



Annual Meeting of the  
**Cuyahoga Arts & Culture Board of Trustees**  
Cleveland Public Library: Main Branch, Louis Stokes Wing, 2<sup>nd</sup> Floor  
325 Superior Avenue, Cleveland OH 44114  
**Wednesday, April 17, 2024 – 4:00 p.m.**

- 1. Call to order**
  - a. Call to order
  - b. Call the roll
  - c. **Action:** Swearing in of Trustees
  - d. **Action:** Motion to approve February 15, 2024 minutes
  - e. **Action:** Nomination and Election of Officers
  
- 2. Public Comment on Today's Agenda**
  
- 3. Executive Director's Report**
  
- 4. Action Items and Reports – Grantmaking**
  - a. **Action:** Approval of 2025 Project Support guidelines
  
- 5. Action Items and Reports – Finance and General Business**
  - a. Finance Report
  - b. **Action:** Appointment of members of the Audit and Finance Advisory Committee
  - c. **Action:** Public Records Manager Designee
  - d. **Action:** Approval of Employee Manual (updates)
  - e. **Action:** Appointment of two CAC Trustees as ex-officio voting board members to the nonprofit Assembly for the Arts
  
- 6. Update: R Strategy Group and Assembly**
  
- 7. Public Comment on CAC General Business**
  
- 8. Adjourn**

Next Regular Board Meeting: September 11, 2024



**Minutes of the Regular Meeting of the Board of Trustees**  
Thursday, February 15, 2024

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A regular meeting of the Cuyahoga Arts & Culture (CAC) Board of Trustees was called to order at 4:03 p.m. at The Children’s Museum of Cleveland, 3813 Euclid Avenue, Cleveland, OH 44115.

The roll call showed that Trustees Blakemore, Isenhart, Mendez, Scott Taylor, and Sherman were present. It was determined that there was a quorum.

Also in attendance were: Jill Paulsen, Executive Director, and CAC staff. Museum Director Maria Campanelli made welcome remarks.

**1. APPROVAL OF MINUTES**

Action: Motion to approve minutes of the December 13, 2023 Board of Trustees meeting.

Motion by – Trustee Isenhart

Second by – Trustee Scott Taylor

Discussion: Trustee Sherman stated she did not agree with how the minutes were prepared.

Vote to approve the minutes of the December 13, 2023 Board of Trustees meeting.

Ayes: Blakemore, Isenhart, Mendez, Scott Taylor.

Nays: Sherman.

The motion carried.

**2. PUBLIC COMMENT ON MEETING AGENDA ITEMS**

Sean Watterson, Owner of Happy Dog

Amber Rogers, Executive Director, Local 4 Music Fund

**3. EXECUTIVE DIRECTOR’S REPORT**

Ms. Paulsen thanked everyone for joining her and the Board. Ms. Paulsen’s remarks can be found [here](#).

**4. REPORTS – Finance and General Business**

Ms. Meg Harris, director of administration, provided the financial update. The finance report can be found in the Board materials [here](#).

## **5. REPORTS – GRANTMAKING**

Mr. Jake Sinatra, director of grantmaking strategy and communications, presented an overview of the Project Support 2025 grant program. Highlights included the following:

- The program will continue to be open to new applicants.
- There are no anticipated policy changes to the guidelines.
- As always, CAC will aim to streamline and simplify the process.
- The option to bypass the full application and panel processes and receive 2025 funding will again be available to some current grantees.
- 2025 grant recommendations will be presented to the Board at its November 2024 meeting.
- CAC collects data on an ongoing basis and uses it to inform revisions to the grant program.
- A public feedback period on the draft guidelines will be open for several weeks in March 2024.

## **6. OTHER BUSINESS**

Mr. Jeremy Johnson, President & CEO of Assembly for the Arts, and Jeff Rusnak, President & CEO of R Strategy Group, provided an update on the current advocacy efforts for additional public funding for the arts nonprofits. Highlights of the report are:

- The campaign is moving forward.
- Targeting November 2024 election but no decision has been made yet; this is a recommendation.
- The amount of the tax needs to be determined.
- The ballot language is prescribed in the Ohio Revised Code; it dictates how the money can be used.
- Community engagement, outreach and research will be done.
- A case will need to be made in support of the levy.
- Action by the CAC Board and by Cuyahoga County Council will need to take place in Q2 this year.
- CAC will play a role in educating the public regarding the benefits of public funding for the arts.

## **7. PUBLIC COMMENT**

None.

## **8. ADJOURNMENT**

Trustee Mendez recognized and thanked Trustee Sherman for her three terms on the CAC Board.

A motion was made to adjourn the meeting.

Motion by – Trustee Isenhart

Second by – Trustee Scott Taylor

Vote: Ayes: Blakemore, Isenhart, Mendez, Scott Taylor, Sherman.

The motion carried. The meeting was adjourned at 5:00 pm.

The next meeting will be held at 4:00 pm on Wednesday, April 17, 2024 at the Cleveland Public Library Downtown Branch - Louis Stokes Wing, 325 Superior Avenue, Cleveland, OH 44114.

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Karolyn Isenhart, Secretary, Board of Trustees

# Executive Director's Report

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April 17, 2024

Welcome to Cuyahoga Arts & Culture's 2024 Annual Meeting.

The meeting will start with the swearing in of two Board members:

- Karolyn Isenhardt (reappointment)
- Leonard DiCosimo (appointment)

We thank both Karolyn and Leonard for their willingness to serve our agency. As a reminder: CAC's five board members are uncompensated and serve three-year terms. While CAC is an independent political subdivision of the State of Ohio, Cuyahoga County nominates and confirms all CAC Board members.

At its annual meeting, this Board will also elect a 2024 slate of officers, as well as handle other regular administrative matters.

The grantmaking team is pleased to be bringing forward the 2025 Project Support guidelines for the Board's approval. There are no recommended policy changes. Our focus continues to be on simplifying the application process, while managing within our decreasing revenues. See the Staff Report and the Project Support memos in this packet for additional information.

While not on the agenda for this meeting, other items of note:

- Our 2024 Grantee Connect Series is underway. This follows on our commitment to hold open and inclusive listening sessions this year as we plan for CAC's future grantmaking. See the Staff Report for additional details.
- Positive momentum continues as we work alongside Assembly to plan for a potential November 2024 levy. There is no Board action being taken at today's meeting; we anticipate holding a special meeting in the coming months to take action on CAC's role in this process.

I appreciate your attention to matters before the Board today.

Respectfully,

Jill Paulsen  
Executive Director

# Updates from CAC Staff

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April 17, 2024

CAC's work is rooted in our [10-year community planning process](#) that identifies the two constituents that we must serve as: 1) nonprofit arts organizations; and 2) the residents of Cuyahoga County. Every year, staff creates a [work plan](#) that is grounded in this framework and CAC's [Mission, Vision & Values](#).

What follows is a brief update on the progress made since the last Board meeting in February.

## 1. GRANTMAKING: Connecting with and serving nonprofit organizations

### **Core Grants: General Operating Support, Cultural Heritage, Project Support**

2023 General Operating Support, Cultural Heritage, and Project Support grants are complete. Staff has reviewed and provided feedback on all reporting requirements and issued final payments accordingly. A summary of trends from 2023 General Operating Support grantees can be found in a blog post [here](#).

2024 General Operating Support, Cultural Heritage and Project Support grants are underway. Staff issued initial payments and are working to develop mid-year reporting requirements. Grant managers are conducting regular site visits with their grantees, and the full grantmaking team is holding monthly team visits with a variety of grantees in 2024.

### **Planning for 2025 Project Support**

For the 2025 grant application cycle, CAC is recommending [no policy changes](#) to the Project Support grant program. See the memo and draft guidelines for additional details and Board action. Pending Board approval, CAC will launch the 2025 Project Support grant opportunity in early May. *Note: General Operating Support and Cultural Heritage are in the first year of a two-year grant cycle and will not be accepting new applicants in 2024.*

### **Grants to Nonprofits for Artist Support and Resident-Led Arts & Culture**

[Assembly for the Arts](#) launched their 2024 Support for Artists grant program, supported by a \$500,000 CAC grant. The grant supports Assembly's design and management of the program, which includes a variety of project-based and flexible funding opportunities for artists, in addition to other types of support.

Following Board approval in December 2023, CAC worked with Assembly to establish key benchmarks and deliverables for the grant, as well as to ensure compliance with state and federal law. The grant agreement was issued and signed in early April, and the program details are available [here](#). Assembly will also launch an artist advisory cohort in 2024, as part of the grant, to inform their programming.

[ioby](#)'s CAC Match Fund is offering dollar-for-dollar matching for up to \$3,000 for a project that brings arts and culture to Cuyahoga County residents. Match funding is available on a rolling basis throughout 2024; 12 projects have been fully funded to date. See projects currently fundraising at [ioby.org/cac](https://ioby.org/cac).

[Neighborhood Connections](#) is co-funding resident-led arts and culture projects in 2024 with a grant from CAC. The first "action grant" deadline was in February, and Neighborhood Connections held the first of four Arts & Culture Network Nights in 2024 on March 27; the next one will take place on June 26.

### **Technical Assistance & Grantee Feedback**

Staff are preparing a variety of technical assistance opportunities, workshops (virtual and in-person), and other materials to help applicants and grantees succeed in 2024. View upcoming workshops and deadlines [on our website](#).

In March, CAC launched the “2024 Grantee Connect Series,” to provide our nearly 300 grant recipients with opportunities to connect and provide feedback to CAC. The goal of the series is to build connectivity among CAC and our grantees, gather data to shape our grantmaking, and help inform plans for the future. The series began with a robust online survey, facilitated by an external research firm, to gather benchmark data about CAC’s grantmaking today and in the years to come. The survey is set to be completed in mid-April. In the coming months, CAC will hold grantee meetups to share results and hold space for connection.

## **2. COMMUNICATIONS: Connecting with residents**

### **Sharing the Impact of Public Funding**

In 2024, CAC will create several tools for our grantees to tell the story of how public funding from CAC has impacted their organization and community. The tools include:

- an updated suite of “ads” that can be shared in program books, flyers, digital assets, and on social media to acknowledge CAC funding;
- CAC’s 2023-24 Report to the Community, which will launch in June; and,
- ongoing promotion of ClevelandArtsEvents.com – managed in partnership with Assembly – which provides a broad range of opportunities for the public to connect with CAC-funded events.

**Media Placements.** In addition to consistent crediting for Cuyahoga Arts & Culture in the media by our partners, below is a sampling of recent media clips focused on CAC’s work:

- [Renewal of Cuyahoga County’s cigarette tax for arts funding is crucial - cleveland.com](#)  
February 8, 2024
- [Cuyahoga Arts & Culture still eyeing November cigarette tax renewal | Ideastream Public Media](#)  
February 15, 2024
- [Cuyahoga County Executive Chris Ronayne nominates Vernaci, DiCosimo to Cuyahoga Arts and Culture board - cleveland.com](#)  
March 6, 2024
- [Former Playhouse Square CEO, musicians labor leader nominated for Cuyahoga Arts and Culture board | Ideastream Public Media](#)  
March 6, 2024

### 3. EFFECTIVE TEAMWORK AND OPERATIONS

#### **Connecting with Community and Building Our Capacity**

CAC staff presented at or participated in the following workshops, peer groups, and trainings:

- Local Arts Funders + Intermediaries, Jill Paulsen
- Creative Ohio Regional Directors, Jill Paulsen
- Greater Cleveland Funders Collaborative (GCFC) – Data Equity Working Group, Julia Carey
- United State Urban Arts Federation National Directors, Jill Paulsen
- Regional “Rustbelt” Communications Peer Group, Jake Sinatra
- Philanthropy Ohio – The Future is Trust Based: A community conversation, Dayvon Nichols
- Philanthropy Ohio – Responsible Adoption of AI in philanthropy, Dayvon Nichols
- Philanthropy Ohio’s Nonprofit Finance Essentials – Grants Team
- Candid’s Meet the Arts Grantmakers – Grants Team

#### **Effective Teamwork and Operations**

##### Core Racial Equity Group (CREW) Updates

CREW is an internal advisory body to CAC for equity initiatives that lead to a more racially equitable workplace. You can find additional information in our [CREW Description](#). CREW has finalized its 2024 goals, including an effort to encourage grantee organizations to share their demographic data via [Candid](#).

Working alongside other Northeast Ohio funders, this effort would help to build a centralized, public location for reporting data and reduce reporting burdens on grantee organizations while furthering our understanding of the nonprofits we serve. Before we ask grantees to embark on this project, CAC aims to practice what we are recommending ourselves by surveying our staff and board in Q2.

## FINANCIAL UPDATE

### 2023 Audit

**Annual Audit.** The Ohio Auditor of State is finalizing the filing of CAC's GAAP conversion and we are in the process of gathering materials requested for the annual audit.

As part of the conversion of CAC's financials to GAAP compliance, it has been recommended that CAC adjust its Capital Assets Policy. The threshold was \$2,000 but it should be lowered to \$550 per the Ohio Auditor of State. This is the result of CAC having no capital assets that meet that threshold and the requirement that we list some level of assets. The updated policy is attached in a red-lined version following the March financial statements.

### 2024 YTD

**Revenue.** Tax revenue through March was \$1,907,440. This is \$374,255 (16.4%) below budget and \$592,249, or 23.7%, below revenue for the same period in 2023. Interest revenue through March was \$130,013.

**Expenditure.** The majority of CAC's budget is comprised of grants which were approved in 2023. These grants are accrued at the beginning of the year and recognized on the balance sheet. Non-grant expenditures through March were \$233,279.

**Investments.** As of March 31, CAC investments are as follows:

- STAR Ohio: \$381,918 (yield 5.47%)
- RedTree Investment Group: \$9,288,484 (target yield 3.53%)

### Audit and Finance Advisory Committee

The CAC Audit and Finance Advisory Committee meets two to three times a year to review and provide feedback on CAC's internal controls policies and procedures and the investment policy. There are three members of the advisory committee, plus one CAC board member. Members are appointed annually. This year, all three outside members have agreed to continue their service on the advisory committee. Dan Blakemore will serve on behalf of the Board.

The Board will be asked to affirm the appointment of:

Luis Cartagena – Cartagena CPA & Consultants, LLC, President & CEO

Ann McCarthy-Garland – PNC Bank, Head of Central Credit Products Group

Ken Surratt – United Way, Vice President of Community Investment & Chief Investment Officer

Dan Blakemore – Board member, CAC

The above individuals bring a range of accounting, investment, and financial experience, in the public, private and nonprofit sectors, to this committee.



<b>Cuyahoga Arts &amp; Culture</b>				
<b>Through 3/31/2024</b>				
	<b>Actual YTD</b>	<b>Budget YTD</b>	<b>\$ Over/Under Budget</b>	<b>% of Budget</b>
<b>Ordinary Revenue/Expenditures</b>				
<b>Revenue</b>				
Excise Tax	\$ 1,907,440	\$ 2,281,695	\$ (374,255)	83.60%
Interest	\$ 130,013	\$ 144,500	\$ (14,487)	89.97%
Other revenue	\$ 41,940	\$ 41,000	\$ 940	
<b>Total Revenue</b>	<b>\$ 2,079,393</b>	<b>\$ 2,467,195</b>	<b>\$ (387,802)</b>	<b>84.28%</b>
<b>Expenditures</b>				
<b>Arts &amp; Cultural Programming</b>				
Salaries, Wages and Benefits	\$ 85,476	\$ 93,778	\$ (8,302)	91.1%
Grantmaking Expenses	\$ 22,134	\$ 29,133	\$ (6,999)	76.0%
Grants**	\$ 11,301,760	\$ 11,425,487	\$ (123,727)	98.9%
<b>Total A&amp;C Exenditures</b>	<b>\$ 11,409,370</b>	<b>\$ 11,548,398</b>	<b>\$ (139,028)</b>	<b>98.8%</b>
<b>General &amp; Administrative</b>				
Salaries, Wages and Benefits	\$ 78,343	\$ 84,975	\$ (6,632)	92.2%
Facilities, Supplies, Equipment	\$ 15,291	\$ 19,608	\$ (4,317)	78.0%
Professional Fees	\$ 32,036	\$ 30,866	\$ 1,170	103.8%
Depreciation	\$ -	\$ -	\$ -	
<b>Total G&amp;A Expenditures</b>	<b>\$ 125,669</b>	<b>\$ 135,449</b>	<b>\$ (9,780)</b>	<b>92.8%</b>
<b>Total Expenditures</b>	<b>\$ 11,535,040</b>	<b>\$ 11,683,847</b>	<b>\$ (148,808)</b>	<b>98.7%</b>
<b>Net Ordinary Revenue</b>	<b>\$ (9,455,647)</b>	<b>\$ (9,216,652)</b>	<b>\$ (238,995)</b>	

\*\* Outstanding 2023 and 2024 grant obligations are on the balance sheet.

