

CHEROKEE ASSOCIATION OF REALTORS®



POLICY AND PROCEDURES

MANUAL

Adopted October 12, 1998

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**CHEROKEE ASSOCIATION
OF REALTORS, INC.**

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PREFACE

In the event there is a conflict between the Policy & Procedures and the By-Laws, the By-Laws will always prevail.

The Code of Ethics and Arbitration Manual of the National Association is adopted as the Code of Ethics and Arbitration Manual of the Cherokee Association of REALTORS and shall be considered as part of its Policies and Procedures. Procedures of the Cherokee Association shall, be deemed to be amended and changed whenever the Code of Ethics and Arbitration Manual of the National Association is amended or changed.

PROCEDURE FOR INITIAL ADOPTION OF POLICY & PROCEDURE MANUAL

The proposed Policy & Procedure Manual 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 of the Board of Directors 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, latest edition.

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

PROCEDURE TO AMEND, CHANGE, MODIFY OR DELETE ANY PART OF THE POLICY AND PROCEDURE MANUAL

Any proposed addition, change or deletion must first be submitted in writing to the President of the Cherokee Association. The President shall present the proposed matter to the Board of Directors. If approved by a 51% vote of the Board of Directors the matter shall be considered adopted.

Note: The CEO/AE shall up-date the Policy and Procedures and By Laws Manual as changes occur.

DISTRIBUTION OF THE POLICY AND PROCEDURE MANUAL

A copy of the proposed Policy and Procedures Manual shall be made available to all officers and directors of the Cherokee Association of Realtors. When the Policy and Procedures Manual is adopted, a copy will be given to all current and subsequent Officers, Directors, and Committee Chairs.

Upon written or telephone request, any Cherokee Association member shall be entitled to receive their own personal copy of the Policy and Procedures Manual and the request for it shall be satisfied. However, no general mass mailing to all the membership shall occur. The Internet Newsletter shall announce the adoption and that the members may request a copy.

Note: A notebook shall be kept at the Board Office for the Policy and Procedure and By Laws Manual. The notebook shall be available to all Association Members.

Terminology

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

Cherokee Association of REALTORS®: the Association, Association, CAOR.

Chief Executive Officer/Association Executive : *CEO/AE

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

Georgia Real Estate Commission: GREC.

National Association of REALTORS®: NAR, National Association.

REALTORS® Political Action Committee: RPAC.

***In the absence of a CEO, the AE will assume the responsibilities of this role.**

The Board of Directors

Purpose: The Boards of Directors shall be vested with all corporate powers, shall approve changes to the Constitution and Bylaws, and establish Policy and Procedures for the Cherokee Association of REALTORS®. The BOD will meet as noted in Appendix A - Meeting Schedule.

Composition:

Number on Board: 6 Elected officers with a vote, and 1 Elected officer without a vote titled Secretary/Treasurer Elect, who will serve under the Secretary/Treasurer for one year, and then serve one year as the Secretary/Treasurer, plus as many State and/or Local Directors as mandated by the NAR formula for Directors.

Makeup: The governing body of the Association shall be a Board of Directors consisting of six (6) elected Officers. Elected officers shall serve a one (1) year term unless voted and approved by the membership. The number of State and Local Directors (2 Year Term) will be determined by membership counts in July of Previous Year. State and Local Directors will serve no more than three (3) consecutive two (2) year terms.

The Officers are the President, President Elect/Vice President of Public Services, Vice President of Government Services, Vice President of Member Services, Treasurer/Secretary, Treasurer-Elect and the Immediate Past President. The term of office for these Officers are for one (1) year. The President may serve no longer than two (2) successive years as President, President Elect no longer than one year, and the remaining officers may hold each of the remaining offices for a one (1) year term .

The Board Of Directors may appoint officers and/or Directors to fill vacancies as they may occur through resignations and/or removal from office.

Chart from NAR

601-750	6 Directors
751-900	7 Directors
901-1050	8 Directors
1051-1200	9 Directors
1201-1350	10 Directors
1351-1500	11 Directors
1501-1750	12 Directors
1751-2000	13 Directors
2001-2500	14 Directors
2500 +	= 14 Directors plus 1 for every 500 members or portion thereof exceeding 2000 member.

Absenteeism: Absence from two consecutive regular meetings without an excuse deemed valid by the Board of Directors shall be construed as resignation. An "excused" absence would be a sickness (yourself or child), family emergency, death, conditions very similar to a school excused absence. See Appendix D-Bylaws of the Cherokee Association of REALTORS®

Quorum: 51% percent or more.

Reports To: Membership

President

Purpose: The President shall be the Chief Operating Officer of the Cherokee Association of REALTORS®

Term: One (1) year

Reports To: Board of Directors

Duties and Responsibilities:

Serves as Chair of the Board of Directors.

Serves as Chair of the Executive Committee.

Is the official spokesperson for the Cherokee Association of REALTORS® Directors.

Provides general but active management of the business of the Cherokee Association of REALTORS® and will see that all orders and resolutions of the Board of Directors are instituted.

Has the general power and duties usually vested in the Office of President of a Corporation.

Appoints with the aid and advice of the President Elect, subject to approval of the Board of Directors, a Chairperson for all the standing committees of the Cherokee Association of REALTORS® and appoint, with the approval of the Board of Directors, such other committees and task forces as needed.

Administers the Cherokee Association of REALTORS and provide the necessary management of all staff personnel.

Hires and/or terminates CEO/AE that does not serve in the best interest of the Association. However before such action can be taken, the President must present his/her plans to the Board of Directors. The President should present evaluations indicating a lack of performance, backup documentation, and a plan of action for the replacement of the CEO/AE.

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

The President will attend at least one (1) National REALTOR® convention and other meetings as approved by the Board. If the President is unable to attend, the Board of Directors may appoint someone to go in his/her place.

