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PREAMBLE

This Policy Manual is to assist the officers, directors, members and staff in the interpretation of the Kent Washington Association of REALTORS® policies.

It is further intended that these policies be reviewed and updated on an annual basis and any inconsistencies, omissions, or provisions not consistent with Bylaws of Kent Washington Association of REALTORS® shall be interpreted in accordance with said Bylaws.

Vision Statement

The purpose of the Kent Washington Association of REALTORS® is to provide resources and support services that will enable its members to maintain high standards of integrity, knowledge, professionalism and community involvement, while protecting the public's right to own, transfer and use real property and to enhance the public's awareness and confidence in REALTORS®.

ADMINISTRATION

DIRECTORS

POSITION TITLE: DIRECTOR

BASIC FUNCTION: The Directors are the policy and decision-making body of the Board of REALTORS®. It is their duty to establish and review major policy general policies and goals of the Association.

SPECIFIC RESPONSIBILITIES:

1. Understand that the membership holds the leadership accountable for competency of governance and accomplishment of the goals of the organization. To that end, the leadership will always make decisions predicated on what is best for the entire organization.
2. It is the responsibility of each Director to notify the Executive Vice President when unable to attend a scheduled meeting. Said notice may be verbal or written but in sufficient time to assure a quorum is present to conduct Association business. Each Director must make every effort possible to be present at every regular and special meeting of the Board of Directors, as well as plan to be present until the close of the meeting. Special meetings may be called by the President, or in his/her absence by the next officer in line. Attendance is a measure of commitment to the Association. Attendance is required for a minimum of 3/4 of the full meeting. Conversely, absence from two (2) regular Board of Directors meetings in an Association year shall be considered as resignation therefrom. Notice shall not be required. Consideration for reinstatement requires that a letter from the resigned Director be presented to the Board prior to the next scheduled regular Board of Directors meeting.
3. If a Director wishes to have a specific issue discussed at a Directors Meeting, he or she shall make every effort to request of the President that the topic be placed on the agenda. Said request shall be at least ten (10) days prior to the Directors meeting.
4. All Directors meetings are conducted in accordance with Robert's Rules of Order, latest edition.
5. A quorum shall be considered in effect when a majority of the Directors are present at the start of the meeting.

6. To serve efficiently, each new Director shall be furnished with a Director's (Leadership) Manual containing the following information and shall thoroughly acquaint himself or herself with said information:
 - A. Bylaws
 - B. M LS Rules and Regulations
 - C. Code of Ethics/Professional Standards Manual
 - D. Organizational Chart
 - E. Miscellaneous information included in Manuals such as record retention policies, job descriptions, procedures, etc.
7. It shall be the responsibility of each Director to keep his or her manual up-to-date with information as approved by the Board of Directors.
8. Each Director may expect to receive Director updates, prior to each meeting. Said update shall include, for example, but not limited to items such as: agenda, meeting minutes, financial statements, and miscellaneous reports. The Board of Directors should limit itself to consideration of such matters as major changes concerning policy, organization, personnel, budget and finance including insuring the fiscal integrity of the corporation; however, never becoming burdened with details which are to be carried out by the proper committee(s) or the proper staff. The Board of Directors is empowered to act on Committee or staff recommendations.
9. The Board of Directors shall approve all committee chairs and members appointed by the President.
10. The Association depends on the experience, knowledge and judgement each Director brings to the Association. Director attendance at Association meetings is required. It shall be the duty of the Directors to keep themselves available for special assignments, supporting all Association activities and attending Association functions.

EXECUTIVE COMMITTEE

In accordance with Association bylaws, the Executive Committee is a subordinate of the Board of Directors. It is delegated all powers of the Board of Directors, with the Board of Directors having the authority to change actions of the Executive Committee.

There shall be an Executive Committee of the Board of Directors, composed of the Immediate Past President, President, President-Elect, Vice President, Treasurer and two (2) members from the Board of Directors as selected by the Nominating Committee and approved by the Board of Directors. This Executive Committee shall make recommendations to the Board of Directors, shall transact business between meetings of the Board of Directors and shall report in full to the Board of Directors at its next meeting.

Membership on the Executive Committee shall be filled in accordance with the Bylaws.

POSITION TITLE: PRESIDENT

BASIC FUNCTION: Serves as chief elected officer of the Association, representing the entire membership. Directs other officers, presides as chairperson over Association actions and acts as chief spokesperson for the Association.

Reports to the Board of Directors.

Elected for a one-year term.

SPECIFIC RESPONSIBILITIES:

1. Presides at all meetings of the Kent Washington Association of REALTORS® the Board of Directors, and the Executive Committee. Makes every attempt to attend all major functions of the Association or shall see that the President-Elect or one of the other Officers attends in his/her absence.
2. Operates within the approved organizational chart. Specifically, acting as Ex-Officio Member to those Committees and Task Forces so designated.
3. Provides a forum whereby Officers and Directors can meet and monitor the activities on the volunteer side of the Association. In compliance with Robert's Rules, President does not take part in debate or comments on motions during the course of debate. President votes only in accordance with Robert's Rules of Order.

4. Schedules and prepares the agenda for the Board of Directors and Executive Committee Meetings.
5. Keeps the Board of Directors, Association committees, and the membership informed on the conditions and operations of the Association.
6. Selects chairpersons in accordance with Bylaws for all committees and task forces of the Association for confirmation of the Board of Directors. Outlines the purposes and duties of the committees and monitors their progress.
7. Directs the Board of Directors in formulating policies and programs that will further the goals and objectives of the Association.
8. Acts as spokesperson for the Association to the public, press, legislative bodies, and other related organizations.
9. Promotes active participation in the Association on the part of the membership.
10. Writes regular articles for publication.
11. Attends various national, state and other meetings as a representative of the Association.
12. Prepares a written Annual report for dissemination to the membership at the Association's Annual Meeting.
13. Presents the Association's Annual Report at the Annual Meeting.
14. Serves as an Ex-officio member of all committees.

15. Represents the Association at all NAR and RIAR meetings and conventions as so directed by the Board of Directors. In addition, the President shall keep the Directors and membership informed of actions taken at these meetings.
 - A. Participates as expected at periodic New England Regional Meetings.
 - B. Serves as a RIAR Director.
 - C. It is the responsibility of the President to make sure that the communication channels are open and working between RIAR and the Association.

POSITION TITLE: PRESIDENT-ELECT

BASIC FUNCTION: Assumes the responsibilities of the President in his or her absence. Assists the President in carrying out the functions of that office and performs specific duties delegated by the President. The President-Elect shall be involved at all levels of the decision-making process and assist the President in overseeing the affairs of the Association.

Reports to the President.

SPECIFIC RESPONSIBILITIES:

1. Assumes the duties of the President in his/her absence, and automatically becomes President in the event of vacancy in the office of President.
2. Operates within the approved organizational chart, specifically, acts as liaison to those committees and task forces so designated, and reports results to the Board of Directors.
3. Provides leadership, in conjunction with other officers, to obtain the best possible performance through committee chairpersons and committee members and assists committees whenever necessary.
4. Reviews all actions of assigned committees, sub-committees and work groups to assure that such actions are in compliance with adopted policies, budget and strategic plan.

5. Represents the Association at local, state and national meetings when so directed by the President and/or the Board of Directors.
6. Serves as a member of the Executive Committee.
7. Should make every effort to participate in state, regional and national meetings.
8. By invitation of RIAR, the President-Elect is expected to attend RIAR Director Meetings as a guest with no voting privilege.
9. In cooperation with Committee Chair, selects a Vice Chair for each Committee.

POSITION TITLE: VICE PRESIDENT

BASIC FUNCTION: Assumes duties of the President-Elect in his or her absence. Performs specific duties delegated by the President.

Reports to the President.

SPECIFIC RESPONSIBILITIES

1. In the event of a vacancy in the office of president and president-elect, the vice president shall assume the duties of the President until a special meeting of the Board of Directors is called for the purpose of filling the vacancies.
2. Serves as a member of the Executive Committee.
3. Provides leadership in conjunction with other officers to obtain the best possible performance through committee chairpersons and committee members and assists committees wherever necessary.
4. Serves as a member of the local and state legislative committees and serves as a liaison to the Board of Directors for those committees.
5. Should make an effort to participate in state, regional and national meetings.

POSITION TITLE: TREASURER

BASIC FUNCTION: Treasurer ensures the integrity of the fiscal affairs of the Association. Serves as the Chairperson of the Finance Committee.

SPECIFIC RESPONSIBILITIES:

1. Ensures that the Association maintains accurate financial records.
2. Ensures that the financial policies are carried out.
3. Reviews Association expenditures and financial status of the Association on a monthly basis.
4. Ensures that monthly financial reports are submitted to the Board of Directors and presents an annual financial report to the Board of Directors.
5. Submits the financial records of the Association to the approved accounting firm for annual review.
6. Works with the Executive Vice President in the preparation of the annual budget for approval by the Board of Directors.
7. Is expected to be available on a weekly basis to sign checks.
8. Serves as a member of the Executive Committee and the Personnel Committee.

POSITION TITLE: EXECUTIVE VICE PRESIDENT

BASIC FUNCTION: Serves as Executive Vice President of the Association.

SPECIFIC RESPONSIBILITIES:

1. Assures that the Board of Directors, Executive Committee and officers are kept fully informed on the conditions of the Board, and on all important factors influencing them. Attends all meetings of the Board of Directors and Executive Committee and endeavors to maintain harmonious working atmosphere.
2. Plans, formulates and recommends for the approval of the Board of Directors basic policies and programs which will further the objectives of the Association.
3. Executes all decisions of the Board of Directors except when other assignment is specifically made by the Association.
4. Develops for purpose of day-to-day administration, specific policies, procedures and programs to implement the general policies established by the Board of Directors.
5. Establishes a sound organizational structure for the headquarters office.
6. Recruits, hires, trains, promotes and terminates staff and administers an effective personnel program which includes position descriptions, performance standards, performance appraisals and a compensation system.
7. Manages the finances of the Association including assisting in formulation of the preparation of the annual budget.
8. Keeps the Board of Directors informed of legal matters pertaining to the operation of Kent Washington Association of REALTORS®.
9. Plans and coordinates meetings of the Board of Directors and the elected officials of the Association, as well as assists with general membership meetings.

