profession.
- I will correct, when possible, misleading or inaccurate information and representations made by others concerning my qualifications or services.
- If serving as a supervisor, I will make certain that the qualifications of persons I supervise are honestly represented.
- I will not permit fellow employees or others to present themselves as competent or perform services beyond their training and/or level of experience, nor will I.
- I will abide by APF policies related to public statements.
- I understand that violation of this code may be grounds for dismissal.

RECRUITMENT & HIRING:

EQUAL OPPORTUNITY & AFFIRMATIVE ACTION

APF believes that equal opportunity for all employees is important for the continuing success of our organization.

We will attempt to achieve and maintain a diverse work force. These steps may include, but are not limited to, the following:

- a. Ensuring that APF's policy regarding equal employment opportunity is communicated to all employees.
- b. Ensuring that hiring, promotion and salary administration practices are fair and consistent with the policy of the APF.
- c. Reporting to the Board of Directors on all activities and efforts to implement the APF's policy of equal employment opportunities.

- d. To the extent that our staff is not diverse, we will make special recruitment efforts as part of this plan.

Each supervisor and member of the management staff must provide equal opportunity for all employees regarding work assignments, training, transfer, and advancement, other conditions and privileges of employment, and to work to assure a continuation of this policy of equal employment opportunity.

RECRUITMENT

APF has developed procedures for the recruitment and processing of all new employees that ensure that APF complies with all federal and state laws applicable to the processing of applicants and newly hired employees.

1. APF fills job openings with qualified applicants. The following paragraphs summarize the major elements of our hiring policies.
 - a. PREFERENCE FOR INTERNAL CANDIDATES. Qualified persons from within APF fill job openings when possible (in these cases, a complete hiring process may not be needed). Preference is given to internal candidates over external candidates when both are equally qualified. However, internal candidates are not guaranteed the positions for which they apply. The agency retains sole discretion to fill any position. Job openings and instructions for applying are posted on the official office bulletin board. We may begin an external search for applicants simultaneously with the job posting.
 - b. JOB DESCRIPTIONS. APF will maintain a written job description for all staff positions, both paid and volunteer. In the event new paid positions are created through expansion or reorganization, written job descriptions will be prepared and then approved by the Executive Director prior to filling the position. A job description must contain the following elements: title, summary of job duties, performance requirements, definition of the essential and non-essential functions of the position, qualifications (education, experience, other), attributes, immediate supervisor, exempt/non-exempt status and salary range. Job descriptions are to be as detailed and explicit as possible. However, employees occasionally may be required to perform related duties not specified in the job description. In the event new major responsibilities or other significant changes occur, the job description must be rewritten to reflect these changes.
 - a. TESTING/SCREENING. Applicants for certain positions may be required to fill out a standard screening instrument and take a test as a condition of being considered for employment. All such tools will not discriminate against person based on ethnicity, religion, ability, or other minority status.

- c. INTERVIEWING. Applicants will be screened to determine who should become candidates for a job. More than one person, including the position's supervisor, may interview job candidates.
 - d. LETTER OF HIRE. When it is decided which candidate will fill an open position, the Associate Producing Director will send that candidate a letter of hire, which states the specific position, name of the nonprofit, starting date, beginning pay or salary, and the offer of employment.
2. The Immigration Reform and Control Act of 1986 requires that APF ensure that employees are authorized for employment in the United States. Therefore, only individuals lawfully authorized for employment in the US will be employed. In connection with the Immigration Reform and Control Act of 1986, APF must collect certain information on INS Form I-9 and review certain documentation concerning the employment authorization of individuals hired after November 6, 1986. This information and documentation will be used only for compliance with the Immigration Reform and Control Act of 1986 and not for any unlawful purpose. If your employment authorization changes or terminates after the start date of your employment, please inform the Executive Director immediately.
3. False information or omission of necessary information on an employment application/resume is unacceptable to APF and will result in termination.
4. Employees, upon receipt of their copy of the personnel policies manual affecting their employment or any addendum thereto, must sign a "Receipt of Policy Manual" form indicating they have read and understand APF's policies.

CLASSIFICATION OF EMPLOYEES

All employees of the Company are considered Independent Contractors.

PERSONNEL RECORDS

1. Confidential permanent records will be maintained for each person on staff. Each employee's individual personnel file is regarded as confidential information and is treated as such. The only persons with access to the file shall be the employee's supervisor, Administrative Coordinator, the Executive Director, and the employee. An employee may request to view her or his personnel file during regular business hours. Documents that relate to the employee's qualifications for hire such as the application, promotion, disciplinary action, and transfer may be viewed. Additionally, the employee may review policy sign-off forms and training records.
2. A confidential locked personnel file shall be maintained by the Financial Officer or designee that includes individual personnel records for each employee. Employee's personnel files contain the following items:
 - Resume
 - Letter of appointment
 - Job Description

- Copies of I-9

COMPENSATION AND BENEFITS

SALARY RANGES

1. Total compensation to employees including salaries, fringe benefits and other compensation, and shall also be based on the following:
 - a. Prevailing rates for similar work in other nonprofit and artistic organizations
 - b. As outlined per contract agreements
 - c. Available Funding
2. Salary ranges for any job classification may be increased (or decreased in time of financial difficulty) at the sole discretion of the Board of Directors, except as provided herein.

PAYDAYS

Paid Company staff will receive payment at the close of each staged production.