Provides communications and directions to the President Elect as may be required to administer the standing committees of the Association.

Prepares for and attend the two (2) Georgia Association of REALTORS® conventions, participate in discussions of agenda items and report on real estate related situations in evidence within the Cherokee Association. The President serves as a State Director for a two (2) year term.

It is the duty of the President to forward to the Finance & Building Committee any request for new budget items for the new fiscal year.

Note: For expense reimbursement, see Financial Policy and Procedures.

President Elect

Term: One (1) year

Reports To: President and Board of Directors

Duties and Responsibilities

Serves on the Executive Committee.

Serves on the Board of Directors.

Serves in the absence of the President.

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

The President Elect will prepare for and attend One (1) National Association of REALTORS® convention, two (2) Georgia Association of REALTORS® conventions and attend the annual NAR Leadership

Summit. He or she will participate in discussions of agenda items and report on real estate related situations in evidence within the Cherokee Association.

It will be the duty of the President Elect to forward to the Finance and Building Committee any request for new budget items for the new fiscal year.

Serves as Chairperson of the Nominating Committee of the Cherokee Association of REALTORS®.

Immediate Past President

Term: One (1) year.

Reports To: President and Board of Directors

Duties and Responsibilities

Serves as an Officer of the BOD.

Serves the last year of the two (2) year appointed term as State Director.

Serves on the Executive Committee.

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

Vice President of Government Services

Term: One (1) year.

Reports To: President and Board of Directors

Duties and Responsibilities

Serves on the Board of Directors.

Performs such other duties as directed by the President and the Board of Directors.

It is the duty of the Vice President of Government Services to forward to the Finance and Building Committee any request for new budget items for the new fiscal year.

See Appendix B- Organization Chart for Committee Coordinator responsibilities.

Vice President of Member Services

Term: One (1) year

Reports To: President and Board of Directors

Duties and Responsibilities

Serves on the Board of Directors.

See Appendix B- Organization Chart for Committee Coordinator responsibilities.

It is the duty of the Vice President of Member Services to forward to the Finance and Building Committee any request for new budget items for the new fiscal year.

Performs such other duties as directed by the President and Board of Directors.

Treasurer/Secretary

Term: One (1) year

Reports To: President and Board of Directors

Duties and Responsibilities

Serves on the Board of Directors.

Serves on the Executive Committee and as a chair of the Finance and Building Committee.

See Appendix B- Organization Chart for Committee Coordinator responsibilities.

Presents a monthly financial report to the Board of Directors and at semi-annual membership meetings.

Performs such other duties as directed by the President and the Board of Directors.

Secretary/Treasurer Elect

Term: One (1) year

Reports To: Treasurer/Secretary and Board of Directors

Duties and Responsibilities

Serves on the Board of Directors as a local director or state director.

Non-Voting Member of the Executive Committee.

Performs such other duties as directed by the Secretary/Treasurer or President.

State Directors

Term: Two (2) years.

Reports To: President and the Board of Directors

Duties and Responsibilities

Serves on the Board of Directors as a voting member.

Knowledgeable about the Georgia Association Constitution and By Laws, Policy and Procedures, strategic plan, budget, programs and services.

Prepares for and attends the two (2) Georgia Association of REALTORS® conferences, participates in discussions of agenda items and reports on real estate related situations in evidence within the Cherokee Association.

Shall be the duty of the State Directors to forward to the Finance and Building Committee any request for new budget items for the new fiscal year.

State Director is strongly encouraged to apply for a State Committee, and if elected, to attend all meetings.

Shall perform such other duties as directed by the Board of Directors.

A State Director may serve no more than three (3) successive terms. This time period includes time served as President and Past President.

1. State Director's General Expenses:

See Appendix C- Financial Policy and Procedures Manual

Local Directors

Term: Two (2) years.

Reports To: President and the Board of Directors.