10. Provides liaison and staff support to committees to enable them to properly perform their functions. Sees that committee decisions and recommendations are submitted to the Board of Directors for approval when appropriate.
11. Assists, serves, and cooperates with Association President, officers, and directors.
12. Maintains a strong working relationship with other local Associations and the State Association.
13. Participates in activities and programs offered by State and National Associations within the limits of the Association's budget.
14. Submits governing documents annually to National Association of REALTORS® for review regarding compliance with NAR policy.
15. Develops and maintains a publications program which is responsive to the needs of the membership, and serves as supervising editor of the official publication.
16. Assures that all funds, physical assets, and other property of the association are appropriately safeguarded and administered, operating within the approved budget.
17. Assists with membership promotion and retention programs. Collects dues and terminates delinquent members according to the Bylaws and Polices of the Association.
18. Performs a secretarial function for the Association, maintaining official minutes of the Board of Directors, Executive Committee, and other official meetings of the organization, provides security for all files, legal and historical documents, membership and mailing lists.
19. Serves on State and National committees if appointed, when such service is of benefit to the Association.

20. Carries out such other general responsibilities as may be delegated by the Officers or Board of Directors.

POSITION TITLE: EXECUTIVE ASSISTANT AND OFFICE SUPERVISOR

BASIC FUNCTION: Assist the Executive Vice President in the execution of his responsibilities to the Association and in overseeing the implementation of the Strategic Plan goals and strategies:

SPECIFIC RESPONSIBILITIES:

1. Internal Administration
Coordinate front and supervise daily office operations
Provide supervision and support to Membership Administrator and Bookkeeper in day to day activities.
2. Oversee master schedule and calendars, including:
Annual filings, such as annual Secretary of State filing, school license renewal
Association functions, BOD and Executive Committee meetings, Committee meetings
Scheduling education classes, including course submissions and renewals Course submissions and renewal deadlines and classroom rentals
3. Administration of all routine documents and procedures relating to Professional Standards case management administration.
4. Miscellaneous projects to assist Executive Vice President as needed.
5. Assist the EVP with oversight and coordination in the development and execution of publications which serve the needs of the membership, including electronic publications and media.
6. Screen, administer and oversee routine vendor services.

7. Filing, mail procurement, date stamping, postage, sorting, possession of all keys.
8. Backup for Membership Administrator in intercepting screening dispatching, returning, transmitting and recording calls.
9. Record meeting minutes for Board of Directors and Executive Committee when directed by the EVP.
10. Event Preparation
Assist in supervision and execution of all Association programs and events, including the delegation of preparation activities to staff.
Maintain ongoing task list for all Association functions.
Oversee scheduling of hardcopy and electronic invitations Assist in Association events as needed.

REQUIRED COMPUTER SKILLS:

Must be proficient:

- o Windows
- o National Realtor® Data System
- o RAM CO software
- o Convio software
- o Fax software and scanner
- o DigiDoc software

QUALIFICATIONS:

1. Excellent organizational skills, ability to work unsupervised.
2. Ability to perform multiple projects and assignments simultaneously.
3. Ability to work well with others.
4. Ability to communicate effectively with REALTOR® members and the general public.
5. General clerical and office duties.

POSITION TITLE: MEMBERSHIP AND COMMUNICATIONS ADMINISTRATOR

BASIC FUNCTION: Perform all of the duties pertaining to maintaining membership records and member communications.

SPECIFIC RESPONSIBILITIES:

To accurately, record and/or dispense constantly changing Association information with responsibilities including but not limited to the following:

- A. Maintain membership records in RAMCO and National REALTOR® Database System (NRDS)
 1. New Sales Agent Applications Review for Completion Collect Payment
Create Member Record Notify RIAR and MLS
Send appropriate welcome letter with inserts.
Keep track of Provisional Members by notifying them of upcoming required Orientation and COE classes
Send notification when status changes to Active, inviting them to a meeting to be inducted.
 2. Office and Member Changes - daily
Agent/Company adds, drops, transfers, name changes, address changes, suspensions, reinstatements, terminations

3. Dues
 - a. Process annual dues billing in RAMCO and NRDS in coordination with bookkeeper.
 - b. Review/prepare invoices
 - c. Process dues payments in RAMCO and NRDS.
 - d. Mail DR notification with unpaid members prior to November 15th & December 15th.
 - e. Reconcile annual dues payments (with bookkeeper) to be forwarded to RIAR and NAR (by bookkeeper) Reconcile New Member dues collected throughout the year for payment to RIAR and NAR on a Monthly basis.

4. New non-member Sales Agents
 - a. Send invite to join letter with Application and Fees to Sales Agent.
 - b. Send first letter and statement to DR. Follow up with DR with a second notice in 30 days, 30 days later send DR a final notice; 30 days later send a termination letter to DR.

5. New Broker
 - a. Maintain completed broker packages for mailing upon request from New Broker
 - b. Review application and process new office and new broker member in RAMCO and NRDS, mail letter of welcome and notify RIAR and MLS

- B. New Member Orientation Meet and Greet
 1. Notify provisional members with new dates for orientation (and COE classes) via e-mail
 2. Set up and track reservations for Orientation Meet and Greet event through RAMCO.
 3. Generate Certificates, name tags, sign-in sheets and handouts for event.

C. Inductees

1. Keep track of those members eligible for induction.
2. E-mail an invite to both the member and the member's DR to the meeting where inductions will take place.
3. Create Certificates for the inductees registered for the Membership Meeting.

D. Materials

Maintain and organize all new member orientation materials & broker package materials.

E. Association Functions

1. Set up event registration options in RAMCO.
2. Assist in planning/preparing for Associations' functions, mailing lists, reservation data base and sign in file (includes counts, payments and billing of no shows.)
3. Take reservations via e-mail and fax for recording of reservations and payment.
4. Monitor payments with Bookkeeper for invoicing if necessary.

F. Electronic Filing

Update xml and pdf member account files as necessary.

G. Member e-mails

E-mail information updates to membership as needed.

H. Phone calls

Serve as first contact for membership and event registration questions, with backup from other association staff.

I. Committees

1. Take meeting notes when needed for distribution to committee members.
2. Maintain committee rosters for e-mail communications.
3. Add committee meeting dates to Association calendar (s).
4. Send meeting notices to committee members no less than one week in advance of the meeting.

J. Website maintenance

Make updates to kwaor.org website as needed, using Wordpress online software.

QUALIFICATIONS:

- Excellent organizational skills, ability to work unsupervised, ability to perform multiple projects and assignments simultaneously
- Ability to communicate effectively with REALTOR® members and the general public
- General clerical and office

REQUIRED COMPUTER SKILLS:

Must be proficient:

- Windows XP, Vista or Windows7
- RAMCO membership and event functions
- Convio and Wordpress communications software Microsoft Word / Microsoft Publisher
Microsoft Excel

Familiarity with a variety of business software

POSITION TITLE: BOOKKEEPER

BASIC FUNCTION: Maintain all Association financial records.

SPECIFIC RESPONSIBILITIES:

Accounts Payable

Accounts Receivable

Payroll and payroll taxes (monthly and quarterly).

Bank reconciliations

Bank deposits

Tracking membership payments

Tracking Profit & Loss for all events

Maintain records for all of the above.

Transmittal of membership dues to RIAR & NAR

Budget preparation

Maintain inventory of office supplies and place orders when needed.

REQUIRED SKILLS:

Proficiency in Quickbooks Pro and Microsoft Excel

POSITION TITLE: GOVERNMENT AFFAIRS DIRECTOR

SPECIFIC RESPONSIBILITIES:

1. Monitor ordinances submitted to all cities/towns in Kent/Washington Association service area.
2. Analyze potential impact of these proposals of the missions and goals of the Association.
3. Alert Legislative Chairperson and/or President to any proposals that affect membership.

4. Establish, wherever possible, the required mechanism to have the Association office receive Council, dockets, Council and Committee meeting schedules, minutes, etc.
5. As time permits, scan local papers in the Kent/Washington Association service area as to potential issues.
6. Draft letters in support/opposing of various municipal legislation.
7. Monitor activities of the Rhode Island League of Cities and Towns.
8. Be aware of and attain RPAC goals as set by KW AR and RIAR.

SELECTION POLICIES

1. *Guidelines for Selection of Association Counsel*
 - A. Counsel should possess a knowledge of the law as it applies to the real estate industry and trade associations. Counsel should have experience in, or at least a working knowledge of, corporate law, anti-trust, civil rights, municipal law, administrative law, constitution law, and labor law. The attorney must possess a complete awareness of the various risks facing the Association.
 - B. Association Counsel should evidence a clear commitment to providing full service to the Association including not only attendance at meetings of the Association where such attendance is necessary, but also representing the Association at Professional Standards Hearings.
 - C. Association Counsel should be a recognized figure in the community so that counsel is given credibility not only by the Members, but also by the community at large when engaged in counsel's role as legal spokesperson for the Association.

- D. Conflicts of Interest: The Association should be aware of possible conflicts of interest in its selection process. It is preferable if counsel selected is not a REALTOR® or a member of the Association since this could impair the credibility and effectiveness of counsel.

If the selected attorney cannot represent the Association on a particular matter, Association will seek counsel of another attorney, whether representing another Association or practicing locally.

- E. Fees paid to attorney for services are negotiated between attorney and Association.

2. *Guidelines for Selection of Association Accountant*

- A. Accountant should be familiar with State and Federal Tax Laws and 501C-6 (nonprofit business corporation).
- B. Accountant is responsible for: yearend tax returns, financial statements, W -2 forms, FUTA reporting, and consultation/advice as needed.
- C. Fee is negotiated between accounting firm and Association.

COMMITTEES

COMMITTEE CHAIR/VICE CHAIR RESPONSIBILITIES:

- 1. Commitment - In your role, you have the privilege and the responsibility of leadership for the Association. Your commitment to this leadership role is essential to the Association's success in serving our membership.
- 2. Plan of Action - A plan of action should be in place in order to ensure expected results. A plan of action may be determined by mutual consent of the Association Directors, Officers, Committee Chairs, Co-Chairs, and Vice-Chairs.

3. Preparation for meetings - In order to achieve the maximum contribution from the committee, it is imperative that the committee chairperson prepare an agenda before each meeting. The chairperson should review the objectives for the committee and consider timeframes. The chairperson should be prepared to assist the committee members to effectively and efficiently accomplish the meeting objectives.

4. Management of Effective Meetings
 - A. Follow the agenda
 - B. Begin and end on time
 - C. Encourage discussion
 - D. Discourage domination by one or two persons
 - E. Keep discussion on track and recognize limits of the committee's authority
 - F. Do not attempt to promote your individual philosophy, ideas or attitudes

5. Follow Up and Follow Through - Follow up with committee members and staff to monitor progress toward the achievement of the committee's objectives is essential. From time to time, committee members will be asked to perform an activity. Although most members will follow through, it is important that they be contacted by the chairperson periodically to discuss progress. An interested team leader will cause a member to be more motivated. Keeping everyone involved will aid in motivation levels.

