

Eugene Association of REALTORS®
POLICIES AND PROCEDURES
Approved by the Board of Directors 2016
Certified by NAR

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**POLICIES and PROCEDURES
of the Eugene Association of REALTORS®, Inc.
(hereinafter referred to as “EAR”)**

SECTION 1

GENERAL

Section 1-1 Policy Purpose and Formulation

Policy statements serve the purpose of developing guidelines and standards for the internal operations of EAR. Policy statements shall be approved by the Board of Directors on a continuing basis as needed and must be re-approved each year by the new Board of Directors. Policy recommendations may be made by staff, committee chairs, or members of the Board of Directors. Approved policy statements from one year shall remain in effect until the first meeting of the Board of Directors the following year.

Section 1-2 Logo

Use of the EAR logo shall be permissible to members in good standing provided that it accompanies the member's company logo and shall not be larger in size than the member's company logo. The EAR logo may not be used in a way to make the appearance that the member is a designated spokesperson or representative for EAR, unless approved prior in writing by the Board of Directors.

Section 1-3 Meetings

1. The Annual Meeting for EAR (**Article XII, section 1 of the Bylaws**) shall be held in July.
2. Installation of Officers shall be held in the December each year at a time and place approved by the Board of Directors. The new President will preside over the January Board meeting.

Section 1-4 Communications

1. Minutes of the Board of Directors' meetings will be available to the membership upon request following approval of the minutes by the Board of Directors. Communications with members regarding special meetings shall be conducted as per **Article XII, Section 3 of the Bylaws**.
2. Membership Rosters are provided to members upon request, for their convenience. Rosters shall not be used by members for non-real estate related marketing purposes, political purposes, soliciting charitable contributions, or for any other purpose not related to EAR members' real estate related business or activities. Rosters shall not be provided to a non-member without prior approval from the Board of Directors.
3. The Eugene Association of REALTORS® official method of disseminating information to members including, but not limited to, notices of meetings, bylaws changes, etcetera, shall be by electronic or printed material and shall be distributed through electronic means or U.S. Mail.
4. Broadcast email distribution shall be utilized only for EAR sponsored events, EAR committee events and classes, and classes held by allied organizations (i.e. – NAR councils, such as WCR or CRS, and EAR Affiliate members). It shall not be used for classes or events being held by individual real estate offices or non-affiliate firms without prior approval from the Board of Directors.

5. Classes and events being held by EAR or one of its committees may be posted by EAR staff at the Executive Officer's discretion on social networking sites and blogs where EAR has a presence (i.e. – Facebook), but may not be posted by any REALTOR® or Affiliate members without prior approval from the Board of Directors or the Executive Officer.

Section 1-5 Annual Checklist

Annually at the first Board of Directors meeting of each Board year, the following procedures will be performed:

1. The Board of Directors shall affirm existing bank accounts and/or approve any new and necessary bank accounts; affirm existing designated reserve funds; and approve increases or reductions to the designated reserve funds.
2. The current governing documents, which will be distributed to the incoming Board members for review at their Board Training, shall be reaffirmed or revised.
3. As required, new signature cards and corporate resolutions will be signed and updated for all bank accounts. The January minutes will reflect the new authorized signers and banking institutions. An adoption of all Corp. Resolutions will be made by the Board.
4. All financial institutions should be notified of any changes to the authorized signers of the accounts within ten (10) business days following the meeting.

Section 1-6 Executive Officer and the Board of Directors

1. The Executive Officer will report the status, progress, and implementation of a passed motion to the EAR President prior to the next Board of Director's meeting.

Section 1-7 Computer System Data Recovery Backup Procedures

1. A minimum back-up, configured via a partnership between RMLS IT and EAR, will allow for file restoration in the event of major data loss. The following must be maintained as a baseline minimum.
 - a. Financial Data. (QuickBooks Database)
 - b. Membership Data. (Member applications are scanned and stored on the F Drive as PDF files)
 - c. Staff Files and E-mail Archives. (Local Workstation User Documents and PST Archive)
 - d. Synology Network Attached Storage (NAS) device mapped via the F partition to local workstations.
2. Offsite backups will be maintained offsite through a membership to Crashplan, featuring full data encryption and redundancy through their server infrastructure.
3. Onsite backups will be maintained through automated process via the Synology NAS. This device is securely stored within the network closet and will be periodically checked for reliability.
4. A comprehensive disaster recovery plan will be drafted by EAR and approved annually by the Board of Directors. This documentation will provide a standard procedure for recovery in the event of data loss.
 - a. This documentation will be stored on the NAS with the aforementioned onsite and offsite backups.
 - b. Passwords will be securely stored by EAR staff, either digitally or physically, in all contingency events.

Section 1-8 Privacy Policy

1. EAR recognizes the importance of protecting the personal information members provide. Therefore, EAR maintains the following Privacy Policy for mailing lists, websites controlled and/or owned by EAR, email distribution lists, and all other forms of advertising or communications utilizing membership records and information.
2. EAR gathers the following types of information needed to process transactions, fulfill requests, and
 - a. maintain membership records:
 - b. Contact information provided by the member (for example - personal and business addresses, phone and fax numbers, firm affiliations and titles).
 - c. Tracking information which automatically recognized by the web server each time an EAR site is visited, or the member has communicated with EAR via email (for example - domain name, email address, and pages visited); and
 - d. Information volunteered via applications or surveys (for example - education, designations, specialties, affiliations with other real estate organizations and general demographic data).
3. This information is used to:
 - a. Improve and customize the content and layout of websites and other communication tools.
 - b. Notify members of updates, relevant products and services, and upcoming events and programs.
 - c. Compile specialty directories.
 - d. Track usage of websites and specific services.
 - e. Assist the national and state REALTOR® associations and affiliated Institutes, Societies and Councils in membership tracking and for their use for purposes similar to those listed above.
4. EAR does not share, sell, or trade email address lists. EAR may use an email address to send member related information. EAR will make available, through the membership roster on its public website, access to members' email addresses.
5. Forms of contact information other than email address may be listed on the membership rosters available on EAR's public website. EAR will not share, sell or otherwise provide this contact information about its members to any third party, except for:
 - a. The National or State REALTOR® Associations and affiliated Institutes, Societies, and Councils.
 - b. When required by law or valid legal process, or to protect the personal safety of its members or the public.
6. Credit information that members and credit authorizers provide when payments are made by credit card, debit card, or electronic check for products, dues, or other services will only be used to process the transactions requested. This information will be provided to and maintained by reputable credit reporting databases, but will never be sold, shared or provided to other third parties. EAR's payment processing vendors are responsible for providing security for all payment processing through their terminals.

7. EAR allows its members the option of opting-out of receiving online routine notifications regarding services, products, and programs by removing the member's email address from the system. They will remain on the Navica Streamline CRM email system to receive annual dues billing and for voting purposes, as required by EAR Bylaws.

8. A member may edit their personal contact information through the Navica Streamline CRM system or by contacting the EAR office.

Section 1-9 Roster Affiliates

1. DEFINITION:

A Roster Affiliate is an individual, other than the primary contact person, employed by an Affiliate member firm whose business would benefit from being made known to the REALTOR® members of EAR and who wants to be listed on the membership roster.

2. A Roster Affiliate is considered to be an Affiliate member of EAR, but is NOT a member of the state or national association and not included in the official membership count.

3. A Roster Affiliate does NOT have the right to serve on the Board of Directors, but can serve on EAR Committees where the Committee structure is not set by policy.

4. An employee of an Affiliate member firm who wishes to serve on an EAR Committee must be listed as a Roster Affiliate with EAR.

5. Dues and/or fees for Roster Affiliates shall be as determined by the Board of Directors.

SECTION 2

ACCOUNTING

Section 2-1 Purpose

The purpose of this section is to document the internal accounting procedures for EAR to ensure that assets are safeguarded, that financial statements are in conformity with generally accepted accounting principles, and that finances are managed with responsible stewardship. All personnel with a role in the management of EAR's fiscal operations are expected to uphold the policies in this manual. It is the intention of EAR that these accounting policies and procedures serve as our commitment to proper, accurate financial management and reporting.

Section 2-2 Division of Duties

The following is an overview of the responsibilities within the accounting department and who is responsible for said duties. This list should not be considered comprehensive.

Executive Officer:

1. Approve invoices and reimbursement requests excluding those reimbursements payable to the Executive Officer and the invoice for the Executive Officer's company credit card, which must be approved by the President and be paid by the Executive Assistant.

2. Review and approve annual budget proposal for presentation to the Budget Committee.
3. Review all invoices and attachments with checks being presented for signature.
4. Review reconciled bank statements.
5. Review deposits.
6. Take deposits to the bank.
7. Review the monthly variance report prior to dissemination to the Board of Directors.
8. In cooperation with the Executive Assistant, perform a quarterly review of the petty cash fund.
9. Review and approve all governmental agency filings (i.e. – tax returns, political action committee (“PAC”) reports, etc.).

Executive Assistant:

1. Review, prepare and present invoices for reimbursement requests to the Executive Officer for payment. Reimbursements payable to the Executive Assistant and or Executive Officer must be reviewed and approved with a signature of the Board President, Pres. Elect or Past President as authorized signers on the account.
2. Obtain input from Executive Officer, for preparation of the annual budget in QuickBooks.
3. Prepare monthly financial reports for the Board of Directors meeting, in cooperation with the Executive Officer, CPA, and Board President, prepare a variance report.
4. Verify all reimbursement requests against receipts provided.
5. In the absence of the Executive Officer, review deposits and take to the bank.
6. In cooperation with the Executive Officer, perform a quarterly review of the petty cash fund.
7. Have Executive Officer review and approve reports prepared for issuing dues transmittal checks to the Oregon Association of REALTORS® (“OAR”) and the National Association of REALTORS® (“NAR”).

Executive Assistant and or Bookkeeper:

1. Receive bank statements and reconcile.
2. Process all accounts receivables and accounts payables.
3. Process cash receipts and prepare bank deposits.
4. Maintain and reconcile the general ledger monthly.
5. Manage the petty cash fund.
6. Reconcile credit card deposits and service charges.
7. Prepare checks for accounts payable payments and reimbursements.
8. Maintain required RPAC records and prepare weekly filings for Executive Officer’s review and approval.
9. Process checks for the state and national portions of the RPAC contributions and forward to OAR with necessary paperwork within timeframe requirements.
10. Prepare reports and, upon approval of the reports, process checks for dues transmittals to OAR and NAR for both annual dues payments and new member payments received throughout the year.

Budget Committee:

1. Review financial reports on a quarterly basis.
2. Review and approve annual budget proposal for presentation to the Board of Directors.

President:

1. Review all invoices and attachments with checks being presented for signature over \$750.
2. Review the monthly variance report prior to dissemination to the Board of Directors.
3. Review reconciled bank statements and other monthly financial reports with the Executive Officer.
4. Review and approve credit card statements and reimbursements for Executive Officer and Administrative Assistant.

President Elect:

1. Review invoices and attachments with checks being presented for signature over \$750. In the absence of the President.
2. In the absence of the President, review the monthly variance report prior to dissemination to the Board of Directors.
3. Review monthly financial reports with the Executive Officer, in the absence of the President.

Immediate Past President:

1. Review invoices and attachments with checks being presented for signature over \$750. in the absence of the President and President Elect.

Board of Directors:

1. Review and approve annual budget proposal for the following year no later than the November Board meeting.
2. Review and approve all contracts for goods and services that occur within the fiscal year that are in excess of the approved budget or which exceed \$5,000.00.
3. Prepare expense report for mileage reimbursement and submit to Executive Officer for payment, when travel outside of the area for meetings that EAR has agreed to pay through the budget.

Section 2-3 Financial Planning**1. RESERVES:**

- a. A restricted operating reserve shall be established to be used in case of an excessive drop in membership. The target balance for the reserve shall be an amount not less than 6 months average operating expenses. The annual adjustment to the reserve shall be made to/from the retained earnings ledger item in February of each calendar year, as recommended and determined by the budget committee and approved by the Board of Directors.
- b. Additional reserves shall be as established by the Board of Directors.