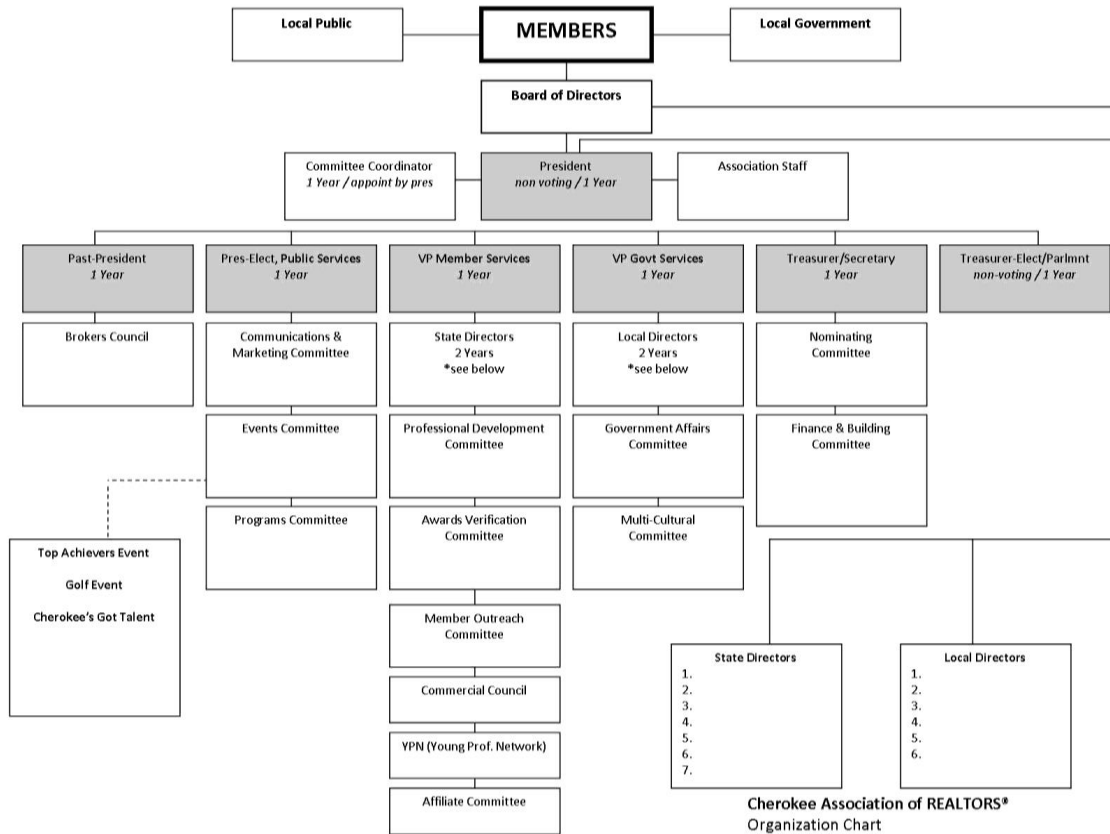
Duties and Responsibilities

Serves on the Board of Directors as a voting member.

It is the duty of the Local Directors to forward to the Finance and Building Committee any request for new budget items for the new fiscal year.

Shall perform such other duties as directed by the Board of Directors.

ORGANIZATIONAL CHART



Executive Committee

Purpose: The Committee monitors all policies, finances and operations of the Cherokee Association of REALTORS®.

Responsible to the President for the effective conduct of the affairs of the Cherokee Association of REALTORS®.

Recommends the formulation of the Association's mission, goals, objectives and related policies.

Works within that framework to plan, and organize, the Association's staff, programs, and activities.

Provides Strategic Planning for the Association.

Additional areas of responsibilities include:

Budget: Monitor and propose annual budget.

Buildings and Grounds: Monitor and maintain holdings.

By Law / Policy & Procedures: Propose suggested changes.

Technology and Systems: Plan & Research all systems.

Composition:

Number on Committee: Elected officers per the Bylaws of the Cherokee Association of REALTORS®. See Appendix D- Bylaws of the Cherokee Association of REALTORS®.

Chair: President

Vice Chair: Treasurer

Restrictions: All Executive Committee meetings will be closed unless otherwise permitted by the President.

Term: N/A

Limits: N/A

Quorum: 51% or more

Reports To: President

Duties and Responsibilities:

Meets as needed as determined by the President or by request of 51% or more of the Committee.

Reviews and submits to the Board of Directors all suggestions, reports and changes to the Bylaws or Policies & Procedures.

Presents an annual budget to the Board of Directors each year.

Ensures that a tax filing is made annually.

FISCAL POLICIES AND PROCEDURES

See Appendix C- Financial Policy and Procedures Manual

Association Councils

Broker's Council

Purpose: To encourage input from member brokers regarding various real estate related issues.

Composition:

Numbers on Council: Varies

Chairperson: Appointed by President.

Makeup: One broker/owner or managing broker from each member office.

Restrictions: N/A

Term: Varies

Limits: N/A

Quorum: N/A

Reports To: See Appendix B- Organization Chart

Duties and Responsibilities:

To communicate with their respective offices regarding issues discussed.

To bring Broker concerns and interests to the Board.

To represent their office and peers.

To share their real estate knowledge.

To keep their peers informed on industry problems and changes.

To offer input regarding services and products of the Association.

Commercial Council

Purpose: To bring together those Board Members who are interested in Commercial Real Estate for the benefit of those members.

Composition:

Number on Committee: Varies

Chairperson: Appointed By President

Makeup: Members of the Commercial community.

Restrictions: Must be members of the Cherokee Association of REALTORS® to hold office.

Term: Varies

Limits: N/A

Quorum: N/A

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

To educate members on commercial real estate matters and give information on new laws affecting commercial real estate.

To promote the sharing of commercial listings between members.

To promote technology enhancement regarding commercial real estate.

To promote fellowship between members.

To promote goodwill in the market place.

To encourage participation.

Standing Committees

* CEO/AE will work with committee chair people to implement schedules, agenda's notifications, and to expedite reporting to the Board of Directors for further action.

** All requests for funds are to be channeled through your Council or Committee Coordinators for inclusion in their report to the Board of Directors as to the budgeting impact of such funds requested.

Awards Verification Committee

Purpose: Functions as an Admissions Committee to the Top Achievers, charged with the responsibility of qualifying members for the awards in accordance with established guideline. Qualification will be subject to the approval of the Board of Directors. Categories are to be determined by the Committee as well as the award, the awards function for presentation of awards, and the rules and admission fees. This committee is self sustaining without a budget.

They will also function as the REALTOR® of the Year, Rookie of the Year and Affiliate of the Year Committee. Charged with the responsibility of reviewing all applications for accuracy, completeness, and meeting REALTOR® of the Year criteria. Once selected the winner's name shall remain secret until the award's presentation.

Composition:

Number on Committee: Five Members

Chair: Appointed by President and President Elect

Makeup: Committee chair, two (2) local active Designated REALTOR® members and two (2) Life Top Achievers members.

Restrictions: None

Term: Varies

Limits: N/A

Quorum: Three (3)

Reports To: See Appendix B- Organization Chart

Duties and Responsibilities:

Reviews and forwards all Top Achievers applications submitted to the Cherokee Association of REALTORS® to staff.

Determines the types of awards and/or categories that are to be given to recipients and submit it to the Board of Directors for review.

Determines who will become a member of the Top Achievers, based on the Top Achievers Policy.

November: CEO/AE shall prepare Top Achievers packets to be delivered to all active broker members.

February: List of Top Achievers applications must be presented to the Committee Coordinator, who shall in turn present them to the Board of Directors for final approval.

March: Awards Function - Presentation of awards.