<b>Non-grant cash disbursements YTD</b>	\$ 233,279	\$ 258,360	\$ (25,081)
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**Cuyahoga Arts and Culture**  
**Balance Sheet**  
**As of March 31, 2024**

	<b>Total</b>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Bank Accounts</b>	
KeyBank	\$ 54,667
RedTree (U.S.Bank)	\$ 9,288,484
Star Ohio	\$ 381,918
<b>Total Bank Accounts</b>	<b>\$ 9,725,069</b>
<b>Accounts Receivable</b>	
11000 Accounts Receivable	\$ 601,562
<b>Total Accounts Receivable</b>	<b>\$ 601,562</b>
<b>Total Current Assets</b>	<b>\$ 10,326,631</b>
<b>Fixed Assets</b>	
15000 Furniture and Equipment	\$ 2,310
<b>Total Fixed Assets</b>	<b>\$ 2,310</b>
<b>TOTAL ASSETS</b>	<b>\$ 10,328,941</b>
<b>LIABILITIES AND EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
24000 Payroll Liabilities	\$ 1,744
24200 GOS Grants	\$ 4,704,655
24300 PS and CH Grants	\$ 1,327,052
24450 2024 SFA & ComBased Grants	\$ 610,500
<b>Total Other Current Liabilities</b>	<b>\$ 6,643,951</b>
<b>Total Current Liabilities</b>	<b>\$ 6,643,951</b>
<b>Total Liabilities</b>	<b>\$ 6,643,951</b>
<b>Equity</b>	
32000 General Fund	\$ 13,140,637
Net Income	-\$ 9,455,647
<b>Total Equity</b>	<b>\$ 3,684,991</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$ 10,328,941</b>
<b>2024 Commitments</b>	\$ (11,400,000)
<b>Unencumbered General Fund Balance at 3/31/2024</b>	<b>\$ 3,684,991</b>

<b>CIGARETTE TAX RECEIPTS FY 23 VS FY 24 YTD</b>				
<b>Month</b>	<b>2023</b>	<b>2024</b>		
		<b>2024</b>	<b>\$VAR</b>	<b>23/24 % VAR</b>
JANUARY	\$ 902,452.46	\$ 720,680.19	\$ (181,772.27)	-20.1%
FEBRUARY	\$ 661,798.93	\$ 585,197.39	\$ (76,601.54)	-11.6%
MARCH	\$ 935,437.39	\$ 601,562.02	\$ (333,875.37)	-35.7%
APRIL	\$ 758,029.32			
MAY	\$ 816,989.21			
JUNE	\$ 1,656,081.30			
JULY	\$ 120,575.75			
AUGUST	\$ 884,886.34			
SEPTEMBER	\$ 912,041.36			
OCTOBER	\$ 815,722.53			
NOVEMBER	\$ 702,298.01			
DECEMBER	\$ 916,773.68			
<b>TOTALS</b>	<b>\$ 10,083,086.28</b>	<b>\$ 1,907,439.60</b>	<b>\$ (592,249.18)</b>	<b>-23.7%</b>



## Capitalization, Depreciation and Retirement of Property and Equipment Policy

(Effective Date: December 10, 2012, revised April 17, 2024)

### Subject

This policy defines those disbursements that should be recorded as fixed assets and their classification within fixed asset categories. This policy applies to tangible property donated or purchased, and which qualifies as capital assets.

### Policy

1. This policy describes the process for financial recording of capital purchases by CAC. It applies to all tangible property, which is either donated or purchased and which qualifies as capital assets.
2. To be considered for capitalization, and thus subject to depreciation, an asset must fulfill these characteristics:
  - The asset must be acquired (purchased, constructed, or donated) for use in operations, and not for investment or sale.
  - The asset must have a useful life that extends beyond three years and whose capitalization threshold is greater than or equal to \$2,000,550.
3. Aggregate purchases that exceed \$6,000 but are individually less than \$2,000,550 (i.e. furniture) and have a useful life of three years or more will be considered capital with the exception of desktop software, (MS Office, Adobe products etc.), desktop or laptop computers, mobile devices and software related to mobile devices.
4. If an asset has a cost of less than \$2,000,550 or if the asset has a useful life of less than three years, its cost will be expensed in the year of acquisition. Additionally, assets acquired in quantity with a cost of less than \$2,000,550 will be expensed in the year of acquisition.
5. The basis for accounting for property and equipment is cost. As a general rule, cost includes the purchase price and other acquisition costs such as installation costs, freight charges and transportation charges.
6. Asset Classification:
  - a. Furniture and Equipment are those costs associated with the acquisition or construction of the property. The property must have a useful life of three years or more and cost \$2,000,550 or more.
  - b. IT Hardware/Software encompasses any computer equipment, desktop software and major software applications.
7. All assets considered for capitalization must meet the following dollar thresholds in addition to the criteria above. The thresholds represent the dollar value at which an asset is capitalized. Purchases less than the dollar value thresholds should be treated as an expense.

### What Qualifies as a Capital Expenditure?

- Equipment, furniture and IT hardware and/or software of more than \$2,000,550 and the useful life of three years or greater:
- Expenditures for repairs, additions or modifications that increase the useful life of the asset(s)

### What Does Not Qualify as a Capital Expenditure?

An asset or quantity of assets with a cost of less than \$~~2,000~~550 and/or useful life of less than three years does not qualify as a capital expenditure.

- Expenditures for repairs, additions or modifications that do not extend the useful life of the asset(s)
- Strategic planning costs
- Costs related to the implementation of software
- Extended warranties or service contracts

### Asset Depreciation Methods

All capitalized assets should be depreciated using the straight-line method over the useful life of the asset class. An asset's life is the period of time over which services are expected to be rendered by the asset. The calculation of depreciation should be based on historical cost (capitalized costs).

Asset Category	Depreciation Method	Useful Life
Equipment (including computer equipment)	Straight Line	5 yr.
Office Furnishings & Fixtures	Straight Line	7 yr.
Software	Straight Line	5 yr.

### Depreciation Expense

Depreciation of capitalized assets will commence in the month the item is placed into service or use.

### Disposal of Assets

An asset is disposed of when it no longer serves its intended purpose. This may result from technological advances, normal wear and tear, destruction, through natural causes or theft. Notification of loss of an asset through theft or other natural causes should be provided first to director of administration so that the item may be removed from the books of CAC.

When the accumulated depreciation equals the original cost, no further depreciation is accrued; however, both the balance of the capitalized cost and the accumulated depreciation remain on the books until the item is disposed. When the item is dismantled, demolished, sold, or otherwise disposed, the cost of the item and accumulated depreciation are removed from the ledger.



cuyahoga  
**arts & culture**  
strengthening community

## MEMORANDUM

Date: April 17, 2024  
To: CAC Board of Trustees  
From: CAC Staff  
Re: 2025 Project Support Grant Guidelines

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**Executive Summary:** Staff recommends the 2025 Project Support grant guidelines for Board approval. These policy documents shape CAC's grantmaking and are the result of months of planning and feedback from grantees and the community.

**Board Action:** Approve grant program guidelines for 2025 Project Support.

### Background

In 2024, Cuyahoga Arts & Culture will accept applications to its 2025 Project Support grant program. General Operating Support and Cultural Heritage grants are in the second year of a multi-year cycle and will not be open to new applicants this year.

Project Support is one of Cuyahoga Arts & Culture's primary grant programs. Its goal is to promote public access and support the breadth of arts and culture programming in Cuyahoga County. For the 2024 Project Support grant cycle, 214 grant recipients were awarded approximately \$1.35 million. Nonprofits based in Cuyahoga County that meet CAC's eligibility criteria can apply for 2025 Project Support funding, including new applicants. Grants range from approximately \$1,000 up to \$20,000.

### Grantee & Community Feedback

Each year, CAC collects feedback from applicants and grant recipients in a number of formats, in addition to ongoing relationships and correspondence with grant managers and other CAC staff. Feedback directly informs the grant guidelines, application, and panel processes. Key touchpoints include:

- Surveys to all applicants requesting feedback on the eligibility check, application, and panel processes.
- Technical assistance sessions for applicants and grantees, which include feedback opportunities.
- Public comment period on CAC's draft grant guidelines, providing all grantees, applicants and the public an opportunity to review and provide feedback on CAC policy documents.
- Regular calls and emails between grant recipients and CAC staff, including with those interested in the process but who have never applied.

CAC grantees and applicants indicated that CAC’s guidelines were clear and easy to understand, and that the application requirements align with the guidelines and funding criteria. Most respondents liked the formatting and indicated the guidelines were clear, and user-friendly. Some respondents asked specific questions about requirements, which staff clarified in follow-up calls or communications.

*New in 2024:* CAC is conducting a comprehensive, anonymous grantee survey to gather robust feedback on our grantmaking processes and to shape future planning. This survey will be complete in May 2024, and the results will inform both short-term adjustments to the grant process, as well as longer-range planning.

**Recommendations**

There are no recommended policy changes to the 2025 Project Support grant program. However, CAC has continued to review and update the grant guidelines to achieve the following goals:

1. *Simplify and clarify the application process and materials*
  - a. CAC has provided additional examples in the definitions and descriptions of the funding criteria to make them easier to understand for both panelists and applicants.
  - b. Maximum grant request amounts remain unchanged; CAC has updated descriptions in the guidelines to clarify how maximum grant request amounts are calculated.
2. *Provide multi-year funding commitments*
  - a. Again in 2024, current Project Support grantees doing the same project in 2025 (who did not bypass last year) can opt to receive a second year of funding without going through the full application or panel process. This eases the workload for existing grantees and builds on a trust-based philanthropy approach.

**Key Dates**

Key 2024 dates for Project Support 2025 include:

<b>April 17</b>	Board approval of 2025 Project Support guidelines
<b>May 2</b>	Open 2025 Project Support grant guidelines and application
<b>May</b>	Provide technical assistance to prospective applicants
<b>June 6</b>	Eligibility check deadline
<b>June – August</b>	Provide technical assistance to eligible applicants
<b>August 1</b>	Grant application or bypass form due
<b>September</b>	Hold written and virtual-live panels
<b>November (anticipated)</b>	Board reviews and approves 2025 allocations and grants

**Next Steps**

Following Board approval, staff will finalize the draft documents and officially launch CAC’s 2025 Project Support grant opportunity.



2025

PROJECT SUPPORT

Guidelines and Application Instructions

ELIGIBILITY CHECK DUE: **THURSDAY, JUNE 6, 2024 BY 4:30PM ET**

APPLICATION DUE: **THURSDAY, AUGUST 1, 2024 BY 4:30PM ET**



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13-14	2025 Grant Recipient Requirements

## GREETINGS!

Thank you for your interest in the 2025 Project Support (PS) grant program. Cuyahoga Arts & Culture's [mission](#) is to inspire and strengthen the community by investing in arts and culture. CAC is excited to work with you to connect Cuyahoga County residents to arts and culture in our community.

### LOCAL PUBLIC FUNDER

CAC is the region's largest funder for arts and culture, helping hundreds of nonprofit organizations in Cuyahoga County connect millions of people to cultural experiences each year. Cuyahoga County residents created CAC in 2006 when they approved a tax to support arts and culture.

### \$246 MILLION+ INVESTED

Since 2007, CAC has invested more than \$246 million in more than 485 nonprofit organizations both large and small, making Cuyahoga County a more vibrant place to live, work and play. CAC funds nonprofit 501(c)(3) arts and culture organizations based in and serving Cuyahoga County residents.



### OUR CORE GRANTS ARE:

#### PROJECT SUPPORT

Annual grants of up to \$20,000 for arts and culture projects.

#### GENERAL OPERATING SUPPORT

Multi-year core support grants to qualifying organizations with a primary mission of art and culture in Cuyahoga County.

#### CULTURAL HERITAGE

Multi-year core support grants of up to \$30,000 for qualifying cultural heritage organizations with a primary mission of arts and culture.

This document contains the guidelines for 2025 Project Support, the only grant program accepting applicants this cycle. To review Project Support in a snapshot, refer to the [2025 Project Support Grant Guide](#).

Our team is here to support you throughout the application process. For additional information and resources, please contact a [member of the Grantmaking Team](#). Visit [cacgrants.org](http://cacgrants.org) to learn more about workshop opportunities, and [sign up](#) to receive email updates.

For additional information about terms in the guidelines or application materials, please see [our glossary](#).



### 2025 GRANT APPLICATION TIMELINE

- Eligibility Check Due ..... June 6, 2024 at 4:30PM
- Application Due ..... August 1, 2024 at 4:30PM
- Public Panel Review ..... Week of September 16, 2024
- CAC Board Approves Grants ..... November 20, 2024
- Grant Agreements Sent and Signed ..... November and December 2024



Cleveland Seed Bank, Photo by Grace McConnell

## ABOUT PROJECT SUPPORT

**CAC strongly encourages applications from BIPOC (Black, Indigenous, People of Color)-led and serving nonprofit organizations, as well as others that have been historically excluded or marginalized.**

The purpose of Cuyahoga Arts & Culture’s Project Support (PS) grant program is to promote public access and encourage the breadth of arts and cultural programming in our community by supporting Cuyahoga County-based organizations and projects. Grant applications are reviewed through a public panel review process. CAC will offer Project Support funding in 2025 for projects occurring in the January 1 – December 31, 2025 grant period.

### How We Define a Project:

**Proposed projects must be arts or cultural activities and have a public programming component.** A project is a specific, connected set of activities with a beginning and an end, explicit goals/objectives and a predetermined cost that does not equal the organization’s total annual budget. Projects may be one-time events, such as a festival or exhibit, or a defined series of events, such as classes or productions. Projects with multiple components must show that there is a cohesive theme that ties the project together. Public programming does not have to be free. Note: Mural and public art projects must demonstrate meaningful community engagement and include an element of public programming to be eligible.

PROJECT SUPPORT AT A GLANCE	
Open to 501(c)(3) organizations both with and without a primary mission of arts and culture, as determined by CAC.	Funding for projects occurring between January 1 – December 31, 2025.
Grants may range from \$1,000 to \$20,000 for 501(c)(3) organizations based in Cuyahoga County.	<a href="#">SMUDataArts Funder Report</a> required for organizations requesting more than \$5,000.
Funding only for arts and culture projects based on CAC’s <a href="#">definitions</a> .	1:1 cash match required. For organizations requesting \$5,000 or less, 50% of matching funds can be in-kind income.

### Option to Bypass the Full Application and Panel Process

2024 grant recipients who completed the full 2024 application and panel process and who are doing the same project in 2025 may opt to bypass the full application and panel process to be recommended for funding in 2025. **Bypass applicants must complete the Eligibility Check and indicate their request to bypass at that time.** If approved, bypass applicants will complete a Project Information Form for review and approval. Bypass applicants will be eligible to receive a maximum grant equivalent to their current (2024) grant amount; 2025 Project Support grant amounts may be reduced to fit CAC’s available budget.

2024 grant recipients who bypassed the application and panel last year are not eligible to bypass for 2025 funding and must complete the full application and panel processes. Contact your [grant manager](#) with questions or to learn more.

**ARTS & CULTURE DEFINED:** Arts and Culture is defined in the [Ohio Revised Code Chapter 3381](#), CAC’s enabling law, as “including, but not limited to, literature, theater, music, dance, ballet, painting, sculpture, photography, motion pictures, architecture, archaeology, history, natural history, or the natural sciences.”

## APPLICATION OVERVIEW

### PRE-APPLICATION

- 1 **Get Connected with CAC**
  - Sign up for CAC's [email list](#)
  - Register with CAC's [online application and reporting system](#)
- 2 **Attend a Grant [Workshop and Q&A Session](#)**
- 3 **Submit an Eligibility Check (by June 6, 2024 at 4:30PM ET)**  
Required documents include:
  - Organizational information
  - 990, 990-N or 990-EZ
  - Articles of Incorporation
  - Secretary of State Certificate of good standing
  - For New Applicants: Evidence of public arts or cultural programming that you produced

### APPLICATION

- 4 **Attend [Application Workshop and Q&A Sessions](#)**
- 5 **Complete and Submit Online Application or Project Information Form (Bypass Grantees only) by August 1, 2024 at 4:30PM ET**  
Be prepared with the following information:
 

<p><a href="#">Application:</a></p> <ul style="list-style-type: none"> <li>• Organizational Overview</li> <li>• Project Basics</li> <li>• Project Narrative</li> <li>• Project Budget &amp; Financials</li> <li>• Support Materials</li> </ul>	<p><a href="#">Project Information Form:</a></p> <ul style="list-style-type: none"> <li>• Project Basics</li> <li>• Project Budget and Financials</li> </ul>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------

### POST-APPLICATION

- 6 **Public Panel Review (Week of September 16, 2024)**
- 7 **Panel scores and grant amounts approved at the CAC Board of Trustees meeting (November 20, 2024 anticipated)**



Cleveland School of the Arts Board of Trustees

## ELIGIBILITY

Organizations receiving a General Operating Support or Cultural Heritage grant from CAC are not eligible to apply for Project Support funding in the same grant cycle.

