



# **Independent Contractor, Employee, Staff and Volunteer Handbook**

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*For the purposes of this handbook, all Employees, Independent Contractors, Staff and Volunteers shall be referred to as “Staff”.*

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### **Vision**

*Gold provides progressive and highly developed instruction and mentoring from passionate, experienced, and professional individuals to young adults in our local communities. We promote dedication, discipline, teamwork, and a commitment to youth development and performance excellence. The students we teach will experience life-changing moments and begin a journey that will prepare them with skills invaluable in the real world. Our hope is to instill confidence, character, passion and drive into our students while providing enjoyment to our local community and to audiences nationwide.*

### **Mission**

*Gold’s primary purpose is to enrich the educational, social, ethical and performing arts lives of young adults through the art of marching music instruction and performance.*

## PURPOSE AND OVERVIEW

The purpose of this handbook is to provide guidance to Gold Youth Arts Organization Staff regarding their responsibilities to protect and guide Gold Youth Arts Organization Members.

Gold Youth Arts Organization takes great pride in the high quality of its Staff. Being a Staff member of Gold Youth Arts Organization is a privilege, not a right. The quality of the programs and the safety of members call for exemplary adult leaders. Gold Youth Arts Organization works diligently to recruit the best possible employees and volunteers

### General Responsibilities

- All members of Gold Youth Arts Organization are expected to conduct themselves in accordance with the normal principals of socially responsible behavior. Physical violence, hazing, bullying, theft, verbal abuse, drugs, and alcohol have no place in Gold Youth Arts Organization. Any members determined to have engaged in unacceptable behavior may be expelled from the organization.
- All staff are responsible for monitoring the behavior of members and are required to intercede if necessary. Staff will advise members to seek assistance from any staff, should they be confronted by threats of violence or other forms of bullying from other members, or staff.
- Should a member act in an inappropriate manner toward staff, the staff will inform senior management. The senior management will write a report of incident. If the situation is not resolved, the Chief Executive Officer and Board President will determine the level of consequence required to protect the organization from any escalation, up to and including removing the member from further participation.

### Modifications to GYAO Member Protection Policies and Procedures

- We reserve the right to modify Policies and Procedures at any time, and without prior notice, by providing them to you by email or physical copy upon your request. Your continued participation in Gold Youth Arts Organization constitutes your acceptance of the Amended Policies and Procedures. If you disagree with the Amended Policies and Procedures, you should notify the Executive Director immediately and discuss your position within the Gold Youth Arts Organization.

## GENERAL POLICIES

### Accommodations

- General Expectations - Staff are required to respect the individual privacy of all members in all situations and at all times including overnight accommodations, restroom usage, changing clothes, and showering.
- When Gold Youth Arts Organization activities require an overnight stay(s), Staff are required to sleep in rooms separated from Members.
- It is the expectation that that members will be provided with separate restroom and shower facilities.
- In the event that separate accommodations are not available, separate times will be scheduled (i.e. turns) for member usage of the restroom, shower, etc.
- Overnight stays require that adult supervision (both male and female staff, 21 years of age or older) be present. One of the adults serving in this capacity must be familiar with current Gold Youth Arts Organization Member Protection Policies.

### GYAO Sponsored Organizations

- Gold Youth Arts Organization does not recognize or sanction the creation of individual groups whose purpose runs contrary to or in conflict with the current Gold Youth Arts Organization Mission and/or objectives.
- Individuals who create, try to hide or associate with such groups will be subject to disciplinary action up to and including dismissal from the Organization.
- It is the position of Gold Youth Arts Organization that all Gold Youth Arts Organization sponsored activities are open to observation by parents, volunteers and Staff.

### Dress Code

- Members and Staff are required to dress in an appropriate manner that reflects the ideals of the Gold Youth Arts Organization.

### Constructive Discipline

- Discipline used in Gold Youth Arts Organization shall be constructive and reflect high values inherent within the organization. Senior management shall be responsible for the implementation of any disciplinary action, up to and including dismissal from the organization.

### Supervision of Staff

- Senior management will observe, monitor and provide guidance regarding the leadership and instruction techniques used by Staff. It is the expectation that Staff provide guidance and instruction in a professional manner that demonstrates respect and confidence in the individual member's abilities. Professional behavior is critical at all times and serves as a role model for expected behaviors of Gold Youth Arts Organization Members and Staff.