April: End of year review. Recommend if needed any changes to Top Achiever's Policies & Procedures.

Multi-Cultural Committee

(Standing Committee - Article XIV, Section)

Purpose: The Equal Opportunity Committee shall develop and recommend policy promoting equal opportunity in housing and the real estate business.

Composition:

Number on Committee: Varies

Chair: Appointed by President.

Makeup: Varies

Restrictions: N/A

Term: One (1) year.

Limits: No limits.

Quorum: N/A

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

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

Encourages fair housing/equal opportunity education programs for the membership.

Encourages cooperation with governmental agencies that have the responsibilities of promulgation and enforcement of the fair housing laws to insure equal opportunity for all people.

Reports on any multi-cultural ethics hearing happening at the state level.

Professional Development Committee

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

Composition:

Number on Committee: Varies

Chair: Appointed by President.

Makeup: Members should reflect the diversity of the Association.

Restrictions: N/A

Term: Varies

Limits: N/A

Quorum: 51% or more

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

It is the responsibility of this committee to schedule classes by working with Board staff and their calendar.

Plan topics for these classes and to obtain the speakers for them.

Consideration will be given to continuing education credit, professional development and approval of courses from the Georgia Real Estate Commission and a recommendation from a member who has heard the speaker give a presentation.

These classes shall be provided at a minimal cost to the members of the Cherokee Association. A somewhat higher fee may be charged to non-members providing there is space available.

Grievance Committee

(Standing Committee - Article XIV, Section 1)

- Per NAR Mandate, refer to **Multi-Board Agreement**, as posted annually on the Multi-Board Agreement Web-site

PROFESSIONAL STANDARDS COMMITTEE

(Standing Committee - Article XIV, Section 1)

Per NAR Mandates, refer to Multi-Board Agreement as posted annually on the Multi-Board Agreement Website.

Government Affairs Committee

Purpose: To keep REALTOR members abreast of Legislative issues, local, state and national, that affect our industry.

Composition:

Number on Committee: Varies.

Chair: Appointed by President and is the RPAC Chairperson

Makeup: RPAC Chairperson, and other interested and politically involved Association members.

Restrictions: N/A

Term: Varies

Limits: N/A

Quorum: 51% or more

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

Review 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 Meetings.

Provide updates to the membership at Board of Directors meetings, publish information to the membership in the monthly publication and fax to the Brokers.

The committee will formulate a system of "Call to Action" of the membership upon request of GAR and NAR.

To achieve designated financial goals through fund raising and direct solicitation of membership. RPAC goal for the Association established by the Georgia Association of REALTORS® based on membership.

RPAC raises voluntary funds from members of the Cherokee 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. Close coordination with the State Affairs and Legislative/Political Affairs Committee are essential. The current RPAC Chair, chairs the RPAC Trustees Committee.

Nominating Committee

Purpose: The Nominating Committee shall be responsible for annually nominating a slate of Officers and Directors to serve the Cherokee Association of REALTORS®.

Composition:

Number on Committee: Seven (7)

Chair: President Elect

Vice Chair: N/A

Makeup: President, President Elect, two past Presidents, and three members at large.

Restrictions: N/A

Term: One year

Limits: N/A

Quorum: Four

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

Will, whenever appropriate and in accordance with the Bylaws of the Cherokee Association of REALTORS®, recommend to the Board of Directors the names of those qualified to serve as President, President Elect, Vice President, Treasurer, Secretary, Local Directors, and State Directors.

Young Professionals Network

Purpose: To help young real estate practitioners become more business savvy by hosting regular networking events, communicating with other YPN members, and sharing tips.

Composition:

Number on Committee: Varies.

Chair: Appointed by the President

Makeup: Varies

Restrictions: N/A

Term: Varies

Limits: N/A

Quorum: 51% or more

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

The function of this committee will be to plan events in which young professionals can connect with each other and discover valuable resources that will help them succeed in their business.

Affiliate Committee

Purpose: To encourage industry professionals that are related to the real estate business to become involved with the Cherokee Association of REALTORS®.

Composition:

Number on Committee: Varies.

Chair: Appointed by the President

Makeup: Varies

Restrictions: N/A

Term: Varies

Limits: N/A

Quorum: 51% or more

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

The function of this committee will be to increase the exposure of current affiliate partners to members of the Cherokee Association of REALTORS® by getting affiliate partners involved in events, hosting classes, etc.

Member Outreach Committee

Purpose: To encourage new and current members to become involved with the Cherokee Association of REALTORS® by attending and participating in events, membership meetings, etc.

Composition:

Number on Committee: Varies.

Chair: Appointed by the President

Makeup: Varies

Restrictions: N/A

Term: Varies

Limits: N/A

Quorum: 51% or more

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

The committee will be responsible for contacting new and current members and informing them of upcoming meetings, events, etc. and encouraging them to attend and/or participate.

Communications and Marketing Committee

Purpose: To promote awareness of the Cherokee Association of REALTORS® and the REALTOR® brand to the community.

Composition:

Number on Committee: Varies.

Chair: Appointed by the President

Makeup: Varies

Restrictions: N/A

Term: Varies

Limits: N/A

Quorum: 51% or more

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities: The committee will be responsible for coordinating and implementing communication and marketing strategies including advertising, promotion, and public relations to raise awareness within the community.

Programs Committee

Purpose: To coordinate general membership meetings.

Composition:

Number on Committee: Varies.

Chair: Appointed by the President

Makeup: Varies

Restrictions: N/A

Term: Varies

Limits: N/A

Quorum: 51% or more

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

The function of this committee will be to coordinate general membership meetings by scheduling venues, speakers, sponsors, etc.

Finance and Building Committee

Purpose: To provide financial oversight to the Cherokee Association of REALTORS®.

Composition:

Number on Committee: Varies.