### WHO IS ELIGIBLE TO APPLY

To be eligible for a Project Support grant, applicant organizations must meet **all** of the following eligibility criteria:

Have a **permanent** and **viable base** of operations in Cuyahoga County for at least one year prior to June 6, 2024 (as verified in part by an organization's Articles of Incorporation)

Be a **501(c)(3)** organization as verified against [IRS Publication 78](#) by the GoVerify service.

Have **produced or presented arts or culture program(s)** open to the public within the previous two years prior to June 6, 2024

Provide the required **financial documents**. All organizations: 990, 990-N or 990-EZ for the most recently completed fiscal year

Be **incorporated and authorized** to do business in Ohio as verified by the [Ohio Secretary of State](#)

### WHO IS INELIGIBLE TO APPLY

The following types of organizations are not eligible to apply for the 2025 Project Support grant (this list is not exhaustive):

Organizations that are not in good standing with CAC and/or not in compliance with previous grants

Organizations receiving a General Operating Support or Cultural Heritage grant from CAC in the same cycle

Organizations that are serving as fiscal agents or fiscal sponsors for an organization or program

Private foundations

Units of government, including component units

Pre-K and K-12 schools, including parent-teacher associations and similar groups

Individuals

Fundraising organizations, such as "Friends Of" groups that do not conduct their own programming





## GRANT AMOUNTS

**Project Support grants range between \$1,000-\$20,000.**

The maximum grant amount that an applicant can request is determined by CAC. The amount is based on an organization's CAC grant history, budget size, and whether or not the organization has a primary mission of arts and culture, as determined by CAC. Applicants will be notified of this amount when they are notified of their eligibility.

### NEW APPLICANTS

- The maximum grant amount that a new applicant can request is \$5,000.

### APPLICANTS WITH A PRIMARY MISSION OF ARTS & CULTURE

- If a 990-N was completed for their most recent fiscal year, an organization's maximum grant request amount is \$5,000.
- If a 990/990-EZ was completed for their most recent fiscal year, an organization's maximum grant request amount is 25% of Total Expenses.

### APPLICANTS WITHOUT A PRIMARY MISSION OF ARTS & CULTURE

- If a 990-N was completed for their most recent fiscal year, an organization's maximum grant request amount is \$5,000.
- If the applicant completes a 990/990-EZ and has completed at least one PS grant, their maximum eligible request amount will be determined using 25% of the total expenses from their previous final report. Where possible, CAC will refer to the two most recently completed final reports and use the highest total expenses of the two.

If this totals less than \$5,000, the maximum eligible request amount will be \$5,000.

**FOLLOWING THE PANEL REVIEW PROCESS,** final grant amounts will be determined based on a combination of CAC's budget, the organization's maximum eligible request amount, and their panel score.

Note: CAC anticipates 2025 Project Support grant amounts will be adjusted to fit CAC's available budget.



OCA Greater Cleveland, Photo by Ed Wong

## FUNDING CRITERIA

Successful grant applications will demonstrate Cuyahoga Arts & Culture's three funding criteria:

### PUBLIC BENEFIT

is an organization's ability to meaningfully connect with its community through its project.

### ARTISTIC AND CULTURAL VIBRANCY

is an organization's ability to create a relevant and engaging project.

### ORGANIZATIONAL CAPACITY

is an organization's ability to successfully plan for and manage its project.

Organizations can demonstrate the funding criteria in a variety of ways. Some examples of how grantees have done this in the past include:

- Inviting neighbors to serve on an advisory board
- Marketing the program broadly
- Training volunteers to ensure all feel welcome
- Hosting the program at a public library to ensure physical accessibility
- Developing the program using deep knowledge of a particular, defined community
- Paying artists fairly for their time and expertise
- Recruiting instructors from diverse backgrounds to provide fresh programming
- Surveying participants, and evolving programming based on feedback
- Setting [SMARTIE](#) goals, and measuring progress and impact
- Clearly articulating the project timeline via the application
- Having a defined plan for matching CAC's grant and covering all project costs
- Demonstrating [belonging](#) as an organizational value, so that all involved can thrive

**CAC prioritizes Public Benefit because grants are made with public funds.**

**GLOSSARY**



The Movement Project, Photo by Credit Black Valve, Artist Caribe Conexión

## PRE-APPLICATION

### Get Connected with CAC

News, updates, and events, including technical assistance workshops and webinars, will be posted on the CAC [website](#) and distributed via email. Sign up [here](#) and opt-in to receive Grant Opportunities to learn more. Add CAC's URL and staff email addresses to your email safe senders list, address book, or contact list to continue receiving important information from CAC. **CAC will not extend any deadlines if our emails are sent to your spam or junk mail.**

### Attend a Grant Workshop and Q&A Sessions

CAC will offer a variety of technical assistance workshops/trainings in advance of the application deadline. Information regarding such trainings will be posted on the CAC website and all applicants will be notified by email. We strongly encourage and invite all prospective applicants to attend our [workshops and Q&A sessions](#).

### Submit the Eligibility Check

Submitting an Eligibility Check is the first step in applying for a Project Support grant for all applicants and is submitted via CAC's [online application and reporting system](#). CAC uses the Eligibility Check process to determine whether an organization meets the requirements to receive a grant.



### REQUIRED MATERIALS INCLUDE:

- Organizational Information
- 990, 990-N or 990-EZ for the most recently completed fiscal year
- Articles of Incorporation
- Secretary of State Certificate of Good Standing
- For New Applicants: Evidence of public arts or cultural programming that you produced within the previous two years prior to June 6, 2024

You do not need to have a finalized project plan at this stage. Organizations must submit an Eligibility Check and be deemed eligible in order to submit a Project Support grant application. Completing the Eligibility Check does not guarantee your organization's eligibility to apply. Organizations that wish to bypass the full application (if eligible) must indicate their desire to do so in the Eligibility Check.

Following the submission of the Eligibility Check, CAC will review documents, verify nonprofit status, and confirm eligible organization requirements. Within a few weeks of the submission of the Eligibility Check, CAC will reach out to applicants regarding their eligibility status.

**SEE THE FULL ELIGIBILITY CHECK  
INSTRUCTIONS HERE**

KEY  
DATE

**ELIGIBILITY CHECK - DUE THURSDAY, JUNE 6, 2024 BY 4:30PM ET**





Berea Arts Fest

## APPLICATION

**Start early and submit early! The application must be submitted by 4:30PM ET on Thursday, August 1, 2024. The online system will not accept late or incomplete submissions.**

### Complete and Submit Online Application

If your organization is deemed eligible through the Eligibility Check process, Cuyahoga Arts & Culture will notify you via email and provide access to the application. Applications must be submitted online using CAC's [online application and reporting system](#). To be considered complete, an application must include all required application question responses and required materials as outlined below.



### BE PREPARED WITH THE FOLLOWING INFORMATION:

- Organizational Overview
- Project Basics
- Project Narrative
- Project Budget & Financials
- [Arts & Cultural Support Materials](#)
- Board of Directors list including affiliations
- [SMU|Data Arts Cultural Data Profile Funders Report](#): Organizations that are applying for grants of more than \$5,000 will complete a Cultural Data Profile for the two most recently completed fiscal years and will pull the CAC Funders Report to upload as part of their application. We recommend starting this well before the application deadline.
- Statement of Assurances

### About Support Materials

[Support materials](#) are images, audio files, video files, hyperlinks and/or other supporting documents that help bring your organization's mission and programs to life. CAC uses your support materials to help document eligibility, to evaluate reports and to share with residents how public funding for arts and culture impacts the community. Support materials also play a critical role in helping panelists evaluate your application. By providing support materials to CAC, you consent to CAC's reproduction and use of such materials for educational, promotional, official or noncommercial use.

**SEE PROJECT INFORMATION FORM  
(BYPASS) INSTRUCTIONS HERE**

**SEE ALL APPLICATION QUESTIONS  
AND EXPLANATIONS HERE**

KEY  
DATE

**APPLICATION DUE - THURSDAY, AUGUST 1, 2024 BY 4:30PM ET**



Cleveland Chamber Music Society

## REVIEW PROCESS

All eligible applications are evaluated by a panel of arts or cultural professionals from outside the region in a public panel review process.

Panelists are chosen to represent a cross-section of professionals qualified to provide expert knowledge of specific arts or cultural disciplines, as well as for their management experience, professional knowledge of the sector and prior panel experience. CAC makes every effort to ensure that the panel is diverse in all respects. All panelists receive an honorarium for their service.

CAC provides the applications and support materials to panelists approximately four weeks prior to the panel review to allow panelists sufficient time for their evaluation. The panel will evaluate all eligible applications based on CAC's Funding Criteria:

- **Public Benefit**
- **Artistic and Cultural Vibrancy**
- **Organizational Capacity**

CAC reviews applications for completeness but does not score or provide opinions. CAC will manage all administrative and logistical tasks necessary to conduct a successful panel review; provide panelists all documentation necessary to evaluate applications effectively; inform the panel in matters of CAC policy and procedures; provide all available objective information regarding an applicant to the panel, and serve as panel chair.

### Public Panel Review

For organizations requesting more than \$5,000, the public panel review meeting will take place the week of September 16, 2024. For applications requesting up to \$5,000, there is no review meeting but comments and scores will be made public. CAC will notify all applicants of the panel review meeting dates, times, and will post all details on the CAC website in advance.

## POST-APPLICATION

### Appeals Process

CAC will only consider and review appeals that are evidence-based and due to materially significant CAC processing errors that could have compromised an applicant's grant proposal. This does not include information that was in excess of the application's space limitations or information that was submitted after the application deadline. Any requests for appeals must be filed with the Executive Director within 10 working days after the conclusion of the panel review meeting. Requests received after 10 days will not be considered.

Please note: The panel's analysis and scoring of applications are not subject to appeal and therefore will not be considered for appeal. Neither grant awards nor grant award amounts are subject to appeal.

### Board Meeting

Panel scores and grant amounts will be approved at the November CAC Board of Trustees meeting. This meeting is open to the public, and applicants are welcome to attend but not required.

The grant amount and total number of Project Support grants will be determined by the following factors: the amount of funding allocated to Project Support grants; the panel score for each application; and the total request amounts of all applications eligible for funding.

Recommended grant amounts will be shared with applicants prior to the November board meeting.

KEY  
DATES

**PUBLIC PANEL REVIEW MEETING - WEEK OF SEPTEMBER 16, 2024**  
**BOARD MEETING - WEDNESDAY, NOVEMBER 20, 2024 (ANTICIPATED)**



Connecting for Kids

## PANEL SCORING FRAMEWORK - REQUESTS OVER \$5,000

Panelists will submit a score for each of CAC’s three funding criteria, creating a total score based on the following framework:

Has the application demonstrated the funding criteria?	Public Benefit: 45%	Artistic & Cultural Vibrancy: 35%	Organizational Capacity: 20%
<b>STRONG</b> The applicant has provided <u>strong</u> evidence that this funding criterion is met.	39-45	31-35	18-20
<b>FAIR</b> The applicant has provided <u>fair</u> evidence that this funding criterion is met.	28-38	22-30	13-17
<b>WEAK</b> The applicant has provided <u>weak</u> evidence that this funding criterion is met.	0-27	0-21	0-12

The highest possible total score is 100. Applicants who receive a combined score of 75 or higher will be recommended for funding.

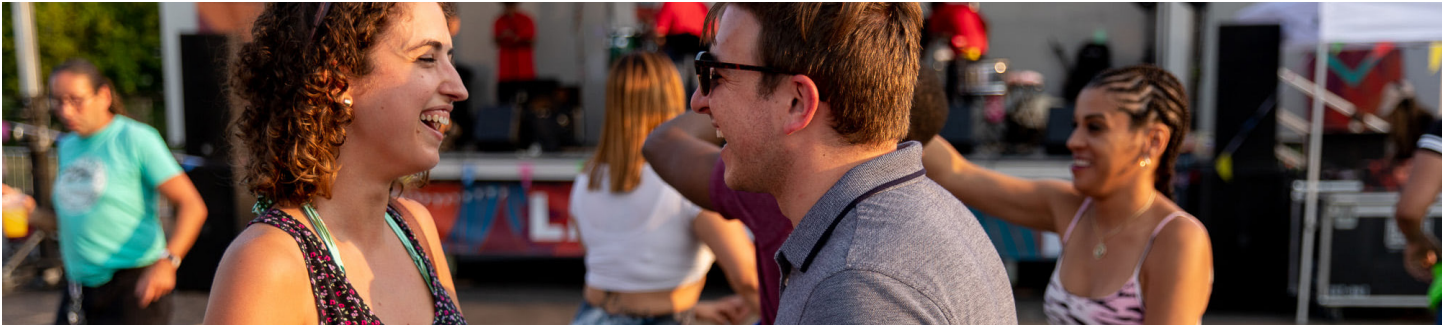
## PANEL SCORING FRAMEWORK - REQUESTS OF \$5,000 OR LESS

Panelists will submit a score based on CAC’s three funding criteria.

With an emphasis on Public Benefit, has the application demonstrated the funding criteria?
<b>Yes:</b> The applicant has provided <u>strong</u> evidence that the funding criteria are met.
<b>Somewhat:</b> The applicant has provided <u>fair</u> evidence that the funding criteria are met.
<b>No:</b> The applicant has provided <u>weak</u> evidence that the funding criteria are met.

Applicants who receive a majority of “Yes” or “Somewhat” scores will be recommended for funding.





Northeast Ohio Hispanic Center for Economic Development

## 2025 GRANT RECIPIENT REQUIREMENTS

**Grant Period: All funded activities and grant expenditures must occur during the grant period, January 1, 2025 - December 31, 2025**

### Grant Agreement and Compliance

If your application is recommended and approved for funding following the November Board meeting, CAC will prepare a grant agreement. CAC will be available to meet with new and returning grant recipients to review the grant agreement requirements. To be considered an active grant recipient and receive funding, recipients must sign a grant agreement and meet the requirements therein.

### Grant Payment Timeline

**CAC grants are reimbursement grants and are paid upon completion of the project and approval of the final report.** Grant recipients may optionally request up to 60% of the total grant award as early as 30 days before project activities begin through an advance payment request. All funded activities and expenditure of grant dollars must occur during the respective grant year.

### CAC Grant Funding Restrictions

Restricted uses of CAC funds include but are not limited to:

- credit-bearing academic programs (K-12 and college level)
- activities that are not open to the general public
- general operating support or operating expenses not directly related to your project
- fundraising or benefits
- regranteeing, scholarships, tuition assistance, awards or cash prizes
- deficit reduction or elimination, trust endowments, cash reserves, penalty or litigation fees, loans, or interest on loans
- capital improvements, facilities or equipment
- religious ceremonies or events advancing or inhibiting a particular religious ideology
- cost of receptions, food and beverages
- agent's fees for programs contracted through commercial agencies
- travel outside of the United States
- advocacy of specific political causes or candidates

### Matching Funds

Project Support grants are matching grants. Applicants are required to leverage CAC funds to secure additional income from other sources. This grant requires a 1:1 match. This means that **CAC will only provide a grant equaling up to half of the project's total expenses.** For organizations whose grant amount is more than \$5,000, a cash match is required. For organizations whose grant amount is \$5,000 or less, 50% of the match can be met through in-kind income. In-kind income can include donated goods, services, space, and [volunteer hours](#). Sources of your matching funds can include, but are not limited to, foundation or government grants, private donations, ticket sales, and member dues.

Matching funds may not include other funds from CAC. This includes any CAC co-funded grants. As such, applicant organizations may only apply for one project to be funded. Additionally, multiple organizations requesting funds for the same project are not eligible. Contact a [grant manager](#) with any questions.



Cleveland Photo Fest

**Events Calendar and Credit Requirements:**

CAC asks that organizations receiving Project Support partner with CAC throughout the grant cycle by communicating with their grant manager at CAC, posting events and job opportunities on CAC's website, connecting with CAC on social media, and saying thank you to the residents of Cuyahoga County for their support.

**Grant Recipient shall submit Project events through CAC's online calendar ([ClevelandArtsEvents.com](https://www.clevelandarts.org/events)) at least 30 days prior to the date the Project is presented to the public.** The [Events Calendar and Credit Requirements](#) document outlines these requirements. Grant recipients that do not comply with these expectations may be subject to a reduced final grant amount.

**Reporting Requirements:**

All grant recipients that receive a 2025 Project Support grant must submit a final report online within 30 days of the completion of the project. In addition to a final report, CAC may conduct site visits during the project period. Reporting guidelines and instructions will be posted online in advance of deadlines. Reports consist of a narrative, financial documentation, and support materials. Grant recipients that submit a late final report, or do not submit a final report, may receive a reduced or revoked final grant amount.