### Abuse of Power and Authority

- Staff has the authority to set member schedules, status within their section and ultimately decide Member continued participation in the program. Because Staff has authority over many Member decisions, the potential for abuse exists. Inappropriate use of power and authority to benefit an individual or group of Staff members is strictly prohibited. Intimidation, harassment, sexual harassment, retaliation and any other forms of abuse are strictly prohibited.
- Senior management is responsible for monitoring and supervising staff behavior and ensuring member safety.
- In the event of an allegation or suspicion of abuse as defined by this policy, Staff members will be removed from their responsibilities pending an investigation.

- Conducting an investigation does not preclude Gold Youth Arts Organization from its responsibility to notify local authorities regarding any allegations or suspected allegations of abuse.

# SEXUAL HARASSMENT

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other visual, verbal or physical conduct of a sexual nature. Gold Youth Arts Organization strives to provide an environment free of sexual harassment, intimidation or exploitation. It is expected that volunteers, members and staff will treat one another with respect.

All volunteers, members and staff are subject to this policy. Individuals who violate this policy are subject to immediate suspension and possible dismissal of their obligations and responsibilities to the GYAO organization.

Reports of sexual harassment are taken seriously and will be dealt with promptly. The special action taken in any particular case depends on the nature and gravity of the conduct reported, and may include intervention, investigation and the initiation of disciplinary processes. Where sexual harassment is found to have occurred, GYAO will act to stop the harassment, prevent its recurrence and discipline those responsible.

## HAZING & BULLYING

Hazing is defined as any action taken or situation created intentionally: that causes embarrassment, harassment or ridicule, risks emotional and/or physical harm, to members of a group or team, whether new or not, regardless of the person's willingness to participate. Hazing is a felony; it is a crime. Gold espouses and **values** strong character, dignity and integrity – all traits which are the antithesis to the aspects of where hazing begins. We should always treat fellow members, staff and volunteers with the utmost of respect.

Bullying is defined as unwanted, aggressive behavior that involves a real or perceived power imbalance. Verbal bullying is saying or writing mean things. Social bullying, sometimes referred to as relational bullying, involves hurting someone's reputation or relationships. Physical bullying involves hurting a person's body or possessions. All forms of bullying are not tolerated within the Gold organization and are grounds for dismissal.

Violations of this policy may be reported to the Gold Executive Director, Board of Directors or Tour Manager.

## FRATERNIZATION, SEXUAL ABUSE & DUTY TO REPORT

### STAFF AND MEMBER RELATIONS

- *It is the policy of Gold to prohibit any inappropriate interaction between staff or volunteers and members at all times and under all circumstances, as well as the appearance of inappropriate interactions.*
- *One-on-one contact between adults, staff, and volunteers of Gold and the members of the Corps is expressly prohibited.* In situations requiring an individual or personal conference, such as a meeting to discuss disciplinary or medical issues, the meeting is to be conducted with the prior knowledge of and in clear view of other adult staff or volunteers.
- *The prohibition on one-on-one contact between adults, staff, and volunteers and the marching members applies as well to written, digital, and electronic communications.* No one-on-one private online communications or engagement in one-on-one digital activities (games, social media, etc.) with youth members will be permitted.
- Should direct written, digital and electronic communications occasionally become absolutely necessary and required, and no other readily acceptable method can be used, a parent and another staff member or volunteer shall be included on such necessary written, digital and electronic communications. This safeguard ensures that no private, one-on-one contact takes place in text, social media, or other forms of written, digital and electronic communications.
- *Romantic and sexual relationships between staff and marching members, or between volunteers and marching members, regardless of their respective ages, are also expressly prohibited.*
- Further, staff, volunteers, and members should be aware of unintentionally or inadvertently invading the privacy of other individuals with video, picture and audio recording devices. The use of any device capable of recording or transmitting visual images in or near showers, locker rooms, restrooms, or other areas where privacy is expected is not allowed.

### SEXUAL ABUSE

- *All persons involved in Gold must immediately report to local authorities any good-faith suspicion or belief that any member is or has been physically or sexually abused, physically or emotionally neglected, exposed to any form of violence or threat, exposed to any form of sexual exploitation including the possession, manufacture, or distribution of child pornography, online solicitation, enticement, or showing of obscene material. This duty cannot be delegated or passed along to any other person.*
- Immediate reporting of any such good-faith suspicion or belief, or of any other violation of any policy of Gold shall also be immediately reported to the Executive Director, Tour Manager or member of the Board of Directors of Gold. This duty cannot be delegated or passed along to any other person. Immediate and appropriate action shall be taken for the safety of our members, staff and volunteers, as well as for appropriate notifications and follow-up with appropriate investigating agencies. Any and all actions taken will be in the sole and absolute discretion of Gold.
- *Any violation of this policy will be grounds for immediate and summary disciplinary action by Gold in its sole and absolute discretion. Such action may include immediate and summary dismissal from Gold.*