6. Goal Setting
 - A. Establish specific committee goals at the very first meeting.
 - B. Review pre-established goals and incorporate into goals.
 - C. Put the goals in writing.
 - D. Provide the President-Elect with a copy of the goals.
 - E. Send out the written goals with the minutes from the first meeting and the agenda for the second meeting.
 - F. Review the progress toward the goals at each meeting.

- G. Have each committee member share and record their individual goals for their contribution to the committee.

7. Guidelines for Goal Setting:

- A. Write down the goals.
- B. Keep the goals simple and specific.
- C. Get agreement from all for a united quest.
- D. Make them achievable.
- E. Make sure they are in agreement with the Strategic Plan.
- F. Make sure they are within your committee's scope - don't step on toes.

8. Budget and Financials

- A. For those committees where planned events, fundraising, or Association monies are involved, a budget must be formulated and submitted as a guide to ensure success of the committee goal.
- B. When a committee charge includes the handling of incoming or outgoing monies to/from the Association, details of such shall be presented to the Executive Committee for review prior to execution of the program.

9. Ethical Considerations

Committees are comprised of a diverse membership group from different Real Estate companies as well as Affiliate companies. This benefits the committees in combining varied outlooks and perspectives in achieving the end result. Committees must not be utilized as an opportunity to promote one's individual business or services, and it is the responsibility of the chairpersons and co-chairpersons to ensure compliance from all members accordingly.

BYLAWS COMMITTEE

Committee Charge/Goal:

1. Maintains a continuing vigilance that the Association's governing documents serve the Association in meeting its goals and objectives.
2. Reviews the Bylaws and recommends amendments to the Board of Directors as required by NAR or recommended by Association officers or operating committees.
3. Reviews Association Bylaws regularly for clarity, enforceability, and practicality.

EDUCATION COMMITTEE

Committee Charge/Goal:

1. Present educational seminars, including those for license re-certification, as well as coordinating presentations of educational content at general membership meetings.
2. Oversee the education budget.
3. Disseminate educational information to Association members.
4. Explore the possibility of establishing an hour-long education program at each General Membership Meeting that qualifies for CE credit.
5. Develop more nuts & bolts courses for new agents

EQUAL OPPORTUNITY/CULTURAL DIVERSITY COMMITTEE

Committee Charge/Goal:

1. Maintain an ongoing program to educate members on Fair Housing Law
2. Explain, implement, and publicize the new Fair Housing Partnership and Resolution.
3. Encourage adoption of the REALTOR® Fair Housing Declaration.
4. Encourage development of local partnerships with HUD field offices, and strive to formalize and publicize its partnership efforts.

FINANCE COMMITTEE

Committee Charge/Goal:

1. Manage the financial affairs of the Association, assuring a sound financial position.
2. Review the financials report for full prior year in and prepare the budget for upcoming fiscal year to be presented to the Board of Directors for review and approval.
3. Assist the Treasurer as needed.

GOLF TOURNAMENT COMMITTEE

Committee Charge/Goal:

1. To plan, organize and conduct the Golf Tournament to benefit a designated charity.

GOVERNMENT AFFAIRS COMMITTEE

Committee Charge/Goal:

1. Meet regularly to review legislative issues which affect the real estate profession, and/or private property rights.
2. Compile and distribute to the membership current rosters of Kent and Washington County's town and city councils and committees, as well as state senators and representatives.
3. Make recommendations to the Board of Directors regarding support or opposition of real estate issues.
4. Chairperson shall serve as liaison between the RIAR Government Affairs Committee and the Board of Directors and membership.
5. Educate and encourage members to support all local, statewide, and national "Calls for Action".
6. Organize any necessary action with regard to political candidacy or issues concerning the real estate profession on the local or state level with, the express direction of the Board of Directors of KWAOR.
7. Develop a Stronger Information Stream to the Members.

GRIEVANCE COMMITTEE

Committee Composition:

1. Members of the committee should be mature, experienced, and knowledgeable. Members are appointed for staggered three-year terms.

2. Three years of REALTOR® membership required to be a Committee member.

Committee Charge/Goal:

1. Receive Ethics complaints and Arbitration requests.
2. Provide preliminary review and screening.
3. Act as “Grand Jury” and follow procedures as outlined in NAR Code of Ethics and Arbitration Manual.
4. Serve as training for future service on Professional Standards Committee.

MEMBERSHIP COMMITTEE

Committee Charge/Goal:

1. Promote membership for new licensees and/or Affiliate members
2. Help develop and coordinate membership activities that promote communication between members.
3. Help identify potential new members and communicate with Membership Secretary.
4. Assist in fund-raising activities outside of RPAC activities.
5. Encourage member participation for all activities.
6. Help coordinate New Member Orientation.

NOMINATING COMMITTEE

Committee Charge/Goal:

Selects for presentation to the general membership the best and most qualified members of the Association to serve as Officers, Directors and State Directors for the next elective term.

PERSONNEL COMMITTEE

Committee charge/Goal:

1. Conducts an annual review of job performance, salaries, benefits, pension plans, etc. offered to Association Staff. The immediate Past President serves as Chairperson. A job performance review may be conducted more frequently if necessary.

2. Make recommendations for policy changes to the Board of Directors.
3. Prepare budget recommendations for the Finance Committee.
4. Ensure adequate staffing to accomplish goals and objectives of the Association.

PROFESSIONAL STANDARDS COMMITTEE

Committee Composition: Three years of REALTOR® membership required.

Committee Charge/Goal:

1. To conduct Ethics Hearings on alleged violations of the Code of Ethics.
2. Recommend to Board of Directors discipline of members who violate the Code of Ethics.
3. Arbitrate monetary disputes concerning brokerage fees between REALTOR® Principals arising out of real estate transactions or as outlined in the NAR Code of Ethics and Arbitration Manual.

PROGRAM /SPECIAL EVENTS COMMITTEE

Committee Charge/Goal

1. To plan and coordinate General Membership meetings, the annual Summer outing, December holiday party, and any other special events.
2. Establish dates and location of these events by January 30th.
3. Consider offering more raffles when legal and appropriate.

PUBLIC RELATIONS/MARKETING COMMITTEE

Committee Charge/Goal:

1. Publicize activities and communicate a strong, positive image of the KWAOR.
2. Plan and implement annual projects which enhance the REALTOR® image in the community.
3. Determine free publicity vehicles, including press releases, to publicize REALTORS® and Association activities.
4. Solicit stories from within the Association membership regarding community or philanthropy involvement.
5. Support the work of the event committees on an as-needed basis.

6. Develop a plan for creating more association and REALTOR® recognition in media.
7. Ensure that the Association receives exposure for the many community service projects in which members are involved.
8. Appoint a workgroup to develop a proposal for an “Ask the REALTOR®” column in the newspaper. *

REALTOR® OF THE YEAR COMMITTEE

Committee Charge/Goal:

1. Select a REALTOR® of the Year.
2. Solicit and receive nominations from the membership recognizing an individual for outstanding contributions in accordance with the criteria set forth in the appendix. The committee is comprised of the five (5) past REALTORS® of the Year. The immediate past REALTOR® of the year will chair the committee and serve on the state committee for selection of the state REALTOR® of the year.
3. Provide information to RIAR regarding the KWAOR REALTOR® of the Year.

RENTAL AND PROPERTY MANAGEMENT COMMITTEE

Committee Charge/Goal:

Keep members who are actively involved in the rental/property management area of the real estate industry aware of the changing marketplace, including new and existing Federal, State and Local laws.

RPAC COMMITTEE

Committee Charge/Goal:

1. Explain and promote the importance and value of RPAC, its purpose, its recognized presence as a national lobbying organization, and how it benefits REALTORS® on a local, statewide and national level.
2. Attain the goals set by NAR, RIAR and KWAOR.
3. Understand legal limitations, procedures and consequences of RPAC fundraising activities.
4. Encourage participation from every member, through fundraising, no matter how small the actual contribution

STRATEGIC PLANNING COMMITTEE

Committee Charge/Goal:

Implement and monitor a plan for the Association which sets forth a course of action for the Association for the next one to three years.

SUNSHINE COMMITTEE

Committee Charge/Goal:

1. Send congratulating, get well, or condolence cards to Association members.
2. Send floral arrangements or other donations (in lieu of flowers) if specified by family of deceased member.

TECHNOLOGY COMMITTEE

Committee Charge/Goal:

1. Develop and maintain up-to-date technology for the Association and its membership.
2. Maintain and enhance the KWAOR website as needed.
3. Solicit and coordinate website advertising.
4. Research and advise the Board of Directors on future technology upgrades and purchases.
5. Make the association and its website a source of valuable information for the public.
6. Encourage more people to adopt the Association's website as their home page.
7. Review the member profile database currently in NRDS Manager to make sure that it provides all the information the Association desires.
8. Conduct a Broker Technology Forum (Tech Thursday for Brokers).
9. Conduct an annual technology member and association evaluation.

MEETINGS

ALL MEETINGS SHALL BE CONDUCTED IN ACCORDANCE WITH ROBERTS RULES OF ORDER (LATEST EDITION)

A. BOARD OF DIRECTORS

1. REGULAR

Board of Directors shall meet at least four times a year.

2. SPECIAL

Special meetings of the Board of Directors may be called at the request of the President or 2 or more Directors. Those persons authorized to call special meetings may set the agenda. Notice must be given 7 days in advance of such meetings.

B. EXECUTIVE COMMITTEE

The Executive Committee meets at the request of the President or any two members of the committee, to review and discuss items to be brought to the attention of Directors.

C. COMMITTEES

Committee meetings are at the call of the committee chairperson and occur on an "as needed" basis.

D. GENERAL MEMBERSHIP

General membership meetings are called by the President on an "as needed" basis.

E. ANNUAL MEETING

The Annual meeting is held in October of each year. Installation of Officers and Directors shall take place at the Annual meeting.

F. GUESTS OF THE ASSOCIATION

The Guests of the Association for meetings are as follows:

1. General Membership Meeting:
President, Executive Vice President, Guest Speaker(s), and required KWAOR staff.
2. Social Functions:
Summer - President and guest, Executive Vice President and guest, RIAR invited staff and required KWAOR staff and guests.
Holiday - President and guest, Association Attorney and guest, RIAR President and guest, RIAR Executive Vice-President and guest, and required KWAOR staff and guests.
3. Annual Meeting:
President and guest, President-Elect and guest, Executive Vice President and guest, Installing Officer and guest, and required KWAOR staff.

