

## **THE PRESIDIO TRUST PERSONNEL POLICY**

This is the policy of the Presidio Trust in the exercise of its authorities regarding the appointment, compensation, duties and termination of its employees. Consistent with this policy and applicable law, the Trust shall develop an employee handbook. Related operational and administrative guidelines and procedures may be developed as the Executive Director deems necessary or appropriate.

### **STATUTORY BASIS**

The Presidio Trust (“Presidio Trust” or “Trust”) was established by the Presidio Trust Act (16 USC 460 bb, appendix). Section 103(c)(7) of the Act (Staff) states, “Notwithstanding any other provision of law, the Trust is authorized to appoint and fix the compensation and duties and terminate the services of an executive director and such other officers and employees as it deems necessary without regard to the provisions of title 5, United States Code, or other laws related to the appointment, compensation, or termination of federal employees.”

### **HUMAN RESOURCES MISSION**

The Presidio Trust seeks a diverse workforce that is customer-oriented, competent, motivated, innovative, safety-conscious, accountable and committed to teamwork.

### **GUIDING PRINCIPLES**

The following principles shall guide the Trust’s human resources practices:

- **Equal Employment Opportunity:** The Trust is committed to equal employment opportunity and does not discriminate based on an individual’s race, religion, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sexual orientation, age or sex. This policy governs all aspects of employment at the Trust. The Trust will reasonably accommodate an individual’s physical or mental disability.
- **Merit:** The Trust’s personnel practices will be merit based and will be administered in a manner consistent with this policy.
- **At-will Employment:** Employment with the Trust is entered into voluntarily and an employee may resign at any time. The Trust may also conclude an employment relationship at any time with or without cause.
- **Ethics:** Government service is a public trust and each employee has the responsibility to place loyalty to the Constitution, law, and ethical principles above private gain. Trust employees are federal employees and shall adhere to the Standards of Ethical Conduct for Employees of the Executive Branch and related statutes.

- Flexibility: The Trust’s personnel practices will be flexible in responding to the needs of an evolving entrepreneurial organization.

### **IMPLEMENTATION**

The Executive Director may delegate authority and responsibility under this policy by written designation.

The Trust shall create a process for establishing positions.

The Trust shall follow the provisions of the Fair Labor Standards Act (FLSA). The Director of Human Resources shall determine FLSA status (“nonexempt” or “exempt”) for all paid positions.

### **APPOINTMENTS**

All employment with the Trust is at-will. Therefore, an employee may resign at any time. Similarly, the Trust may conclude an employment relationship at any time with or without cause.

The term “appointment” means the initial hire of an applicant to a position within the Trust, as well as any action to fill a vacant position or special need through promotion, reassignment, or detail. Appointments will be made on the basis of qualifications and merit. The Executive Director will make final selections for all appointments based on recommendations from appropriate supervisors, directors and officers.

#### **Appointment Categories:**

*Temporary:* Appointment of less than one year in duration to serve as an interim replacement, to temporarily supplement the work force, or to assist in the completion of a specific project. Temporary employees are ineligible for Trust benefits.

*Term:* Appointment that does not exceed a specified period of time ranging from one year to five years in length. Employees in this category are eligible for Trust benefits.

*Regular:* Appointment without a specified time limitation. Employees in this category are eligible for Trust benefits.

*Full-time/Part-time:* Regular, term, and temporary employees may be hired to work full-time (80 hours per two-week pay period) or part-time (less than 80 hours per two-week pay period).

*Detail/IPA Employees:* By mutual agreement between the Presidio Trust and an employing federal agency or other authorized entities, employees of other agencies or entities may be detailed to work with the Presidio Trust under the Intergovernmental Personnel Act while

retaining their employment status with the agency or entity providing the detail. Similarly, Trust employees may be detailed under the IPA to other agencies or entities.

### **SELECTIONS**

The Trust will make selections based on qualifications and merit without regard to race, religion, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sexual orientation, age, sex or political affiliation. The Trust will reasonably accommodate an individual's physical or mental disability.

### **VACANCIES**

Vacant positions for which external applicants are sought may be publicized on the Trust's public website (<http://www.presidio.gov/>) and may also be publicized in other online and print media.

### **PROMOTIONS**

Promotions shall normally be made through competition. A decision not to compete a promotion shall be made at the discretion of the Executive Director in consultation with the affected division head and the Director of Human Resources.

### **SELECTION OF CANDIDATES**

Selections will be based on an evaluation of the applicants' qualifications against various job and mission related criteria demonstrated by education, training, experience, suitability and information obtained from interviews, work samples, references and/or other sources and on merit.

### **NO MINIMUM TIME REQUIREMENT**

An employee is not required to serve a minimum length of time in his/her position prior to being eligible for promotion.