2. BUDGET:

- a. The Board of Directors shall approve the upcoming year's budget no later than the November meeting of each year.
- b. Board of Directors approval is required prior to exceeding previously approved budgeted amounts for non-standard operating expenses.
- c. Any non-recurring un-budgeted expenditure over \$2,500.00 shall require separate Board of Directors approval.
- d. The President and President Elect shall be funded to attend OAR conferences, the NAR Mid-Year Legislative meeting and the NAR REALTOR® Convention. President Elect will be funded to attend the NAR and OAR Leadership Trainings. All OAR Directors and Alternates shall be reimbursed for mileage to attend all OAR Board of Directors meetings. Amounts for each of the aforementioned events and attendees shall be as approved in the annual budget. Other industry pertinent events and appropriate attendees shall be as approved in the annual budget.
- e. NAR Directors, who are EAR members, shall receive reimbursement for OAR Board meetings at the same calculation as a State Director, as set in the annual budget.

3. RISK REDUCTION: This section of the policies seeks to minimize risk by requiring that several individuals, both staff and volunteers, are involved in creating and/or reviewing the reserves and the annual budget. Neither the reserves nor the budget can be altered without the approval of the Board of Directors.

Section 2-4 Banking

1. All monies received by the Association for any purpose shall be deposited to the credit of the Association in a financial institution or institutions selected by resolution of the Board of Directors.

2. Authorized signatories on all EAR accounts shall be the following:

- a. Executive Officer for EAR
- b. Current President of EAR
- c. President-Elect of EAR
- d. Immediate Past President of EAR

3. Two signatures shall be required on all checks written on EAR accounts over \$750. Signatories may not sign checks made out to them.

4. EFT's (Electronic Funds Transfer) accounts shall be approved annually by the President and the Executive Officer. All new EFT accounts must be approved by the President and Executive Officer.

5. RISK REDUCTION: This section of the policies seeks to minimize risk by requiring that more than one individual, both staff and volunteers, act as signatory on checks over \$750. and provide approval for EFTs.

Section 2-5 Accounts Receivable and Cash Receipts

1. Executive Assistant receives all cash receipts. Deposits are prepared weekly or more often if needed. Deposits are posted to the accounting program. The deposit will be reviewed by the Executive Officer then taken to the bank by the Executive Assistant or Executive Officer. All un-deposited funds shall be kept locked up until such time as they are taken to the bank.

2. Funds received from credit or debit card charges will be deposited directly to the general checking account by the merchant processor (currently the National Association of REALTORS® Ecommerce and Swipe Now). The Exec. Assistant is responsible for verifying the processing of payments made on credit or debit cards and processing batches on at least a weekly basis. The merchant account statement and charges will be reconciled by the Administrative Assistant and reviewed by the Executive Officer.

3. MEMBERSHIP DUES:

a. Annual Dues are due July 1st and will be considered delinquent if not paid by July 31st. (Unless the 31st falls on a weekend day, then the last day to pay without a late charge is the next business day) A late charge of \$25. will be added to all past due accounts each month that they are delinquent. All past due accounts will be inactivated by Oct. 1st and reported to RMLS for noncompliance of membership. A reactivation fee of \$50 will be charged for reactivation of membership.

b. Designated REALTORS® shall be charged non-member licensee dues for any licensees affiliated with their office who choose to not be a REALTOR® member of any Board or Association. Dues will be in an amount equal to annual dues for one-member (including OAR & NAR) times the number of unpaid licensees. These charges do not count as the licensee's annual dues should he/she later choose to become a member.

c. Any notification of non-member licensee dues payable shall be sent at least five (5) calendar days in advance of the effective date.

4. REINSTATED MEMBERS:

Membership may be “reinstated” following an “inactive” or “terminated” status¹ provided that it has been less than one (1) year since the change of status occurred, except as noted in part i below. If the period of time from the change of status to inactive or terminated to the date the individual wishes to reinstate membership is more than one (1) year, he/she will be considered a “new member” and will be subject to the fees and orientation requirements as set forth in these Policies and Procedures.

i. If the member’s termination was automatic due to non-payment of dues, fees, fines, or other assessments as outlined in **Article X, Section 4** of the EAR Bylaws, the reinstated member is not required to take Orientation, but fees are the full year’s dues (EAR, OAR, & NAR), a seventy-five dollar (\$75.00) reinstatement fee, and if applicable, OAR’s fifty dollar (\$50.00) reinstatement fee.

ii. If the member’s change of status was voluntary by the licensee for a reason other than noted in part i above and the change of status occurred less than one (1) year prior, the reinstating member is not required to take Orientation, but fees are a seventy-five-dollar (\$75.00) reinstatement fee and the pro-rated dues for the remainder of the year.

iii. All reinstated Members must have completed the required NAR Code of Ethics Course within the cycle in which the change of status first occurred. Those reinstating who have not completed the requirement will have ten (10) days from the date of reinstatement to complete the training. Said training will be counted for the prior cycle only.

¹“Inactive” is defined as those members whose status changed voluntarily (i.e. – relocated, retired, chose to not renew, etc.) and “terminated” is defined as those members whose status changed involuntarily (i.e. nonpayment of money owed, action from the Board of Directors, etc.).

5. SUSPENSION OF DUES:

i. In response to the U.S. War on Terrorism, EAR will credit that portion of annual dues for REALTORS® who are called to active duty in the National Guard or Ready Reserve and for those whose spouses are called to active duty. Prior to the date of active duty, the REALTOR® will provide proof of activation (letter, orders, etc.) and the date the suspension will take effect.

ii. EAR will credit the annual EAR dues for REALTOR® or REALTOR® spouse from the date provided through the end of the year or period of service, whichever is the first date. Credit will apply to next dues owed by the REALTOR® after reactivation (or end of active service in the case of a spouse). Reactivation of REALTOR® membership must be within 30 days of end of military activation period. All fees associated with reactivation of membership will be waived.

6. EDUCATION FEES:

a. EAR will provide education classes to EAR members for no charge, except for Code of Ethics, LARRC and any special classes as approved by the Board of Directors. A fee may be charged for non-members to attend EAR classes. A “non-member” is a member of another REALTOR® board/association other than the Eugene Association of REALTORS® or a non-REALTOR® Oregon Real Estate Licensee. Notwithstanding, the President of the Eugene Association of REALTORS® has the exclusive authority to

invite a guest(s) to an education class at no charge to the guest(s).

b. Webinars will be offered to EAR members for no charge except for a donation consisting of 2 cans of food for Food for Lane County or a donation to a non-profit of EAR's choosing.

7. REFUNDS:

a. Refund requests for annual dues will not be granted (except as noted in the EAR Bylaws, **Article V, Section 3(b - 2)**).

b. The Association will not refund any fees for any Association function after the Association has confirmed space where reservations are made.

c. All other refund requests will not be granted except as approved by the Board of Directors.

8. NON-HONORED CHECKS AND CHARGEBACKS:

a. Checks and credit/debit cards charges not honored by the financial institution shall incur a service fee of no less than twenty-five dollars (\$25.00).

b. Upon receipt of a non-honored check or chargeback on a credit or debit card, the Administrative Assistant or Bookkeeper, shall attempt to contact the member by telephone, followed immediately by written notification, to inform them of the deficiency and that their Designated REALTOR® will be notified if the deficiency is not corrected. Payment in the amount of the non-honored check plus an NSF fee must be delivered to the EAR office within forty-eight (48) hours (excluding weekends and holidays). Payment must be made by cashier's check, bank money order, or in cash.

c. If the non-honored check or chargeback on a credit or debit card has not been corrected within forty-eight (48) hours (excluding weekends and holidays), a letter shall be sent to the Designated REALTOR® notifying them that their member may be subject to additional penalties under **Article X, Section 4**, of the Bylaws of the Association.

d. If the non-honored check or chargeback on a credit or debit card is for annual membership dues or new member application fees, at the end of the forty-eight (48) hour redemption period the Designated REALTOR® for the member could be subject to non-member licensee charges per **Article X, Section 3(b)** of the EAR Bylaws.

9. LATE FEES:

a. Non-member licensee dues are due within thirty (30) days of date of invoice. A late fee of fifty dollars (\$25.00) will be added to past due balances of non-member licensee dues.

b. All other fees and charges are due by the first business day of the month. A late fee of dollars (\$25.00) will be added to all past due balances that are more than 30 days past due. If the account remains past due for more than 30 days, an additional late fee of fifteen dollars (\$15.00) will be added for each additional 30 days (or portion thereof) that the account is past due.

c. Any past due balance may cause the member to be subject to suspension and/or termination per the EAR Bylaws, **Article X, Section 4**.

d. Uncollectable accounts receivable write-offs shall be written off after one hundred twenty (120) days. Write-offs shall be approved by the Executive Officer and reviewed by the President prior to making the journal entry.

e. Following the end of each fiscal year, the Administrative Assistant will run reports for all utilities in the membership program that close out the accounting records.

10. RISK REDUCTION:

This section of the policies seeks to minimize risk by requiring that several individuals, both staff and volunteers, are involved in the approval and review process and any exceptions to the stated policies

must be approved by the Board of Directors.

Section 2-6 Cash Disbursements

1. Incoming invoices and reimbursement requests will be given to the Executive Assistant or the executive Officer in the Executive Assistant's absence, for approval. Reimbursement to the Executive Officer or the Executive Assistant to be approved by the President.

2. Invoices for products or services ordered will not be paid until product is received or service is completed, and reimbursement requests will be double checked for receipts. Product orders, whether inventory or general supplies, shall be received and verified against the original order by a staff member other than the one who placed the order.

3. The Executive Assistant will prepare checks for signatures as needed or when it is known that a signer will be present. The checks should be attached to the invoice, and other supporting documentation, being paid and submitted for signatures.

4. When the President, President Elect, Immediate Past President, and/or Executive Officer signs each check, he/she shall double check the documentation attached.

5. All checks will be mailed as soon as feasible after signatures are obtained.

6. The check stub, or evidence of online payment will be attached to the supporting documentation and filed in appropriate vendor files.

7. The paid invoice files will be utilized to respond to any discrepancies which arise with vendors or other payees.

8. Once monthly, the Executive Assistant will review the A/P aging report and the checks that have been paid to determine if there are any outstanding invoices which have not yet been paid or standard monthly expenses for which an invoice was not received. If there are any, the Executive Assistant will advise the Executive Officer who will investigate the nonpayment of these invoices and expenses and verify with the vendor that the account is in good standing.

9. All OAR and NAR Dues (renewal and or new member dues) shall be sent monthly to OAR and NAR.

10. REIMBURSEMENTS:

a. All budgeted EAR travel expenses are to be reimbursed following receipt of reasonable proof of expenses paid out and in accordance with the travel allocations as established per the approved annual budget and following either a verbal or written report to the Board of Directors. Requests for reimbursement must be submitted within forty-five (45) days of the conclusion of the trip or event. Reimbursement will be issued for the actual expenses incurred by the traveler up to the approved budget amount.

b. Members and/or Staff will not receive reimbursement for travel from EAR if they are being reimbursed for the same travel by another organization.

c. No reimbursement for travel expenses incurred outside of one day prior to and one day following event will be authorized without prior Board approval.

d. Mileage will be reimbursed at the suggested Federal Rate.

- e. Receipts submitted for meals need to show the detail of what was ordered, who was in attendance and purpose, along with the total paid (including tip).
- f. In the event of failure to attend a meeting to which funds have been advanced, reimbursement back to EAR must be made within thirty (30) days.
- g. For budgeting purposes, reimbursements for travel will be entered into the accounting system as a bill on the date of the event even if the reimbursement is being issued prior to the event.
- h. Reimbursement up to the budgeted amount per meeting may be allocated to OAR Committee members, upon approval by the Board of Directors, for travel to an OAR Board of Directors meeting in the event that any officers, directors, or alternate directors are unable to attend, leaving an unused balance in the travel budget.
- i. For general reimbursement requests from staff members, receipts shall be compiled and submitted with an expense report on a monthly basis.
- j. Both the individual reviewing and approving the reimbursement request and the Bookkeeper prior to preparing the reimbursement check, will double check all reimbursement requests against receipts provided.

11. RISK REDUCTION: This section of the policies seeks to minimize risk by requiring that several individuals, both staff and volunteers, are involved throughout the cash disbursements process and by requiring receipts for all reimbursements and documentation for all expenditures.