G. MEETING AND SPECIAL EVENTS RESERVATIONS

1. All reservations for a KWAOR program, general meeting or event must be made by e-mail, and confirmation will be sent in return.
2. All "no shows" for any KWAOR event requiring a reservation with payment due will be billed.
3. KWAOR maintains a "No walk-ins" policy. Reservations taken within 72 hours of an event are at the discretion of the events coordinator for that event, and must be paid at the time of reservation.
4. Cancellations must be received at least 72 hours of the reserved event in the order to receive a refund.

A. NON-BUDGETED EXPENDITURES

All non-budgeted expenditures in excess of \$500 must be approved by the Executive Committee.

B. CONTRACTS

All contracts approved by The Board of Directors, on the advice and consent of the legal counsel, are signed by the President.

C. CHECK WRITING AUTHORIZATION

All checks, drafts, or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation shall be signed by such officer(s) or agent(s) of the corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors. Two of the following three signatures are required in all checks over \$500:

President, Treasurer, Executive Vice President.

D. DEPOSITS

All funds of the corporation shall be deposited to the credit of the corporation in such banks, trust companies, or other depositories as the Board of Directors may select. No account shall contain funds in excess of \$100,000.

E. RESTRICTED SPECIAL EVENTS FUND CRITERIA

Profit from special events at year-end to be deposited to the Restricted Special Events Fund to be used the following year. Amount to be carried over is not to exceed \$10,000. Amounts over \$10,000 to be placed in the general fund. Any committee needing additional funds up to \$1,000 must make a request to the President and President-Elect for unanimous approval. A committee may request over \$1,000 with the approval of the Executive Committee.

F. PERIODIC REVIEWED AND AUDITED FINANCIAL STATEMENTS

Kent Washington Association of REALTORS® will have Reviewed Financial Statements prepared annually. Every third year an Audited Financial Statement will be prepared in lieu of a Reviewed Financial Statement.

G. RETURNED CHECK POLICIES

1. Upon notification from a bank of any returned check, a letter will be sent to the individual, and the check will be redeposited, if possible. A fee will be charged.
2. If check is returned a second time, second notice will be mailed, and it will be the individual's responsibility to deliver to the Association a cashier's check, money order, or cash to replace the check. An additional fee will be charged.
3. If payment is not made in thirty (30) days from the date of the second notice, a certified letter (third notice) will be sent to the individual stating that failure to pay could result in prosecution. In addition, a regular first-class letter will be sent simultaneously. Letters to be sent in plain envelopes.

Note: If the individual is a member, attempt will be made to personally call the individual prior to the 9-day period when police department must be notified. Member will be given every opportunity to pay outstanding amount.

H. DUES COLLECTION

1. RENEWAL ON OR ABOUT SEPTEMBER 15th - Mail Dues bills
OCTOBER 15th - Dues payment is due
NOVEMBER 16th - DECEMBER 31st - Payment must include \$25 late fee
JANUARY 12th - Termination Letter. E-mail/Letter to DR giving until January 26th to pay dues and late fee or notify Association that member is no longer affiliated. A \$100 reinstatement fee is required for each licensee, in addition to the \$25 late fee.
JANUARY 26th - Terminate the firm

Dues may be paid by check, credit card (VISA, MasterCard or Discover), cash, or electronic check (accepted online only).

REFUNDS: Refunds of dues may be made ONLY if requested in writing prior to start of fiscal year for which dues were paid.

PRORATION: New member dues are prorated on monthly basis.

Dues shall begin on the 1st day of the month in which a member is accepted and shall be prorated for the year.

2. NEW AGENT DUES COLLECTION POLICY

- a. Upon notification from DR or from RIAR of a new agent, an e-mail or letter is sent to the DR with a bill for DR dues. That same day, a letter with an application is sent to the new agent inviting them to join the Association.
- b. Thirty days later, if the application and with dues are not received from the agent, nor the DR's check for DR dues, a second notice is sent to the DR by e-mail.
- c. Thirty days after that if there is still no response from either one, a third and FINAL NOTICE is sent to the DR notifying him/her that, if dues are not paid in 30 days, the DR's membership and that of the entire office will be terminated.
- d. Upon acceptance of membership KWAOR Membership Administrator will notify RIAR Membership Secretary and M LS Bookkeeper by e-mail to add the new agent.
- e. New member dues will be prorated on a monthly basis beginning on the first day of the month in which a member shall be accepted.
- f. If a new agent joins as of December 1, prorated dues for the current year as well as dues for the next year must be paid in full at the time of application.

I. FINANCIAL WAIVERS

1. Sitting President's Annual dues, including the National Association of Realtors®, the Rhode Island Association of Realtors® and the Kent Washington Association of Realtors® shall be waived.

(Adopted August 30, 2017)

2. Sitting Directors attending Annual Meeting and the Annual Installation Event will not be required to pay the Meeting fee.
(Adopted August 30, 2017)
3. REALTOR® of the Year Board Event fees will be waived for the REALTOR® of the Year for that award year. (Adopted August 30, 2017)

J. CREDIT CARD

1. Credit cards are issued to the President, President-Elect and the Executive Vice-President for their use for all expenditures authorized by the Board of Directors.

Cardholder will be personally responsible for any unauthorized expenditures charged to their card including but not limited to all interest penalties and/or legal fees that may be incurred as a result of these actions. Unauthorized uses will be reported to the Board of Directors.

K. EXPENSE REIMBURSEMENT

Authorized expenditures will be reimbursed upon written request, accompanied by receipt(s) as required.

L. PETTY CASH

A maximum of \$100 will be available to be used at Executive Vice President's discretion.

M. CAPITAL EXPENDITURES

Any capital expenditure over \$1000 shall require a minimum of 3 bids before being submitted for approval by the Board of Directors.

N. INVESTMENT POLICY

Objective:

To obtain a high yield on investments while maintaining adequate liquidity and a low risk posture with respect to principal. This policy seeks to establish an investment return by taking a consistent but flexible approach in evaluating reasonable risk against current market conditions. This policy fulfills the fiduciary obligations and the fiscal obligations imposed on leadership of the Kent Washington Association of REALTORS® to use the resources of the Association wisely and well.

Authorized Investments:

The following inclusive list of investments is authorized:

1. U.S. Treasury Bills, Notes and Bonds.
2. U.S. Government backed obligations and/or Mutual Funds.
3. Certificates of Deposit insured by FDIC.
4. Money Market Funds that invest solely in U.S. Government Securities.
5. Banker's Acceptances and short-term investment grade commercial obligations.
6. Investment grade Corporate Bonds and/or mutual funds.
 - Bond specifications. Fixed-income investments may include U.S. Government obligations and their agencies or corporate debt securities rated BAA or better by Moody's or S&P. The weighted average maturity of the portfolio will be at the discretion of the manager but in keeping with the conservatively oriented portfolio. The fix-income portfolio should be diversified with no investment in a single issuer to exceed 10 percent of the portfolio at cost, with the exception of U.S. Government bonds and its agencies. Municipal bonds and foreign bonds are prohibited.
7. Equity Mutual funds.
8. Individual Equities.
 - Stock specifications. Equities may be chosen from the New York Stock Exchange, American Stock Exchange, and National Market System. No minimum market capitalization is required. However, securities should be invested in highly capitalized companies. No more than 5 percent of the portfolio (at cost) should be invested in

any one security or more than 15 percent of the portfolio (at cost) in any one industry.

Implementation:

The composition of the investment portfolio shall be limited to the following ratios of investments:

- 5% Min. or \$10,000 whichever is less Cash 100% Max.
- 0% Min. Bonds 95% Max.
- 0% Min. Government 95% Max.
- 0% Min. Preferred 30% Max.
- 0% Min. Equity 50% Max.

O. ANTITRUST

The Anti-Trust Compliance Policy is on file at the office of the Association Attorney.

P. CORRESPONDENCE

1. INCOMING

All correspondence addressed to and/or intended for KWAOR shall be date-stamped, opened/reviewed and directed to Executive Vice President or appropriate department.

2. OUTGOING

All outgoing correspondence shall be subject to review by or Executive Vice President or President.

3. **STATIONARY**

All correspondence pertaining to KWAOR matters shall be written on Association stationary.

Q. **REVIEW OF KWAOR DOCUMENTS BY MEMBERS IN GOOD STANDING**

The Board of Directors of the Kent Washington Association of REALTORS® (the "Association") has established a procedure for a member (in good standing) to request to inspect any documents owned by the Association. Disclosure of information will not occur if, in the opinion of the Association, applicable laws prohibit. All records are proprietary to the Association and disclosure is not - without consent of the Board of Directors - deemed in the best interest of the Association.

While not required, the Association has established a set of procedural requirements, should a member, in good standing, of the Association request, in good faith and for a demonstrated reasonable purpose, access to any documents owned and maintained by the Association. The procedure is as follows:

1. An appointment should be made by written notification containing the request and outlining what documents they would like access to.
2. The member requesting the review will sign a confidentiality agreement stating the results of the review will not be discussed outside the Association office. *
3. The items will be reviewed on the Association property only.
4. There will be either a Board Member or Committee Chairman in attendance during the review.
5. Absolutely no copies of the inspected information may be made or removed from the Association property without the consent of the Association Board of Directors.
6. Any costs incurred other than the overhead of the Executive staff of the Association and the time of the attending board member will be borne by the member requesting the review or access to the information.

* See Appendix for Kent Washington Association of REALTORS® Member Confidentiality Agreement.

R. REQUESTS FOR MEMBERSHIP ROSTER

Membership Rosters will be available only to REALTOR® members and Affiliate members, without a charge, and will include names, business addresses and business phone numbers only. Rosters are not available to non-members.

S. SOLICITATIONS

1. Solicitations shall be reviewed by Executive Vice President and President and presented to Board of Directors if deemed appropriate for consideration.
2. Charitable Donation Policy: The Kent Washington Association of REALTORS® is a 501(c)6 not-for-profit trade association. As such, we are not a community service organization. However, KWAOR holds the Annual Charity Golf Tournament, which serves as the vehicle for raising funds for donations to a housing-related charity.

T. USE OF KWAOR EQUIPMENT

All Association equipment is primarily for KWAOR use. Under certain conditions, arrangements may be made for non-Association use. A fee may be charged.

U. CLASSROOM RENTAL

The classroom is may be available to be rented for a fee, established by the Board of Directors.

V. ASSOCIATION SPOKESPERSON

The President or other authorized designee shall be the only person allowed to speak as the official representative of KWAOR.

W. ADVERTISING POLICY

1. Advertising space in the 5 Minute Update newsletter and/or on the kwaor.org website is offered to all Affiliate members of the Kent Washington Association of REALTORS® on a first-come, first-served basis.
2. All advertising must be paid in full in advance of the run date
3. Advertising rates are subject to approval by the Board of Directors.