**Maintaining Good Standing:**

To receive CAC funds, a grant recipient must maintain its good standing with CAC during the grant period. A grant recipient is in good standing if it:

- Fully and completely meets all requirements as stated in the grant agreement for the duration of the grant period;
- Accurately represents its organization and its activities in all documents submitted to CAC. This includes, but is not limited to, the eligibility check, application, final report and all other reports and forms; and
- Continues to meet the [eligibility criteria](#).

A grant recipient not in good standing with CAC will be officially informed of this status in writing.

**STAFF CONTACT INFORMATION**





**MEMORANDUM**

Date: April 17, 2024  
 To: Board of Trustees  
 From: Meg Harris, director of administration  
 Re: Updates and Additions to CAC Employee Manual

To ensure compliance with employment law, and to ensure that our policies conform to our practices, CAC periodically undertakes a comprehensive review of its Employee Manual. Over the past month, staff has worked with CAC employment attorney, Elaine Brown of Squire Patton Boggs, to review and update the Employee Manual for clarity, consistency, and accuracy of language.

After the review, the primary recommendation to the Employee Manual is the elimination of two outdated policies. Included in the draft Employee Manual that follows are wording and language updates that do not change the policies themselves and which reflect the removal of the two policies detailed below. Pending Board approval, the updated Employee Manual will be effective May 1, 2024.

<b>Policy Name</b>	<b>Page #</b>	<b>Change</b>	<b>Policy or Notes</b>
COVID-19 Vaccination	N/A	Remove	CAC will no longer require vaccination against COVID-19 for staff.
COVID Illness Leave	N/A	Remove	This policy, which provided for paid time off related to specifically to COVID illness, expired on 12/31/2022.



cuyahoga  
**arts & culture**  
strengthening community

# Employee Manual

Effective June 1, 2008 (revised 1/1/2018; 1/1/2022; 5/1/2024)



# CAC Employee Manual

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## **I. Introduction**

Cuyahoga Arts & Culture (CAC) is a regional arts and cultural district, a political subdivision of the State of Ohio and a body corporate as provided by the Ohio Revised Code Section 3381.02. Its territory is that of Cuyahoga County.

All power and authority granted to CAC as a regional arts and cultural district shall be vested in and exercised by the Board of Trustees (Ohio Revised Code Section 3381.06). There are five members of the Board of Trustees appointed by the Cuyahoga County Executive and confirmed by the Cuyahoga County Council.

Funding for CAC comes solely from a tax levied on cigarettes in Cuyahoga County for a period of ten years beginning February 1, 2017, after conclusion of an initial ten-year period that began February 1, 2007. The tax collections are distributed directly to CAC by the State of Ohio.

CAC's mission is to inspire and strengthen the community by investing in arts and culture. Through our grantmaking, CAC supports the people and organizations that create cultural experiences that are important to our residents' health and vitality.

CAC also affirms our vision that all Cuyahoga County residents experience a meaningful cultural life, and CAC identified a set of values to support our efforts, including:

- **Connection:** We believe we can go farther together. We nurture the relationships that we have and actively seek out new partnerships that will enable us to better serve the entire population of the County.
- **Discovery:** We value continuous improvement and strive to bring a spirit of innovation and creativity to all of our work. Recognizing that stewardship of resources can require us to act boldly as well as thoughtfully, we actively seek out new opportunities in line with our values.
- **Equity:** We recognize that our society is challenged to overcome a complex web of inequities, and we believe that CAC is responsible for operating with an awareness of legacies and privilege and power that have effects on opportunity, access and resources. This awareness will inform all of our policies and practices, including funding criteria, program development, hiring and resident engagement.
- **Service:** We exist to support all of Cuyahoga County's residents and strive to lead by listening and acting in partnership with our cultural partners and community residents.
- **Stewardship:** We are accountable to all County residents for ensuring that resources – both human and financial – are managed properly and to their best use now and for years to come.
- **Trust:** We operate with integrity and strive to be worthy of the public's trust. We operate transparently and openly, and we assume positive intent, actively seeking the best in each person and situation.

CAC is glad you have joined our team and we look forward to your contributions to our mission!

## **Employee Manual**

This Employee Manual was developed to outline the policies, programs, and benefits available to eligible employees. Each employee is expected to read, understand, and comply with the guidelines set forth in this Employee Manual. CAC, at its option, may modify, delete, suspend, or discontinue any part or parts of the policies in this Employee Manual at any time without prior notice, with the exception of its at-will employment policy, which can be modified only as set forth in that policy (see “At-Will Employment” policy in Section II, below).

The provisions of this Employee Manual do not, and are not intended to, create contractual obligations guaranteeing that an employee will be employed for any specific period of time. No statement or promise by a supervisor or manager, past or present, may be interpreted as a change in policy, nor will it constitute an agreement with an employee. Should any provision in this Employee Manual be found to be invalid, such finding does not invalidate the entire Employee Manual, but only that particular provision.

This Employee Manual replaces any and all previous Employee Manuals or other policies, whether written or oral.

If an employee has any question about this Employee Manual, they should ask the Director of Administration.

## **II. The Work Environment**

### **At-Will Employment**

CAC is an at-will employer. This means that neither the employee nor CAC has entered into a contract regarding the duration of employment. Just as the employee has the right to terminate their employment for any reason at any time, CAC retains a similar right to terminate any employee's employment for any reason at any time. Nothing in this Employee Manual or any statements by any CAC employee, officer or director shall alter the employment at-will relationship. Any agreement to alter the at-will relationship of any employee must be in writing, signed by the Executive Director (ED) of CAC and the employee, and approved by the Board of Trustees.

### **Employee Job Responsibilities**

The success of CAC depends upon adherence to principles of quality, integrity and customer service by all personnel. Every position at CAC requires initiative, intelligence, good judgment, teamwork, cooperation and excellent attendance in order to get the work done in the most efficient manner and with the highest quality possible.

Individual job responsibilities will be discussed between the employee and their supervisor.

### **Equal Employment Opportunity**

CAC offers equal employment opportunities to all job applicants and gives all employees equal consideration in our employment practices. Employment decisions will not be made unlawfully with regard to race, color, citizenship status, national origin, ancestry, sex, sexual orientation, age, religion, physical or mental disability, marital status, military status, veteran status, ethnicity, gender identity/expression or gender status or any other factor protected by law.

Equal employment opportunity notices are posted near employee gathering places as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any person believes they have been discriminated against. CAC also provides an "Internal Complaint Procedure" (see below at page 6) to employees who believe they have not been afforded equal employment opportunity.

### **Anti-Disability Discrimination Policy**

It is the policy of CAC to hire, train, promote, compensate, and administer all employment practices without regard to an individual's disability. Discrimination and/or retaliation against qualified job applicants or employees on the basis of their disability is prohibited and will not be tolerated. A qualified individual with a disability is a person with a disability who can perform the essential functions of their job, with or without reasonable accommodation. A disability is: a physical or mental impairment that substantially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment.

CAC stands committed to fulfilling its obligations under all applicable laws, statutes, regulations and ordinances that prohibit discrimination and/or retaliation against qualified individuals on the basis of a disability. CAC's Director of Administration is responsible for coordinating CAC's efforts to comply with and fulfill its responsibilities under all applicable anti-disability discrimination laws. The Director of Administration, or their designee, will oversee the investigation of any complaints of discrimination and/or retaliation based on disability, which should be made pursuant to CAC's "Internal Complaint Procedure" (described below at page 6), and will attempt to resolve such complaints. CAC will not retaliate against

individuals who make complaints or individuals who participate in the investigation of complaints of discrimination and/or retaliation, and individuals should make any report of believed retaliation using the “Internal Complaint Procedure” (below at page 6). The Director of Administration can be reached at:

DIRECTOR OF ADMINISTRATION  
1422 EUCLID AVE., SUITE 400-5  
CLEVELAND, OH 44115  
(216) 515-8303  
(CURRENTLY: MHARRIS@CACGRANTS.ORG)

### **Requests for Reasonable Accommodations**

CAC will provide reasonable accommodations to qualified applicants and employees with a disability to the extent required by law. For more information refer to the attached Appendix (Requests for Reasonable Accommodations: Procedure) of this manual.

### **Anti-Harassment, Discrimination and Retaliation Policy**

CAC prohibits any form of unlawful discrimination or unlawful harassment of its employees in the workplace, regardless of whether the offending person is a CAC employee, vendor, supplier or other non-employee on CAC’s premises or working with a CAC employee.

All employees are expected to conduct themselves in a professional and respectful manner with fellow workers. Harassment of any other employee for any unlawful reason will not be tolerated. Examples of the kind of harassment which are prohibited include unlawful sexual harassment and unlawful harassment based on race, color, age, sex, religion, creed, national origin, disability, veteran status, sexual orientation, gender identity/expression or any other characteristic protected by law.

If any employee is subjected to harassing language or conduct based on these or other characteristics protected by law or becomes aware that it is occurring with other employees, it is the employee’s responsibility to immediately follow the “Internal Complaint Procedure” (below at page 6). Following that procedure, CAC will take appropriate corrective action, up to and including dismissal from employment, to prevent the future occurrences of any such misconduct.

Each employee must exercise their own good judgment to avoid engaging in conduct that may be perceived by others as unlawful harassment, such as, but not limited to, the following:

Verbal: repeated innuendoes, epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds.

Visual/Non-verbal: derogatory posters, cartoons, or drawings; suggestive objects or pictures; graphic commentaries; leering; or obscene gestures.

Physical: unwanted physical contact including touching, interference with an individual’s normal work movement, or assault.

Retaliation against an employee who makes a complaint, in good faith, alleging unlawful harassment, discrimination, or retaliation, who participates as a witness in an investigation, or who otherwise engages in any activity protected by any civil rights law is prohibited. Complaints alleging retaliation should be made using the “Internal Complaint Procedure” (below at page 6).

## **Sexual Harassment**

It is CAC's policy, as well as a state and federal law, that its employees' work environment be free from sexual harassment. CAC will actively investigate any allegation of sexual harassment and will take appropriate corrective action should the allegation be substantiated, regardless of whether the offending person is a CAC employee, vendor, supplier or other non-employee on CAC's premises or working with a CAC employee. Specific examples of prohibited sexual harassment are detailed in the anti-harassment policy (above at page 5) and in this section. CAC's investigation procedure will follow the same steps as detailed in CAC's "Internal Complaint Procedure" (below at page 6).

Any unwelcome sexual advance, request for sexual favors, and/or verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is an expressed or implied term or condition of an individual's employment.
- The submission to or rejection of such conduct by an individual is the basis for any employment decision affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive working environment.

## **Internal Complaint Procedure (Discrimination/Harassment/Retaliation)**

CAC cannot take appropriate action if we do not know that discrimination or harassment has occurred. Any employee who feels that they have been subject to discrimination or harassment based on protected characteristics by a co-worker or supervisor, or a contractor, supplier, volunteer or other non-employee on CAC's premises or working with CAC should immediately contact their supervisor, inform the supervisor that the employee is making a complaint under this Internal Complaint Procedure, and inform the supervisor of the employee's concern, so the matter may be promptly investigated and appropriate action taken, except that any report of discrimination or harassment based on disability should be made to the Director of Administration (see "Anti-Disability Discrimination Policy" above at page 4). Any supervisor to whom a report is made, or who otherwise becomes aware of any such complaint, should promptly make the Director of Administration aware of the matter as well, unless the matter involves the Director of Administration, in which case the supervisor should promptly make the Executive Director (ED) or the President of the Board of Trustees aware of the Complaint.

If a supervisor is the subject of the complaint or the employee is uncomfortable reporting the matter to their supervisor, report the complaint to the Director of Administration ; if the Director of Administration is the subject of the complaint or the employee is uncomfortable reporting the matter to the Director of Administration, report the complaint to the ED; and if the ED is the subject of the complaint or the employee is uncomfortable reporting the matter to the ED, report the complaint to the President of the Board of Trustees.

CAC (or its designee) will promptly investigate and take appropriate action. If an employee believes that their supervisor (or the Director of Administration, or other, as applicable) has failed to properly address a complaint, the employee should immediately take the matter up with the ED of CAC. In such a case, the ED or their designee will promptly investigate the complaint. (If the ED designates someone to conduct an investigation, that person will present findings to the ED.) The ED will make a determination as to appropriate action to be taken.

If an employee further believes that the ED has failed to properly address a complaint, the employee may bring the complaint to any member of the Board of Trustees, including the President. If a complaint is

brought to a member other than the President, then that member shall also inform the President of the complaint. In such a case, the Board or its designee will promptly investigate the complaint, and the Board will make a determination as to appropriate action to be taken.

To the extent appropriate, CAC will attempt to maintain confidentiality. Disclosure may be necessary in order to properly investigate the complaint and take corrective action.

There will be no retaliatory action taken against employees who report, in good faith, violations of this policy or participate in the investigation of such reports. Individuals who feel they have been retaliated against should make a report following this procedure.

Unlawful discrimination and harassment have no place in the work environment. Any employee who has violated the anti-discrimination/harassment policy will be subject to disciplinary action, up to and including termination of employment. Help us keep the work place free from unlawful discrimination and harassment.

Employees who believe they have been subjected to other types of inappropriate conduct or behavior in the workplace – other than discriminatory or harassing conduct based on employee characteristics protected by law – are encouraged to seek assistance from a supervisor or the Director of Administration, and have the option of using CAC’s “Open Door Policy” below (in Section IV). *If an employee has any question regarding whether to seek assistance through CAC’s Open Door Policy or through this Discrimination/Harassment Internal Complaint Procedure, please ask your supervisor, the Director of Administration, or the Executive Director.*

### **Diversity and Inclusion Policy**

CAC is committed to fostering, cultivating and preserving a culture of diversity and inclusion. We embrace and encourage our employees’ differences in age, color, ethnicity, ancestry, sex, family or marital status, gender identity or expression, language, national origin, physical and mental disability, political affiliation, race, religion, sexual orientation, socio-economic status, military status, veteran status, citizenship status, and other characteristics that make our employees unique.

CAC diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of gender and diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Work/life balance, when business appropriate, through flexible work schedules to accommodate employees’ varying needs.

All employees of CAC have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other CAC-sponsored and participative events.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.



Employees who believe they have been subjected to any kind of inappropriate conduct or behavior that conflicts with CAC's diversity policy and initiatives are encouraged to seek assistance from a supervisor or the Director of Administration, and also have the option to use CAC's "Open Door Policy" below (in Section IV). Employees who believe they have been discriminated against in violation of the "Anti-Harassment, Discrimination and Retaliation Policy" above should follow the "Internal Complaint Procedure" above (above at page 6). If an employee has any question regarding these options, please ask the Director of Administration or the Executive Director.

### **Code of Ethics**

All employees are responsible for following CAC's Ethics Policy, a copy of which is included with this Employee Manual in the attached Appendix (Ethics Policy). Please review the Ethics Policy and promptly return a signed copy of it to the Director of Administration. Even if you fail to return a signed copy, or if a copy of the Ethics Policy was not included with this Employee Manual, you are still responsible for following it; therefore, you should immediately contact the Director of Administration to obtain a copy. Violation of the Ethics Policy is prohibited and could result in discipline, up to and including termination of employment.

In addition to following the provisions of the Ethics Policy, no employee shall, without proper legal authorization, disclose confidential information concerning the property, governance or business affairs of CAC both during and after their employment. Use of such information to advance financial or other private interests of the employee or others is strictly prohibited and could result in discipline, up to and including termination of employment.

### **Injury on the Job**

If an employee is injured or has an accident on CAC property, or while they are on CAC business, the employee must report the incident in writing to their supervisor immediately. If physically unable to report immediately, report as soon as possible.

### **Sunshine Laws**

The "Sunshine Laws" refer to Ohio's Public Records Act and Ohio's Open Meetings Act. These statutory laws are based upon the notion there should be "openness" in government, with public access to records and meetings and the conduct and activities of government. Generally speaking, a "public record" is a "record" (as defined by law) kept by a public office, regardless of its physical form, that is created or received by or coming under the jurisdiction of the public office and which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

The Public Records Act identifies CAC as a public entity. The organization and its employees are therefore subject to the Sunshine Laws. This means that many of its records must be available to the public for examination. This includes written and electronic records, including employee e-mails. The Act specifically identifies that certain records are exempt. Examples include medical records, some portions of personnel records, and confidential law enforcement investigatory records. Current details are available on the Ohio Attorney General's web site: <https://www.ohioattorneygeneral.gov/FAQ/Sunshine-laws-FAQs>.

With respect to electronic records, records in the form of e-mail, text messaging, and instant messaging, including those sent and received via a mobile communication device will be treated in the same fashion as records in other formats, such as paper or audiotape. In addition, public record content transmitted to or from private accounts or personal devices is subject to disclosure, and all employees and representatives of this office are required to retain their email records and other electronic records in accordance with applicable retention schedules.