Section 2-7 Bank Reconciliations

1. Bank statements are to be reconciled by the Executive Assistant using the accounting software. All accounts should be reconciled no later than seven (7) days after receipt of the monthly bank statements. In the event it is not possible to reconcile the bank statements in this period of time the Executive Officer and President shall be notified of the date they will be reconciled.
2. When reconciling the bank accounts, the following items should be included in the procedures:
 - a. A comparison of dates and amounts of daily deposits as shown on the bank statements with the account register.
 - b. A comparison of inter-organization bank transfers to be certain that both sides of the transactions have been recorded on the books.
 - c. A comparison of canceled checks with the account register as to check number, payee and amount.
 - d. An examination of canceled checks for authorized signatures, irregular endorsements, and alterations. (Electronically)
 - e. A review and proper defacement of voided checks.
 - f. Investigation and possible write off of checks which have been outstanding for more than three months. Checks still outstanding after nine months will be automatically written off.
3. Completed bank reconciliations will be reviewed first by the Executive Officer, then by the President and initialed and dated by each reviewer.
4. **RISK REDUCTION:** This section of the policies seeks to minimize risk by requiring that several individuals, both staff and volunteers, are involved in the reconciliation review process.

Section 2-8 Other Reconciliations

1. Each month the Executive Assistant, Executive Officer, and CPA, should review the balance sheet accounts as of the last day of the prior month such as the cash accounts, accounts receivable, accounts

payable and deferred revenue in comparison with the bank reconciliations, schedules of accounts receivable and deferred revenue and the aging of accounts payable to support the balances shown on the balance sheet.

2. **Assets** - These accounts will include cash, petty cash, prepays, property, equipment and fixtures, security deposits, and intangible assets.

a. **Cash** - The balances in cash accounts should agree with the balances shown on the bank reconciliations for each month.

b. **Petty Cash** - The balance in this account should always equal the maximum amount of all petty cash funds. The current amount equals \$100.00. (Cash and receipts)

c. **Prepays** - The amounts in these accounts should equal advance payments paid to vendors at the end of the accounting period.

d. **Property, Equipment & Fixtures** - The amounts in this account should equal the totals generated from the audited depreciation schedules. When additional purchases are made during the year, the balances in the accounts may be updated accordingly.

e. **Inventory** – The balance in this account should equal the amount calculated on the monthly physical count done for any goods held for sale.

f. **Reserve Funds** – The balance in these accounts should be adjusted for monies expended and/or received during the course of the month.

3. **Liabilities** - These accounts are described as accounts payable, loans and mortgages payable, and amounts due to others.

a. **Accounts Payable** - The balance in this account should equal amounts owed to vendors at the end of the accounting period and the aging report.

b. **Due to Others** - If there are any amounts owed to others at the end of the period they should be recorded, and the correct balance maintained in the general ledger accounts.

4. **Income/Expenses** - These accounts are described as income from Members, contributions, publications, and other expense line items such as consulting fees, etc.

a. **Income** - The amounts charged to the various cash accounts should be reconciled with funding requests, funders report, draw down schedules, etc.

b. **Consulting** - The amounts charged should be reconciled to the contracts.

5. **RISK REDUCTION:** This section of the policies seeks to minimize risk by requiring that several individuals, both staff and volunteers, are involved in a monthly review of the balance sheet and general ledger accounts.

Section 2-9 Petty Cash Fund

1. The petty cash fund shall not exceed \$100.00.

2. The Administrative Assistant is the custodian of the petty cash fund.

3. When the Petty Cash funds need to be replenished the Executive Assistant shall notify the Executive Officer and total out the expenses made and identify those expenses by general ledger account number. The check issued to bring the funds back up to \$100.00 should break down the various expense accounts being charged, and the amount charged to each.

4. The recipient of petty cash funds must return a receipt for funds utilized along with any unutilized funds. All receipts should remain in the locked petty cash box until it is time to replenish the fund.
5. The petty cash box is to be secured at all times when not disbursing or replenishing the fund. At closing the petty cash box is to be kept in a locked in file cabinet in the Admin. office.
6. At least once quarterly, the Executive Officer shall conduct a “surprise” review of the fund. When this is done, he/she should count, with another staff person in attendance, the total monies on hand and the total amount of receipts in the petty cash box. The two amounts should equal exactly \$100.00. Any discrepancies should be discussed and resolved immediately and then a secondary count shall be performed by either the Executive Officer.
7. It is a policy of EAR not to cash checks of any kind through the petty cash fund.
8. **RISK REDUCTION:** This section of the policies seeks to minimize risk by limiting how the petty cash fund may be utilized, by placing a fairly low cap on the amount of the fund, and by incorporating a quarterly “surprise” review.

Section 2-10 Purchases

1. When the normal cash disbursement procedure of invoice, etc., is not appropriate, a check request with explanatory information (approved by the Board of Directors, deposit on future purchase/service, etc.) should be completed and approved.
2. Approved check requests should be sent to the Executive Assistant for payment.
3. Only the Executive Officer and President carry personalized corporate credit cards. The purchase of airline tickets and other authorized business expenditures may be made by other employees or board members using the corporate credit card, provided it has been authorized by the Executive Officer. In every case of credit card usage, the individual charging an EAR account will be held personally responsible in the event that the charge is deemed personal or unauthorized.
4. Authorized uses of the credit card include but are not limited to:
 - a. Airline tickets and/or other transportation costs for properly authorized business trips.
 - b. Lodging and meal charges that do not exceed the authorized reimbursement rate for persons traveling on official EAR business.
 - c. Properly authorized expenditures for which a credit card is the only allowed method of payment (such as purchasing supplies via the internet).
 - d. Properly authorized entertainment at a rate which is consistent with the employee’s level of responsibility within, or on behalf of, EAR and within the limits of the approved budget.
5. Unauthorized use of the credit card includes:
 - a. Personal or non-business expenditures of any kind.
 - b. Expenditures which have not been properly authorized.
 - c. Meals, entertainment, gifts or other expenditures which are prohibited by:
 - i. EAR budget and/or policies
 - ii. Federal, state, or local laws or regulations

6. Every instance of credit card or other purchase use must be documented with travel authorizations, receipts, individuals paid, nature of business, etc. before the expense will be considered authorized and approved.

a. Lodging - provide an itemized receipt from the hotel detailing every charge and the name of the person(s) for whom lodging was provided.

b. Meals/Entertainment - Provide a receipt showing separately the cost for food/beverage and gratuities, and including the names of every person for whom food or beverage was provided and the specific business purpose which was furthered by the expenditure. For example, "Luncheon Meeting with John Smith and Jane Doe to finalize the speakers and program for the Broker Forum."

c. Other Expenditures - A receipt from the vendor detailing every individual good or service purchased (including class of service for commercial transportation) accompanied by an explanation of the specific business purpose which was furthered by each expenditure.

7. When entering the credit card statement into the accounting system for payment, the Executive Assistant shall list the vendor and item purchased or purpose, if known.

8. CAPITAL EXPENDITURES:

For all major expenditures (over \$2,000.00) in which a service will be performed, i.e. – painting the building, three bids must be obtained before a purchasing decision is made. (except in the case of an emergency the EO will contact the President for approval. For major expenditures (over \$2,000.00) of products such as computer equipment, furniture, etc., due diligence must be made to obtain the most reasonable price possible. Documentation of bids or pricing research must be kept for a period of twelve (12) months after service is completed or product is obtained. The bid or price quote from the company or individual used should be given to the Executive Assistant to be attached to the check stub and kept in the vendor files.

9. **RISK REDUCTION:** This section of the policies seeks to minimize risk by requiring that all purchases must be authorized and documented and several individuals, both staff and volunteers, are involved in the review and approval process of the expenditures.

Section 2-11 Fixed Asset Management

1. Fixed asset transactions shall be recorded by the Executive Officer.

2. A permanent property log or database is to be maintained by the Administrative Assistant for all fixed assets purchased by EAR. This log shall be reviewed on at least an annual basis by the Executive Officer.

3. The log should contain the following information:

a. year purchased

b. description of item purchased

c. cost or fair market value

d. donor or funding source, if applicable

e. identification/serial number (if appropriate)

f. depreciation period

4. In conjunction with filing the EAR personal property tax return, if any, EAR staff shall perform a physical inspection and inventory of all EAR fixed assets. These inventories shall be reconciled to the log. Any changes shall be noted both on the tax return and provided to the accountant to update the depreciation

schedule. Any changes to the log that cannot be accounted for with documentation shall be investigated by the Executive Officer.

5. Staff will document, in writing, any material changes in the status of property and equipment. This should include changes in location, purchase of, sale of, scrapping of and/or obsolescence of items and any purchase or sale of real estate.

6. All capital items which have a cost greater than \$500.00 will be capitalized and depreciated, unless otherwise recommended by the CPA.

7. RISK REDUCTION: This section of the policies seeks to minimize risk by establishing a process by which assets are monitored both in-house and by an outside CPA on at least an annual basis.

Section 2-12 Financial Reporting

1. The Executive Officer shall prepare a set of quarterly financial reports for review by the Budget Committee. The reports shall include: a balance sheet, an income and expense statement, a cash flow statement, the bank reconciliations and a general ledger.

2. The Executive Assistant, after review and approval by the Executive Officer, shall prepare a set of monthly financial reports for the Board of Directors. The reports shall include: a budget-to-actual income and expense statement with a year-to-date compilation, and a cash on hand report.

3. A certified public accountant(s) of the Board of Directors choosing will prepare a review report at fiscal year-end, the income tax return (or equivalent Form 990), and an annual special procedure audit or review. These reports will be distributed to the Board of Directors at the meeting following receipt of the reports from the CPA.

4. A full audit of the books or any other special procedure may be ordered at any time at the discretion of the Board of Directors. Unless determined otherwise by the Board of Directors, a full audit will be done when a change of personnel occurs in the Executive Officer position for the year in which the change occurred and the year prior to the change.

Section 2-13 Fiscal Policy Statements

1. All cash accounts owned by EAR will be held in financial institutions which are federally insured and have received a favorable CRA (Community Reinvestment Act) rating.

2. All capital expenditures which exceed \$500.00 will be capitalized on the books and records and depreciated per the depreciation scheduled maintained by the CPA.

3. Personal checks will not be cashed through the petty cash fund.

4. No travel cash advances will be made except under special conditions and where pre-approved by the Board of Directors. Reimbursements will be paid upon full expense reporting using the official form within the normal disbursement schedule.

5. Any donated item whose value exceeds \$50.00 will be recorded in the books and records.

6. It is the policy of EAR to reimburse out of pocket expenses only when supporting documentation has been presented for approved costs incurred.
7. It is the policy of EAR to maintain a minimum of six months average monthly operating expenses (reserves) between its operating and savings bank accounts at all times. In the event that balances fall below that amount the President and Budget Committee should be notified immediately.
8. All funds received by EAR for a specific project will be segregated into separate project accounts in the general ledger to avoid any possibility of commingling project monies with general operating funds. A full computerized ledger accounting system will be maintained.
9. Bank statements will be reconciled monthly to account for any outstanding or lost checks.
10. Expense reports will be maintained which will disclose the nature of expenses, and the dates incurred.
11. Files will be maintained for bank accounts and vendors. Files will be kept separately for each fiscal year.
12. The services of a Certified Public Accountant will be engaged to prepare a fiscal year-end review report, tax returns, and an annual internal controls special review.
13. No interest will be paid on any deposits held by EAR for members or tenants.
14. It is the policy of EAR that blank checks will not be presented for signature and checks made payable to "cash" will only be for replenishing the petty cash fund.

SECTION 3

RECORD RETENTION POLICY

EAR retains corporate records per the schedule below. Records will be maintained either hard copy or electronic format. The hard copy records will be stored at the EAR office and digital records shall be kept on the main server at the EAR office and at the approved off-site backup location(s). For non-permanent records, hard copies will be shredded at the conclusion of the required time period and digital copies will be deleted from the main server and all back-up servers.