PAYROLL DEDUCTIONS

As Independent Contractors, paid company staff are responsible for all taxes and deductions

BENEFITS

APF currently does not offer benefits.

BEHAVIOR AND CONDUCT

DRUG FREE WORKPLACE

1. APF maintains a Drug-Free Workplace as delineated in the Federal Drug-Free Workplace Act of 1988. All employees are prohibited from unlawfully manufacturing, distributing, dispensing, possessing of or using controlled substances. Any staff member violating this policy is subject to immediate discipline, up to and including termination, for a first offense.
2. APF has information about drug counseling and treatment available for employee review. Please contact the Executive Director if you would like this information.
3. Any staff member convicted of violating a criminal drug statute must inform APF of such conviction (including pleas of guilty or nolo contendere) within five days

of the conviction occurring. Failure to do so subjects the employee to disciplinary action up to and including termination for the first offense.

4. APF reserves the right at its sole discretion to offer staff members who violate this policy participation in an approved rehabilitation or drug abuse assistance program as an alternative to discipline. If such a program is offered and accepted by the staff member, he or she must satisfactorily participate in it as a condition of continued employment. APF is under no obligation to make such an offer.
5. APF has a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace. The Safety Committee maintains this program.

GOVERNMENT AND POLITICAL ACTIVITY

1. APF encourages employees to take an active interest in government and to participate in political affairs. All employees have the right to express their opinions on political issues and candidates and are also encouraged to exercise these rights. However, such employee activity is subject to these conditions:
 - Non-partisan position of APF—No action will be allowed by any person that infringes upon the right of any employee to decide which candidates or positions to support. APF will not endorse or contribute to any political candidate or party.
 - Individual actions—No employee can give the impression that any political action or position represents APF. All political activities are to be done as the actions of individuals, on their own time, away from nonprofit facilities.
 - No employee is allowed directly or indirectly to coerce, attempt to coerce, command or advise any other staff member to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purpose.
 - Employees seeking elective office—Employees who wish to seek elective office should inform their supervisors and the Executive Director. Subject to the requirements of law, APF may grant unpaid personal leave to employees who are seeking elective office, for the purposes of campaigning for and fulfilling the responsibilities of office, if elected. Employees who are granted leave under this policy must comply with APF's leave without pay policy in its entirety.
2. Any questions related to this policy must be referred to the Associate Producing Director

SPEAKING TO THE MEDIA

1. All inquiries from the media should be referred to the Artistic Director or Associate Producing Director. No other staff person is authorized to speak to the

- news media; or may serve as an official or unofficial spokesperson of APF without prior permission from the Artistic or Associate Producing Director.
2. Should an employee receive a media inquiry, she or he should refer the question to the Artistic Director or Associate Producing Director.

SMOKING

APF offers a smoke-free work environment to all employees. The use of electronic smoking devices (also known as electronic cigarettes or “e-cigarettes”) or tobacco products is prohibited. The designated smoking area on the grounds is outside the front or back doors. Smokers are responsible for keeping the area clean and free of smoking debris. Violation of this policy shall result in disciplinary procedures up to and including termination.

WHISTLEBLOWER POLICY

1. APF requires board members and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the APF, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.
2. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that APF can address and correct inappropriate conduct and actions. It is the responsibility of all board members, employees, and volunteers to report concerns about violations of APF’s code of ethics or suspected violations of law or regulations that govern APF’s operations.
3. It is contrary to the values of APF for anyone to retaliate against any board member, employee, or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of APF. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.
4. APF supervisors are required to report complaints or concerns about suspected ethical and legal violations in writing to the Executive Director, or to the Board President if the Executive Director is being investigated. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor or the Executive Director.

SAFETY STANDARDS

APF is committed to all employees’ safety and health in the work environment. It is the responsibility of each employee that all tasks be conducted in a safe and efficient

manner complying with all local, state and federal safety and health regulations, programmatic standards, and special safety concerns identified by APF.

All employees are given a copy of the APF Workplace Safety Policy, a separate document which covers APF's safety procedures in detail.

COMPUTER, TECHNOLOGY AND E-MAIL USAGE

All company-supplied technology, including cellular phones, computer systems, equipment and company-related work records, belongs to APF and not to the employee user. Employees understand the company routinely monitors use patterns, and employees should observe appropriate workplace discretion in their use and maintenance of such company property.

Because all the computer systems and software, as well as e-mail and Internet connections, are the property of APF, all company policies apply to their use and are always in effect. Any employee who abuses the company-provided access to e-mail, the Internet, or other electronic communications or networks, including social media, may be denied future access, and, if appropriate, be subject to disciplinary action up to and including termination, within the limitations of any applicable federal, state or local laws.

1. Computers, computer files, the e-mail system and software furnished to employees are the property of the APF and intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization.
2. No APF staff with use illegally downloaded software on APF computers or for APF productions.
3. APF strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale is strictly prohibited.
4. Employees may not use APF's Internet, e-mail or other electronic communications to transmit, retrieve or store any communications or other content of a defamatory, discriminatory, harassing, or pornographic nature. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference may be transmitted. Harassment of any kind is prohibited.
5. APF purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the APF does not have the right to reproduce such software for use on more than one computer.

6. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The illegal duplication of software and its related documentation is prohibited.
7. Employees should notify Producing Director upon learning of violations of the policy concerning computer and e-mail usage. Employees who violate this policy will be subject to disciplinary action up to and including termination of employment.