For more information refer to the attached Appendix (Public Records Policy) of this Employee Manual.

### **Information Technology Systems**

All e-mail, Internet, networks, computers, voicemail, facsimile and other technology systems and services provided by or on behalf of CAC (collectively, “information technology systems”) are the property of CAC. CAC provides these resources to its employees to facilitate their ability to perform their jobs efficiently and productively. To that end, these systems are to be used for business-related purposes. While not encouraged, “incidental” personal use of these systems is permitted as long as such communications are limited in number and do not interfere with or disrupt the primary uses of these resources. Personal use of these resources must not interfere with the productivity of any employee, involve “prohibited communications” (see below), consume system resources or storage capacity on an ongoing basis, or involve large file transfers or otherwise deplete system resources available for CAC purposes.

CAC reserves both the right and sole discretion to determine when personal use of CAC’s resources exceeds the “incidental” level.

Any unauthorized use of information technology systems is strictly prohibited. Unauthorized use includes, but is not limited to: connecting, posting or downloading pornographic material; engaging in computer-“hacking” and other related activities; attempting to disable or compromise the security of information contained on CAC’s computers or other information technology systems, or otherwise using its computers or other information technology systems in violation of the personal use limitation (see above) or any other CAC policy.

Because postings placed on the Internet may display CAC’s address, make certain before posting information on the Internet that the information reflects the standards and policies of CAC. Under no circumstances shall information of a confidential, sensitive or otherwise proprietary nature be placed on the Internet, without proper authorization.

This policy cannot establish rules to cover every possible situation. Instead, it is designed to express CAC’s philosophy and set forth general principles employees and/or volunteers should apply when using information technology systems.

a) Prohibited Communications

Information technology systems cannot be used for knowingly transmitting, retrieving, or storing any communication that is:

- Unlawfully discriminatory or harassing, or similarly derogatory or demeaning to any individual or group based on a characteristic protected by law;
- Obscene;
- Defamatory or physically threatening;
- Trivial or frivolous in nature such as chain letters, etc.;
- A violation of copyright laws; or
- Engaged in for any purpose that is illegal, fraudulent or contrary to CAC policy or business interests, including policies on sexual harassment and other unlawful harassment.

b) Employee Waiver of Privacy

In order to protect the security, integrity and availability of its information technology systems, CAC reserves the right to intercept, monitor, access and inspect any information

technology systems (including but not limited to computer, device, network or Internet connection, e-mail system, voicemail system or other electronic media within its systems and any data, information, e-mail, transmission, upload, download files, or messages which may be contained therein). As a condition of access to such systems, employees specifically waive any right to privacy in anything they create, store, send, transmit, upload, download or receive on or through CAC's information technology systems, including, without limitation, computers, network, Internet connection or other online resources and electronic messaging systems. Employees should not expect any information sent, received, or stored in CAC's information technology systems to be private, and they have no expectation of privacy in any CAC information technology system or their use of any CAC information technology system.

Employees and/or volunteers shall not provide e-mail access to an unauthorized user or access another user's e-mail box without authorization.

### **Personal Social Media Usage Policy**

CAC recognizes that outside the workplace some employees engage in online activity conducted on personal social networks using a personal email address and personal communication device. If an employee uses a communication device provided by CAC, CAC's policy on Information Technology Systems (above) applies. If an employee chooses to list their work affiliation on a social network, all communication on that network should be regarded as it would be on a professional network and should meet such standards. Employees must comply with CAC's Code of Ethics.

When conducting activity on personal social media networks, employees are free to identify themselves as an employee of CAC, if they wish. However, team members who do so must state expressly that their views are their own, and do not reflect those of CAC or anyone doing business with CAC. Moreover, employees should not provide links to the CAC website on their personal social media communications.

### **Cellular Telephone and Device Use**

CAC is committed to keeping its employees safe at all times while on CAC business. Employees are not required to use cellular phones or other similar devices while driving on CAC business, and CAC expressly discourages the use of cellular phones or other similar devices under circumstances that could give rise to safety concerns. Under no circumstances is an employee required to answer the phone to conduct CAC business while driving. Employees are strictly required to comply with all state and local laws regarding the use of cellular phones while driving, including applicable laws prohibiting text messaging while driving.

Employees are expected to minimize the usage of their personal cellular phones or other similar devices during business hours. Personal calls and texting should not interfere with their work. Employees' cellular phones or other similar devices should be turned on vibrate or toneless function instead of ringer during business hours.

### **Attendance Policy**

Regular and punctual attendance is expected of all employees in order for CAC to function optimally. However, CAC recognizes that there will be infrequent occasions when, for uncontrollable reasons, employees cannot avoid missing work or arriving late. It is when tardiness and absences become excessive, as defined below, that CAC has a concern for its ability to function optimally.

This policy is intended to promote good attendance and punctuality, and is designed to ensure consistent and fair treatment for all employees.

#### **A. Procedure for Reporting Tardiness and/or Absence**

- 1) Any employee who will be tardy or absent (for any reason) on a day in which they are scheduled to work shall be required to notify their supervisor as soon as possible but not later than 30 minutes prior to the start of the employee's scheduled shift, unless the employee already has been approved for a leave of absence by CAC. However, employees approved for intermittent leaves of absence must still provide their supervisors with timely notice (as described above) prior to utilizing intermittent leave, and such notice must be provided each day intermittent leave is required.
- 2) When calling in to report a tardy or absence, the employee must speak to their supervisor. If the employee's supervisor is unavailable, the employee must first leave a message on the voice mail system associated with their supervisor's work number, and then immediately contact the Director of Administration or Executive Director to provide timely notice.
- 3) Timely notice under this policy shall be required for each day in which the employee is tardy or absent.

#### **B. Excessive or Unexcused Tardiness and/or Absences**

- 1) Tardiness and/or absences may be considered excessive if they occur frequently or show a consistent or suspicious pattern (e.g., of occurring immediately before or after holidays, weekends or vacation).
- 2) Excessive tardiness and/or absences may lead to discipline, up to and including discharge.
- 3) Any absence from work during an employee's scheduled work hours will be considered unexcused if it is not covered by available PTO or other approved leave, or if the employee otherwise fails to comply with supervisor notice or approval requirements. At the first instance of an unexcused absence, the employee usually will receive an oral warning. If the employee has a second unexcused absence within one year of the first unexcused absence, the employee usually will receive a written and final warning. If the employee has a third unexcused absence within one year of the first unexcused absence, the employee usually will be terminated from employment.
- 4) If an employee is absent for 3 or more consecutive days without notifying CAC, they will be considered to have voluntarily abandoned their employment.

#### **C. Verification of Reason(s) Given for Tardiness/Absence**

- 1) Just because an employee provides timely notice of their tardiness or absence under this policy does not automatically mean that the tardiness or absence will be excused. CAC will review each situation on a case-by-case basis to determine in its discretion whether the tardiness or absence should be excused.
- 2) CAC also reserves the right to require employees to provide written verification of the reason(s) given for their tardiness and/or absence(s). Such verification may be required on the letterhead and under the signature of appropriate persons other than the employee (e.g., a signed doctor's note).

- 3) CAC will comply with all applicable laws and regulations in administering this policy.

#### **D. Exceptions To Attendance Policy**

- 1) After consulting with the employee and the employee's immediate supervisor, CAC may, in its discretion, make exceptions to this policy based on extenuating circumstances.
- 2) Such exceptions will be well documented and may include a specific action plan setting forth the terms of the employee's continued employment. The action plan may be maintained as part of the employee's permanent record.

#### **Performance Reviews**

It is the practice at CAC to conduct annual performance reviews. The frequency of these reviews may vary, however, depending upon an employee's length of service, job position, past performance, change in job duties, recurring performance problems, or other factor. The purpose of these reviews is to help employees understand what is expected of them and for employees to receive feedback on how they are performing. Each employee's supervisor will advise the employee in advance when such review is to be scheduled. Please note that a good performance review does not guarantee a pay raise, nor is it a promise of continued employment.

#### **Personnel Files**

CAC maintains a personnel file for each employee that is the official record of their employment. Each employee is expected to keep this record current by immediately notifying the Director of Administration regarding any changes in name, address, telephone number, beneficiary, dependents, or person to notify in case of emergency. Please also keep CAC informed regarding any job-related training or education received.

An employee may review their personnel file at a mutually agreeable time by requesting a meeting in advance with the Director of Administration. Copies of public records may be requested during normal business hours, and will be made available within a reasonable period of time. Employee files will be kept confidential to the extent permissible by law; CAC will comply with all public record obligations.

#### **Severe Weather**

In the event of severe weather prior to or during the workday, the ED will make a determination about closing the office and/or authorizing situational remote work for the day. If the ED is absent, the Director of Administration will make this decision. Staff will be notified, with notification prior to the workday occurring through the established phone tree, and a message will be put on the phone lines.

#### **Tobacco and Smoking Policy**

CAC is a tobacco-free facility. In accordance with Chapter 3794 of the Ohio Revised Code, smoking is banned in all public places, places of employment and areas directly or indirectly under the control of CAC immediately adjacent to entrances or exits. This prohibition extends not only to the smoking of cigarettes, but also to e-cigarettes, vaping devices, pipes, etc., and to other use of tobacco (including chewing tobacco).

#### **Drug and Alcohol Abuse**

The use of illegal drugs, the unauthorized use of alcohol and the improper use of prescription medication may have a substantial impact on the health and safety of an employee and their co-workers and are inconsistent with CAC expectations. Thus, the manufacture, distribution, dispensation, possession, sale or

use of any illegal drug (including marijuana), alcohol (unless authorized) or prescription medication (unless properly used in accordance with a prescription) while on CAC premises or while engaged in CAC business is strictly prohibited. Reporting to work under the influence of alcohol, illegal drugs (including marijuana) or improperly-used prescription medication is prohibited. The consumption of alcoholic beverages on CAC premises or during working hours, unless authorized, is also prohibited. Employees are additionally responsible for notifying CAC, within five (5) working days, of any drug-related conviction.

CAC is committed to rehabilitation and encourages any employee who has an alcohol or drug problem to voluntarily seek assistance from CAC before a violation of this policy occurs. Assistance is also available through CAC's Employee Assistance Program. Employees in violation of this policy are subject to appropriate disciplinary action, up to and including termination of employment. Additionally, CAC reserves the right to require an employee to undergo drug or alcohol testing or a medical evaluation under appropriate circumstances at CAC's expense, in accordance with applicable law.

### **Solicitation and Distribution of Literature**

In order to ensure efficient operations at CAC and to prevent annoyance to employees, it is necessary to control solicitations and distribution of literature on CAC property. CAC has established the following rules applicable to all employees governing solicitation, distribution of written material and entry onto the premises and work areas. All employees are expected to comply strictly with these rules. Any employee who is in doubt concerning the application of these rules should consult with their supervisor immediately.

No employee shall solicit or promote support for any cause or organization during their working time or during the working time of the employee or employees at whom such activity is directed.

No employee shall distribute or circulate any written or printed material in work areas at any time, or during their working time or during the working time of the employee or employees at whom such activity is directed.

Under no circumstances will nonemployees be permitted to solicit or to distribute written material for any purpose on CAC property, with the exception that upon approval by management CAC grant recipients may leave written material pertaining to arts and cultural events at a location designated by management.

### **Remote Work**

CAC supports remote work in specific situations and assignments where it is beneficial to CAC and consistent with CAC's operational needs. Remote work is a flexible work arrangement in which an employee is permitted to work remotely from a designated alternative work location away from the traditional on-site work environment. CAC may authorize remote work as a full-time arrangement or utilize it in a hybrid model. CAC will not require employees to work remotely under this policy.

Occasional remote access to perform CAC's business functions does not constitute remote work under this policy. Such access must be approved through appropriate supervisory channels. Similarly, remote work under this policy does not include off-site work assignments that occur within an employee's duties or are otherwise required by CAC, such as attendance at off-site meetings.

### **Eligibility**

Only CAC employees who are specifically authorized pursuant to this policy can work remotely. Employees who have completed their break-in period with CAC (see below at page 16) are eligible to request a remote work arrangement, including on a hybrid basis. CAC on its own initiative also may identify and authorize remote work arrangements, establishing a process for how to participate. CAC's

decision to authorize a remote work arrangement is discretionary and is not an arrangement that an employee should expect or demand.

Remote work is not a substitute for dependent care, and an employee working remotely must not be the permanent primary caregiver for any individual during scheduled work hours. Alternative supervision or care must be established prior to the start of a remote work arrangement. CAC may request documentation to ensure that an employee is not using remote work as a substitute for dependent care.

### **Requests**

Employees who request a remote work arrangement (on either an ongoing or situational basis) should make their request to their supervisor, identifying the reason, duration, and location for the requested remote work. CAC may request additional information. Supervisors should inform the Director of Administration of the request.

*Requests for Remote Work on a Situational Basis:* Employees may request a situational remote work arrangement for a short duration, including for the following reasons:

- The employee needs a block of uninterrupted time to complete a project.
- The employee has a business or personal appointment during the day and cannot reasonably commute to and from the office.
- The employee has a condition that temporarily limits mobility but is able to perform duties.
- The employee has, or has been exposed to, a communicable disease but maintains the ability to perform duties.
- The employee is caring for an immediate family member who is suffering from an illness or injury, in a limited and infrequent circumstance, where the employee is able to complete assigned duties while also caring for the immediate family member (e.g., a sick child staying home from school), even if only for a portion of the workday (e.g., a half-day of remote work).
- Extreme weather or another unforeseen situation prevents travel.
- Another reason that, in CAC's discretion, would benefit CAC to have the employee perform their assigned job responsibilities at an alternate location for a short duration.

CAC will not automatically approve requests for situational remote work; instead CAC will evaluate each request in context. If an employee's request is denied and the employee is unable to come into the office, then other policies such as PTO and sick time may still be applicable.

### **Evaluation of Requests**

CAC will consider requests to work remotely on an individual basis, considering operational needs, job duties, performance, the business benefit to CAC, and other relevant factors such as the demonstrated ability to effectively work remotely. In deciding whether to authorize a request, supervisors should consult with the Director of Administration, who may consult with the Executive Director, and others. For situational remote work requests, however, supervisors may authorize these requests with or without such consultation, and they should notify the Director of Administration of any authorization.

### **Authorized Remote Work Arrangements**

*Approval:* Authorized remote work arrangements will be put into writing and will include the specifics of the arrangement. By working remotely, an employee affirms that the employee is able to complete their job duties from an appropriate remote location and that the employee has the appropriate equipment (including internet access) for doing so. Approval for situational remote work can be made orally but must be confirmed in writing, which may include email.

*Schedule:* CAC may authorize a remote work schedule on a full-time or part-time (hybrid) basis. Regardless of any set schedule, operational needs take precedence over remote workdays and an employee

will be required to forgo remote work without notice if needed at the office on a particular day, in CAC's discretion.

*Reevaluating / Terminating Remote Work:* CAC may authorize remote work on a temporary or periodic basis. At a minimum, all remote work arrangements will be reevaluated when there is a change in job duties and at other times in CAC's discretion.

CAC, in its discretion, may modify or terminate a remote work arrangement at any time and for any reason. This includes but is not limited to any determination, in CAC's discretion, that continuation would not be productive, efficient, or otherwise in the best interest of CAC. It may also be discontinued based on performance or changing needs of CAC or the employee.

### **Miscellaneous**

*Applicability of CAC Policies and Practices:* A remote work arrangement does not affect an employee's basic terms and conditions of employment with CAC. Employees are still obligated to comply with all CAC rules, policies, practices, and instructions. For example:

- Employees who are authorized to work remotely will be compensated for all pay, leave, and overtime under CAC policies and procedures. Employees who are authorized to work remotely must follow CAC policy and procedure for any absence or leave and any required approval for overtime.
- The employee's work hours and the amount of time the employee is expected to work per day or pay period will not change. Employees who are authorized to work remotely must perform their job duties at the designated alternate work location during scheduled work hours and must be reachable during scheduled work hours.
- Employees who are authorized to work remotely must arrange personal business/family responsibilities so as not to interfere with work time.
- Employees who are authorized to work remotely must comply with all public records requirements, including from remote locations.

Any violation of the above may result in removal from the remote work arrangement and/or disciplinary action including separation from employment.

*Equipment and Supplies:* CAC will determine the appropriate equipment and supply needs for each remote work arrangement. The Director of Administration will serve as a resource in this matter. The employee must comply with all CAC policies and practices relating to CAC-owned equipment (e.g., regarding use, security, etc.) and must return any CAC-provided equipment and supplies immediately upon request. Employees are generally responsible for ensuring the alternate work location has adequate workspace, including internet capabilities and office furniture, and will not be reimbursed for these items. When an employee uses personal equipment, the employee is responsible for maintenance and repair of their equipment. In the event of equipment and/or system failure, the employee must notify their supervisor immediately.