Accounting & Tax Records	# of Years to Keep
Accountant & Taxes	
Audit Reports	Permanent
Annual Review	Permanent
Depreciation Schedule	Permanent
Income Tax Returns – Federal	Permanent
Income Tax Returns – State	Permanent
Income	
Accounts Receivable	7 years
Cash Receipts & Deposit Records	7 years

Deposit Slips	7 years
Sales Records	7 years
Expenses	
Accounts Payable	7 years
Check Stubs (routine matters)	7 years
Check Stubs (special – loan repayments, property purchases, etc.)	Permanent
Employee Expense Reports	7 years
Fixed Asset Acquisition Invoices	7 (after disposal)
Insurance Policies	3 (after expiration)
Purchase Invoices	7 years
Financial Statements	
Annual & Monthly Financial Statements (in-house)	7 years
Bank Statements & Reconciliations	7 years
Budgets	2 years
Deeds and Closing Papers	Permanent
General Ledgers	Permanent
Inventory Counts	7 years
Investments	7 (after disposal)
Mortgages, Loans, and Leases	7 (after pay-off)
Corporate Records	
Articles of Incorporation and Amendments	Permanent
Board of Directors Meeting Minutes	Permanent
Bylaws and Amendments	Permanent
Copyrights, Patents, Trademarks, etc.	Permanent
Corporate Filings	Permanent
Policies and Procedures	Permanent
Property Damage Records	7 years
Property Records (including appraisals, blueprints, deeds, easements, etc.)	Permanent
Rules and Regulations	Permanent
Service Mark License Agreements	Permanent
Territorial Jurisdiction	Permanent
Insurance Records	
Accident Reports	6 (after settled)
Claims	10 (after settled)
Fire Inspection Reports	6 (after settled)
Disability Records	8 years
Policies	3 (after expiration)
Safety Reports	8 years
Legal Documents	
Contracts	7 (after expired)
Licenses	1 (after expired)
Lease Agreements	Permanent
Membership Records	
Member Files for Members in good standing	2 (after termination)
Member Files for Members with outstanding obligations	7 (after termination)
REALTOR® agreement	(until superseded)
Professional Standards	

SECTION 4 CONDUCT POLICIES

Section 4-1 Code of Conduct

EAR maintains a Code of Conduct for Officers, Directors, committee members, and Staff. The purpose of this Code is to protect the interests of the Eugene Association of REALTORS® and/or its subsidiaries (collectively, the “Organization”) from harmful conduct by an Officer, Director, committee member, or Staff. This Code is intended to supplement, but not replace, any applicable state or federal law applicable to non-profit and tax-exempt organizations.

The Board of Directors will annually sign a confirmation that they have read and will comply with the Code. **The EAR Code of Conduct is attached as Exhibit “A”.**

Section 4-2 Conflict of Interest

1. **PURPOSE:** The purpose of this Conflict of Interest Policy is to protect the interests of the Organization in connection with any transaction or arrangement that might benefit the private interests of any volunteer. For the purposes of these policies, a “volunteer” is defined as an Officer, Director or committee member (includes standing committees, work groups and task forces), but does not include Board CPA or Attorney when rendering services at the request of the President & Executive Officer.

1. **DUTIES:**
 - a. Every volunteer must act with loyalty to the Organization, meaning that no volunteer may use their position to personally benefit, financially or otherwise. No volunteer may personally take
 - a. advantage of a business opportunity that is offered to the Organization unless the Board of Directors first determines (after full disclosure and an informed evaluation) not to pursue that opportunity.
 - b. A volunteer should avoid both actual conflicts and potential conflicts of interest. Every volunteer shall:
 - i. Disclose all actual and potential conflicts as set out below in part 3; and
 - ii. Excuse themselves from voting on any matter in which they have a potential or actual conflict of interest, and upon determination by the Chair of the body before whom the matter is pending, may be excused when any such vote is taken.

3. **CONFLICTS:**

- a. A volunteer has or may have a conflict of interest under this Policy if, with respect to a transaction or arrangement pending before the Organization, they, individually or as a shareholder or member of a corporation, partnership, limited liability company or similar association, or any of their family members:

- i. Receives or reasonably stands to receive compensation or some other financial benefit, as a direct or indirect result of the transaction or arrangement;
 - ii. Has or anticipates having a compensation arrangement with any entity or individual that either:
 - (a) sells goods or services to, or purchases services from the Organization; or
 - (b) competes with the Organization in the provision of goods or services to its membership;
 - iii. Has or anticipates having any ownership interest, investment interest or serves or anticipates serving as a director, officer or employee of any entity that either: (a) sells goods or services to or purchases services from the Organization; or (b) competes with the Organization in the provision of goods or services to its membership; or
 - iv. Has accepted any gift, entertainment or other favor where such acceptance could reasonably create the appearance of influence on the volunteer (other than gifts of nominal value, which are clearly tokens of respect or appreciation and are unrelated to any business or financial transaction pending or reasonably anticipated to be pending before the Organization).
- b. The following matters shall not be deemed an actual or potential conflict of interest:
- i. The volunteer owns securities of a publicly traded company with which the Organization has a transaction or arrangement, if such securities are less than 5% of the outstanding securities of the publicly traded company.
 - ii. Serving in any official capacity as an employee, officer, director or committee member (ex officio or otherwise) for the Oregon Association of REALTORS® or the National Association of REALTORS®.
 - iii. Any matters involving an individual who is a volunteer on the Effective Date of this Policy that have been previously disclosed to and consented to by the EAR Board of Directors.
 - iv. Any matters arising after a volunteer ceases serving in their official capacity as a volunteer.
 - v. Any matters acted or voted upon by the volunteer which may benefit them solely by reason of their being a member of the Organization (such as an increase in membership services or a reduction in dues).
 - vi. Any matters that result in benefits accruing to a volunteer that would not have been foreseeable by an ordinary Realtor® through the exercise of reasonable care and diligence.
 - vii. Any matters deemed by the EAR Board of Directors to not constitute a conflict of interest, following reasonable review and evaluation.
2. **DISCLOSURE AND EVALUATION:** Upon election or appointment, volunteers shall promptly disclose to the EAR Board of Directors any actual or potential conflict of interest. Such disclosure shall be directly to the EAR Board of Directors and shall include all material facts of every actual or potential conflict of interest that exist or may thereafter arise while they are a volunteer. Thereupon, the Board of Directors shall evaluate the matter and, within a reasonable time thereafter, decide upon the appropriate course of action, including but not limited to the conclusion that: (a) the disclosed matter does not constitute a conflict of interest; or (b) the conflict may be waived with or without certain conditions.
3. **ENFORCEMENT:** If the Board of Directors has reasonable cause to believe that a volunteer has failed to comply with this Policy, the President may counsel the volunteer regarding such failure and, if the issues are not resolved to the Board's satisfaction, may consider additional corrective action as appropriate. In the event the volunteer to be counseled is the President, the Immediate Past President will speak to the President.

Section 4-3 Confidentiality

Officers, Directors, and committee members shall be aware of the confidential nature of proprietary information concerning the affairs of the Organization (“Confidential Information”), and shall agree that the Confidential Information: (a) will be kept confidential, (b) will be used only for purposes of performing duties to the Organization, and (c) without limiting the foregoing, will not be disclosed by such person, except as required to perform such duties or with the prior written consent of the Organization.

All of the foregoing obligations and restrictions do not apply to that part of the Confidential Information that a person demonstrates was or becomes generally available to the public other than as a result of disclosure by such person or by a source known by the person to be bound by a confidentiality agreement with or other obligation of secrecy to the Organization. It is understood that a person shall not be prevented hereby from complying with any applicable public disclosure requirements imposed by law or regulation; provided that any person who believes such disclosure is necessary to comply with such laws or regulations shall first notify the Organization in advance of any disclosure of Confidential Information and such person shall cooperate with the Organization’s reasonable efforts to obtain a protective order or other similar protection of the Confidential Information.

Section 4-4 Whistle Blower

EAR is responsible for the stewardship of member and employee contributions and resources. In fulfilling that responsibility, the Association is committed to compliance with all laws and regulations to which it is subject. In addition to complying with the law, the Association is committed to the ethical and fair treatment of its volunteers and employees. This Policy provides an avenue for volunteers or employees, without concern that they will be subject to retaliation or reprisal, to raise concerns regarding financial wrongdoing which may include, but is not limited to:

- Questionable accounting practices;
- Fraud or deliberate errors in financial statements or recordkeeping;
- Deficiencies in accounting controls;
- Misrepresentations to the Board of Directors regarding the financial condition of the Association;
- Intentional or unintentional violations of laws or regulations.

If any volunteer or employee reports, in good faith, what the volunteer or employee believes or knows to be a violation of the law and/or financial wrongdoing to the Association, it is the Association’s policy that there will be no retaliation taken against the volunteer or employee. Any volunteer or employee will be subject to discipline up to, and including, dismissal from the volunteer position or termination of employment if they, against this policy, retaliate against someone who has in good faith reported their concern. In turn, allegations made in bad faith, if proven to be unsubstantiated and made maliciously, recklessly or with the knowledge that the allegations were false, will be viewed as a serious offense and may result in discipline, up to and including dismissal from the volunteer position or termination of employment.

Any report of a known or suspected violation of the law and/or financial wrongdoing should be reported to the Executive Officer and/or the President for investigation and appropriate action. In the event the charge is against the Executive Officer, the report of a known or suspected violation of the law and/or financial wrongdoing should be reported to the President or Immediate Past President for appropriate action. To the extent possible, reports made under this policy will be kept confidential consistent with the need to conduct an adequate investigation.

The whistle blowing procedure is intended to be used for serious issues and, as such, volunteers and employees are reminded of the importance of keeping financial matters confidential.

Section 4-5 Employment Policies and Practices

EAR will comply with all State and Federal requirements relating to employment practices. EAR's current Leave policy is attached as **Exhibit B** but may be amended or modified by the President and Executive Officer as needed in accordance to applicable law.

SECTION 5

BOARD OF DIRECTORS

Section 5-1 Purpose

The Board of Directors is the policy-making body of the Eugene Association of REALTORS® and is responsible for directing the activities of the Corporation. Regular meetings of the Board of Directors are held at a time and place determined by the Board of Directors.

Section 5-2 Qualifications

In order to serve on the Board of Directors, the member must meet the following qualifications:

1. Member of EAR or any other local Association of REALTORS® for a minimum of two (2) years.
2. Member may not have had their real estate license or their appraisal license or certification suspended or revoked by the Oregon Real Estate Agency or the Oregon Appraisal Certification and Licensure Board in the past five (5) years, may not have been found in violation of REALTOR® Code of Ethics in the past one (1) year, and may not have any unsatisfied sanctions or disciplinary actions pending.
3. Member may not have any unsatisfied financial obligations to the Association.
4. For President, President Elect, or OAR Director, the member must have served on the EAR Board of Directors for a minimum of one (1) year.
5. For President or President Elect, the member must have chaired at least one of the committees noted in Section 6 of these Policies and Procedures for a period of at least one (1) year.

Section 5-3 President

The President shall:

1. Serve as the Chief Elected Officer of EAR. The President will preside at all meetings of the general membership and the Board of Directors.
2. Serve as the chair of the Board of Directors and keep them informed of the condition and operation of EAR.

3. Represent EAR in relations with the public, governmental entities, the members, all other REALTOR® Associations, allied organizations, and the media. (Unless otherwise designated by the President)
4. Direct the work of the Executive Officer as necessary to achieve the strategic goals and policies of EAR.
5. Participate in an annual written performance evaluation of the Executive Officer.
6. Direct the activities of the Board of Directors in accordance with their position descriptions.
7. Ensure that the policies and programs, which further the goals and objectives of EAR, are planned, implemented, and evaluated.
8. Appoint, with Board of Directors' ratification, Advisory Directors for the Board, committee chairs and members, where required by the individual policies of the committee, and task forces and work groups as needed throughout the Board year.
9. Ensure that appointed committee, task force, and work group chairs are informed of their purpose and duties and monitor their progress throughout the year.
10. Attend industry pertinent conferences and events as outlined in the annual budget, including, but not limited to OAR Board of Directors meetings, NAR Legislative (Mid-Year, DC) Meetings, NAR REALTOR® Convention.
11. Serve as an OAR director on behalf of EAR unless President opts not to serve and will open the position to the qualified membership as an elected position in the appropriate election year.
12. Attend an annual Professional Standards Training Session.
13. Assist the President Elect in an orderly transition into the Presidency.
15. Serve on the Budget Committee and complete such financial duties as outlined in Section 2 of these policies.
16. Have signatory authority on EAR accounts.
17. Welcome new members at Orientation classes.
18. Complete such special responsibilities as may be delegated by the Board of Directors during the course of the Board year.
19. The President of EAR shall be a Primary member, reside and hang their license no more than 50 miles outside of EAR jurisdiction.