Chair: Appointed by the President

Makeup: Varies

Restrictions: N/A

Term: Varies

Limits: N/A

Quorum: 51% or more

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

To review and maintain the current budget as well as propose and implement future budget items. The committee is also responsible for financial planning and reporting.

Special Events Committee

Purpose: Oversees social functions and events for the Association, and develop camaraderie among members and the community at large.

Composition:

Number on Committee: Varies

Chair: Appointed by President

Sub-Committees: See Appendix B-Organization Chart for current sub-committees.

Makeup: See Appendix B-Organization Chart

Restrictions: N/A

Term: One (1) year

Limits: N/A

Quorum: 51% or more

Reports To: See Appendix B-Organization Chart

Duties and Responsibilities:

The function of this committee is to plan all special social activity and event for the Association.

Association's Staff Guidelines

Cherokee Association - General Employment Policy Summary

It is the Association's determination to provide a positive and safe environment for all employees free from all prejudices, harassment, and negative factors, which affect the harmonious, productive work place. The Association will not tolerate any behavior, which displays discrimination based on race, religion, origin, sex, or lifestyle. The Association will not tolerate, in the work place, any form of behavioral harassment relating to sex or those areas protected from discrimination. The Association of REALTORS® is an Equal Opportunity Employer.

Federal Employment Laws

The Cherokee Association of REALTORS® complies with the following laws in its employment practices:

Equal Employment Opportunity Employer

The Cherokee Association of REALTORS® is an equal opportunity employer, without regard to race, color, religion, national origin, age, sex, marital status, or physical and mental handicaps unrelated to job performance.

Americans with Disabilities Act

This act prohibits discrimination against the disabled and dictates to employers the need to create reasonable accommodations so disabled employees can perform jobs in the workplace. The Equal Employment Opportunity Commission (EEOC) has developed compliance regulations. Physical settings in buildings and workstations may have to be modified to reasonably accommodate handicapped employees. If you have any questions about this, contact the NATIONAL ASSOCIATION OF REALTORS®' Legal Affairs Department at 312/329-8374, or its Human Resources Division at 312/329-8284.

Age Discrimination

In 1967, Congress passed the Age Discrimination in Employment Act (ADEA) to prohibit discrimination in employment because of age in such matters as hiring, job retention, compensation, and other terms, conditions, and privileges of employment. The ADEA establishes as a matter of basic civil rights that people should be treated in employment on the basis of their individual ability to perform a job rather than on the basis of stereotypes about age. The ADEA has created a new awareness concerning discrimination against the elderly and has spurred academic research, which has concluded that chronological age alone is a poor indicator of ability to perform a job. Originally enforced by the U.S. Department of Labor, the president, by executive order in 1978 with the concurrence of Congress, shifted ADEA enforcement activities to the EEOC.

The ADEA prohibits most employers, employment agencies, and labor organizations from discrimination in employment practices against persons over the age of 40 on the basis of their age. In a highly publicized change in 1978, Congress amended the ADEA and raised the upper age limit on coverage under the act from 65 to 70. It also added a prohibition against forced retirement, based on age, of employees below the age of 70.

Then in 1986, Congress unanimously approved another major change to the ADEA by removing the mandatory retirement age of 70 for most of the nation's private sector workers.

The Operative language of the statute makes it unlawful for an employer to do the following:

Fail or refuse to hire or discharge any individual, or to discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment because of age; Limit, segregate, or classify employees in any way that would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect his or her status as an employee because of age; or reduce the wage rate of any employees to comply with the act.

Occupational Safety and Health Act

Employees should be expected to comply with provisions of the Occupational Safety and Health Act as it applies to the association's function.

Occupational Safety & Health Administration Ergonomics Program Standard

Occupational Safety and Health Administration adopted its Ergonomics Program Standard on November 20, 2000, and put it into effect January 16, 2001. The purpose of this standard is to reduce the number and severity of musculoskeletal disorders (MSD's). This new rule contains stringent requirements for most non-construction employers with 11 or more employees, to identify and to abate MSD's. At a minimum, employers are required to provide employees with basic information about MSD's and their signs and symptoms and how to report an MSD. However, a "single incident" could trigger requirement for a full ergonomics program. The elements of this program are:

- Management leadership
- Employee participation
- MSD management
- Job hazard analysis
- Hazard reduction and control measures
- Training

Harassment Is Forbidden

Harassment is any verbal or physical conduct of a harassing nature. This can include requests for sexual acts or favors, unwelcome sexual advances, or any other conduct with the purpose or effect that unreasonably interferes with an individual's work performance, or creates a hostile, intimidating, or offensive work environment.

Racial, religious, ethnic, or sexual harassment is illegal. Harassment is a serious offense; employees will be subject to serious discipline, which may include termination, if they are found to have engaged in such conduct.

In the event of such harassment, employees should be encouraged to contact their supervisor, a human resources employee, or association counsel.

Sexual Harassment includes any unwelcome sexual advances; unwelcome requests for sexual acts or favors; unwanted physical conduct; display of sexually explicit or suggestive materials; and other verbal or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive working environment. An individual who believes he or she has been sexually harassed by another employee, a member of the association, or by a guest or visitor of the association should bring the problem to the attention of the executive officer and or the President of the Association.

Any employee engaging in sexual harassment is subject to severe discipline, including termination. Authority for the final resolution of all charges and the determination of appropriate sanctions rests with the executive officer.

Appropriate disciplinary measures may be taken against the employee who brought the complaint, if the sexual harassment complaint is found to be totally and completely without basis.

If you witness an act of harassment, please report the act without any fear of reprisal. The Association will keep the identity of the individual accused of sexual harassment strictly confidential. Information regarding the sexual harassment charge will be made known only to an individual directly involved either as a party, witness, an investigatory team member, or the executive officer.