X. KWAOR BROKER CARAVANS

1. In order to be included in a KWAOR Broker Caravan, the property must have an MLS number at the time of the tour.

TRAVEL POLICY

The Travel Policy of Kent Washington Association of REALTORS® is intended to cover the President and/or President Elect and/or Executive Vice President. However, if any officer, director, committee chair or co-chair is personally asked by the President or Board of Directors to attend a meeting outside of Rhode Island, the travel policy will be applicable.

1. CONVENTIONS AND CONFERENCES

Attendance at conferences and conventions will be reviewed annually by the Finance Committee.

The President will attend the following conferences / conventions / meetings that include but are not limited to the following:

The RIAR Leadership Conference

The NAR Midyear Meeting

The RIAR Annual Convention and/or Business Day Conference

The New England REALTORS® Conference (NERC)

The NAR Annual Conference and Trade Expo

The President-Elect will attend the following conferences/conventions/meetings that include but are not limited to the following:

The RIAR Leadership Conference

The NAR Midyear Meeting

The RIAR Annual Convention and/or Business Day Conference

The New England REALTORS® Conference (NERC)

The NAR Annual Conference and Trade Expo

The Executive Vice President will attend all of the above plus the NAR Association Executives Institute.

Each year attendance will be subject to review by the Finance Committee.

2. **EXPENSES**

The Association will reimburse actual costs for all of above as follows. An expense form, as provided by the Association, must be submitted with the request along with all receipts attached. Receipts are required only for expenses over \$25.

- a. Transportation to and from conferences. Travel by car will be reimbursed at the current IRS guidelines.
- b. Hotel Room
- c. Conference Registration
- d. An allowance of up to \$100 per day for miscellaneous expenses.

3. **REIMBURSEMENT**

- a. All unused monies (cash advances) will be returned within thirty (30) days after receiving the advance.
- b. Requests for reimbursement must be made within sixty (60) days of the meeting.
- c. Travel will not be reimbursed to anyone who is being reimbursed by another source.

- d. Any members holding National positions as committee Chair or Vice-chair may apply for reimbursement of expenses to a maximum of \$500 per calendar year.

AWARDS

A. REALTOR® OF THE YEAR

The REALTOR® of the Year Award is presented at the Annual meeting to a REALTOR® member selected by the REALTOR® of the Year Committee. The REALTOR® of the Year represents the Kent Washington Association of REALTORS® as nominee for the Rhode Island Association of REALTORS®, REALTOR® of the Year.

B. RICHARD L. PHIPPS DISTINGUISHED SERVICE AWARD

The Richard L. Phipps Distinguished Service Award is presented to a REALTOR® member in recognition of outstanding and unselfish dedication of time, talent, and energy to the Kent Washington Association of REALTORS® and its members. This award is presented at the Annual Meeting at the discretion of the President and may or may not be presented annually.

C. AFFILIATE AWARD

The Outstanding Affiliate Award is presented to an Affiliate member in appreciation and recognition of unselfish commitment to Kent Washington Association of REALTORS® and its members. The award is presented at the Annual Meeting at the discretion of the President and may or may not be presented annually.

D. LIFETIME ACHIEVEMENT AWARD

Shall be those REALTOR® Members who have been REALTORS® for thirty (30) continuous years and have served as a President of either the Kent County or Washington County Boards or of the Kent Washington Association of REALTORS®.

E. OUTGOING PRESIDENT

The outgoing President is presented with an award of appreciation for service at the Annual Meeting.

F. RETIRED OFFICER/DIRECTOR

A retired officer or director is presented with an award of appreciation for service at the Annual Meeting.

G. COMMITTEE CHAIRPERSON

Committee chairpersons are presented with certificates of recognition at the Annual Meeting.

H. RPAC CERTIFICATES

Any member contributing \$99.00 or more to RPAC will be presented with an RPAC certificate at the Annual Meeting.

PERSONNEL POLICIES

EQUAL OPPORTUNITY EMPLOYER

It is the policy of The Kent Washington Association of REALTORS® to provide equal opportunity in employment for all qualified persons, to prohibit discrimination in employment because of race, color, religion, sex, sexual preference, ancestry, handicap, age, national origin, or political affiliation. This policy is intended to apply to recruiting, hiring, promotions, terminations, and all other privileges, terms, and conditions of employment.

A. EMPLOYEE PROBATIONARY PERIOD AND CLASSIFICATIONS

1. PROBATIONARY PERIOD

For the first 90 days of employment all new employees go through a probationary period. During this time, you may evaluate the Association policies and practices, working conditions, and the requirements and responsibilities of your position while management will be able to evaluate such things as your attitude, capabilities, and on-the-job work habits. Individuals employed during this probationary period are classified as temporary employees. For those members who require the health care benefit, coverage begins on the following monthly enrollment after date of employment.

2. **CLASSIFICATIONS**

The Association maintains three categories of employment: Permanent full-time, permanent part-time, and temporary.

a. Permanent-Full time

Those employees who are hired to work 40 hours or more per week. They enjoy all Association benefits set forth in this handbook.

b. Permanent-Part time

Employees who usually work less than 30 hours a week. These individuals are not eligible for any benefits.

c. Temporary

Employees who work for a period of less than 90 days or on an as needed basis. These individuals are not eligible for any benefits.

3. **FEDERAL AND STATE EMPLOYEE CLASSIFICATIONS**

In addition to the above employee classifications, Federal and State regulatory agencies require that all employees be categorized as non-exempt or exempt employees.

NON-EXEMPT employees are individuals in clerical, secretarial, or similar positions, who do not meet the criteria for exemption from the Fair Labor Act. These individuals must be paid in accordance to specific regulations which are outlined in the following Section B.

EXEMPT employees are those individuals who serve in a bona fide executive, administrative, or professional capacity with the Association, as such terms are defined by the Fair Labor Standards Act. These individuals do not qualify for overtime.

B. **EMPLOYMENT PRACTICES/DAYS AND WORK HOURS**

The office hours are from 9:00 am to 5:00 pm, unless position requires different work hours which must be pre-approved by the Executive Vice-President. In some cases, flex time will be available. All overtime and compensated time must be approved IN ADVANCE by the Executive Vice-President and will not be credited unless previously approved.

1. **OVERTIME**

NON-EXEM PT (hourly or salaried) employees are paid overtime at one and one-half (1 1/2) times his/her regular pay rate for any time worked in excess of 40 hours in any pay week. (Pay week is from Sunday through Saturday) Paid holidays and vacation will be considered when calculating overtime pay, but paid absences and sick time will not be included in any overtime pay calculations. EXEMPT employees are not paid overtime, but are recognized for any work weeks of over 45 hours by compensated time per Section B,3.

2. **EXEMPT EMPLOYEE COMPENSATED TIME**

Employees in exempt capacity are expected to work a minimum of forty (40) hours each week at the office location or an outside location representing the Association. Requests for compensated time will be granted if work exceeds forty-five (45) hours per week.

3. **TIME ACCOUNTING**

All hourly employees fill in their own time card. All time entries must be approved by the Executive Vice-President. Not taking a lunch must be approved IN ADVANCE by the Executive Vice-President. Any fraudulent accounting of hours is grounds for immediate termination.

4. **BREAKS**

Break schedules are on an assigned basis in order to allow coverage of Association functions. A schedule will be assigned by the Executive Vice-President. Breaks are 15 minutes in length.

***Attention to time schedule is a priority. Food and trash are to be cleared away after breaks.

5. **LUNCH PERIOD**

Different lunch periods are scheduled and are not to exceed one (1) hour in length. This is to allow for coverage of Association offices. Extended late lunch is allowable without pay with prior permission. Lunch room is

to be cleaned after each lunch period and each person will clean up after themselves.

6. **PAY DAY**

Employees are paid on a regularly scheduled basis with payroll deductions required by law automatically deducted from paychecks.

C. **TIME OFF**

1. **HOLIDAYS**

The Kent Washington Association of REALTORS® staff shall observe the following holidays. The employees shall receive straight time compensated for such holidays, proportionate to the average number of hours the employee is regularly scheduled to work on that weekday.

New Year's Day

Martin Luther King Day President's Day

Memorial Day

Independence Day

Victory Day

Labor Day

Columbus Day

Veteran's Day

Thanksgiving Day

Christmas Day

Additional days to be observed as holidays or half days are left to the discretion of the Executive Vice-President.

2. **VACATION PROGRAM**

PAID VACATIONS-FORMULA FOR DETERMINING VACATIONS:

All earned vacations must be taken at a time that is compatible with the activities of the Association division you are in and must be approved in accordance with seniority by the Executive Vice-President. Vacations are calculated from date of hire. Formula used for determining vacations:

Accumulated Vacation:	Duration of Employment:
One Week	After one year
Two Weeks	After two through 7 years
Three Weeks	At 8 through 14 years
Four Weeks	At 15 years of service

3. JURY DUTY

If you should receive a jury questionnaire, you should complete it and inform the Executive Vice-President and return the questionnaire to the court. This advance warning will help us plan around your possible absence. If you are called to serve on a federal or state jury, you should immediately notify your Executive Vice-President. You will be excused from work on the days you must appear in court. If released from jury duty prior to noon, you are expected to report to work. Salary payment will continue for up to two tours of jury duty within a five-year period. Any money you are paid by the court for the time you are on duty will be deducted from your salary for that period. To ensure proper compensation, please furnish a copy of your court statement of attendance and pay received for jury duty to the Executive Vice President.

4. BEREAVEMENT

Employees may receive up to three working days off with pay in the event of a death in the immediate family. The immediate family shall be considered to be a spouse, a child, a parent, a parent-in-law, a son or daughter-in-law, or anyone who lives in confines of house.

Employees will receive up to one working day to attend funeral services with pay for a grandparent, grandchild, brother or sister-in-law, niece or nephew, or aunt or uncle.

5. INCLEMENT WEATHER

All cancellations or decisions regarding postponement of arrival time to work or early release of employees from work due to inclement weather will be made by the Executive Vice President and/or President.

Every employee is expected to arrive at work on time whenever possible. However, when opening of work is delayed due to inclement weather, telephone notice of the delayed opening time will be implemented. Staff will be paid for a full day of work as long as they arrive by the delayed opening time as specified. Anyone who does not attend work on that day will not be paid for any portion of that day; hourly employees arriving after the delayed starting time will not be paid for the time between delayed starting time and actual arrival to work. (Early dismissals from work will also be handled consistent with this policy.) However, employees may allocate holiday, sick time, or any approved time make-up approved by the Executive Vice-President for any time off for inclement weather.