### **COMPENSATION**

The Presidio Trust will provide compensation that attracts and retains high performing employees. Compensation includes but is not limited to salary, paid time off, benefits for eligible employees, monetary and non-monetary awards, and may include rent credits for employees living in Area B of the Presidio.

### **COMPENSATION DETERMINATIONS**

The Board of Directors shall make compensation determinations and periodic adjustments for the position of Executive Director.

The Executive Director shall consult with the Board regarding compensation determinations and periodic adjustments for the positions of Chief Financial Officer, Chief Operating Officer and General Counsel or their equivalents.

The Executive Director shall make salary determinations and may make periodic compensation adjustments (including annual salary adjustments, bonuses and allowances) for eligible employees, within budget authorities approved by the Board of Directors and based on input from appropriate supervisors, directors and officers.

#### **INITIAL SALARY**

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

#### **RENT CREDITS**

A rent credit, whereby residential rent is reduced by a specified amount, may be offered to an employee in lieu of a portion of salary. A rent credit is available to a Trust employee at the discretion of the Executive Director only when the employee is renting a residence within Area B of the Presidio. A rent credit is treated as taxable income. Although considered as salary, a rent credit is separate from employee pay, has no effect on pay-based Trust benefits, and is not affected by annual pay adjustments.

#### **OTHER COMPENSATION ADJUSTMENTS**

Employee compensation may be adjusted based on individual or team performance. An employee's compensation also may be temporarily increased in recognition of the temporary assignment of higher level and/or additional duties warranting a higher level of compensation.

#### **BONUSES AND ALLOWANCES**

The Trust may provide for the granting of merit and recruitment bonuses and retention allowances.

**Merit Bonus:** An employee who meets the Trust's performance criteria for eligibility may be paid a merit bonus.

**Recruitment Bonus:** A one-time recruitment bonus up to a maximum of 100% of the individual's annual base salary may be paid to an individual to whom an offer of employment has been made if it is the person's first appointment with the Trust and it is determined by the Executive Director that in the absence of such bonus the individual would be unlikely to accept the position. Prior to receipt of the bonus, the individual must sign an agreement to reimburse the Trust for any bonus money received if, for any reason, the employee does not serve the Trust for at least twelve months from the date of initial appointment.

**Retention Allowance:** A retention allowance up to a maximum of 50% of the employee's annual base salary may be paid to an employee likely to leave Trust service where the employee's unusually high or unique qualification or the Trust's special need for the employee's services makes it important to retain the employee.

#### **TEMPORARY PAY RETENTION**

If a regular or term employee is placed in a lower paying position as a result of a management action, including but not limited to reassignment, reorganization, change in duties, or reclassification of the employee's position (and not for cause or at the employee's request), then

the Trust may offer temporary pay retention. Under temporary pay retention, at the Executive Director's discretion, the employee's current rate of pay may continue, but future pay adjustments for the employee will be made in a manner that will result in the achievement, within a time period that the Executive Director specifies, of a pay rate that is appropriate for the work performed.

**SEVERANCE PAY**

The Executive Director, in consultation with appropriate supervisors, directors and officers, may offer severance pay.

**OVERTIME AND PREMIUM PAY**

The Trust shall follow overtime and premium pay regulations covering federal employees.

**CLASSIFICATION**

The Trust will use established federal occupational and job codes to identify and classify Trust positions. The Executive Director has discretion to determine position titles.

**PAY BANDS**

The Trust will use a broad pay banding approach to compensate employees. The Trust will use two sets of pay bands. One set is for administrative, technical and professional positions, their supervisors, and managers; and the other set is for trades positions and their supervisors. The Trust will assign each position to a pay band. Each band contains a broad, generic occupational description which defines work that is similar in complexity and degree of responsibility.

Each pay band provides the salary range (pay plus rent credit, if any) for a position assigned to that pay band. When an employee receives a rent credit, the amount of the rent credit is considered as salary within the pay band.

The Board shall establish a salary range for each band that is appropriate for careers within the band. The Board may adjust employee pay and the salary ranges for pay bands through the annual budgeting process. In making the salary adjustment decision, the Board may consider such factors as it deems reasonable including: 1) the availability of funds, 2) the competition in the recruitment and retention of employees and 3) the pay rates for similar positions in other organizations.

**PAY BANDING STRUCTURE**

The Trust has established six pay bands for administrative, technical, and professional positions and their supervisors, and managers.

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

Band 5	Senior Level Managers
Band 6	Senior Executive Positions

The Trust has established three pay bands for trades positions and their supervisors.