Conflict of Interest

A conflict of interest occurs when an employee or any related party (e.g., a company, a partnership, affiliates, management, or members of the employee's immediate family) is in a position to profit directly or indirectly because of his or her position with the association. This association forbids conflicts of interest.

Such a conflict can exist even if an employee's actions do not adversely affect the association. Instances in which a conflict of interest might exist include, but are not limited to, the following:

- Purchasing equipment, supplies, or services for the association
- Purchasing, selling, or leasing property for the association
- Receiving gifts, entertainment, loans, or preferential investment opportunities
- Using confidential information

Disruptive or Illegal Acts

Any employee who engages in prohibited conduct will be subject to disciplinary actions, which may include discharge.

Prohibited Conduct shall include, but is not limited to:

- Stealing, deliberately damaging or defacing association property, or the personal property of another employee
- Possessing dangerous weapons or explosives
- Violating criminal laws or being convicted of a felony
- Fighting, throwing objects, or participating in horseplay, practical jokes, or other disorderly conduct that may endanger the well-being of an employee
- Being absent or tardy to an excessive degree
- Participating in any act that may be considered immoral, indecent, or inappropriate and that reflects negatively on the association
- Engaging in insubordinate behavior, including refusing to carry out or obey reasonable directives or assignments
- Willfully falsifying information on employment applications, time sheets, expense reports, or other association documents
- Participating in other practices that may be inconsistent with the ordinary and reasonable rules of conduct necessary to the welfare of the association and its employees
- Drugs include, but are not limited to: marijuana, cocaine, crack, phencyclidine (PCP), heroin, LSD, amphetamines, and other stimulants, barbiturates, and other depressants.
- Possession, distribution, or sale of illegal drugs is strictly prohibited: such activity will result in disciplinary action up to and including termination.
- Employees must conduct themselves in such a manner that they do not represent a danger to themselves, other employees, the general public, or the association's reputation.
- Policy on prescription drug medication: Employees must inform their supervisor if they are taking prescribed medications that may cause side effects that could impact on vigilance, judgment, coordination, or job performance.

Smoking

State Law prohibits smoking in any public building.

Employment Policy Guidelines

Working Hours

See Appendix E-Office Hours and Holidays. You are allowed one paid 15 minute break for every four hour period. Lunch breaks are not paid and generally should be taken between 12:30 pm and 1:30 pm if possible. In addition, you may be expected to attend occasional meetings that occur outside of the office.

Flex-Time

The Association may find it in its interest to allow flex-time schedules for certain employees, instead of the regular 8:00 am to 5:00 pm work schedule. These schedules will be determined by staff supervisors, and must adhere to the following:

- Appropriate office coverage by other employee's is in place
- Determination has been made that employee's hours suit the needs of the position
- Flex-time hours are adhered to properly

Staff Meetings

CEO/AE will call staff meetings as needed.

Courtesy

Courtesy is an expectation from all. The major function of our Association is to provide service to our membership and the public. Simple deeds such as a cheerful greeting, a pleasant smile and a sympathetic ear can help establish and maintain the proper atmosphere essential to an effective office.

Employment Status

The CEO and Association Executive (AE) are salaried positions. All other positions within the Association are deemed as hourly positions unless specified by the Association's Board of Directors.

Employment Status

Employees will be probationary employees for the first ninety (90) days from date of hire.

Employees will be permanent employees after the first ninety (90) days from date of hire, unless circumstances necessitate additional probationary time.

Full Time

- a. Salaried employees
- b. Hourly employees who work thirty two (32) hours or more per week, through a 90 day probationary period, with the intention of continuing as a full-time employee.

Part Time

- a. Hourly employees who work less than 32 hours per week.
- b. Hourly employees utilized on a temporary basis for a specific project and were so informed upon activation.

Exempt & Non-Exempt Employees

These classifications are defined and administered under provisions in accord with the Fair Labor Standards Act. The Fair Labor Standards Act and its regulations are extremely detailed and complex. Generally, the act provides that employees working under immediate supervision and performing

primarily assigned duties, rather than supervising others, will be classified as nonexempt. Nonexempt employees are guaranteed at least minimum wage and receive overtime pay.

Conversely, employees described as executive (involving policy-making and/or overall supervision) or administrative (primarily assisting executives and/or supervising other employees—not secretarial duties) are generally classified exempt. The exempt classification also includes professionals whose supervisory or administrative responsibilities are limited, but who require advanced training in a specialized discipline such as law, economics, research, governmental affairs and legislation, library science, system analysis, or computer programming. **The duties performed by an employee will determine whether that individual is exempt or non-exempt, not the employee’s job title.**

Nonexempt employees should be paid an hourly wage computed on the basis of actual time worked. The overtime rate is one-and-one-half times the employee’s base hourly rate, for all time worked in excess of 40 hours in one week.

Exempt employees, on the other hand, should be paid a monthly or annual salary. Exempt employees are often granted compensatory time off for any overtime worked in excess of the normal work week. Prior arrangements are usually required by procedure for taking such compensatory time. (*Note:* Compensatory time may *not* be provided to nonexempt employees in lieu of overtime pay.)

Performance Evaluation & Review

All employees will receive a performance evaluation & review in the following periods of employment:

- a. 90 days after dated of hire.
- b. 180 days after date of hire.
- c. In the month of their hire date each year...

Termination or Separation of Employment

Voluntary

An employee may resign their position with 2 weeks notice. All earned benefits will be protected and prorated when 2 weeks notice is received.

An employee may resign their positions without notice. All benefits will be forfeited by the employee unless extenuating circumstances exist, and the Board of Directors determines that all benefits be protected and prorated.