Section 5-4 President Elect

The President Elect shall:

1. Assist the President and plan for the following year. The President Elect of the Board is second in command behind the President and shall succeed to the Presidency.
2. Attend industry pertinent conferences and events as outlined in the annual budget, including, but not limited to OAR Board of Directors meetings, NAR Legislative (Mid-Year, DC) Meetings, NAR REALTOR® Convention, OAR Leadership Training, NAR Leadership Training.
3. Preside at all meetings of the general membership and the Board of Directors when the President is unable to attend.
4. Serve on the EAR Board of Directors and attend all EAR and OAR Board of Directors meetings.
5. Plan programs and activities appropriate for the upcoming year.
6. Recommend the upcoming committee chairs and members, where required by the individual policies of the committee, and Advisory Directors to the Board of Directors.
7. Plan and execute training for incoming new Directors.
8. Serve as Vice Chair of the Budget Committee and complete such financial duties as outlined in Section 2 of these policies.
9. Serve as an ex-officio member of all standing committees, excluding the Grievance and Professional Standards Committees.
10. Represent EAR at other associations or organizations as directed by the President.
11. Attend an annual Professional Standards Training Session.
12. Assist the President in the annual performance evaluation of the Executive Officer.
13. Attend industry pertinent conferences and events as outlined in the annual budget.
14. Complete such special responsibilities as may be delegated by the President and/or the Board of Directors during the course of the board year.

Section 5-5 EAR Directors

The EAR Directors shall:

1. Attend all EAR Board of Directors meetings.
2. Read packets and stay fully informed of all Association related events and issues.
3. Participate fully in Board of Directors meetings and other EAR meetings.
4. Participate fully in activities and events for EAR.
5. Complete such financial duties as outlined in Section 2-2 of these policies.

6. Chair and/or serve on a standing committee as appointed by the President and report committee's activities to the Board of Directors.
7. Attend an annual Professional Standards Training Session.
8. Complete such special responsibilities as may be delegated by the President and/or the Board of Directors during the course of the board year.

Section 5-6 OAR Directors

The OAR Directors shall:

1. Attend all EAR and OAR Board of Directors meetings.
2. Be encouraged to apply for OAR committee positions.
3. Read packets and stay fully informed of all related events and issues for both Associations.
4. Participate fully in Board of Directors meetings and other EAR meetings.
5. Stay current on OAR issues and act as EAR representatives at OAR Board meetings.
6. Participate fully in activities and events for EAR
7. Complete such financial duties as outlined in Section 2-2 of these policies.
8. Chair and/or serve on a standing committee as appointed by the President and report committee's activities to the Board of Directors.
9. Attend an annual Professional Standards Training Session.
10. Attend industry pertinent conferences and events as outlined in the annual budget.
11. Report to the EAR Board of Directors regarding OAR meetings. Prior to attending, review package with Board of Directors and after attending, submit a written report on results. Reports must be submitted prior to reimbursement being issued.
12. Complete such special responsibilities as may be delegated by the President and/or the Board of Directors during the course of the board year.

Section 5-7 Immediate Past President

The Immediate Past President shall:

1. Assist the President and act in an advisory capacity.
2. Preside at meetings in the absence of the President and the President-elect.
3. Serve as an active member of the Board with full voting rights for one year following presidency.
4. Attend EAR Board meetings.

5. Serve as Vice Chair of the Election Committee.
6. Complete such financial duties as outlined in Section 2-2 of these policies.
7. Assist the President in the annual performance evaluation of the Executive Officer.
8. Attend an annual Professional Standards Training Session.
9. Complete such special responsibilities as may be delegated by the President and/or the Board of Directors during the course of the board year.

Section 5-8 Advisory Directors

Advisory Directors are appointed by the President and ratified by the EAR Board of Directors. Advisory Directors **do not** have voting rights or the right to propose or second a motion, nor do they attend Executive Sessions of the Board of Directors. Advisory Directors shall:

1. Attend and actively participate in EAR Board meetings, learn how the Board functions, and have full discussion rights.
2. Read packets and stay fully informed of all Board related issues.
3. Stay current on industry related events and issues.
4. Attend an annual Professional Standards Training Session.
5. Complete such special responsibilities as may be delegated by the President and/or the Board of Directors during the course of the board year.

Section 5-9 Election Process

1. TIMEFRAMES:

- i. Not later than February 15, an announcement shall be made of the positions available on the following year's Board of Directors and invite any interested members to apply. The announcement shall include a brief outline of the available positions and duties and contact information for at least two (2) Board members to contact if they have questions about serving on the Board.
- ii. The formal application period shall commence with the announcement and all applications, resumes, and endorsements shall be submitted by May 1st.
- iii. The slate shall be reported first to the Board of Directors in May and then disseminated to the membership at least 45 days prior to the election.
 - a) Applications will be accepted from any active REALTOR® Member in good standing.
 - b) The Executive Officer shall review all applications and verify if applicant meets the qualifications for the position for which they applied as outlined in the EAR Bylaws, **Article XI, Section 5a.**
 - c) The President and, if needed, up to two (2) additional Board members will certify all applicants. The "certification" will involve notifying them of whether or not they meet the qualifications of the position for which they have applied; ascertaining availability and understanding of the commitment

of the position; verifying willingness to serve; and answering any questions the applicant may have about the position. The President and Board members have the authority to encourage applicants to consider an office other than the position that person was seeking if the individual does not meet the qualifications of the position for which they applied.

- d) All certified applicants will be considered candidates and will appear on the slate, which shall be published and disseminated first to the Board of Directors, then to each voting member and shall consist of at least one nominee for each office.
- e) The candidates certified for the slate and agreeing to serve are expected to communicate in person with members about why the candidate would like to serve on the Board of Directors. Candidates are expected to attend meetings scheduled for this purpose: The Annual Meeting, and other such membership meetings as may be scheduled during the time period between the slate being released to the membership and the election.
- f) Candidates will be given not more than four (4) minutes each at the July annual meeting, to address the members.

CAMPAIGNS:

- i. No individual campaigning is allowed prior to the slate being disseminated to the members.
- ii. Campaign costs, if any, shall be limited to a maximum of \$250.00 for items such as brochures, flyers, mailings, campaign functions, etc.
- iii. No campaign materials are allowed on walls, tables, chairs, etc. at any membership meetings.
- iv. Candidates shall certify their compliance with campaign policies and procedures prior to the election.
 - i. The slate shall be re-disseminated to all voting members not less than five (5) business days prior to the election along with a reminder of the Annual Meeting date, time, and location.
- j. The President shall conduct the election at the Annual Meeting as outlined in the EAR Bylaws, **Article XI, Section 5b.**

SECTION 6

COMMITTEES, TASK FORCES, AND WORK GROUPS

Section 6-1 General Responsibilities

1. Committee, task force, and work group reports and recommendations shall be made directly to the Board of Directors on a periodic basis.
2. Anyone attending a state or national meeting on behalf of the Eugene Association of REALTORS® must provide an oral or written report to the Board of Directors at the first directors meeting following the event. Any reimbursement due to the attendee will not be issued until the report is received.
3. For each committee, task force, or work group listed throughout **Section 6** of these Policies and Procedures, in the event an individual who is to serve on the committee, task force, or work group by policy is either unavailable or unwilling to serve, the President shall appoint a replacement who shall be ratified by the Board of Directors.

Section 6-2 Task Forces and Work Groups

1. The President has the authority to appoint any task forces or work groups necessary to complete specific projects that accomplish the goals set forth by the Board of Directors. The appointment of a task force or work group requires ratification by the Board of Directors.
2. The appointment by the President and ratification by the Board of Directors shall include the names of those serving on the task force or work group, a statement of purpose, specific goals, and timeframes for completion.

Section 6-3 Awards Committee

1. PURPOSE:

Select recipients from among the members for the awards established and approved by the Board of Directors. The awards include, but are not limited to, REALTOR® of the Year, and Distinguished Service.

2. COMPOSITION:

The Committee shall consist of not fewer than five (5) or more than eight (8) members, including a Chair appointed by the President. The members shall include at least one (1) past recipient of each award type and no more than two (2) REALTOR® members at-large. The members shall be REALTORS®.

3. GENERAL POLICIES AND PROCEDURES:

- a. Awards Committee meetings shall be closed meetings.
- b. The Committee shall coordinate with Staff for the presentation of each award at the appropriate special event.
- c. No member on the Awards Committee shall be considered for an award.
- d. Recipients shall be selected from nominations received from membership. The Committee may only add a nominee after the submission deadline if no nominees have been received from the membership. However, the Committee may include nominees from the prior year if less than five (5) nominees are submitted for the current year.
- e. Each nominee shall be evaluated based on the specific award criteria.

4. AFFILIATE OF THE YEAR AWARD POLICIES AND CRITERIA:

- a. While Affiliate memberships are by firm rather than an individual, any Primary Contact or Roster Affiliate of an Affiliate member firm is eligible to receive the award.
- b. No member's nomination shall be considered if that member has received the Affiliate of the Year Award in the past.
- c. Nominations are selected by the BOD's.

CRITERIA:

- i. **Ethics and Cooperation** (50%) – honesty and integrity in ethical standards, professionalism in business practices, promoting the image of the real estate industry and EAR in relations with the public, proper business etiquette, and helpfulness and cooperation with others in the business should be beyond reproach.
- ii. **Association Participation** (20%) – participation with EAR by serving on Committees, special assignments, seminar and educational attendance or teaching, sponsored functions, engagement with membership.

- iii. **Activity in Community Affairs** (15%) – local, state, and/or national participation in civic and service clubs and charitable activities.
- iv. **Continuing Education** (10%) – Advances skill level with the industry through seminar and educational attendance or teaching and freely shares knowledge with others.
- v. **Business Accomplishments** (5%) – Public recognition of business conduct and achievements; service to clients and customers; imaginative and creative advertising programs; etc.

5. DISTINGUISHED SERVICE AWARD POLICIES AND CRITERIA:

a. Distinguished Service Award nominees shall be selected and voted on by the Board of Directors.

CRITERIA:

- i. **Volunteer Activities** (40%) – Local, state, or national participation in civic and service clubs and/or charitable activities; participation on political/governmental commissions and committees, etc.
- ii. **Community Participation** (40%) – Volunteer involvement in organizations and/or events at the local level that improve and/or have an impact on the quality of life in our community, either on a one-on-one basis, for groups within the community, or for the community as a whole.
- iii. **Business Accomplishments and Recognitions** (20%) – Public recognition of business conduct and achievements; exceptional service to clients and customers; imaginative and creative outreach programs within the business, etc.

6. REALTOR® OF THE YEAR AWARD (“ROTY”) POLICIES AND CRITERIA:

- a. No member’s nomination shall be considered if that member has received the ROTY award in the past.
- b. Applications shall be distributed to the membership no later than October of each year.
- c. Names of the ROTY nominees shall remain confidential.
- d. The current ROTY shall serve as Chair. Four (4) past ROTY recipients shall be selected by the Chair to serve on the selection committee.

CRITERIA:

In accordance with the Oregon Association of REALTORS® guidelines, the REALTOR® of the Year should be selected from the following guidelines:

- i. **REALTOR® Spirit** (25%) - Faithfulness and adherence to the principles of organized real estate, real estate laws and regulations, Board Bylaws and the National Association of REALTORS® Code of Ethics: time and effort expended in furthering principles of good real estate practices in their own business and among other real estate brokers, the press and the general public: attainment of professional designations; etc.
- ii. **Activity in Community Affairs** (20%) - Local, state and national participation in civic and service clubs and charitable activities; participation on political/governmental commissions and committees; fraternal and religious involvement; etc.
- iii. **Activity in Member Board** (25%) - Member Board offices held, committee work; special assignments; seminar and educational attendance or teaching; membership and offices held in state chapters of NAR institutes, societies and councils; etc.
- iv. **Activity in State Association** (15%) - State association offices and leadership positions held; committee work; attendance and participation at state conventions, director’s meetings and education programs; etc.
- v. **Activity in National Association** (5%) - National offices and leadership positions held; committee work; member and work in NAR institutes, societies and councils; attendance at National conventions and business meetings; etc.
- vi. **Business Accomplishments** (10%) - Public recognition of business conduct and achievements; service to clients and customers; imaginative and creative advertising programs; rehabilitation work; land

utilization; etc.

Section 6-4 Budget and Finance Committee

1. **PURPOSE:** To coordinate with the Executive Officer and other staff to perform financial duties and assist with oversight controls as outlined in **Section 2** of the EAR Policies and Procedures.