Band 1	Laborer, Semiskilled Trades, Helper, Apprentice, and Sub-Journey Level Trades, Motor Vehicle Operators, and Gardeners
Band 2	Journey-Level Trades, Machinery and Equipment Operation/Repair/Maintenance; Leading/Supervising Band 1 Employees
Band 3	Leader or Supervisor of Journey-Level Trades

### **POSITION DESCRIPTIONS**

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

- Essential functions
- Supervisory responsibilities
- Qualifications

### **PAY BAND CHARACTERISTICS**

#### **Administrative, Technical, and Professional Pay Bands**

##### **Band 1            Clerical Support**

Employees assigned to positions in Band 1 perform a range of routine entry level clerical work (e.g. filing, completing forms, and receptionist work) up to the full performance level where more complex clerical, administrative, and technical support work is performed. This Band also includes student Interns. Typically, the incumbent must use personal computers and specific software. Work ranges from duties that are performed under immediate supervision with little or no latitude for the exercise of independent judgment (such as the simplest routine work in office, business, or fiscal operations, or elementary work of a subordinate technical character in a professional, scientific, or technical field), to difficult and responsible work that includes duties performed under general supervision involving the exercise of independent judgment in the performance of office, business, fiscal administration, or comparable subordinate technical work in a professional or technical field requiring considerable training, broad working knowledge of special and complex subject matter, procedures, or practices, or the principles of a profession.

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

Employees assigned to positions in Band 2 perform full performance level technical support duties such as auditing vouchers for payment, conducting preliminary review and analysis, or performing entry level and developmental administrative or professional work (e.g., program

analyst, grants). Typically, specific experience in work directly related to duties is required, and/or education above high school level. Work ranges from duties that barely exceed those described in Band 1, to highly difficult and responsible work performed under general supervision along special, technical, or administrative lines in office, business, or fiscal administration requiring a demonstrated capacity for sound, independent work and the exercise of independent judgment, and a thorough and fundamental knowledge of a specialized subject matter or the profession involved.

### **Band 3 Full Performance Level Professional/Administrative**

Employees assigned to positions in Band 3 perform a range of program officer or administrative specialist work requiring full performance level competencies, are subject matter experts in a specialized area, plan/organize program activities, conduct analyses and review of agency functions, serve as project team leader on an ad hoc basis, or serve as a supervisor (first-line or higher) of an administrative or professional staff. Typically, Band 3 positions require work experience and/or education that is directly related to the duties of the position and that demonstrates the knowledge, skills and abilities to successfully perform the work. Work ranges from duties that barely exceed those described in Band 2, to work of unusual difficulty and responsibility requiring extended technical, professional, or scientific training and experience, with wide latitude for the exercise of independent judgment.

### **Band 4 Expert Administrative and Professional and Management Positions**

Employees assigned to positions in Band 4 perform expert, highly technical, consultant or complex administrative and professional work; develop technical guidance, policies or procedures for a specialized program area; ensure program, budget, or legal compliance; and/or determine and recommend management action to resolve problems or improve efficiency or effectiveness of operations. They represent a level of expertise to other agencies or organizations; provide recommendations that are considered authoritative; may serve as project team leaders with project management and technical review responsibilities for a small staff; and plan, coordinate and direct phases of major projects or comprehensive programs. Work ranges from duties that barely exceed those described in Band 3, to work performed under general administrative direction with very wide latitude for independent judgment along special, technical, administrative or professional lines, or to plan and direct or plan and execute specialized programs of marked difficulty, responsibility, and significance.

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

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

## **Band 5            Senior Level Managers**

Employees assigned to positions in Band 5 are responsible for management of a significant agency program or multiple programs that have impact agency wide. These managers may be called upon to represent the agency before the public, other governmental agencies, and outside organizations.

Employees assigned to Band 5 also include attorneys providing advisory services on critical and complex business, administrative, and programmatic issues.

## **Band 6            Senior Executive Positions**

Employees assigned to positions in Band 6 are the General Counsel, the Chief Financial Officer, and the Chief Operating Officer (or their equivalents who may have other titles) and designated Directors. These executives make significant policy recommendations and maintain the authority to direct subordinate staff and/or outside consultants. These executives are responsible for directing the agency's major program areas and providing advice and counsel directly to the Executive Director and the Board of Directors.

## **Trades Pay Bands**

### **Band 1            Laborer, Helper, Apprentice, and Sub-Journey Level Trades, Motor Vehicle Operators, and Gardeners**

Employees assigned to positions in Band 1 perform duties in positions that are assigned (1) manual labor (e.g., manual lifting and/or using a variety of common hand tools to perform straightforward tasks requiring moderate to heavy physical effort); (2) full performance work in semi-skilled positions where a variety of power tools, appliances and equipment (stationary and mobile) are used; (3) work assisting journey-level trades employees; (4) developmental work in a training/apprenticeship capacity; (5) work in a skilled trade at a sub-journey level; (6) motor vehicle operations and (7) gardener-level work in landscape maintenance. Relevant experience or training may be required. The incumbent usually must maintain a driver license and be able to drive light vehicles. For some occupations, licensing or certification must be acquired and maintained.