Involuntary

Involuntary termination can occur with 2 weeks notice or 2 weeks paid separation for the following reasons:

- a. Elimination of employment position
- b. Unsatisfactory performance
- c. For any reason during the first 90 day probation period of a new employee

Involuntary termination can occur without notice for the following **“Just Cause”** reasons:

- a. Actions or behavior which bring discredit upon the Cherokee Association of REALTORS®
- b. Failure to perform assigned duties.
- c. Dishonesty
- d. Intentional acts to harm the Association
- e. Intentional destruction of Association property
- f. Sexual harassment
- g. Discrimination based on sex, religion, race, familial status, sexual orientation, or national origin

Meetings

Some meetings are often useful to ensure that the entire staff, or specific departments, are aware of new programs, upcoming events, or changes in the normal routine. Additionally, staff meetings can be used to air problems or discuss more efficient ways to handle certain tasks or situations. Meetings may be regularly scheduled or called as needed.

Industry Knowledge

While an employee is not expected to have extensive knowledge of the real estate industry; it is to the advantage of employees and the association for employees to have some basic understanding of current events affecting the industry. All employees are encouraged to read publications that keep them abreast of information needed to serve the membership. This information is often found in newsletters, minutes, brochures, web sites, and publications of the state and national associations. These items will be discussed at the monthly staff meeting.

Personal Telephone Calls and or Visitors

Personal telephone calls are allowed during working hours. Personal calls should not exceed 3 per day, and you should close your office door if possible during these calls. Excessive calls that keep employees from being productive will be brought to the attention of the employee and discussed with the CEO/AE of the Association.

Personal Appearance

Proper attire suitable to a business environment or an employee’s job description should be worn. After hours or on weekends, when employees are not expected to work with the membership or the public, dress requirements are relaxed. Employees should also be informed about the proper attire at special events, such as dinner meetings or awards banquets. FRIDAY attire is CASUAL unless we have a class or a hearing scheduled for that day. All office personnel should be neat and clean in appearance.

Office Appearance.

Personal items are allowed as long as they do not interfere with the day to day operation of the Association.

Tardiness

Punctuality is expected not only as a matter of efficiency, but because tardiness is unfair to those who report to work on time. Unavoidable lateness should be explained to the association executive or the immediate supervisor, including pertinent circumstances. A pattern of tardiness could affect salary increases or even continued employment.

Personnel Records

All personnel records will be kept in the office of the Association Executive and will be kept up to date by the Association Executive until such time as the Association employs a Human resource person. Only the President, President Elect , CEO, and the Association Executive may have access to these records.

Tuition Reimbursement

When additional training will benefit the operations of the association as a whole, or when mandated by GAR and NAR, the Association will reimburse all expenses as approved by the Board of Directors.

Salary and Pay Rate

Salaried Employee

Salary level will be determined at the time of employment commensurate with the responsibilities and duties of the Position.

Hourly Employee

Hourly pay rate will be determined at the time of employment commensurate with industry standards based on employee responsibilities and duties.

Salary and Pay Review

All employees will be considered for salary increases and pay raise's at their annual performance evaluation conducted in the month of November of each calendar year. Salary increases and pay raise's are not guaranteed to employees, but rather, are based on exceptional performance and budgetary restraints.

STAFF BENEFITS

Benefits Allowance

All full-time staff employees of the Association will be eligible to receive a benefits allowance after they complete their first 90 days of employment. The benefits allowance is provided to full-time employees for the express purpose of procuring, on their own, from options of medical, life, dental, disability, and /or vision insurance coverage's, and/or deposits into an IRA or other types of retirement accounts. The use of this money shall be as the employee desires to acquire these particular coverage's or retirement deposits that best suit their situation. The current Benefits Allowance is 10% of the employee's base rate of pay, and may change from time to time as decided by the Board of Directors.

Employee's receiving the benefits allowance must sign an affidavit agreeing to use this allowance as stated above. Periodic assessments will be done by the CEO to insure this is the use of the allowance. Failure to use the benefits allowance to procure from the benefits listed, may result in termination of the benefits allowance program.

Salary and Pay Bonus

Salary and pay bonuses will be determined on an individual basis

Vacation

Vacation time will be determined on an individual basis at the time of hire.

*Unused vacation time accrued during the calendar year only, will be paid to an employee at their separation from employment, unless said separation is for just cause.

Paid Holidays

See Appendix E-Office Hours and Holidays.

Sick Day's

Salaried Employee's

Sick pay is not provided to salaried employees. Pay is not affected by legitimate illness over reasonable periods of time.

Hourly Employee's

Sick pay is provided to "full time" hourly employees. Sick pay is accrued at 1 day for every 2 months of employment or a maximum of 6 days per calendar year. Sick pay may be used when the employee or family member is legitimately ill. Sick pay is not protected and carried over from one calendar year to another, so any sick time not used during the calendar year, will be paid to the employee at the end of the year as a bonus for excellent attendance.

Maternity Leave

All female and male, salaried and "full time" hourly employees are permitted to take up to 6 weeks maternity leave with protected employment. All employees who exercise this benefit option will not receive pay during the 6 week leave.

All employees may request additional time if a verified medical condition of the mother or newborn exist. Extensions beyond the 6 week benefit period will be without pay.

Extended Sick Leave

All salaried and "full time" hourly employee's which require hospitalization and follow up home recovery, can request extended sick leave for a period up to 6 weeks. Under this benefit option, the employee will receive full pay.

All employees may request additional time if a verified medical condition exists. Extensions beyond the 6 week benefit period will be without pay unless otherwise stated by the Board of Directors.

Berevment Leave

Three days of paid leave will be allotted to all full time employees for deaths of immediate family members. If more leave time is needed, it must be approved by the CEO. Unused but accrued vacation time may also be used as needed.

Travel and Business Expenses

Travel / Mileage Reimbursement

Automobile mileage will be paid at a rate of the current IRS reimbursement when an employee's personal vehicle is utilized for official Association business. A monthly mileage sheet must be kept accurately, and turned into the office at the end of each month.