2. **COMPOSITION:**

- a. The President shall select the Chair and Vice Chair.
- b. The President may appoint themselves in either capacity if they so choose.
- c. The members of the Committee shall be not be more than 8 REALTOR® members appointed by the President.
- d. Following the election, the incoming, but not yet installed President Elect shall serve as an ex-officio member without vote.

3. **DUTIES:**

- a. Meet quarterly to review financial statements.
- b. Participate in the preparation of the annual budget in cooperation with the Executive Officer.
- c. Complete such financial duties as outlined in Section 2-2 of these policies.
- d. Perform other budget committee duties as may be outlined in the Strategic Plan or as directed by the Board of Directors.

Section 6-5 Education Committee

1. **PURPOSE:**

Plan quality education for the membership of the Eugene Association of REALTORS® that fulfills membership requirements as may be set by OAR, or NAR; qualifies, as much as possible, for continuing education credit with the Oregon Real Estate Agency; heightens awareness of correct ethical practices among the membership and the community; and meets the goals in the approved Strategic Plan for EAR.

2. **COMPOSITION:**

- a. The Education Committee shall be comprised of up to twelve (12) members (including the Chair and Vice Chair) The Chair shall be appointed from among the REALTOR® members for a two-year term. The Vice Chair shall be appointed from among the REALTOR® members for a one-year term.
- b. The Chair and Vice Chair shall choose up to ten (10) additional members to serve on the Committee. The members of the Committee shall include at least three (2) managing brokers, representing firms of different sizes. At least two-thirds (2/3) of the members shall be REALTORS®.

3. **GENERAL POLICIES:**

- a. The Chair and Vice Chair for the following year shall, with input from the current year's Committee members, submit to staff a budget request by October 1st each year for consideration for inclusion in the overall budget proposal. Failure to submit such request does not mean that a budget will not be provided nor does it mean that the Committee could not make request of the Board of Directors later in the year if need arises. However, it does mean that the initial budget will be based on prior years' activities and past budget allotments rather than future plans the Committee may be considering.
- b. The Committee shall plan classes based on the calendar year. There shall be a minimum of fifteen (15) classes planned per year. A preliminary schedule of classes shall be reported to the Board of Directors.
- c. When planning the schedule, the Committee shall coordinate with the Oregon Association of

REALTORS® and other local boards as much as possible to provide regional education courses and shall coordinate with Affiliate members to reduce duplication of topics offered.

d. The Committee shall coordinate with staff to ensure that the projected income and expense of the classes planned by the Committee and its sub-Committees falls within the approved annual budget.

e. The Committee shall provide an activity report for the monthly EAR Board of Directors meeting or as requested by the President.

f. TOPIC EXPECTATIONS:

i. Provide annually a minimum of one NAR-mandated Code of Ethics training class.

ii. Provide annually the Oregon Real Estate Agency Law and Rule Required Course.

iii. Provide an annual “Fair Housing” class.

iv. Provide one OREF forms update class annually.

v. Provide OAR, NAR and OREF webinars when available and they do not conflict with already scheduled classes.

vii. Provide at least one broker forum annually that focus on issues specific to managing brokers.

Section 6-6 Grievance Committee

1. PURPOSE:

Promote and enforce high ethical standards and the orderly resolution of business disputes amongst REALTORS®. The Grievance Committee serves as the initial review panel in providing due process in ethics complaints or requests for arbitration as outlined in the National Association of REALTORS® Code of Ethics and Arbitration Manual, as annually revised.

2. COMPOSITION:

1. The Chair shall be appointed by the President for a one-year term and ratified by the Board of Directors.

2. The members of the Committee shall be seven (7) REALTORS®, in addition to the Chair, appointed by the President for staggered three-year terms and ratified by the Board of Directors.

3. FUNCTION:

Receive ethics complaints and arbitration requests to determine if, taken as true on their face, a hearing is to be warranted. The Grievance Committee makes only such preliminary evaluation as is necessary to make these decisions. While the Grievance Committee has meetings, it does not hold hearings, and it does not decide whether members have violated the Code of Ethics. The Grievance Committee does not mediate or arbitrate business disputes.

4. DUTIES:

a. Be thoroughly familiar with the Code of Ethics of the National Association of REALTORS®, the Code of Ethics and Arbitration Manual, including the interpretations of the Code of Ethics, the Bylaws of the Eugene Association of REALTORS®, the EAR Bylaws and Rules & Regulations.

b. When reviewing an ethics complaint or arbitration request, render an un-biased decision based on the facts presented.

c. Promptly identify any conflict of interest.

d. Maintain and protect the confidentiality of the proceedings and deliberations of the panel before, during, and after its determinations and recommendations.

e. Attend an Annual Professional Standards Training Class.

5. PROCEDURES:

All reviews of ethics complaints and arbitration requests are conducted in accordance with the Code of Ethics and Arbitration Manual of the National Association of REALTORS®, using the edition in effect at

the time of the alleged complaint and as further outlined in Section 6-2 of these Policies and Procedures.

Section 6-7 Political Advocacy Committee

1. PURPOSE:

Monitor legislative activities at the local and county level and within Lane County; keep the Board of Directors and membership informed of legislative activities that could have an impact on the real estate industry; and recommend action to the Board of Directors when appropriate.

2. COMPOSITION:

- a. The Chair shall be the President Elect for a one-year term.
- b. There shall be up to ten (10) members on the Committee, at least four (4) of whom shall be REALTORS®, in addition to the Chair, appointed by the President.

3. DUTIES:

- a. The Chair and Vice Chair for the following year shall, with input from the current year's Committee members, submit to staff a budget request by Oct. 1st of each year for consideration for inclusion in the overall budget proposal. Failure to submit such request does not mean that a budget will not be provided, nor does it mean that the Committee could not make request of the Board of Directors later in the year if need arises. However, it does mean that the initial budget will be based on prior years' activities and past budget allotments rather than future plans the Committee may be considering.
- b. Review and monitor legislation affecting real estate interests and other industry related matters in accordance with the Association's approved Policies.
- c. Coordinate with the President and Executive Officer when a letter to obtain standing should be sent on a legislative issue or make recommendation to the Board of Directors if an issue arises outside the scope of the approved Political Advocacy Policies that warrants a letter to obtain standing or when an issue needs to be addressed in person at a meeting.
- d. When a letter has been submitted, the GAD and or the Committee Chair is to follow up with the recipient of the letter within five (5) business days.
- e. All letters submitted in order to gain standing on an issue will specifically state the request for standing.
- f. Encourage sound legislation protecting private property rights and individual ownership of real estate.
- g. With direction from the EAR Board of Directors, assist members in evaluation of issues and positions.
- h. Participate in screening of candidates with coordination from GAD.
- i. Actively promote interest in and inform all Board members of Local, State, and National government activities which affect real estate.
- j. Cooperate in district and/or regional legislative activities.
- k. Perform other such duties as may be outlined in the approved Strategic Plan.

Section 6-8 Political Action Committee ("RPAC")

The purpose and objectives of the Committee and the Trustee appointments shall be as outlined in the separate EAR PAC Bylaws and Policies and Procedures as required by the Oregon Elections Division. The RPAC Chair shall be appointed by the President.

Section 6-9 Professional Standards Committee

1. PURPOSE:

Promote and enforce high ethical standards and the orderly resolution of business disputes amongst REALTORS®. The Professional Standards Committee provides members to serve on hearings panels in

providing due process in ethics complaints or requests for arbitration as outlined in the National Association of REALTORS® Code of Ethics and Arbitration Manual, as annually revised. When a case is referred by the Grievance Committee for a hearing, the Chair recommends those members of the Committee who should comprise the hearing panel subject to challenge by parties, according to the procedures outlined in the current NAR Code of Ethics and Arbitration Manual.

2. COMPOSITION:

- a. The Chair and Vice Chair shall be appointed by the President for a one-year term and ratified by the Board of Directors.
- b. The members shall be 12-15 REALTORS®, including the Chair and the Vice Chair, appointed by the President and ratified by the Board of Directors.

3. DUTIES:

- a. Be thoroughly familiar with:
 - i. The Code of Ethics of the National Association of REALTORS®
 - ii. The Code of Ethics and Arbitration Manual, including the interpretations of the Code of Ethics.
 - iii. The Bylaws of the Eugene Association of REALTORS®.
- b. When hearing an ethics complaint or request for arbitration, to render an un-biased decision based on the facts presented and their experience and knowledge of the real estate profession.
- c. Promptly identify any conflict of interest.
- d. Maintain and protect the confidentiality of the proceedings and deliberations of the panel before, during, and after its determinations and recommendations.
- e. Attend Professional Standards Training Class.
- f. When chosen for a hearing panel, each of the panel members must commit to attend a preparatory meeting addressing the specific article(s) of the Code of Ethics being dealt with in the hearing.

4. PROCEDURES:

All hearings of ethics complaints and arbitration requests are conducted in accordance with the “Code of Ethics and Arbitration Manual” of the National Association of REALTORS®, using the edition in effect at the time of the alleged complaint.

Section 6-10 Young Professionals Network (“EAR YPN” or “YPN”)

1. PURPOSE:

EAR YPN is a member-driven organization that helps young real estate professionals excel in their careers by giving them the tools and encouragement to become involved in four core areas:

- a) REALTOR® Associations - Attend REALTOR® conferences and pursue leadership roles with their local, state, and national associations.
- b) Real Estate Industry - Take an active role in policy discussions and advocacy issues; be informed about the latest industry news and trends.
- c) Peers - Network and learn from one another by attending events, participating in online communication, and seeking out mentoring opportunities.
- d) Community - Become exceptional members of their community by setting a high level of REALTOR® professionalism and volunteering for causes they feel passionate about.

2. COMPOSITION:

- a) EAR YPN Membership is free and open to any EAR Member regardless of age. The Member must be a licensed REALTOR® or Affiliate member in good standing with EAR and all requests to join YPN, meeting the criteria, will be accepted.
- b) There shall be an Administration Committee whose responsibility it will be to plan events and research and recommend services and tools. The Committee shall provide an activity report to the Board of Directors on at least a quarterly basis and shall report all planned events and activities to the Board of Directors prior to announcing to the members.
- c) The Committee shall be made up of:
 - i. A Chair and Vice Chair, both of whom must be REALTORS®, who shall be appointed for a two-year term. The Chair and Vice Chair shall not be from the same firm. The Chair and Vice Chair appointments for the following year shall be made by the President and ratified by the Board of Directors no later than the Jan. meeting of the Board of Directors each year.
 - ii. At least seven (7) and no more than ten (10) additional members shall be selected for the Committee by the Chair and Vice Chair. A majority of the appointees must be REALTOR® members. No more than two (2) members from the same firm shall serve at the same time. Chair appointments may include, but are not limited to:
 - a) **Membership Coordinator** who will be in charge of recruitment and assisting staff liaison with maintaining current member contact information for member database.
 - b) **Events Planner** who will be in charge of planning and coordinating YPN activities and reaching out to potential sponsors.
 - c) **Communications Coordinator** who will promote YPN activities, assist staff with responding to YPN inquiries, and oversee online and social media activities and interaction.
 - d) **Education Coordinator** who will work with the EAR Education Committee to set up education/training classes that reflect the interests of YPN.

2. **3.DUTIES:**

- a.) Maintain professionalism in all communications—whether in person or via electronic means—and keep the focus of events on how to help members succeed in business.
- c) Use the official YPN Chapter logo to benefit from the brand recognition of national YPN.
- d) Promote YPN national, state, and local events through regular communications with YPN members.
- e) YPN does not sell member contact information to any third party, including event sponsors.
- f) Plan at least one event per quarter (such as networking events, meetings, education sessions, Webinars, etc.).
- g) Maintain at least 10 members
- h) Coordinate with other local YPN chapters and the state YPN chapter on events and communications to enhance outreach and share cost

SECTION 7 PROGRAMS AND SERVICE

Section 7-1 New Member Orientation

1. For the purpose of these policies, Orientation is the collective term for the online New Member Code of Ethics course at www.realtor.org , and live course held every 45 days at the EAR office. (It is highly suggested that all EAR Board members attend a least one New Member Orientation class.)
2. New members will not be approved for active membership until after the applicant has completed Orientation. The applicant will have ninety (60) days after joining the Association in which to complete

Orientation. In the event that Orientation is not completed within ninety (60) days of application, the application will be denied, the entire application fee will be forfeited to the Association, and the applicant's Designated REALTOR® will be billed a non-member licensee fee for that individual, according to the NAR Designated REALTOR® Dues formula.