### **Band 2            Journey-Level Trades, Machinery and Equipment Operation/Repair/Maintenance; Leading or Supervising Employees in Band 1**

Performs journey-level work in one or more specific trades, including but not limited to automotive/equipment repair, carpentry, low and high voltage electricity, engineering equipment operation, HVAC installation and repair, masonry, painting, pipefitting, plumbing, water treatment plant operating, welding, or similar occupations. This Band includes leading or supervising Band 1 employees. Typically, specific related experience and/or vocational training are required. For most occupations, the incumbent must maintain a driver license and be able to

drive light vehicles. For some occupations, licensing or certification must be acquired and maintained

### **Band 3      Leader or Supervisor of Journey-Level Trades**

This band includes leading or supervising (including second level supervising) crews that include at least three Band 2 employees. Typically, specific experience and/or vocational training directly related to duties are required. For some occupations, licensing or certification must be acquired and maintained. For most occupations, the incumbent must maintain a driver license and be able to drive light vehicles. For some occupations, licensing or certification must be acquired and maintained.

### **BENEFITS**

The Trust shall provide a comprehensive and competitive benefits program for eligible Trust employees and shall determine the procedures for administering such benefits. The program shall include the following:

#### **INSURANCE PROGRAMS**

##### **Health Insurance – Medical, Dental, and Vision Care**

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

##### **Life Insurance**

The Trust shall offer life insurance to eligible employees. The Trust shall cover the cost of premiums for Basic Life insurance under the Federal Employees' Group Life Insurance Program (FEGLI) to insure the employee, subject to annual budget approval.

##### **Disability Insurance**

The Trust shall offer disability insurance to eligible employees. The Trust shall cover the cost of premiums to insure the employee, subject to annual budget approval.

##### **Workers' Compensation Insurance**

Trust employees shall be covered by workers' compensation insurance under laws and procedures covering federal employees administered by the Department of Labor's Division of Federal Employees Compensation, Office of Workers Compensation Programs.

#### **LEAVE PROGRAMS**

##### **Vacation Leave**

Eligible full time employees accrue vacation leave based on the amount of creditable federal service they have completed. Creditable service is determined using established leave accrual regulations for federal employees.

**Personal Leave**

Eligible full-time employees shall be granted 24 hours of paid personal leave each year to conduct personal business. Eligible part-time employees shall accrue personal leave on a prorated basis.

**Sick Leave**

Eligible full-time employees shall accrue sick leave at a rate of 4 hours per pay period. Eligible part-time employees shall accrue sick leave on a prorated basis.

**Advance Leave**

Employees may be granted advance annual and/or sick leave. The Trust will administer advance leave in accordance with established leave regulations covering federal employees.

**Leave Donation (Leave Share)**

The Trust may establish and administer a Leave Share Program whereby Trust employees may donate annual leave to other Trust employees for use during a medical emergency. The Trust will administer its Leave Share Program in accordance with established leave regulations covering federal employees.

**Holidays**

Trust employees shall receive all paid holidays commonly authorized for employees of other federal agencies.

**Family and Medical Leave**

The Trust shall offer family and medical leave subject to the terms of the Family and Medical Leave Act (FMLA) and other leave regulations covering federal employees facing family and medical emergencies.

**Bereavement Leave**

The Trust shall grant up to 40 hours of bereavement leave in the event of the death of an immediate family member. Regular and term employees shall receive paid leave; temporary employees shall receive unpaid leave.

**Military Leave**

The Trust shall grant unpaid military leave in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

**Court Leave**

The Trust shall provide paid leave to serve on a jury. Employees will receive paid time off if testifying or appearing on behalf of the Trust. If an employee receives a subpoena unrelated to Trust business, he/she is not eligible for court leave, but must request the use of accrued annual leave, compensatory time, personal days, or leave without pay to cover the absence.

**Leave without Pay**

The Executive Director, in consultation with appropriate supervisors, directors and officers, has discretion to grant leave without pay to employees

**RETIREMENT PROGRAMS**

The Trust shall participate in federal retirement system programs.

**FLEXIBLE SPENDING PROGRAMS**

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

**RECORDKEEPING**

The Trust will maintain a system of personnel records in conformance with federal regulations covering recordkeeping for federal employees.

**DISPUTE RESOLUTION**

The Trust shall establish appropriate dispute resolution procedures.