The Board of Directors must approve air travel.

Business Expenses

All expenses associated with the duties of an employee must have prior approval of the Board of Directors. This shall include Hotel Rate the same only as that offered by the sponsoring association(s), and food at a rate of \$50.00 per day.

STAFF JOB DESCRIPTIONS

Title: Chief Executive Officer / Association Executive - (CEO/AE)

Overview : The **Chief Executive Officer/Association Executive** has a series of primary and secondary duties that enable the development, oversight, legal and ethical operation of the Association. The CEO/AE reports directly to the Executive Committee and Board of Directors, and is responsible for the formulation of strategic planning, operational recommendations, and changes in Policy & Procedures, that are presented to the Executive Committee (EC) and Board of Directors (BOD) for discussion, changes, and passage as they decide. The CEO/AE position is currently full-time.

Primary Duties

1. Oversight management of the Association staff in their duties regarding membership, records keeping, correspondence, education classes and development, fund raisers, meeting planning and set-up, and financial accountability.
2. Insure all taxes and appropriate forms are filed timely. Insure that the President is kept properly and timely informed of same.
3. Development of a strategic plan for the growth of the Association. This will include educating, developing, and promoting benefits of membership to brokers and agents.
4. Developing the Education Center into a profit center for the Association, while identifying new instructors, and programs of study that will benefit membership.
5. Work with committee chair people to schedule, and accomplish their goals for the Association.
6. Make recommendations to the President, EC and BOD regarding proposed changes in operations, office location, program enhancements, school development, promotional ideas, and community PR.
7. Work with Treasurer to prepare budgets for BOD approval, and monitor budget compliance and financial statement preparation. Oversee A/R, A/P, and other receipt or dissemination of funds.
8. Regularly attend and participate in NAR and GAR conventions, AE classes, and
9. training sessions, to enhance CEO/AE education, and attain designations required by the BOD.

10. Prepare and present appropriate training programs for staff and/or Association members that will aid them in their positions.
11. Attend BOD and committee meetings, being prepared to answer By-law, P&P, and Robert's Rules questions. Keep minutes of meetings when necessary, and distribute.
12. Oversee and direct staff members in the performance of their duties as set out by job description, Board of Directors, P&P Manual and/or CEO/AE.
13. Maintain a calendar of events and due dates for the Association and post on web site.
14. Attend and assist meetings held by the Board of Directors, Committees, Association School, and other General or Special Association Meetings in the following ways:
 - a. Work with Staff to schedule appropriate meetings and classes; maintain a calendar of these events; provide appropriate advance notice to potential attendees, and work with staff in planning and set-up.
 - b. Take meeting minutes when necessary, and publish same to appropriate members.
 - c. Provide answers during Board meetings for questions relating to By-Laws, Policy & Procedures, and Robert's Rules Procedures.
15. Handle financial issues, including receivables, payables, staff payroll, dues receipts, annual dues billing, deposits, transfers, printing checks. Perform monthly bank reconciliations, and provide report to CEO, President, and Executive Committee.
16. Monitor compliance with all NAR, GAR, and GREC requirements.
17. Work with Board in education development, and work as an Instructor where qualified.
18. Maintain accurate records of all of the Association's business on the computer system, and hard copy where appropriate. Maintain daily backup of computer system, and security of system and files.
19. Coordinate professional development classes with the committee chair and maintain communication with membership via website, email and social media.

Secondary Duties

1. Perform staff reviews at appropriate times, and make recommendations to EC for annual increases, bonuses, etc.
2. Work with staff in planning, preparation, and promoting special events, including Million Dollar Club banquet, General Meetings, Installation of Officers, Golf Tournaments and other special events of the Association.
3. Coordinate registrations for conventions and activities associated with them.
4. Regular searching of issues involving realtors found in publications, web sites, industry news letters, and other media.
5. Work with Staff and Committees to develop good PR and benefits for Association members.
6. Participate in other duties that are necessary to the efficient operation of the Association.

Title: Administrative Assistant - (AA)

The **Administrative Assistant** has a series of primary and secondary duties that enable the organized and legally required record keeping of applicants, members, and former members of the Association. The following duties of the AA are listed below, but are not to be considered as a complete list, due to the changing needs of the Association. The AA position is currently part-time.

Primary Duties

1. Process applications for Realtor®, and affiliate members.
2. Process and oversee payment plans for annual dues billing.
3. Communicate with Brokers/DR's regarding members who are not in compliance with their payments.
4. Oversee members who need to take the REALTOR® Code of Ethics to ensure compliance.
5. Communicate with Brokers/DR's regarding members who are not in compliance with their Code of Ethics.
6. Enter and maintain computerized files of members.
7. Change information in our systems and NRDS when members transfer to other companies and/or Associations.
8. Act as a liason to committees and perform administrative tasks as needed.
9. Assist GAMLS members with Supra services as needed.
10. Assist CEO/AE with administrative tasks as they arise.
11. Maintain social media accounts for the association.

Secondary Duties

1. Assist with various clerical duties such as answer phones, copying documents, setup and clean up classes and events, faxing, emailing, monitoring office supplies.
2. Participate in other duties that are necessary to the efficient operation of the Association.

Note: Staff titles and responsibilities are subject to change with the growth and needs of the Association as directed by the Board of Directors.

Miscellaneous

Miscellaneous General Policy

Keys to the office shall be issued to staff and other members of the Board of Directors as approved.

Corporate Board stationery will not be issued to Officers, Directors, or Chairs.

Appendices

Appendix A- Meeting Schedule

Appendix B- Organization Chart

Appendix C-Financial Policy and Procedures Manual

Appendix D- Bylaws of the Cherokee Association of Realtors

Appendix E- Office Hours and Holidays