For days when work is called off completely, employees will not be paid but will be allowed to make up time lost during the following two-week period. Salaried workers are expected to prepare in advance for these situations to be able to work at home whenever possible.

6. **SICK AND PERSONAL TIME**

Employees will be allotted three (3) paid sick days and two (2) paid personal days with no allowance for either to be carried over.

7. **UNPAID LEAVES OF ABSENCE**

A leave of absence is an absence of more than FIVE consecutive working days for illness or other reasons as defined below. Permanent employees who have completed their probationary period may apply for any one of the following leaves of absence. In the event that leave is necessitated, and where all accrued leave has been utilized, KWAOR will consider three types of leave of absence: Medical, Military, and Personal Leave. Each is described in the following sections.

a. **Medical/Disability/ Pregnancy Leave**

A request for medical leave will be considered if any accident, illness, disability, or pregnancy prohibits an employee from working for 5 or more consecutive working days. Such requests must be accompanied by positive medical evidence that the employee is unable to return to work after a 30-day's absence. Requests for medical leave must be approved by the Executive Vice-President and /or President. Maximum time allowed for this type of absence is 90 days unless authorized by the Executive Vice President and/or President. The employee may apply any or

all accrued days and vacation days to any leave necessitated by illness. The remaining time off will be without pay, but an employee on Medical Leave may continue regular health benefits, i.e. participation in retirement plan and coverage under the group medical program provided the employee makes arrangements for payment of the premium. No vacation time will be accrued during this period. An employee must have a written statement from his/her physician granting approval to return to work. Medical leave does not apply to an employee who is off work because of an accidental injury incurred while on the job.

b. Military Leave

Regular full-time employees who are members of the military reserve will be granted an annual leave of absence to fulfill their military obligations. Any money you are paid by the military for the time you are on duty will be deducted from your salary for that period. Time off without pay will be granted to those who are called to active duty.

Upon completion of the service term, the employee shall be entitled to be restored to his/her previous position or a comparable position in the same status, pay and seniority provided the employee is still qualified. An employee requesting Military Leave should give the Association as much advance notice as possible under the circumstances.

c. Personal Leave

Personal Leaves of Absence may be granted to maintain continuity of service in instances where unusual or unavoidable circumstances require an employee's absence. Personal Leaves are granted without pay and on the assumption that the employee will be available to return to regular employment when the conditions necessitating the leave permit.

A Personal Leave of Absence from active employment in the Association may be granted for the following reasons:

- Illness of a member of the employee's immediate family for 30 days or longer.

- Special cases where temporary discontinuance of employee may relieve hardship to the employee and his/her immediate family.

A Personal Leave is not available to employees with less than one year's continuous service, unless there is a prior agreement in writing to the contrary. The duration of the Personal Leave shall be determined by the Executive Vice-President and/or President. In general, a Personal Leave of Absence is considered a privilege and is not granted automatically. In granting a Personal Leave, the employee's service record and circumstances requiring the leave will be carefully examined. Benefits, seniority and longevity accrued during a Personal Leave are the same as for a Medical Leave above.

8. **DOCTOR/DENTIST APPOINTMENTS**

Notice of time off needed for doctor or dentist appointments should be given as early as possible, but at least 24 hours in advance of the appointment. To the extent practicable, such appointments should be scheduled at times other than normal Association working hours. If this is not possible, the preferable times are either first appointment in the morning or late in the afternoon. Time off may be allowed to be made up at the discretion of the Executive Vice-President and/or President or may be deducted from the employee's accrued personal or vacation time or can be taken without pay. Time card is to be punched and a notation made as to the time-off.

9. **BENEFITS**

- Health Insurance
Health/Dental/Life/and/or Long-Term Disability Insurance coverage is available through approved KWAOR health programs. Employee's participation is voluntary and at their own expenses.
- Workers' Compensation
KWAOR provides worker's compensation in accordance with Rhode Island State Laws.

Tuition Reimbursement

To encourage the continual upgrading of our employees' personal and professional capabilities, KWAOR sponsors a tuition reimbursement program specifically designed to aid you in continuing your formal

education in job-related areas. The only qualifications regarding this policy are that any courses to be taken and paid for by the KWAOR must have a direct effect upon the duties outlined in your job description and must be satisfactorily completed (a “C” grade or better). We have two types of tuition reimbursement programs:

a. Employer Initiated

From time to time management may request that you enroll in specific academic course work or attend educational seminars or other forms of educational programs. In those cases, the Association will pay you in advance for all tuition, books, course material, etc. If you are a non-exempt employee, KWAOR will also pay you during class hours at your regular salary rate. Exempt employees, of course, will not receive additional pay.

b. Employee Initiated

KWAOR will pay up to a maximum of \$400.00 per employee, in a calendar year for tuition, student fees, or books for job related classes for which an employee has received a “C” grade or better (or a “pass” grade in a Pass/Fail class). All courses for which an employee wishes education assistance must be job related and previously approved by the Executive Vice-President and/or President. Education assistance will be paid to the employee when he/she presents course grade and all receipts documenting the employee’s costs for the class. If a person is no longer an employee of the Association at the time of course completion, KWAOR bears no responsibility for any education assistance for that course.

10. **Retirement Plan**

Retirement Plan available through approved KWAOR Retirement Plan. Employee participation is voluntary and at own expense.

D. **COMPANY PERSONNEL PROCEDURES**

1. **PROMOTIONS**

It is the policy of KWAOR, wherever practical, to promote from within the Association. All persons will be considered for promotional opportunities without regard to age, sex, creed, color, sexual preference, or

national origin. Demonstrated responsibilities, of course, weigh heavily upon your being considered for promotions.

2. **CONFLICT OF INTEREST**

It is the policy of the Association to prohibit its employees from engaging in any activity practice or act regarding their employment that conflicts with the interest of the Kent Washington Association of REALTORS®. To that end, employees should avoid situations which create an actual conflict of loyalty or interest. Even the appearance of such a conflict must be scrupulously avoided. Several examples of conflict of interest which should be avoided are set forth below. Since it is difficult, if not impossible, to describe all the situations which may arise involving a potential conflict of interest, any questions concerning a possible conflict of interest should be asked of the President and/or the Executive Vice-President. Any waiver of the enumerated examples below requires prior written consent of the Executive Vice-President, which will become part of the employee's personnel file.

- a. While employed by the Association, no employee should accept full-time, part-time, or temporary employment as either an employee or an independent contractor for any organization which does business with or is a member of the Association.
- b. No employee shall directly or indirectly, utilize information received as a result of his or her employment at the Association, to benefit either himself or herself or another in a manner which is contrary to the Association's objectives.
- c. No employee shall, directly, or indirectly, give, offer, or promise anything of value -including information - to any organization which does business with or is a member of the Association.
- d. If an employee or a member of his/her immediate family has any financial interest (to include payment of a commission) in an organization which does business with or is a member of the Association and the interest is sufficient to affect the employee's decisions or actions, the employee must report the interest to the Association.
- e. Unless disclosed and approved, no employee or member of his/her immediate family may accept gifts or paid personal trips from any person or organization doing or seeking to transact business with or is a member of the Association, under circumstances from which it might be reasonably inferred that the purpose of this

gratuity is to influence the employee in the conduct of the Association business.

- f. No employee shall, directly or indirectly, engage in conduct which is disloyal, disruptive or damaging to the Association, or which gives the appearance of disloyalty.
- g. Employees are not prohibited from accepting advertising novelties such as pens, pencils, calendars, and other gifts of nominal value.

Each employee will be required to sign the attached Conflict of Interest Statement.

3. **PERSONNEL PROBLEMS**

A staff person with a problem that impacts on office work or related to office duties should discuss the problem with the President and/or Executive Vice-President. If the problem cannot be solved at this level, both the individual and Executive Vice-President will have a meeting with the President.

4. **SUGGESTIONS/COMPLAINT PROCEDURES**

KWAOR believes that employees should be able to present valid complaints and suggestions to the EVP without fear of reprisal.

Complaints should be brought to the attention of the EVP, who will work with the employee to try to resolve the situation. However, if an agreeable solution cannot be reached, the employee may contact the next higher level of management, the President. Suggestions should also be directed to the Executive Vice-President, where they will be reviewed in a timely manner and presented to the President for further discussion if necessary.

5. **DISCIPLINARY ACTION**

All new employees are considered to be in a probationary status during their first 90 days of employment. If the employee's work is deemed to be unsatisfactory during that time, the employee may be terminated, or the probation period may be extended for an additional amount of time before a final determination of employment status is reached.

Discipline of employees who have been with the Association longer than the initial probation period for poor performance and violation of any standards of conduct will follow progressive discipline arranged in order

of severity. The decision on which step to take depends on the nature of the violation or performance problem, its seriousness, frequency, and employee's record as determined by the Executive Vice-President and/or President; for example, embezzlement will result in discharge.

- a. Verbal Warning-with memo in file
- b. Written Warning
- c. Probation
- d. Suspension
- e. Discharge

6. **TERMINATION**

a. Voluntary

Any employee deciding to leave the Association should give a minimum of two weeks' notice in writing. The notice should be directed to the Executive Vice-President's attention and should indicate their last day of employment. The employee will receive their final pay check the next regularly scheduled pay day following termination date. All terminating employees will be required to attend an exit interview with the Executive Vice-President. For terminating Executive Vice-President, an exit interview will be required with the President of the Association. Final pay check will include all accumulated comp, vacation, and accrued time.

b. Involuntary

Employees may be terminated for any of several reasons, including, but not limited to, the following:

1. Unacceptable performance.
2. Attendance/tardiness problems.
3. Violation of the Rules of Conduct and other types of misconduct
4. Financial fraud, misuse of company property.

7. **SEXUAL HARASSMENT COMPLAINT PROCEDURE**

It is the policy of the KWAOR to provide an environment for our employees free from any type of discrimination. In keeping with this policy, The Association prohibits sexual harassment of its employees in

any form. Any person witnessing acts of harassment are encouraged to report them in confidence without fear of reprisal.

Some examples of conduct that might be construed as sexual harassment include offensive, sexually oriented language, the display of sexually suggestive material, unwelcome sexual advances, request for sexual acts or favors, and the implication, promise, or threat that an employee's acceptance or refusal of sexual advances would affect any condition or term of employment. Such conduct and any other form of harassment can result in disciplinary action up to and including discharge.

Any employee who has a complaint of harassment should bring the problem to the attention of the Executive Vice-President. If the EVP is the person engaging in the misconduct, then the employee should go to the President with the complaint. All allegations of sexual harassment will be promptly investigated.