## DUTY TO REPORT VIOLATIONS

- It is the affirmative obligation of all management, staff, volunteers and members to immediately report in good faith any violation of the law or of the policies of Gold to either the Executive Director or any member of the Board of Directors. Should circumstances prevent such immediate reporting, any violation shall be reported as soon as possible.
- Upon receiving any such report, appropriate action shall be taken to protect the health, welfare and rights of the reporting parties, supervisors, witnesses, and any other individuals involved. The nature of the complaint, the identity of the reporting party, and any other individuals involved shall be kept confidential until the matter is reviewed by the Executive Director or the Board Chairman. Confidentiality shall apply and remain to the maximum degree possible.
- Gold shall take any and all measures they feel appropriate to investigate any violation of law or the policies of Gold, including interviews with the individuals involved and witnesses to any conduct, and review of written and electronic communications. Should a complaint be substantiated, disciplinary action in the sole and absolute discretion of the Executive Director or the Board of Directors shall be taken, up to and including termination of the individual's relationship with Gold and reporting the incident to appropriate civil or law enforcement officials.
- Similarly, false reporting will also not be tolerated. Should it be determined after appropriate investigation that an allegation was brought based upon revenge, anger, dislike or any other improper motive, the individual or individuals making the false report are subject to immediate disciplinary action as set forth above, in the absolute and sole discretion of the Executive Director or the Board of Directors

## CONTRABAND

### CONTRABAND

- The possession of contraband by staff members and Corps Members is prohibited. As used here, “contraband” includes any item or material that poses a risk of harm to any individual – whether or not associated with Gold. “Contraband” includes but is not limited to weapons, flammable or explosive substances, firearms or ammunition, fireworks, controlled substances, and toxic substances. Contraband will be immediately seized, and appropriate disciplinary action will be taken in the sole discretion of the Corps Director.

### TOBACCO, ALCOHOL, AND DRUGS

- Tobacco use is prohibited on school grounds and housing sites at all times. There is to be no tobacco use in or around Corps’ vehicles, rehearsal fields and camp locations.
- The possession, use, consumption, distribution and/or display of alcohol is absolutely prohibited in and around Corps’ vehicles, rehearsal fields, school grounds, housing sites and camp locations. Being under the influence to any degree in the vicinity of the Corps or its Members at any time is expressly prohibited.
- The possession, use, consumption, or distribution of any controlled substances, including but not limited to marijuana, cocaine, amphetamines, tranquilizers, crack, barbiturates or “diet pills,” is strictly prohibited.
- The misuse of otherwise legally prescribed medications, or the distribution of them without a prescription, is strictly prohibited.

*These policies on tobacco, alcohol, and controlled substances are in place from your arrival at each camp through your departure from each camp. They are also in place continuously from the first day of auditions through the completion of the season with the Gold upon arrival back in California or upon your final departure from Gold for the season.*

## NON-DISCRIMINATION POLICY

### EQUAL EMPLOYMENT AND MEMBERSHIP OPPORTUNITY

Our organization is committed to equal employment opportunity. We will not discriminate against staff members or applicants for employment on any legally recognized basis ["protected class"] including, but not limited to: race; color; religion; genetic information; national origin; sex; pregnancy, childbirth, or related medical conditions; age; disability; citizenship status; uniform service member status; or any other protected class under federal, state, or local law.

In California, the following also are a protected class: race; religious creed; color; national origin; ancestry; physical disability; mental disability; medical condition, including genetic characteristics; genetic information; marital status; sex; pregnancy, childbirth or related medical conditions; perceived pregnancy; actual or perceived gender; gender identity or expression; sexual orientation; civil air patrol membership; service in the military forces of the State of California or of the United States; military and veteran status; lawful conduct occurring during nonworking hours away from organization premises; and age [40 or over]. Included in the definition of each protected category is the perception of membership in a protected category and an individual's association with an actual or perceived member of a protected category.

You may discuss equal employment opportunity related questions with the Executive Director or any other designated member of management.

Violations of this policy may be reported to the Gold Executive Director, Board of Directors or Tour Manager.