3. If the licensee still wishes to become a member after the expiration of the 60-day orientation period, a new application fee of one hundred fifty dollars (\$150.00) will be charged to the new member.

4. If the licensee chooses to not become a member after the expiration of the sixty-day orientation period, their initial dues payment will not be refunded.

5. Upon expiration of time for Orientation, the Designated REALTOR® will be noticed as soon as possible of the non-member licensee dues to be invoiced five (5) days from the date of the notice per **Section 2-5, Part 3**, of these Policies. If an applying licensee later completes Orientation, no credit will be given to the new member for dues paid by the Designated REALTOR®. If the Designated REALTOR® does not pay the non-member licensee dues, then the Designated REALTOR's® office will be subject to losing all Association privileges.

6. If a new REALTOR® member applying for membership has been associated with another REALTOR® Association during the past twelve (12) months and provides a letter of good standing from the previous association and can provide proof of completing the NAR required Code of Ethics education within the past twelve (12) month period, the part of the Orientation requirement to complete the online New Member Code of Ethics course will be waived.

7. In order to facilitate timely processing of applications for membership and to assist associations in determining an applicant's qualification for REALTOR® membership, EAR shall, based on a request from another association, share information about current or former members. Minimum "core" member information shall include:

- a. Previous applications for membership
- b. All final findings of Code of Ethics violations and violations of other membership duties within the past three (3) years (when available).
- c. Pending complaints alleging violations of the code of ethics or alleging violations of other membership duties.
- d. Incomplete or (pending) disciplinary measures.
- e. Pending arbitration requests or hearings.
- f. Unpaid arbitration awards or unpaid financial obligations to the Association.
- g. Any misuse of the term REALTOR® or REALTORS® in the name of the applicant's firm.

EAR may, at its discretion, consider information received from other associations when determining whether an applicant satisfies the association's membership requirements as established in the association's bylaws.

Section 7-2 Education Classes

1. All endorsements for classes or speakers and all funding requests shall be at the discretion of the Board of Directors.

2. Educational fees and fines shall be as identified in this Section and in **Section 2-5**, of these policies.

3. REGISTRATION GUIDELINES:

a. Members must register for an education class not later than noon the day before the class in order to receive educational materials, receive a certificate of attendance. Members desiring to attend the

class without pre-registering will not receive class materials nor be seated until all those pre-registered have been accommodated.

b. Members must cancel a prior registration not later than noon a day prior to the class in order to avoid a non-attendance fee as outlined in **Section 2-5, part 4** of these Policies.

4. CERTIFIED CONTINUING EDUCATION PROVIDER

Upon written request, EAR will agree to be the Certified Continuing Education Provider for EAR Affiliate Members who are providing a class for REALTORS® that qualifies for continuing education credit under Oregon Real Estate Agency rules, provided that the following criteria are met:

a. The Affiliate is a member in good standing

b. The Affiliate's class does not conflict, in timing or in content, with a previously scheduled EAR class;

c. The class is open to all EAR REALTOR® members.

d. The Affiliate makes a written request not less than 30 days prior to the class, which shall include the date, time and location of the class, class topic, learning objectives, and instructor qualification forms as required by the Oregon Real Estate Agency;

e. Any advertising for the event will include the notice that the class is being provided in coordination with the Eugene Association of REALTORS®; and, In the event the Affiliate is requesting an EAR staff member to be present for signing in and signing out, that there is adequate EAR staff available to attend the class (as confirmed by the EAR Executive Officer).

f. The content and speaker are approved by the Executive Officer, or in the Executive Officer's absence, the Administrative Assistant or the Education Committee Chair. If the Affiliate requests that an EAR staff member be present at the class, the Affiliate will be charged twenty-five dollars (\$25.00) per hour for each clock hour of the class. If the Affiliate does not need an EAR staff member present, the Affiliate must agree to provide the following to the EAR office not more than seven (7) days following the conclusion of the class:

a. Sign-in sheet with printed name, email address, license number and signature of each attendee;

b. Sign-out sheet with printed name and signature, signed not more than 15 minutes prior to the conclusion of the class.

Section 7- 3 Professional Standards

1. Per the EAR Bylaws, **Article VII, Section 1**, the professional standards program for EAR shall be governed by the National Association of REALTORS® Code of Ethics and Arbitration Manual ("COEAM") and as outlined in these policies.

2. All Board of Director members and members serving on either the Professional Standards Committee or the Grievance Committee will attend a Professional Standards Training Seminar on an annual basis.

3. Replies to ethics complaints and arbitration requests will only be solicited following the Grievance Committee's determination to forward the complaint/request for a hearing, unless otherwise advised by Association legal counsel.

4. The complaint/request and response, if any, shall be provided to the members of the Hearing Panel at least twenty-one (21) days prior to the hearing in conjunction with the Official Hearing Notice.

5. Appeal/procedural review hearing panels will be appointed by the President, or the President Elect in the event of a conflict of interest for the President, from the current members of the Board of Directors without further ratification needed. Decisions of appeal/procedural review hearing panels that

are made of up of current members of the Board of Directors are final and no further ratification is needed. In the event an impartial panel cannot be formed from the current members of the Board of Directors or specific expertise is needed from other members, appointment of the panel must be ratified by the Board of Directors, but the decision of the panel will be final and no further ratification is needed.

6. Individuals involved in alternative enforcement procedures (i.e. – ombudsmen and mediators) may not be called as witnesses in a hearing proceeding.

7. ETHICS:

a. Any REALTOR® found in violation of the Code of Ethics in a Professional Standards hearing will be assessed an administrative processing fee of two hundred dollars (**\$200.00**) to cover the cost of holding said hearing. This fee is to be in addition to any sanctions and/or disciplines recommended by the Hearing Panel.

b. The Hearing Panel Chair, or Appeal Tribunal Chair, whichever is applicable, will rule on hearing postponement requests.

c. Appropriate and reasonable fines, not to exceed five thousand dollars (\$5,000.00), may be assessed in addition to the administrative processing fee.

d. In the event that the respondent fails to appear at a duly noticed hearing without first obtaining a continuance or adjournment thereof, the Hearing Panel may, at their discretion, proceed with the hearing in the respondent's absence and reach a decision based on the evidence made available at the hearing.

e. A party requesting an appeal shall pay a one hundred dollar (\$100.00) appeal filing fee.

f. The Association shall, and parties shall not, mechanically record hearings. Neither the Association nor the parties shall record appeal hearings. Recordings of original hearings shall be erased upon ratification of the findings by the Board of Directors, completion of the Appeal hearing, or completion of the discipline, whichever is later.

g. Names of respondents found in violation of an article(s) of the Code of Ethics will not be published.

h. EAR adopts the expedited ethics administration procedures as outlined in Part 4, Section 20, paragraphs f thru q of the COEAM.

i. Ethics hearings findings presented to the Board of Directors for ratification will not include the names of the parties, unless otherwise advised by legal counsel.

8. ARBITRATION:

a. Each party to an arbitration shall pay a filing fee of two hundred fifty dollars (\$250.00). The Grievance Committee shall meet and determine whether or not to forward the request for a hearing within fifteen (15) days of receipt of the request.

b. The prevailing party's filing fee shall be returned within thirty (30) days of the award being finalized. In the unlikely event of a split award, the hearing panel will determine how much, if any, of the filing fees shall be returned to each party.

c. If the arbitration is classified as voluntary as defined in the COEAM, both parties must agree that the arbitration will be binding in order to utilize the services of the Association's Professional Standards Committee.

d. In the event the parties to an arbitration reach a settlement prior to the hearing, the arbitration proceeding shall be terminated. The Association shall retain a portion of the filing fee to cover any costs incurred up to the point of settlement of the dispute and the balance returned to each party within thirty (30) days of the termination. Costs may include, but are not limited to:

i. Postage for certified mailings with return receipt requested.

ii. Photocopies.

iii. Staff Time.

iv. Legal Expenses

e. The Hearing Panel Chair, or Procedural Review Panel Chair, whichever is applicable, will rule on hearing postponement requests.

f. A party requesting a procedural review shall pay a filing fee of one hundred dollars (\$100.00).

g. The Association shall, and parties shall not, mechanically record hearings. Neither the Association nor the parties shall record procedural review hearings. Recordings of original hearings shall be erased upon completion of the appeal period, payment of the award, or completion of the procedural review hearing, whichever is later.

h. EAR does not adopt the optional award procedures as outlined in Part 10, Section 53, paragraphs c thru f of the COEAM.

9. MEDIATION:

a. POLICIES:

i. Mediation will be offered in all arbitration requests that are forwarded for a hearing by the Grievance Committee.

ii. Mediation is a voluntary process and no party may be forced to mediate.

iii. If a party appears at a mediation with legal counsel and the other side has not been notified, the unrepresented party will have the option of rescheduling the mediation to a future date when their own counsel may be present.

iv. If, for any reason, any of the parties are unable to participate on the date agreed, or if a party fails to appear at a scheduled mediation, the mediation shall not be rescheduled unless all parties consent.

v. Mediators may not impose a solution upon parties. Mediators may, with the consent of the parties, offer settlement proposals or evaluations of likely outcomes at arbitration where appropriate.

vi. All mediated agreements shall be reduced to written form, dated and signed by all parties no later than ten (10) days following the conclusion of the mediation.

vii. If any party objects to the Mediator continuing, the mediation shall be postponed and another Mediator shall be assigned. A Mediator shall automatically be disqualified in any case in which said Mediator is:

- ◆ Related by blood or marriage to either the claimant or the respondent;
- ◆ An employer, partner, employee, or in any way associated in business with either the claimant or the respondent; or
- ◆ A party to the hearing, or a party or a witness in any other pending case involving a party to the mediation.

viii. A Mediator will be:

- ◆ An active REALTOR® member in good standing of the Eugene Association of REALTORS®, the Executive Officer, or other competent providers as approved by the Board of Directors of the Eugene Association of REALTOR®.
- ◆ Certified in mediation training that meets OAR and/or NAR Mediation Training requirements.

ix. EAR will offer mediation as long as there is a minimum of three (3) active Mediators.

x. If a Mediator is also a member of the professional standards committee, he/she shall not serve on an arbitration hearing panel in cases where he/she had initially attempted to resolve the dispute prior to an arbitration hearing or on an ethics hearing panel in cases where an ethics complaint arises out of the same facts and circumstances giving rise to a matter he/she attempted to mediate.

xi. If a Mediator is also a member of the Board of Directors, he/she shall not serve on an arbitration procedural review hearing panel in cases where he/she had initially attempted to resolve the dispute prior to an arbitration hearing or on an ethics appeal hearing panel in cases where an ethics complaint arises out of the same facts and circumstances giving rise to a matter he/she attempted to mediate.

Ombudsman Program

1. DEFINITION

The Ombudsman Program in its simplest definition is informal telephone mediation. In some cases, it can address and solve minor complaints from the public. It can also solve inter-REALTOR® conflicts before they become serious problems. Like a mediator, an Ombudsman helps parties find solutions.

2. The following types of cases cannot be handled through the Ombudsman Program:

- a. Respondent is not an EAR member.
- b. Apparent violations of law.
- c. Fair housing or discrimination issues.
- d. Conflicts that have already been referred to legal counsel, are a subject of an Oregon Real Estate Agency investigation, or are already an ethics or arbitration proceeding in progress.
- e. Large monetary amounts.
- f. Complex cases.
- g. Cases involving more than two parties.
- h. Blatantly unreasonable or uncooperative parties.

3. Ombudsmen are appointed by the President and ratified by the Board of Directors for a one-year term, however, there is no term limit to the number of years the member can serve as an Ombudsman. There shall be no less than two (2) Ombudsmen appointed at any given time. Ombudsmen serve on a volunteer basis and do not receive compensation. The Association will make every effort to incorporate Ombudsman from a variety of real estate specialties.