8. POLICY CHANGES

Office policies may be changed or added by a majority vote of the Board of Directors of KWAOR.

E. OFFICE POLICIES

1. USE OF CONFERENCE ROOM

After holding a meeting in the conference room, the room is to be rearranged back to its normal format. Area is to be cleaned and coffee utensils returned to the kitchen.

2. MEETING SCHEDULES

Meetings or classes are to be scheduled and the proper dates, times and meeting rooms reserved to ensure no room conflict exists. Any conflicts which arise after scheduling has taken place shall be resolved by the Executive Vice-President.

3. TELEPHONE PROCEDURES

*Answer the phone on the first ring whenever possible.

*Identify the Association and yourself. Good Morning, Kent Washington Association of REALTORS®. This is Jane. May I help you?

*Transfer the call immediately to the proper department and if one individual is requested, transfer to that individual in the following manner - "Mary, Mr. Jones is on line 3."

- *Always attempt to get the caller's name prior to transferring the call.
- *Put a smile in your voice by using basic phrases such as, "Please", "Thank-you", and "You're Welcome".
- *Do not use slang... Use "Yes", "Certainly" and "Of Course" instead of "O.K." or "Yeah".
- *Show interest by using the caller's name.
- *Apologize for errors or delays; be tactful when refusing a request.
- *If a caller does not wish to wait, offer to call him/her back. Be sure to use the HOLD button on your phone.
- *Return to the phone every 30 to 40 seconds with a progress report, "Mrs. Jones, I'm still checking on that for you".
- *Get the caller's attention when you return to the line, "Thank-you for waiting".
- *Be tactful. Give a report; "Miss Jones is away from her desk, may I help you?" - or perhaps, "Miss Smith can help you, may I connect you?"
- *Take accurate written messages. A good message includes the called person's name, the caller's name, time, date and a brief message.
- *Transfer calls only when necessary.
- *Transfer calls only if you are unable to help the caller.
- *Explain to the caller when he is being transferred and to whom.
- *If the caller agrees, use the appropriate procedure. If not, have the appropriate party return the phone call.
- *Terminate calls in a courteous manner.
- *Express appreciation or regret, as appropriate.
- *Say "Good-bye" pleasantly.
- *Let the caller hang up first to be sure he has completed his call.
- *Hang up gently and securely.

4. **REQUISITIONING SUPPLIES**

Any office supplies needed by an employee are to be approved by the Executive Vice-President.

5. **CHANGES (NAME, ADDRESS, ETC.)**

It is the responsibility of each employee to report changes of address, telephone number, marital status, withholding amounts, dependent coverage, etc. to the Executive Vice-President as they occur. This is for your benefit as well as the Association's. All changes will be recorded in the employee's personnel file, and any forms requiring a signature will be distributed to the employee for the completion (such as W 4 forms for changes in withholding amounts).

6. **PROFESSIONAL APPEARANCE**

Since the staff is in constant contact with the public, their dress should reflect a professional attitude. All employees shall wear name badges provided by KWAOR at REALTOR® specific functions.

7. **PROFESSIONAL ATTITUDE**

(COURTESY TO FELLOW EMPLOYEES)

Harmony and cooperation in the office makes everyone's day brighter. Gossip and negative remarks towards a fellow employee will not be tolerated. Employees should report any personnel intraoffice problems to their Executive Vice-President and/or President. Persons who cannot abide by this rule will be disciplined per the DISCIPLINARY ACTION section of this manual.

8. **RULES OF CONDUCT**

Our employees are representatives of the Association and, as such, should conduct themselves in an appropriate manner. We ask that employees respect the rights and privacy of others and, in general, project a professional image with regard to appearance, attitude, and behavior.

The following list, which is not all-inclusive, contains examples of misconduct that are prohibited and which subject an employee to discipline, up to and including discharge:

- Insubordination
- Fighting
- Falsifying any Association records
- Obscene, abusive or disruptive language or behavior

- Indecent conduct
- Possession or use of alcohol or drugs during work hours or on Association property
- Being under the influence of drugs or alcohol during work hours or on Association Property
- Abuse or destruction of Association property
- Threatening, intimidating, coercing, harassing, or interfering with other employees
- Theft or unauthorized possession of Association property
- Possession of weapons on Company property

9. **SMOKING POLICY**

Smoking is NOT permitted anywhere in the KWAOR headquarters building. It is not the policy of this office to allow individuals to take time-off at their convenience to smoke.

KENT WASHINGTON ASSOCIATION OF REALTORS®

It is the policy of the KENT WASHINGTON ASSOCIATION OF REALTORS® to prohibit its employees from engaging in any activity, practice or act relating to their employment that conflicts with the interests or programs of the Association.

While an employee, either full-time or part-time, of the Association, I will avoid situations where there may be an actual conflict of interest and/or an appearance of a conflict of interest.

I have read and understand the “Conflict of Interest” policy addendum to the Employees’ Manual, and agree to comply with it during my employment with the Association.

Employee’s Signature

Printed Name of Employee

Date Signed

AFFIRMATION

THIS EMPLOYEE MANUAL IS NOT TO BE CONSIDERED AN EMPLOYMENT CONTRACT. I understand that any misrepresentation, falsification, or material omission of information on any form or document that I prepare or sign may result in my failure to receive an offer or, if I have been hired, in my dismissal from employment. In consideration of my employment, I agree to conform to the rules and standards of The Kent Washington Association of REALTORS® and agree that my employment and compensation can be terminated at will, with or without cause, and with or without notice, at any time, either at my option or at the option of the Association. I understand that no employee or representative of the Association, other than the President or the Executive Vice-President of the Association, has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the foregoing. In addition, the President or Executive Vice-President of the Association may only alter the at-will nature of the relationship if he/she signs a written statement that does so clearly and specifically.

Employer Signature

Employee Signature

Date

Date

THIS FORM MUST BE SIGNED BY EACH NEW EMPLOYEE AND RETURNED TO THE EXECUTIVE VICE-PRESIDENT.

TO BE SIGNED BY ALL NEW EMPLOYEES
AND RETAINED IN THEIR PERSONNEL FILES.

I hereby acknowledge that I have received and reviewed the KW AR Policies and Procedures Manual, and I am familiar with its contents. I agree to abide by KWAOR policies.

Employee

Executive Vice-President

ACCOUNTABLE EXPENSE REIMBURSEMENT PLAN

Be it resolved, that employees of the Kent Washington Association of REALTORS® be reimbursed for business expenses incurred on behalf of and authorized by the Kent Washington Association of REALTORS® (hereinafter referred to as "authorized business expenses") in accordance with the following criteria:

1. Business Purpose

Authorized business expenses covered by this plan must meet the requirements for deductibility as business expenses under Federal tax law. Such expenses must have been incurred by an employee in connection with the performance of services by such employee on behalf of the Kent Washington Association of REALTORS®.

2. Adequate Substantiation

Any employee requesting reimbursement for authorized business expenses hereunder must furnish to the Kent Washington Association of REALTORS® adequate substantiation of expenses to be reimbursed.

Adequate substantiation shall be accomplished by the timely submission to the Kent Washington Association of REALTORS® of a company expenses reimbursement voucher properly completed in accordance with the substantiation requirements of Federal tax law, together with any relevant documentary evidence required under the substantiation requirements of Federal tax law. Such documentary evidence shall indicate the amount, description indicating the particular nature of the expense, time,

place and business purpose or use of any authorized business expenses and any other necessary, related information.

3. Return of Excess Amounts

Any employee receiving payment from the Kent Washington Association of REALTORS® for an authorized business expense incurred by such employee on behalf of the Kent Washington Association of REALTORS® must return to the Kent Washington Association of REALTORS® within thirty (30) days after the incurrence of any such expense, any amount of such payment that exceeds the amount the employee has properly substantiated relating to such expense.

4. Request for Reimbursement

Any request for reimbursement for any authorized business expense hereunder must be submitted by any employee within ninety (90) days after the incurrence of such expense by such employee. Any request for reimbursement must be submitted via a properly completed and substantiated Kent Washington Association of REALTORS® expense reimbursement voucher and related documentary evidence in accordance with the provision of paragraph (2) above.

5. Reimbursement of Transportation (Automobile) Expense

Authorized transportation (automobile) expenses hereunder shall be reimbursed to an employee at the rate in accordance with IRS guidelines per mile for properly substantiated mileage with an authorized Association related business purposes.

6. Reimbursement of All Other Expenses

All other authorized business expenses hereunder shall be reimbursed in an amount equal to the actual cost thereof incurred by an employee.

7. Advances

In limited circumstances, advances of authorized business expenses to be incurred by an employee on behalf of the Kent Washington Association of REALTORS® may be granted by and at the sole discretion of the Kent Washington Association of REALTORS®. The amount of money advanced by the Kent Washington

Association of REALTORS® to an employee MUST be reasonably calculated not to exceed the amount of anticipated expenditures and made on a day within thirty days of the day that the anticipated expenditures are paid or incurred. The employee receiving such advance must substantiate any related expense to the Kent Washington Association of REALTORS® within thirty (30) days after incurring any such expense and return to the Kent Washington Association of REALTORS® within thirty (30) days any advanced

amount that exceed the amount the employee properly substantiated relating to such expense.

8. Additional Rules

Any reimbursement for expenses hereunder shall be payable to an employee by the Kent Washington Association of REALTORS® either (1) with a check separate and apart from the employee's regular paycheck, or (2) by a separate amount disclosed on the employee's regular paycheck. This plan shall be maintained on a calendar year (i.e. January 1 through December 31) basis and the method of reimbursement enumerated hereunder may not be changed by action of either the Kent Washington Association of REALTORS® or the employee at any time during a calendar year (i.e. once the method of reimbursement is used, it must be consistently followed for the rest of the calendar year).

9. Consequences of Failure

Consequences of failure by an employee to comply with any provision or provisions contained in paragraph 1 through 8 above may, at the option of the Kent Washington Association of REALTORS® render the expenses related to such failure non-reimbursable.

Signature of Officer

Date

Title

APPENDIX

Kent Washington Association of REALTORS® Member Confidentiality Agreement

In the course of reviewing the documents of the Kent Washington Association of REALTORS®, you may obtain or have access to material, confidential and non- public information.

Association members while reviewing Association documents will have access to information, that if revealed to outsiders, could be damaging or sensitive to other members or staff, harmful to the best interests of the organization, or even create legal liability. Information provided a member requesting access to Association documents may concern personnel, financial, contractual, membership or legal matters. It will often be confidential and is intended for use in decision making and governance. Information shall be held in the strictest of confidence and shall not be divulged to any outside party, including other members, without authorization of Board Chair or organization Executive Director.