# WHISTLEBLOWER / NON-RETALIATION POLICY

*Retaliation against any Director, employee, student, parent, volunteer, agent, contractor or supporter of Gold who raises concerns regarding potential violation of the law or of Gold's standards of conduct is prohibited.*

*Retaliation against any individual for the good-faith reporting of real or potential compliance and policy violations is cause for immediate and appropriate actions, up to and including summary dismissal from Gold in its sole discretion.*

No Director, employee, contractor, subcontractor, or agent of Gold shall discharge, demote, suspend, threaten, harass, or in any other manner knowingly and intentionally discriminate against any individual in the terms and conditions of their relationship with Gold because of any act done by the individual:

- To provide information, cause information to be provided, or otherwise assist in an investigation regarding any conduct which the reporter reasonably believes constitutes a violation of state or federal law applicable to Gold or Gold's policies and procedures, when the information or assistance is provided to, or the investigation is conducted by:
  - any state or federal regulatory or law enforcement agency;
  - any lawfully constituted investigative body; or
  - a person with supervisory authority over the individual or such other person working for Gold who has the authority to investigate, discover, or discipline misconduct; or
- To file, cause to be filed, testify, participate in, or otherwise assist in a proceeding filed or about to be filed relating to an alleged violation of state or federal law applicable to Gold.

Reports of real or potential violations of law or violations of the policies and procedures of Gold shall be reported to the Executive Director or the Chair of the Board of Directors, who shall take immediate action as deemed necessary and appropriate in their sole discretion to protect the health and welfare of the members and all individuals associated with Gold, up to and including reporting of the incident to appropriate law enforcement authorities.

## BACKGROUND CHECK POLICY

### BACKGROUND CHECK POLICY AND PROCESS

Gold Youth Arts Organization relies on volunteers, employees and independent contractors to support its educational programs. With our need to protect our students, Gold will complete criminal background checks. Therefore, we establish the following policy and process for the screening of our volunteers, employees and independent contractors.

- Each volunteer, employee and independent contractor who will have regular, direct contact for more than two consecutive 24-hour periods or who intends to sleep in the same general area as the corps membership shall be subject to a background investigation.
- Gold shall use an independent entity to process the investigation.
- To protect the confidentiality of the volunteer, employees or independent contractor, the information gathered shall be sent to the Executive Director.
- The Executive Director shall have all rights to reject, allow or limit a volunteer, employee or independent contractor's participation with Gold based on the information obtained from the background investigation.
- A volunteer, employee or independent contractor who has had their participation rejected by the Executive Director may appeal the decision to the Board of Directors. As part of the appeal, both parties will be allowed to present their case at the next regularly scheduled meeting of the Board.
- Gold recognizes that, at times, the screening process cannot be completed before the volunteer, employee or independent contractor is needed. In such cases the screening will still occur and the volunteer, employee or independent contractor will be subject to the Executive Director's review of the report.
- Gold will encourage all individuals who might be willing to volunteer or contract for more than the consecutive 24-hour periods to complete the background check form in advance of their volunteerism or work.
- Individuals who volunteer or work on an annual basis shall be subject to a background investigation every 2 years.
- Gold will keep the background information on file for at least 2 years.

### ADVERSE ACTION CRITERIA

Subject to extenuating or mitigating circumstances and a majority vote of the Board of Directors:

- A felony conviction of any violent crime, or a misdemeanor conviction for a violent crime within the past 10 years, will disqualify an applicant.
- Felony or misdemeanor convictions of any sex-based crime will disqualify an applicant.
- Felony conviction of any non-violent crime within the past 10 years will generally disqualify an applicant.
- Misdemeanor conviction of a non-violent crime within the past 5 years will generally disqualify an applicant.

The Executive Director on a case-by-case basis shall evaluate any reported convictions that fall outside the scope of the categories identified above.

# ACKNOWLEDGEMENT OF RECEIPT

All Gold Youth Arts Organization faculty, staff and volunteers are required to read and abide by the policy and procedures contained in this agreement. Should any questions arise, clarification and/or interpretation can be provided by the Executive Director or a member of the SCV Board of Directors.

By my signature below, I acknowledge receipt of the Gold Youth Arts Organization Member Protection Policies and Procedures and acknowledge that I have read and agree to abide by the Member Protection Policies and Procedures contained therein. In addition, I agree that it is my responsibility to sign the attached acknowledgement of receipt and return the completed form to the Gold Youth Arts Organization Office for inclusion in my employee or volunteer file.

I am aware that if I violate any portion of this agreement, the Executive Director or a Member of the Board of Directors in conjunction with the Executive Director may, at their sole discretion, terminate my employment and/or participation in the Gold Youth Arts Organization.

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Signature

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Date

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Print First and Last Name