*Work Location:* An employee who is authorized to work remotely must identify an alternate work location that is reasonably quiet and free of distractions or any noises inconsistent with an office environment, and that is free of safety and fire hazards. An employee who is authorized to work remotely is covered by workers' compensation for their own job related injuries that occur in the course and scope of the performance of the employee's official job duties. Other than injuries covered by workers' compensation, CAC is not liable for any accidents and/or injuries at the alternate work location, including but not limited to those resulting from the employee's failure to comply with all safety and health regulations or from any violation of the remote work policy.



### **III. Salary Administration**

#### **Employee Compensation and Benefits**

The goal of CAC's compensation program is to attract potential employees and encourage well-performing employees to stay with our organization. Each employee's salary and/or wages will be determined by their supervisor and administration in accordance with their respective job duties, performance, employment history with CAC and other business factors, and is subject to Board approval.

#### **Employee Classifications**

CAC employees are classified in one of three categories:

- a) Regular Full-Time Employee  
Employees who are regularly scheduled for greater than or equal to 40 hours per workweek. Regular full-time employees are eligible for benefits.
- b) Regular Part-Time Employee  
Employees who are regularly scheduled for less than 40 hours per workweek. Regular part-time employees receive certain benefits, as specified, on a pro-rated basis or as otherwise required by law.
- c) Temporary Employee  
Employees working a pre-determined number of hours per week for a defined period of time. Temporary employees do not receive benefits, other than as required by law.

In addition, each employee is classified as either "exempt" or "non-exempt." Exempt employees are those employees who are exempt from the overtime provisions of federal and state wage and hour law, and nonexempt employees are those employees who are covered by the overtime provisions of federal and state wage and hour law.

#### **Break-In Period**

An employee's first 180 days of employment serve as a break-in period. During this period, just as the employee is considering their fit with CAC, CAC is evaluating the employee's job skills, quality of work, attendance, initiative, and ability to work with others. The employee will receive an initial review within approximately 15 working days prior to the end of the break-in period. CAC in its sole discretion may extend the break-in period beyond 180 days. If an employee's break-in period is extended, the employee will receive written notification. An employee remains an at-will employee both during and after the break-in period, meaning either the employee or CAC may terminate employment for any reason at any time.

#### **Work Schedule and Hours**

CAC's normal office hours are between 8:30 a.m. and 4:30 p.m., Monday through Friday; and this reflects the normal workday schedule for full-time employees unless otherwise assigned by or arranged with their supervisor. Supervisors will assign individual work schedules to part-time employees.

Non-exempt employees: Unless otherwise scheduled by their supervisor, a full-time non-exempt employee's normal workday is from 8:30 a.m. to 4:30 p.m. with a one-half hour paid lunch period during this time.

Exempt employees: Consistent with the nature of the duties that exempt employees render, it is understood the exempt employees may be required to work outside of the normal workday schedule (*i.e.*, evenings or weekends) or beyond normal office hours as required by the needs of the position. Different work schedules may be established by CAC to meet job assignments and provide necessary services. Further, although exempt employees are expected to normally fulfill their duties during normal CAC office hours (which are 8:30 a.m. to 4:30 p.m.), exempt employees are permitted flexibility, within their reasonable judgment, regarding observance of these established business hours and an appropriate lunch period. Exempt employees are required to coordinate their schedules with their supervisors.

### **Lactation Accommodation**

CAC will provide all employees who wish to express breast milk at work with a reasonable amount of break time to do so. The break time for non-exempt employees must run concurrently, if possible, with any paid break time already provided. In the event it is not possible for the break time for expressing milk to run concurrently with the paid break time already provided to a non-exempt employee, the break time for expressing milk is unpaid.

CAC will provide all employees desiring to express breast milk at work with a private area, other than a toilet stall, in close proximity to the employee's work area, in which to do so. The employee's normal work area may be used if it allows the employee to express milk in private. Employees needing lactation accommodation should inform their supervisor or the Director of Administration, so that CAC can make necessary arrangements.

### **Alternative and/or Flexible Work Schedules**

Employees may request an alternative and/or flexible work schedule after completing one year of consecutive employment with CAC. All requests for an alternative and/or flexible work schedule must be approved in writing by the employee's supervisor and/or the Executive Director and must be consistent with CAC's staffing needs. Alternative and/or flexible work schedules will be put into writing and will include the specifics of the arrangement. An alternate and/or flexible work arrangement may be revoked by CAC at any time for any reason.

This policy is not intended to limit or restrict an employee's rights under CAC's Anti-Disability Discrimination Policy, CAC's Anti-Harassment and Discrimination Policy, or any applicable federal, state or local laws, ordinances or regulations. The requirement that an employee complete one year of consecutive employment with CAC before requesting an alternative and/or flexible work schedule does not apply to an employee seeking an alternative and/or flexible work schedule as a reasonable accommodation for a disability or for the employee's sincerely held religious beliefs.

### **Overtime**

As necessary, employees may be required to work additional hours. However, only nonexempt employees qualify for overtime pay.

a) Exempt Employees

Exempt employees are not eligible for overtime compensation. An employee whose work requires significant additional hours beyond their typical work schedule should discuss the use of flextime with their supervisor.

b) Non-Exempt Employees

Hours worked by non-exempt employees over 40 hours per workweek will be compensated at time and one half. Only actual hours worked are used to calculate overtime. If an employee takes time off, for example as Paid Time Off, sick time or other leave, that time will not be counted as hours worked for the purpose of calculating overtime pay, even if the employee receives pay for such time missed. (All hours worked, however, will be compensated.)

The non-exempt employee's supervisor must approve in advance all hours worked beyond those normally scheduled. Working additional hours that have not been approved may lead to discipline of the non-exempt employee, up to and including termination of employment.

Non-exempt employees should work with their supervisor to help avoid the need for overtime whenever possible. CAC encourages the use of flextime within the same workweek when it makes sense. Through flextime, a supervisor will modify an employee's schedule within a period of one workweek so as to avoid working overtime. A supervisor will need to approve in advance any flextime and manage the hours being worked for the purpose of flextime. Flextime may not be used to offset hours outside of the same workweek.

All non-exempt employees must record the time they arrive/depart each day, as well as lunch breaks and any other breaks, each day. By recording their hours, an employee certifies that they accurately reflect all hours worked by the employee during the relevant time period. Falsification of time records is strictly prohibited.

## **Salary**

An employee's salary will be determined at the time of employment. Salary adjustments may be considered on a fiscal year basis or otherwise in CAC's discretion. Annual salary adjustments are neither automatically provided nor guaranteed. CAC reserves the right to increase or decrease compensation based on employee performance, available CAC resources, and other business factors.

## **Payroll Procedure**

For payroll purposes, including calculating overtime for non-exempt employees, the workweek runs from Saturday 12 a.m. to Friday 11:59 p.m. Employees are paid bi-weekly. When that date falls on a Saturday, Sunday or a holiday, the payday usually is the preceding business day. Employees will be paid through direct deposit of funds to either a savings or checking account at the local bank of the employee's choice. Contact the Director of Administration for more information.

CAC is required by law to make certain deductions from an employee's paycheck each time one is prepared. Among these are the federal, state and local income taxes and the employee's contribution to Ohio Public Employee Retirement System (OPERS) and Medicare, as required by law. These deductions will be itemized on the employee's check stub.

Any other mandatory deductions to be made from an employee's paycheck, such as court-ordered garnishments, will be explained whenever CAC is ordered to make such deductions. Employees should review their paychecks and promptly notify the Director of Administration of any discrepancy or concern over their paycheck.

### **Employee Travel**

Travel and related business expenses are a necessary component of CAC's operations. CAC employees must sometimes travel outside their normal commute to conduct official business. CAC employees may also be approved to attend professional conferences, trainings and meetings which require travel.

CAC will pay or reimburse properly documented expenditures for reasonable, necessary travel expenses incurred by employees in the performance of their official duties. Allowable expenses and CAC processes are outlined below and in the attached Appendix (Employee Expense and Travel Reimbursement). It is expected that employees should exercise the same care in incurring travel expenses that they would exercise if traveling on personal business and expending personal funds. See the Employee Travel Policy Statement in the attached Appendix for specific details related to employee travel.

### **Expense Reports**

Employees are required to use a designated Travel Expense Report Form for reporting all approved business expenses and will be reimbursed for all legitimate reasonable and necessary business expenditures as approved by a supervisor. Original receipts (see "Employee Travel" policy, above) are required and should be attached to the expense form. Employees may not submit credit card statements in lieu of receipts for reimbursement. Expense reports are to be submitted for reimbursement within one month of the travel completion date.

### **Recordkeeping**

All employees must keep an accurate record of the time worked on their projects as their supervisor requires on the forms provided for such purpose.

## **IV. Group Benefits**

### **Eligibility for Benefits**

Regular full-time and eligible regular part-time employees may enjoy all of the benefits described below as soon as they meet the eligibility requirements and enroll, as required, for each particular benefit. Coverages are available to employees and their dependents as defined in the CAC Benefits Overview, which each employee will receive at the time of employment and which, as periodically updated, remains on file with and may be accessed through the Director of Administration. This coverage currently includes:

- Health, dental, vision and prescription coverage
- Healthcare and Dependent Daycare Flexible Spending Accounts (FSA)
- Life Insurance
- Ohio Public Employees Retirement System (OPERS)
- Ohio Deferred Compensation
- Short Term Disability
- Employee Assistance Program

CAC reserves the right to change or discontinue the benefits it offers at any time.

## **Master Policies will Prevail**

If any descriptions of the benefits in this Employee Manual conflict with the insurance policy language as described in the master policies, the master policies will prevail.

## **Retirement Benefits**

In accordance with Ohio Revised Code Section 145.01, CAC employees are covered by the Ohio Public Employees Retirement System (OPERS). CAC employees do not contribute to the Federal Social Security System; therefore, the retirement benefits received from work at CAC may reduce any Social Security benefits for which individuals may be qualified. Employee and employer contribution rates are determined by State of Ohio legislation and are subject to change.

## **Paid Time Off, Sick and Holiday Pay**

These policies apply to regular full-time employees and regular part-time employees who are regularly scheduled for at least 25 hours per week; these regular part-time employees will have Paid Time Off and Sick Time pro-rated based on their regular hours of work. This policy supersedes any prior vacation, personal leave, sick leave and floating day policies, as well as any prior Paid Time Off, Sick and Holiday Pay policies.

### **Paid Time Off**

Paid Time Off (PTO) may be used for scheduled vacation, sick and personal time.

Accrual: Regular full-time employees are eligible for PTO based on the schedule below. For employees who are employed by CAC on January 1 in a given year, the full amount of PTO will accrue as of January 1 of that year, according to the schedule below. For employees who become employed by CAC after January 1 in a given year, an amount of PTO, prorated based on days left in the year, will accrue according to the schedule below, and be available as of the employee's start date. Eligible regular part-time employees will accrue PTO on a pro-rated basis, based on their regular part-time schedule compared to a regular full-time schedule.

<b>Full Years of Service* as of January 1</b>	<b>Paid Time Off Accrued on January 1</b>
0-5	200 hours/25 days
6-14	240 hours/30 days
15 or more	280 hours/35 days

\* Periods of unpaid leave are not counted towards years of service, unless otherwise noted.

Separation from Employment: In the event of a voluntary separation, employees are paid their unused accrued PTO (at the rate described below) in their last paycheck if they provide prior reasonable written notice to CAC (at least 10 working days, with the written notice addressed to the employee's supervisor and a copy to the ED). Failure to provide the required notice will result in a forfeiture and waiver of all accrued but unused PTO. Unused accrued PTO is paid out at the rate of 50% if employment terminates between January 1 and June 30, and at 100% of unused accrued PTO thereafter. No payout of unused accrued PTO is made upon an involuntary separation of employment.

Use and Carry-Over: PTO is available to the employee to the extent accrued, provided that the employee's supervisor approves the dates for such leave in advance. Except in very unusual circumstances, an

employee must submit a PTO request in writing to the employee's supervisor for approval at least one calendar week in advance. The smallest increment of time that can be used for PTO is two (2) hours.

Employees are expected and encouraged to use accrued PTO during the year in which it is accrued. On December 31, up to 10 equivalent days of unused accrued PTO may be carried forward to the next calendar year. If 10 equivalent days of unused accrued PTO are carried forward, then up to an additional 10 equivalent days of unused accrued PTO may be paid out at 100% of straight-time pay. (Payment for unused accrued PTO will be paid at the current year's rate of pay and processed no later than the first payroll date in January of the next calendar year.) Unused accrued PTO in excess of 20 equivalent days will be forfeited without pay at the end of each calendar year.

Anytime unpaid leave is taken under the FMLA Leave policy or unpaid leave is taken under the Adoption/Childbirth Leave policy, described below, the employee shall be required to use concurrently all available PTO accrued during the calendar year for which the leave has been approved and is being taken. Employees are not required to, but may within their discretion, exhaust PTO carried forward from the previous calendar year when taking unpaid leave under the FMLA Leave policy or unpaid leave under the Adoption/Childbirth Leave policy.

Anytime an employee takes PTO for a reason that is also covered under the FMLA Leave policy or the Adoption/Childbirth Leave policy, described below, such leave will be counted against the employee's PTO allotment, as well as the employee's leave allotment.

### **Sick Time**

CAC provides 24 hours/3 days of paid sick time per calendar year to be used in the event of employee illness. CAC provides a pro-rated number of paid sick days to regular part-time employees. These days are intended solely for the illness of an employee and are forfeited at the end of each calendar year. If an employee leaves the employment of CAC, the sick days have no monetary value and will not be paid out to an employee upon termination of employment. The smallest increment of time that can be used for sick time is 2 hours.

### **Holidays**

CAC provides paid time off for eleven holidays:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Veterans' Day
President's Day	Thanksgiving Day
Memorial Day	Friday after Thanksgiving
Juneteenth	Christmas Day
Independence Day	

When a holiday falls on a Saturday, it is usually observed on the prior Friday, and if the holiday falls on a Sunday, it is usually observed on the following Monday. CAC will notify employees each calendar year of the day on which each holiday will be observed.

To be eligible for holiday pay, an employee must be regularly scheduled to work on the day on which the holiday is observed and will be compensated for that time at the employee's regular rate. For non-exempt employees, paid holidays do not constitute "hours worked" for purposes of overtime. Holidays that fall during a scheduled vacation do not count as a PTO day used.

## **PTO and Sick Absences**

Requests for approval of PTO must be submitted to and approved by the employee's supervisor in writing at least one calendar week in advance, except in very unusual circumstances.

An employee must report absences due to illness to the employee's supervisor, or to the Director of Administration or Executive Director if the supervisor is unavailable, no later than 30 minutes prior to the start of the employee's scheduled shift (usually by 8 a.m.) on the day of illness. (See "Attendance Policy," above at page 10, for more details.)

## **Family Medical Leave Act (FMLA) Policy**

Eligible employees will be provided leave consistent with the Family and Medical Leave Act ("FMLA"). Employees are eligible for leave under the FMLA if they: have worked for CAC for at least 12 months (the 12 months need not be consecutive), have worked at least 1,250 hours in the 12 months immediately preceding the commencement of the leave (time spent on paid or unpaid leave does not count towards the 1,250 hours), and work at a location where CAC employs 50 or more employees within 75 miles.

### **Family/Medical Leave**

Pursuant to the FMLA, CAC provides eligible employees with up to 12 workweeks of unpaid, job-protected leave during a defined "12-month period" for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care (continuous leave to be completed within 1 year of the child's birth/placement);
- To care for the employee's spouse, son or daughter, or parent (but not in-laws), who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

If two spouses both work for CAC and each is eligible for and wishes to take FMLA leave for the birth of a child, adoption, or placement of a child for foster care in the employees' home, the two spouses together are only eligible for a maximum of 12 workweeks of FMLA leave.

### **Qualifying Exigency Leave**

An eligible employee is entitled to take up to 12 workweeks of unpaid leave during a defined "12-month period" to address certain "qualifying exigencies" that arise when the employee's spouse, son, daughter, or parent is on covered active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Regular Armed Forces (including the National Guard or Reserves) and has been deployed outside the United States.

Qualifying exigencies may include addressing issues arising from short-notice deployment, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, spending time together during certain rest and recuperation leave, attending certain post-deployment activities and arranging for alternative parental care.

### **12-Month Period**

For purposes of determining an eligible employee's entitlement to "family/medical leave" or "qualifying exigency leave" under the FMLA, the "12-month period" shall be measured forward from the date the employee first takes leave under the FMLA.

Several FMLA leave episodes (family/medical/qualifying exigency) may be aggregated during a 12-month period but may not exceed the total of 12 workweeks for the above listed reasons.