I acknowledge that I have received and read a copy of the Confidentiality Agreement and that I am responsible for compliance.

Signature

Date

SEVEN AND SIX POINT MEMBERSHIP CRITERIA

7-Point Membership Qualification Criteria

The following 7-Point Membership Qualification Criteria are the most rigorous qualification which may be required by an Association of REALTORS® in the consideration of an applicant for REALTOR® Membership. They were developed by the Membership Policy Committee, National Association, to provide "reasonable and nondiscriminatory written requirement for membership." the 7-Point Criteria and explanatory notes as to their appropriate application have the approval of Legal Counsel, National Association, and were approved by the Association of Directors of the NATIONAL ASSOCIATION OF REALTORS®.

An applicant for REALTOR® membership should supply satisfactory evidence that he has:

1. A VALID REAL ESTATE LICENSE (AND ACTIVELY ENGAGED IN THE REAL ESTATE BUSINESS AND ITS RECOGNIZED BRANCHES).

“A valid real estate license” is intended to mean that applicants for REALTOR® Membership who are sole proprietors, partners, or corporate officers in a real estate firm engaged in the real estate business must maintain a current, valid real estate brokers or salespersons license or must be licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property.

Actively Engaged: The term "actively engaged" in business contemplates that the licensed real estate licensee will have an office for the conduct of real estate business, that such office will be open for business during normal business hours, and that such licensee shall hold himself out to the public as being actively engaged in the real estate business. It does not contemplate that the broker must devote all or even a majority of his time to his real estate business or derive any particular percentage of his income from such business. It does not contemplate that the licensee shall have no other job or occupation. It does contemplate that the licensee shall actively seek real estate business.

Where question arises as to whether or not a licensee "actively engaged" in the real estate business, he shall be given the opportunity to present evidence concerning the actual and intended scope of his business activities. In the event any applicant for membership is rejected on the basis of his failure to be "actively engaged," the Association should promptly seek a declaratory judgement from a Court of competent jurisdiction affirming the propriety of such rejection.

2. A PLACE OF BUSINESS WITHIN Association JURISDICTION.

3. A FAVORABLE BUSINESS REPUTATION IN THE COMMUNITY.

Qualification. By "favorable reputation in the community" is meant that the applicant is not subject to any unresolved charges of civil rights violations, violations of consumer protection laws, violation of the real estate license laws, or other violations of law. It is not intended that "reputation" be evaluated on subjective impressions or hearsay.

4. A SOUND CREDIT RATING.

Qualification. By "sound credit rating" is meant that the applicant is not involved in any pending bankruptcy or insolvency proceedings or otherwise involved in financial problems which could reasonably be expected to jeopardize those persons doing business with him. The evaluation of an applicant's credit rating shall be based on objective data and not on rumor or general reputation for being "slow pay."

5. COMPLETED THE ASSOCIATION NEW MEMBER ORIENTATION.

Qualification. It is presumed that the New Member Orientation to be completed as a prerequisite for membership is confined to the subjects of the Constitution, Bylaws, policies, rules and regulations of the local Association, State Association, and the National Association as well as the Code of Ethics of the National Association. It is not contemplated that completion of the New Member Orientation covering topics included in the licensing examination will be required of qualification.

6. SIGNIFIED HIS INTENTION TO ABIDE BY THE NATIONAL ASSOCIATION OF REALTORS® CODE OF ETHICS.
7. SIGNIFIED HIS INTENTION TO ABIDE BY THE CONSTITUTION, BYLAW S, POLICY, AND RULES AND REGULATIONS OF THE LOCAL Association, THE STATE ASSOCIATION, AND THE NATIONAL ASSOCIATION OF REALTORS®.

IMPORTANT NOTE TO MEMBER ASSOCIATIONS: When an Association declines to accept an applicant on the basis of his failure to satisfy Qualification 1. (actively engaged), Qualification 4. (favorable business reputation) and/or Qualification 5. (sound credit rating), it is recommended to the Association that it seek a declaratory judgement in the civil courts, affirming its decision.

(The local Association Counsel will advise as to the proper form and procedures in seeking a declaratory judgement. The Association is advised that a sample statement or form which may be used for this purpose is included as part of the Model Bylaws suggested to Member Associations).

FURTHER NOTE: It is not required of a Member Association to adopt an incorporate into its Bylaws all of these "7-point Criteria" so long as the criteria adopted are "less" as opposed to "more" restrictive. These criteria represent the "most Rigorous" membership qualifications an Association may have.

SIX-POINT MEMBERSHIP QUALIFICATION CRITERIA OF THE NATIONAL ASSOCIATION.

THE 6-POINT MEMBERSHIP CRITERIA OF THE NATIONAL ASSOCIATION FOR APPLICANTS FOR REALTOR®-ASSOCIATE MEMBERSHIP IN A MEMBER ASSOCIATION OF REALTORS®

(applicable as criteria for considering applicants for REALTOR® membership of individuals who are other than principals of real estate firms, partnerships, or corporations)

The following criteria of membership are identical in purpose with the "8-Point Membership Criteria for REALTOR® Membership" in a Member Association of REALTORS® They are the most rigorous qualifications which may be required by a Association of REALTORS® in the consideration of an applicant for REALTOR®-ASSOCIATE Membership. (It should also be noted that these are also the most rigorous qualifications which may be required in the consideration of an applicant for REALTOR® membership in an ALL REALTOR® Association of an individual who is other than a principal of a real estate firm, partnership, or corporation.) These were developed by the Membership Committee of the National Association to provide "reasonable and nondiscriminatory written requirements for membership." The following 6-Point

Criteria and explanatory notes as to their appropriate application have the approval of Legal Counsel, National Association, and were approved by the Board of Directors, National Association.

An applicant for REALTOR®-ASSOCIATE Membership (or an applicant for membership as a REALTOR® membership who is other than a principal of a real estate firm or corporation) should supply satisfactory evidence that he has:

1. A VALID REAL ESTATE LICENSE (AND ACTIVELY ENGAGED IN THE REAL ESTATE BUSINESS AND ITS RECOGNIZED BRANCHES).

Explanation: "A valid real estate license" is intended to mean that applicants for REALTOR® Membership who are other than sole proprietors, partners, or corporate officers in a firm engaged in the real estate business must maintain a current, valid real estate brokers or salespersons license or must be licensed or certified by an appropriate state regulatory agency to engage in the appraisal of real property.

The term "actively engaged" contemplates that the licensee (if required) affiliated with a REALTOR® member of the Association in good standing is, by virtue of such affiliation, associated with and operates out of an established real estate office within the jurisdiction of the Association, said office being open for conduct of business during normal business hours. It does not contemplate that such salesperson must devote all or even a majority of his time to the real estate business or derive any particular percentage of his income from the real estate business. It does not contemplate that the licensee shall have no other job or occupation. It does contemplate that the individual holds himself out to the public as being actively engaged in the real estate business and does actively seek real estate business.

Where question arises as to whether or not a licensee "actively engaged" in the real estate business, he shall be given the opportunity to present evidence concerning the actual and intended nature and scope of his business activities.

2. EMPLOYED BY A REALTOR® OR AFFILIATED WITH HIM AS AN INDEPENDENT CONTRACTOR.

Explanation: The basic qualification is employment or affiliation with a REALTOR®. The qualification is met by the individual regardless of whether he operates out of the principal office of the REALTOR® or a branch office. However, such individual must first seek and receive membership in the Association having jurisdiction of the area in which the office with which he is associated is located.

3. MUST MAKE WRITTEN APPLICATION FOR REALTOR®-ASSOCIATE/ MEMBERSHIP IN THE ASSOCIATION.

(Such application must be a voluntary act by applicant and cannot be a requirement of the Association).

Explanation: The Association may not require that the salesperson affiliated with a REALTOR® be a member of the Association. Neither can the Association require that the REALTOR® have such a requirement. If the individual does make written application to the Association, the Association may, to the degree it deems desirable, consider the "favorable business reputation in the community" and the "sound credit rating" of the individual.

However, any adverse conclusions in connection with either of these considerations should be objective and should be completely documented to substantiate any adverse conclusion. By "favorable reputation in the community" is meant that the applicant is not subject to any unresolved charges of civil rights violations, violations of consumer protection laws, violations of the real estate license laws, or other violations of law. It is not intended that "reputation" be evaluated on subjective impressions or hearsay. Further, by "sound credit rating" is meant that the applicant is not involved in financial problems which could reasonably be expected to jeopardize those persons doing business with him. The evaluation of an applicant's credit rating shall be based on objective data and not on rumor or a general reputation for being "slow pay."

4. SIGNIFIED HIS INTENTION TO ABIDE BY THE NATIONAL ASSOCIATION OF REALTORS® CODE OF ETHICS.

Explanation: The REALTOR®-ASSOCIATE pledges himself to subscribe directly to the Code of Ethics and to be bound by its obligations, including the duty of membership to submit all pertinent facts to the Grievance Committee of Professional Standards Committee of the Association in any disciplinary or arbitration proceeding, and to abide by the decisions thereof.

5. DIGNIFIED HIS INTENTION TO ABIDE BY THE CONSTITUTION, BYLAWS, POLICY, AND RULES AND REGULATIONS OF THE LOCAL ASSOCIATION, THE STATE ASSOCIATION, AND THE NATIONAL ASSOCIATION OF REALTORS®.

Explanation: By such agreement in his application, the applicant assumes a continuing membership obligation.

6. COMPLETED THE ASSOCIATION ORIENTATION COURSE.

Explanation: It is presumed that the Orientation Course to be completed as a prerequisite for membership is confined to the subjects of the Constitution, Bylaws, Policies, Rules and Regulations of the local Association, State Association, and the National Association as well as the Code of Ethics of the National Association. It is not contemplated that completion of the Indoctrination Course covering topics included in the licensing examination will be required for qualification.

IMPORTANT NOTE TO MEMBER ASSOCIATIONS:

When an Association declines to accept an applicant on the basis of his failure to satisfy Qualifications 1 (actively engaged), and 3 (favorable business reputation and sound credit rating), it is recommended to the Association that it seek a declaratory judgment in the civil courts, affirming its decision.

(The local Association Counsel will advise as to the proper form and procedures in seeking a declaratory judgment. Refer to Part 11, Appendix 5 of this manual, for a sample Form of Petition for Declaratory Relief).

FURTHER NOTE: It is not required of a Member Association to adopt and incorporate into its Bylaws all of these "6-Point Criteria" so long as the criteria adopted are "less" as opposed to "more" restrictive. These criteria represent the "most rigorous" membership qualifications an Association may have.