### **Military Caregiver Leave**

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a “covered servicemember” is entitled to take up to 26 workweeks of unpaid leave during “a single 12-month period” to care for the servicemember.

A “covered servicemember” is a current or former member of the Armed Forces (including the National Guard or Reserves) who has suffered a serious injury or illness that was incurred in the line of active duty or that previously existed and was aggravated by service in the line of active duty and that may render the servicemember medically unfit to perform their duties, and for which the servicemember is currently undergoing medical treatment, recuperation, or therapy; is in outpatient status; or is on the temporary disability retired list. To be considered a “covered servicemember,” a “veteran” must have been a member of the Armed Forces (including the National Guard or Reserves) and discharged or released under conditions other than dishonorable within 5 years of undergoing such medical treatment, recuperation, or therapy.

For purposes of this special military caregiver leave entitlement, the “single 12-month period” begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date.

When military caregiver leave is granted, several FMLA leave episodes may be aggregated up to a combined total of 26 weeks, provided that the employee is entitled to no more than 12 weeks of those 26 weeks for FMLA leave other than military caregiver leave.

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity and treatment, incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may also meet the definition of continuing treatment.

### **Use of Leave**

FMLA leave may be taken “intermittently” or on a “reduced leave schedule” when medically necessary or due to qualifying exigencies. Intermittent leave is FMLA leave taken in separate blocks of time due to a single qualifying reason. A reduced leave schedule is FMLA leave that reduces an employee’s usual number of working hours per workweek, or hours per workday. In such situations, CAC and the employee will attempt to work out a schedule that meets the employee’s needs without unduly disrupting CAC’s operations, subject to the approval of the health care provider. When leave is unpaid, CAC will adjust an employee’s salary accordingly. In addition, while an employee is on an intermittent or reduced schedule leave, CAC may temporarily transfer the employee to an available alternative position that better accommodates the employee’s leave schedule and has equivalent pay and benefits. CAC will account for intermittent or reduced schedule leave in 1-hour increments.

Employees must consult with CAC and make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt CAC’s operations, subject to approval of the health care provider.



### **Employee Responsibilities**

Employees must provide the Director of Administration with no less than 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide the Director of Administration with notice as soon as practicable and generally must comply with CAC's usual and customary notice and procedural requirements. Failure to do so, may result in denial or delay of FMLA-protected leave, and may lead to discipline under CAC's policies.

Employees must provide sufficient information for the Director of Administration to determine whether the leave qualifies for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform the job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need to care for a covered servicemember or the existence of a qualifying exigency.

Employees must inform the Director of Administration if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave, as well as periodic reports of the employee's status and intent to return to work.

If an employee takes leave because of their own serious health condition, the employee is required, as are all employees returning from other types of medical leave, to provide medical certification that the employee is fit to resume work (with certain exceptions if the employee is taking intermittent leave). Otherwise, the employee will not be permitted to resume work. An employee who does not provide a required fitness-for-duty certification or request additional FMLA leave is no longer entitled to job reinstatement.

### **Employer Responsibilities**

CAC shall inform employees requesting leave whether they are eligible for leave under the FMLA. Eligible employees will receive notice of whether any additional information will be required, as well as notice of their rights and responsibilities under the FMLA. Ineligible employees will receive notice of at least one reason for their ineligibility.

CAC shall also inform employees whether their request for leave will be designated as FMLA-protected and the amount of leave that will be counted against the employee's total FMLA leave entitlement. The employee will also be notified if CAC determines that the requested leave is not FMLA-protected.

### **Benefits and Protections**

During FMLA leave, CAC will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. If paid leave is substituted for unpaid FMLA leave, CAC will deduct the employee's portion of the health plan premium as a regular payroll deduction. If an employee's leave is unpaid, the employee must pay their portion of the premium as directed.

Upon return from FMLA leave, employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms in accordance with the FMLA and CAC policy. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### **Substitution of Paid Leave for Unpaid Leave**

Accrued paid leave shall run concurrently with unpaid FMLA leave; that is, any leave taken for a reason qualifying under the FMLA and CAC's leave policies shall be subtracted both from the employee's total

FMLA entitlement and from the appropriate form of accrued paid leave. When requesting accrued paid leave, employees will be required to comply with CAC's normal policies for requesting paid leave.

With respect specifically to PTO, anytime unpaid leave is taken under the FMLA Leave policy, the employee shall be required to use concurrently all available PTO accrued during the calendar year for which the leave has been approved and is being taken. Employees are not required to, but may within their discretion, exhaust PTO carried forward from the previous calendar year when taking unpaid leave under the FMLA Leave policy.

### **Prohibited Acts**

The FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under the FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit if they believe CAC has engaged in the above prohibited acts.

### **Adoption/Childbirth Leave Policy**

The Adoption/Childbirth leave is intended to provide an opportunity for employees of CAC to take up to a maximum of 12 weeks of continuous leave to provide parental care immediately following the birth or adoption of a minor child. All regular employees are eligible for Adoption/Childbirth leave.

### **Effective Date and Triggering Event**

Eligibility for taking Adoption/Childbirth leave, based on pregnancy, childbirth or related conditions, shall begin upon the birth of the child or when the employee's physician provides medical documentation indicating that the employee is unable to work as a result of the pregnancy or related conditions, whichever occurs sooner. Eligibility for taking this leave based on adoption shall begin upon adoption placement of the child.

To be eligible to take Adoption/Childbirth leave under this policy, in the case of a birth, the employee must be the biological parent of the child. In the case of an adoption, the employee must be the legal guardian of, and reside in the same household with, the newly adopted child to be eligible.

If an employee adopts multiple children, the event shall be considered a single qualifying event, and will not serve to increase the length of leave for the employee, so long as the children are adopted within six weeks of each other.

Employees who desire to use such leave should apply in writing at least 30 days prior to commencement of the leave, or if such advance notice is not possible due to the particular circumstances, as far in advance as is practicable. Such application shall be made in writing to the Director of Administration. The commencement of Adoption/Childbirth leave must start no later than six weeks from the date of childbirth or child placement.

### **Leave and Benefit Amount**

Employees who qualify for Adoption/Childbirth leave may take up to 12 weeks of continuous leave as follows: (1) the eight weeks are paid at 100% of the employee's regular salary/wage; (2) the next four weeks are unpaid. For the duration of Adoption/Childbirth leave, employees are eligible to receive all Employer-

paid benefits and accrue all forms of leave at their regular accrual rates as if they were in active pay status. With respect to health plan premiums, CAC will deduct the employee's portion of the health plan premium as a regular payroll deduction during any paid Adoption/Childbirth leave. During any unpaid Adoption/Childbirth leave, the employee must pay their portion of the premium as directed.

### **Use of FMLA Leave and PTO**

Employees who are not eligible for Adoption/Childbirth leave may be eligible to take family and medical leave under the FMLA, as those eligibility requirements are different. Employees who are eligible for Adoption/Childbirth leave, and who are also eligible for FMLA leave, will take FMLA leave concurrently with Adoption/Childbirth leave.

Anytime unpaid leave is taken under this Adoption/Childbirth Leave policy, the employee shall be required to use concurrently all available PTO accrued during the calendar year for which the leave has been approved and is being taken. Employees are not required to, but may within their discretion, exhaust PTO carried forward from the previous calendar year when taking unpaid leave under this Adoption/Childbirth Leave policy. Anytime an employee takes PTO for a reason that is also covered under this Adoption/Childbirth Leave policy, such leave will be counted against the employee's PTO allotment, as well as the employee's leave allotment.

### **Payment**

Employees on Adoption/Childbirth leave shall receive leave pay as described above through the regular payroll process until the maximum amount of available paid Adoption/Childbirth leave time has been exhausted.

### **Overtime**

No portion of Adoption/Childbirth leave is to be included in calculating overtime.

### **Military Leave**

CAC grants military leave in accordance with the requirements of any applicable federal, state and local law. CAC shall accord to each employee who applies for reemployment at conclusion of their military service with the United States such reemployment rights as they shall be entitled to under existing law.

### **Jury Duty**

CAC will compensate regular full-time and regular part-time employees for jury duty up to a maximum of 4 weeks per year for regular full-time employee, and on a prorated basis for regular part-time employees, by paying an employee their straight time wage, provided the employee promptly notifies their supervisor upon receipt of notice of jury duty. Subsequent jury duty will be unpaid, although an employee may choose to use any accrued unused PTO to cover subsequent jury duty provided the employee complies with PTO procedures. Proof of jury service is required for each day.

### **Bereavement Leave**

Regular full-time employees will be eligible for 3 scheduled workdays of paid leave while arranging and/or attending the funeral/memorial service of an immediate family member. Immediate family includes an employee's mother, father, step-mother, step-father, sister, brother, spouse, domestic partner, child, step-child, or grandchild. For mothers-in-law and fathers-in-law, sons-in-law, daughters-in-law, sisters-in-law, brothers-in-law, aunts, uncles and grandparents, regular full-time employees will be eligible for 1 scheduled workday of paid leave. This benefit will be pro-rated for regular part-time employees. If an employee wishes to take additional time off for bereavement purposes, an employee should follow PTO procedures for requesting use of PTO.

## **Ohio Military Family Leave**

Employees are eligible for Ohio Military Family Leave once per calendar year if they have been employed for 12 consecutive months before the leave and worked 1,250 hours or more in the 12 months before leave. Employees also must meet the following conditions:

- The employee must be the parent, spouse or legal guardian of the person in uniformed services who has been called to active duty for more than 30 days or has been injured, wounded or hospitalized while serving on active duty.
- The employee must provide 14 days' notice if called to active duty or 2 days' notice if a family member has been injured, wounded or hospitalized. If the injury is critical or life-threatening, no notice is required.
- If leave is based on a deployment to active duty, the leave is to be taken either 2 weeks before deployment or one week after deployment.
- The employee does not have any other leave available for use (including FMLA), except sick leave or disability leave, if applicable.
- Upon returning from leave, the employee must submit a certification form signed by the appropriate military authority certifying that the leave was taken for a qualifying purpose.

Uniformed services means the armed forces, the Ohio organized militia when engaged in full-time national guard duties, commissioned members of the corps of public health service, and other categories of persons designated by the president in the time of war or emergency.

Eligible employees may take up to 10 days or 80 hours of unpaid leave, whichever is shorter, in each calendar year. Group health benefits will be maintained while on leave in the manner normally maintained.

## **V. Disciplinary Process and Separation**

### **Disciplinary Process**

Violations of CAC policies and other acts inconsistent with an employee's proper performance of their job duties will result, in CAC's sole discretion, in disciplinary action such as an oral warning, written warning, or, if circumstances warrant, more severe discipline such as termination of employment.

When appropriate, disciplinary action may be a progressive process that could include these or other actions:

- **Oral Warning:** A discussion with the employee about an issue(s) including a statement about expected improvements in behavior. The discussion will be documented in the employee's personnel file, dated and signed by supervisor. The employee will receive a copy.
- **Written Warning:** A written document that identifies the issues, expected improvements in behavior, and the consequences if improvements do not occur. The document will be part of a discussion with the employee. The employee should sign the document and any written response by the employee will be attached to the document in the personnel file.
- **Termination:** Employee will receive written notice of termination of employment.

Notwithstanding this progressive disciplinary process, CAC reserves the right to administer discipline in such a manner as it deems appropriate to the circumstances, and may, in its sole discretion, eliminate any or all of the steps in the progressive discipline process. CAC may consider the circumstances and severity of the offense, previous violations/corrective action, the individual's employment history with CAC and/or

other relevant factors, in determining what disciplinary action to take. Employment is at-will and CAC retains the discretion to impose disciplinary action, including immediate termination of employment. Examples of acts that may result in immediate discharge include:

- Falsification of personnel records, employment application, time cards or any other CAC records, including willful failure to complete records accurately.
- Insubordination, refusal, or failure to obey instructions of the employee's supervisor.
- Engaging in acts of racial, ethnic, age, disability, religious, or sexual harassment, or other unlawful harassment.
- Abuse, damage, or deliberate destruction of CAC property or the property of co-workers.
- Fighting or attempting bodily injury to a co-worker, supervisor, or volunteer at any time.
- Theft, misuse, or unauthorized removal or possession of CAC property or the property of a co-worker.
- Possession, display, or use of weapons, firearms or explosives on CAC premises.
- Threatening physical harm to a supervisor, employee, co-worker or client.
- Failing to use business etiquette when interacting with a supervisor, employee, co-worker, or client (e.g., excessively profane language).
- Commission of any criminal offense (other than a minor traffic violation) while on duty or on CAC premises, or commission of any criminal offense which might adversely affect the employee's work or work relationships or CAC's business or reputation.
- Failure to report to work on 3 consecutive working days without notifying the supervisor. Under these circumstances, CAC considers the employee to have voluntarily terminated employment.
- Unsatisfactory job performance.
- Such other reason as determined by the ED. Generally, conduct that may be disruptive, unproductive, unethical or illegal may lead to discipline, up to and including discharge.

Prior to taking any disciplinary action that would result in time off from work or termination of employment, CAC will provide the employee an opportunity to meet with the ED to discuss the reason(s) for the disciplinary action and have an opportunity to present any defenses or mitigating factors.

### **Employee Voluntary Separation**

All employees should give reasonable notice (at least 10 working days) prior to their voluntary separation from CAC. This notice should be in writing and addressed to the employee's supervisor, with a copy to the ED. Employees will be compensated through their last working day and will receive payment for any unused, accrued PTO at the rate described in the "Paid Time Off" policy, above. Failure to provide the required notice will result in a forfeiture and waiver of all accrued but unused PTO.

### **Separation from Employment**

Upon separation from employment, either voluntary or involuntary, or upon earlier request, the employee shall immediately return all CAC documents and property.

## **VI. Other**

### **Contact with the Media**

All media inquiries regarding CAC and its operations must be referred to the ED. No employees, unless specifically designated by the ED, are authorized to make public statements pertaining to CAC or its

business operations, and no employee should speak to the media on CAC's behalf without first contacting the ED and obtaining the ED's express prior written approval.

### **Employee References**

All requests for references from CAC must be directed to the Director of Administration. CAC's policy as to reference requests for employees who have left CAC is to disclose only the dates of employment and the title of the last position held and to verify compensation.

### **Open-Door Policy**

At some time an employee may have a complaint, suggestion or question about their job, working conditions or the treatment they are receiving. An employee's good-faith complaints, questions and suggestions are also of concern to CAC. When an employee has job-related concerns or complaints, CAC encourages the employee to take the following steps:

1. Within a week of the events that cause the concern, bring the situation to the attention of your immediate supervisor who will then investigate and provide a solution or explanation. CAC emphasizes that an employee is not required to complain first to their supervisor if that supervisor is the individual with whom the employee has a problem.
2. If the problem persists, an employee may inform the Director of Administration that the employee has a concern under this Open-Door Policy, put it in writing, and present it to the Director of Administration who will investigate and provide a solution or explanation. It is recommended that an employee bring the matter to the Director of Administration as soon as possible after the employee believes that their immediate supervisor has failed to resolve the matter.
3. If the problem is not resolved, an employee may present the problem in writing to the Executive Director, who will attempt to reach a final resolution.

This procedure, which we believe is important for both employees and CAC, may not necessarily result in every problem being resolved to an employee's satisfaction.

**Receipt and Acknowledgment  
of CAC's Employee Manual**

*Please read the following statements, sign below and return to your supervisor.*

I have received, and have read or will read, a copy of the CAC Employee Manual. I understand this Employee Manual replaces and supersedes any previous manual or workplace policies from CAC, whether oral or in writing. Since the information, policies, and benefits described herein are necessarily subject to change, I acknowledge that revisions to the Employee Manual may occur with or without notice, except to CAC's policy of at-will employment, which can only be altered by a written instrument signed by CAC's Executive Director and by me and approved by the Board of Trustees. I understand that any such revised information may supersede, modify or eliminate existing workplace policies.

I further understand that my employment is at-will, and neither I nor CAC has entered into a contract regarding the duration of my employment. I am free to terminate my employment with CAC at any time, with or without reason. Likewise, CAC has the right to terminate my employment, at any time, with or without reason. No employee of CAC can enter into an employment contract for a specified period of time, or make any agreement contrary to this policy except for the Executive Director through a written agreement signed by the Executive Director and by me. I acknowledge that this Employee Manual is neither a contract of employment nor a legal document.

I understand that the Employee Manual contains policies and procedures regarding, among other things: (i) discrimination and harassment, which prohibit discrimination, harassment and retaliation based on certain characteristics protected by applicable law and include a complaint procedure to report any prohibited discrimination, harassment or retaliation, (ii) CAC's information technology, which provides, among other things, that CAC has the right to monitor, review, retain, disclose and/or take any other appropriate actions regarding any information and electronic communications transmitted through, received by or stored on CAC's information technology systems and that employees should have no expectation of privacy in using such systems, and (iii) CAC's Disciplinary Process and Separation policies.

I have received the Employee Manual, I have read it or will read it, and I understand that it is my responsibility to comply with the policies contained in the Employee Manual and any revisions made to it.

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

## **APPENDICES**

### **Requests for Reasonable Accommodations: Procedure**

CAC will provide reasonable accommodations to qualified applicants and employees with a disability to the extent required by law. All requests for a disability accommodation must be made in writing to the Director of Administration, at this address or e-mail address:

DIRECTOR OF ADMINISTRATION  
1422 EUCLID AVENUE, SUITE 400-5  
CLEVELAND, OH 44115  
(216) 515-8303  
(CURRENTLY: MHARRIS@CACGRANTS.ORG)

After a request for accommodation has been made, CAC and the employee/applicant will begin an interactive process to determine what, if any, accommodation should be provided. This means that the individual requesting the accommodation and CAC will communicate with each other about the request, the precise nature of the problem that is generating the request, how a disability is prompting a need for an accommodation, and alternative accommodations that may be effective in meeting an individual's needs.

CAC, through the Director of Administration, will contact the applicant or employee usually within 10 business days after the request is made (even if the request is initially made to someone else) to begin discussing the accommodation request. In some instances, CAC may need to get information to determine if an individual's impairment is a "disability" under applicable law or to determine what would be an effective accommodation.

Communication is a priority throughout the entire process, but particularly where the specific limitation, problem, or barrier is unclear; where an effective accommodation is not obvious; or where the parties are considering different forms of reasonable accommodation. Both the individual making the request and CAC will work together to identify effective accommodations.

When a third party (e.g., an individual's doctor, spouse, or domestic partner) requests accommodation on behalf of an applicant or employee, CAC will, to the extent possible, confirm with the applicant or employee that they want a reasonable accommodation before proceeding. Where this is not possible, for example, because the employee has been hospitalized in an acute condition, CAC will process the third party's request if it seems appropriate and will consult directly with the individual needing the accommodation as soon as practicable.

The Director of Administration may need to consult with other CAC personnel (e.g., an employee's supervisor, or the ED) or outside sources to obtain information necessary to make a determination about the request. In addition, CAC is entitled to ask for and receive medical information showing that the requestor has a covered disability that requires accommodation. It is the responsibility of the applicant/employee to provide appropriate medical information requested by CAC. Only CAC may determine whether medical information is needed and, if so, may request such information from the requestor and/or the appropriate health professional.

If the initial information provided by the health professional or volunteered by the requestor is insufficient to enable CAC to determine whether the individual has a "disability" and/or that an accommodation is needed, CAC will explain what additional information is needed. If necessary, the individual should then ask their health care provider or other appropriate professional to provide the missing information. CAC may also give the individual a list of questions to give to the health care provider or other appropriate professional to answer. If sufficient medical information is not provided by the individual after an



opportunity(ies) to correct, CAC may ask the individual requesting accommodation to sign a limited release permitting CAC to contact the provider for additional information. CAC may have the medical information reviewed by a doctor of CAC's choosing, at CAC's expense.

Medical information obtained in connection with the reasonable accommodation process will be kept confidential to the extent required by law. This means that all medical information that CAC obtains in connection with a request for reasonable accommodation will be kept in files separate from the individual's personnel file. This includes the fact that an accommodation has been requested or approved and information about functional limitations. It also means that any CAC employee who obtains or receives such information is strictly bound by these confidentiality requirements.

CAC may share certain information with an employee's supervisor or other CAC employee as necessary to make appropriate determinations on a reasonable accommodation request. Under these circumstances, CAC will inform the recipients about these confidentiality requirements. The information disclosed will be no more than is necessary to process the request.

## Cuyahoga Arts & Culture Ethics Policy

### I. POLICY STATEMENT

It is the policy of Cuyahoga Arts & Culture (“CAC”) to carry out its mission in accordance with the strictest ethical guidelines and to ensure that members of its Board of Trustees (“Trustees”) and its employees, including its Executive Director (who is by law its fiscal officer), conduct themselves in a manner that fosters public confidence in the integrity of CAC, its processes and its accomplishments.

### II. GENERAL STANDARDS OF ETHICAL CONDUCT

Trustees and employees must, at all times, abide by protections to the public embodied in Ohio’s ethics laws, as found in Chapters 102 and 2921 of the Ohio Revised Code, and as interpreted by the Ohio Ethics Commission and Ohio courts. The standards set forth in this Ethics Policy shall not preclude more stringent standards required by law. Trustees and employees are expected to comply with applicable provisions of Ohio law in addition to this Ethics Policy.

### III. AVOIDANCE OF CONFLICTS OF INTEREST

Trustees and employees must conduct themselves with integrity and impartiality and in a manner that avoids the appearance of impropriety. Toward that end, CAC adheres to the following restrictions (with words and phrases in bold type being defined below):

- CAC employees and Trustees may not serve as members of the board of directors of an organization receiving CAC funding.
- A Trustee may not be in a **senior management position** of any organization receiving CAC funding.
- A person shall not serve as a Trustee or employee of CAC if a **family member** serves in a **senior management position** of any organization receiving CAC funding. If a family member serves on the board of directors of a grant recipient, the Trustee or employee may not participate in any funding decisions involving the affected grant recipient, as described below.

Further, to avoid any conflict of interest or the appearance of impropriety, no Trustee or employee shall:

- Solicit or accept **anything of value** from **anyone doing business with CAC**.
- Use their position to obtain benefits for the Trustee or employee, a **family member**, or anyone with whom the Trustee or employee has a business or employment relationship.
- Hold or benefit from a contract with, authorized by, or approved by, CAC (the ethics laws do except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under R.C. 2921.42 are met).
- Vote, authorize, recommend, or in any other way use their position to secure approval of a contract (including grants, employment or personal services) in which the Trustee or employee, a family member, or anyone with whom the Trustee or employee has a business or employment relationship, has an interest.
- Solicit or accept employment from **anyone doing business with CAC**, unless the Trustee or employee completely withdraws from CAC activity regarding the party offering employment and CAC approves the withdrawal.

For purposes of this policy:

- **“Anything of value”** includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, consulting fees, compensation or employment. “Value” means worth greater than de minimis or nominal. “Anything of value” does not include reasonable access for CAC grant administrators to performances or exhibits or other grantee or prospective grantee presentations for the sole purpose of assessing the work of the grantee or prospective grantee; as long as such access is required by the terms of the grant or the standard grant application procedures.
- **“Anyone doing business with CAC”** includes, but is not limited to, any person, corporation or other party that is doing or seeking to do business with, has interests before, or receives or seeks to receive grants from CAC.
- **“Senior management position”** includes a salaried position of administrative or supervisory authority and such other management positions as are determined at the discretion of CAC Board of Trustees.
- **“Family member”** means a CAC official’s or employee’s spouse, children, parents, siblings, grandparents and grandchildren regardless of where they live and any other person related to a CAC official or employee by blood or marriage and residing in the same household with the official or employee.

#### IV. OTHER STANDARDS OF CONDUCT

No Trustee or employee shall:

- Solicit or accept prohibited honoraria (Ref: Ohio Revised Code Section 102.03(H)). The law does not prohibit a person from giving to a public official or employee an honorarium or a payment for travel, meal and lodging expenses if the honorarium, expenses or both (1) were paid in recognition of demonstrable business, professional or esthetic interests of the public official or employee that exist apart from public office or employment, including, but not limited to, such a demonstrable interest in public speaking; and (2) were not paid by any person or other entity, or by any representative or association of those persons or entities, that is regulated by, doing business with, or seeking to do business with the department, division, institution, board, commission, authority, bureau or other instrumentality of CAC.
- Be paid or accept any form of compensation for personal services rendered on a matter before CAC.
- Represent private interests in any action or proceedings against the interest of CAC, in any capacity, in matters in which CAC is a party.
- During public employment or service and for twelve months thereafter, represent a person or act in representative capacity for any person, before any public agency, on any matter in which the Trustee or employee personally participated as a Trustee or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of legislative or administrative discretion (Ohio Revised Code Section 102.03(A)).
- Use or disclose confidential information protected by law, unless appropriately authorized.
- Use or authorize the use of their title, the name “Cuyahoga Arts & Culture,” or “CAC” or CAC’s logo in a manner that suggests impropriety, favoritism or bias by CAC or the official or employee.

## **V.ASSISTANCE**

Questions about the CAC Ethics Policy may be directed to the Director of Administration at (216) 515-8303.

The Ohio Ethics Commission is available to provide advice and assistance regarding the application of the ethics laws and related statutes. The Commission can be contacted at (614) 466-7090. The Commission's web site address is: [www.ethics.ohio.gov](http://www.ethics.ohio.gov).

The Commission may provide written advisory opinions in response to questions related to application of the ethics laws. Adherence to the advice in written opinions provides immunity from prosecution.

## **VI.PENALTIES**

Failure of any CAC employee to abide by this Ethics Policy, or to comply with the ethics laws and related statutes, may result in discipline. Discipline may include dismissal as well as any potential civil or criminal sanctions under the law.

Pursuant to Ohio Revised Code Section 3381.05, the appointing authority, the Cuyahoga County Board of Commissioners, may at any time remove a Trustee for misfeasance, nonfeasance or malfeasance in office, including failure to abide by the Ethics Policy.

In addition, all CAC Trustees and employees are subject to investigation by the Ohio Ethics Commission for alleged violations of the Ohio Ethics Law and related statutes and subsequent referral for prosecution.

## **VII.REVIEW AND AMENDMENTS**

This Ethics Policy will not be subject to any scheduled review but shall remain in full force and effect until modified or amended by the CAC Board of Trustees.

**ACKNOWLEDGMENT OF RECEIPT OF OHIO ETHICS LAWS**

I hereby acknowledge receipt of the Cuyahoga Arts & Culture Ethics Policy. I also hereby acknowledge receipt of a copy of the Ohio Ethics Laws found in Ohio Revised Code Chapters 102 and 2921.

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

## **Public Records Policy**

### **Public Records**

Records include the following: any document – paper, electronic, or other format – that is created or received by, or comes under the jurisdiction of, CAC and documents the organization, functions, policies, decisions, procedures, operations, or other activities of CAC. All records kept by CAC are public unless they are specifically exempt from disclosure by law.

### **Records Requests**

Any person may obtain access to CAC records. CAC asks that requests be made in writing, using the attached form. However, Ohio law does not require the requester to put a records request in writing, or provide their identity or the intended use of the requested public record.

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow CAC to identify, retrieve, and review the records. If it is not clear what records are being sought or if the request is overly broad, the request may be denied. In that event, CAC will provide the requester with an opportunity to revise the request by informing the requestor of the manner in which records are maintained by CAC and accessed in the ordinary course.

### **Accessibility of Records**

Public records are available for inspection during regular business hours. The regular business hours of CAC are from 8:30 a.m. to 4:30 p.m. Monday through Friday.

CAC's public records will be made available for inspection promptly. Copies of public records will be made available within a reasonable period of time. Payment for copies will be required in advance. "Prompt" and "reasonable" take into account, among other things: the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Any denial by CAC of public records requested will include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions will be redacted and the rest released. If there are redactions, each redaction will be accompanied by a supporting explanation, including legal authority.

### **Costs for Copies of Public Records**

Those seeking copies of public records from CAC will be charged for the cost of making copies. The charges must be paid in advance. The charges for copies are as follows:

10 ¢ per copy made on standard size (8 ½ x 11) white paper

15 ¢ per copy made on legal size (8 ½ x 14) white paper

Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and the mailing supplies, and payment of that charge must be made in advance of the mailing.

Policy adopted by Resolution No. 07-17 Adopted by the Board of Trustees on November 13, 2007.

**CUYAHOGA ARTS & CULTURE  
POLICY STATEMENT**

**SUBJECT:Employee Expense and Travel Reimbursement**

**EFFECTIVE DATE:June 11, 2013 (rev. 4/10/2018)**

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**PURPOSE**

Travel and related business expenses are a necessary component of CAC's operations. CAC employees must sometimes travel outside their normal commute to conduct official business. CAC employees may also attend professional conferences, trainings and meetings that require travel.

In these cases, CAC must make every reasonable effort to ensure that public funds are used in a responsible, reasonable and appropriate manner.

**POLICY**

CAC will pay or reimburse properly documented expenditures for reasonable, necessary travel expenses incurred by employees in the performance of their official duties. Allowable expenses and CAC processes are outlined below. It is expected that employees should exercise the same care in incurring travel expenses that they would exercise if traveling on personal business and expending personal funds.

This policy does not intend to address every issue, exception or contingency that may arise in the course of travel.

**1. AUTHORIZATION OF TRAVEL**

CAC employees must obtain pre-approval from the executive director for any travel that exceeds a fifty-mile radius of CAC's offices.

**2. ALLOWABLE TRAVEL EXPENSES**

Reimbursable travel is limited to the period running from the day before to the morning after official CAC business begins and ends.

**TRANSPORTATION**

The use of air, train, bus or private vehicle shall be selected on the basis of the most reasonable and appropriate method of transportation, considering distance, time and total costs as factors.

**Common Carrier**

- 1) Whenever possible, staff shall book their approved travel no later than 21 days in advance of their travel date in order to secure the lowest fares. The least expensive airfare should be purchased, this includes non-refundable and penalty fares, fares based on a two-hour "window" on either side of the preferred departure or arrival times, and flights that include a connection. Air carrier selection cannot be biased by the traveler's frequent flyer affiliation. The lowest cost air travel should take precedence.
- 2) Reimbursement or payment for travel by air, rail, bus or other common carrier shall not exceed the cost of coach fare or the economy rate in the chosen method of travel.
- 3) Employees shall be personally liable for any charges assessed due to their failure to cancel reservations within the time frame specified by carriers, unless the failure is due to circumstances beyond their control or because of cancellation by CAC.

**Personal Automobile**

- 1) An employee may be reimbursed for the use of privately owned automobile at the rate set by the State of Ohio for the quarter in which travel occurs. This reimbursement is meant to cover all expenses incurred in using a privately-owned vehicle for CAC business.

- 2) Highway tolls and parking expenses incurred while traveling for CAC will be reimbursed with proper documentation.
- 3) Mileage is only payable to one person traveling on the same trip in the same vehicle.
- 4) When an employee is away from CAC for the entire day, the total number of business miles driven that day may be reimbursed.
- 5) When an employee is away from CAC for part of the day, reimbursement will be for the total number of business miles driven, less the employee's round-trip daily commute.
- 6) Mileage while commuting to and from work will not be reimbursed.
- 7) No employee may be reimbursed for expenses on a mileage basis unless they maintain a valid driver's license.
- 8) No employee may be reimbursed for expenses on a mileage basis unless they carry motor vehicle liability insurance with coverage equal to or greater than that required by the Ohio Revised Code Section 4509.51.
- 9) Any gasoline, damages, needed service or repairs to private vehicles while being used for CAC business are the responsibility of the employee, as these costs are included in the per mile cost reimbursement.

#### **Rented Automobile**

- 1) Employees may be reimbursed for the rental of an automobile used for official CAC business if the use of a rental car is more economical than any other type of transportation; and for gasoline purchased for the rented automobile.
- 2) The employee must read and comply with the rental agreement's provisions covering driver eligibility, use of seat belts and other restrictions.

#### **Other Transportation Expenses**

- 1) Reimbursement may be claimed for parking charges, ferry and taxi fares and bridge, highway and tunnel tolls.

#### **Frequent Flyer Credits**

- 1) Frequent flyer credits earned by CAC employees for travel on CAC business cannot be used for personal travel. These credits may be applied toward future CAC travel.

### **LODGING**

- 1) CAC employees will be reimbursed for the actual reasonable expenses for lodging while on official CAC business if business requires an overnight stay and is more than 2 hours or 100 miles from the employee's residence. Reimbursement is for room and applicable taxes only any other expenses incurred are the employee's responsibility.
- 2) Lodging for CAC employees attending conferences, workshops or meetings should be conference-sponsored hotels. If this is not possible, employees must make every attempt to secure the best rate.
- 3) The cost of lodging members of the employee's family is not reimbursable.
- 4) Tips are included in the Per Diem Allowance (see next section).

### **PER DIEM MEAL ALLOWANCE AND INCIDENTAL EXPENSES**

- 1) Employees will be reimbursed for meals and incidental expenses incurred during an overnight stay in an amount up to Federal Standard Meal Allowance (FMSA) for the region of travel. Rates may be accessed at: <http://www.gsa.gov/mie>. Receipts must be submitted in accordance with Section 3 of this policy
- 2) If meals are included in any registration fees, employees will not be reimbursed for duplicate meals.
- 3) Reimbursements will be made for all meals when the employee is away from home overnight. When the employee is away from home more than 2 hours or 100 miles and lunch is not provided, the employee may be reimbursed for lunch expenses. The amount of reimbursement is limited by the employee's receipts and the FMSA.