4. ROLE OF THE OMBUDSMAN

The Ombudsman's role is one of communication and conciliation, not adjudication. Ombudsmen do not determine whether ethics violations have occurred or determine monetary awards; rather, they anticipate, identify, and resolve misunderstandings and disagreements before matters ripen into possible charges of unethical conduct or arbitral disputes. The Ombudsman:

- a. Listens to the complainant's concerns.
- b. Ascertains complainant's desired outcome (revocation of licenses, sanctions, apology, money, etc.).
- c. Fields and responds to a wide variety of inquiries and complaints, including general questions about real estate practice, transaction details, ethical practice, and enforcement issues.
- d. Explains possible avenues that might resolve the issue or reach the desired outcome.
- e. Answers general questions and/or procedural questions and explains the formal ethics complaint process.
- f. Contacts the potential respondent to explain the complainant's concerns and desired outcome.
- g. Tries to bring resolution.
- h. Reports back to the complainant.
- i. Explains the complainant's rights after the completion of the Ombudsman process.

5. QUALIFICATIONS TO SERVE AS AN OMBUDSMAN Members

volunteering to serve as an Ombudsman must:

- a. Have ten (10) or more years of real estate licensee experience OR five (5) or more years of real estate licensee experience plus additional qualifications, such as dispute resolution experience.
- b. Be familiar with the NAR Code of Ethics, state real estate regulations, and current real estate

practice.

- c. Take Professional Standards training on an annual basis and Ombudsmen Training, or equivalent dispute resolution training, on a bi-annual basis.

6. CONFIDENTIALITY

All communications made to the Ombudsman or the Eugene Association of REALTORS® whether written or oral, shall be confidential and may not be disclosed (other than communicating information and results between staff and the Ombudsman) to any other person for any reason. The Ombudsman's opening statement shall confirm the parties understanding of this prior to discussing the issue.

7. An Ombudsman cannot be called as a witness as part of any future ethics complaint or arbitration request by the complainant or respondent in the matter in which they attempted to resolve in their role as an Ombudsman. This fact shall be made known to the parties during the Ombudsman's opening statement. Additionally, in the event a resolution is not reached through the Ombudsmen process and an ethics complaint or arbitration request goes forward through the Association, the Ombudsman is precluded from participating in any part of the formal process (i.e. Grievance Committee, Hearing Panel, Board ratification, etc.) with respect to that complaint.
8. In the event a written ethics complaint is received by the Eugene Association of REALTORS®, it shall be initially referred to the Ombudsman who will attempt to resolve the matter, excluding complaints alleging violations of the public trust (as defined in **Article IV, Section 2** of the NAR Bylaws*).

**For purposes of these policies, a potential violation of the public trust is "demonstrated misappropriation of client or customer funds or property, willful discrimination, or fraud resulting in economic harm."*

9. Ombudsmen shall not refer concerns they have regarding the conduct of any party utilizing their services to the Grievance Committee, to the Oregon Real Estate Agency or to any other regulatory body. This prohibition is intended to ensure impartiality and avoid the possible appearance of bias. Ombudsmen are, however, authorized to refer concerns that the public trust may have been violated to the Grievance Committee.

In the event the Ombudsman, during the course of attempting to resolve a dispute, concludes that a potential violation of the public trust as defined in Paragraph 8 may have occurred, the process shall be immediately terminated, and the parties shall be advised of their right to pursue a formal ethics complaint or arbitration request; to pursue a complaint with any appropriate governmental or regulatory body; to pursue litigation; and/or to pursue any other available remedy.

10. FAILURE TO COMPLY WITH AN AGREED UPON RESOLUTION

In the event a member fails or refuses to comply with the terms of a mutually agreed on resolution, the complainant shall be entitled to resubmit the original complaint or, where a formal complaint in the appropriate form had not been filed, to file an ethics complaint or arbitration request. The time the matter was originally brought to EAR's attention will be noted by the Association's professional standards administrator and the 180-day filing deadline shall be suspended from the date of the complainant's (or potential complainant's) request for informal dispute resolution service or assistance and shall resume when the informal dispute resolution procedures are concluded or terminated. This information shall be provided to the Grievance Committee for purposes of

determining whether an ethics complaint is timely filed.

11. The appointed Ombudsmen will meet once per calendar year with the President and Executive Officer to discuss the program and determine if any policy changes or program adjustments are required.

PROCEDURES:

- i. Upon receipt of an arbitration request, the Grievance Committee will determine if it is an arbitral matter and if it should be forwarded for a hearing. If the Grievance Committee decides the matter should be forwarded for a hearing, then mediation will be offered to the parties prior to the hearing being scheduled. If they do not wish to mediate or if the mediation does not resolve the dispute, then a hearing will be scheduled and the matter will proceed under usual arbitration procedures.
- ii. The Agreement to Mediate will be signed by all parties prior to scheduling the mediation conference.
- iii. If both parties agree to mediation, the matter will be assigned to a Mediator, who will then establish a mutually convenient time and location for the mediation. Each party will receive notice of the date and time for the mediation conference along with information explaining the mediation process at least ten (10) days prior to the scheduled session.
- iv. The mediation date and time are typically scheduled at the convenience of the parties not more than sixty (60) days from the date of the request for mediation.
- v. Mediator assignments will be based on random selection and availability. When applicable, subject matter expertise (i.e. – property management, commercial, or farm and land expertise) will also be a factor in Mediator assignment.
- vi. If both parties request a specific Mediator, that individual, if available, will be assigned to the mediation conference.
- vii. Parties do not need to be represented by attorneys in mediation because the process is non-adversarial and does not involve findings of fact or law. If one party intends to have an attorney present, all other parties to the mediation will be notified at least ten (10) days in advance of the session.
- viii. Mediation is not a fact-finding conference and is focused on settlement of the dispute; therefore “witnesses” are rarely helpful or necessary. In rare circumstances, an individual may be able to clarify a misunderstanding and assist in finding a resolution. However, all parties are urged to keep the involvement of such individuals to a minimum. If one party intends to have any such individuals present, all other parties to the mediation will be notified at least ten (10) days in advance of the session.
- ix. All parties and the Mediator should attempt to resolve the dispute in a single session. Further sessions shall be scheduled only if all parties and the Mediator agree that it is appropriate.
- x. The Mediator may follow-up by telephone at his/her discretion.
- xi. All of the Mediator’s notes/documentation associated with the mediation will be submitted to the Association by the Mediator and destroyed following the end of the mediation process.
- xii. Neither the parties nor the Mediator shall be/are required to report potential ethical violations discovered as a result of participation in the mediation process.
- xiii. Obligations of Mediators:
 - ◆ Report conflicts of interest.
 - ◆ Abide by confidentiality provisions.
 - ◆ Complete paperwork in a timely manner.
- xiv. In instances where, in the opinion of the Mediator, there is an unacceptable risk posed to the safety of any participant, the mediation will be recessed so the Mediator may consult with staff, Association elected leadership, or Association counsel to take steps to ensure the safety of all participants in the mediation or

dispute. The Association Board of Directors, the Mediator, and/or staff may, at their discretion, consult with and share necessary information with appropriate law enforcement or other government agencies. The Mediator shall advise the parties regarding this limitation to confidentiality in the opening statement.

xv. There is a presumption of good faith at mediation unless a party demonstrates otherwise. The Mediator shall terminate the mediation if either party acts in bad faith including:

- ◆ falsifying/withholding information central to the mediation; or
- ◆ using the mediation process merely to gain an advantage in further proceedings. Bad faith does not include failing to reach agreement or to compromise further than a party believes appropriate.

xvi. The mediation session should be kept fundamentally simple:

- ◆ The Mediator encourages the parties to understand each other's position.
- ◆ If the parties reach a mutually acceptable solution, the agreement is put into writing and signed by all parties.
- ◆ If the parties are unable to reach a mutually acceptable solution, the Mediator may recommend a solution.
- ◆ The parties will then have a specified amount of time (not to exceed 48 hours) to consider the recommendation and decide whether they will agree to it. Any party who does not respond to the recommendation within the specified time period will be deemed to have rejected the suggested solution.
- ◆ If all parties agree to the recommendation, the agreement is put into writing and signed by all parties.
- ◆ If either party does not agree with the recommendation, the mediation process is over and the arbitration process proceeds (if arbitration has been requested).

EAR Policies and Procedures

EXHIBIT A: CODE OF CONDUCT

The Eugene Association of REALTORS® Board Members will:

1. Act in the best interest of and fulfill their obligation to the Eugene Association of REALTORS® members.
2. Act honestly, fairly, ethically and with integrity.
3. Conduct themselves in a professional, courteous and respectful manner.
4. Comply with all applicable laws, rules and regulations.
5. Act in good faith, responsibly, with due care, competence and diligence, without allowing their independent judgment to be subordinated.
6. Act in a manner to enhance and maintain the reputation of the Eugene Association of REALTORS®.
7. Maintain confidentiality of information until such time as it is decided that a “public” statement will be made or position taken or when authorized or legally required to disclose such information.
8. Not use confidential information acquired in the course of their service as Directors for their personal advantage.
9. Disclose potential conflicts of interest that they may have regarding any matters that may come before the Board and abstain from discussion and voting on any matter which the Director has, or may have, a conflict of interest pursuant to the Conflict of Interest Policy adopted by the Board and future modifications which may be adopted by the Board in the future.
10. Make available to, and share with, fellow Directors information as may be appropriate to ensure proper conduct and sound operation of the Eugene Association of REALTORS® and its Board of Directors.
11. Absence from three (3) of the regular meetings during an elective year without an excused notification to the President or EO in advance of the regularly scheduled board meeting shall be construed as resignation from the Board of Directors. In the case of an OAR Director, it will also include all regular scheduled meetings (and conference calls) for OAR Board of Directors Meetings.

A Board member who has concerns regarding compliance with Compliance Guidelines should raise those concerns with the Executive Committee, who will determine what action shall be taken to deal with the concern. In the extremely unlikely event that a waiver of these Guidelines for a Board member would be in the best interest of the Eugene Association of REALTORS®, it must be approved by the Executive Committee.

As a Board member there is an expectation that you will voluntarily make (at a minimum) your “fair share” investment to RPAC.

Board members will annually sign a confirmation that they have read and will comply with this code.

DIRECTOR'S NAME (print): _____ Date: _____

SIGNATURE: _____ Year serving on Board: _____

EAR Policies and Procedures

EXHIBIT B: Mandated Sick Leave Policy for EAR

Approval is required from the EO in advance of taking PTO time, unless it is being used for sick leave. The Executive Officer may ask to request your extended time off plans at the beginning of each year, then will determine whether, due to Association demands, a department will have certain “blackout” periods during which employees may not take PTO. For purposes of this policy, your use of PTO for any of the five reasons listed below constitutes use of PTO for “sick leave”:

- (1) For an employee’s mental or physical illness, injury or health condition; need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or need for preventive medical care.
- (2) For care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or care of a family member who needs preventive medical care.
- (3) For the following purposes specified in ORS 659A.159:
 - (a) To care for an infant or newly adopted child under 18 years of age, or for a newly placed foster child under 18 years of age, or for an adopted or foster child older than 18 years of age if the child is incapable of self-care because of a mental or physical disability. Leave under this subsection must be completed within 12 months after birth or placement of the child, and an eligible employee is not entitled to any period of leave under this subsection after the expiration of 12 months after birth or placement of the child.
 - (b) To care for a family member with a serious health condition as defined in OAR 839-009-0210(20).
 - (c) To recover from or seek treatment for a serious health condition of the employee as defined in OAR 839-009-0210(20) that renders the employee unable to perform at least one of the essential functions of the employee’s regular position.
 - (d) To care for a child of the employee who is suffering from an illness, injury or condition that is not a serious health condition as defined in OAR 839-009-0210(20), but that requires home care.
 - (e) To deal with the death of a family member within 60 days of the date on which the eligible employee receives notice of the death of a family member by:
 - (A) Attending the funeral or alternative to a funeral of the family member;
 - (B) Making arrangements necessitated by the death of the family member; or
 - (C) Grieving the death of the family member.
- (4) For the following purposes specified in ORS 659A.272:
 - (a) To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee’s minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, harassment, sexual assault or stalking.
 - (b) To seek medical treatment for or to recover from injuries caused by domestic violence or sexual assault to or harassment or stalking of the eligible employee or the employee’s minor child or dependent.

- (c) To obtain, or to assist a minor child or dependent in obtaining, counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault or stalking.
- (d) To obtain services from a victim services provider for the eligible employee or the employee's minor child or dependent.
- (e) To relocate, pursuant to OAR 839-009-0345, or take steps to secure an existing home to ensure the health and safety of the eligible employee or the employee's minor child or dependent.

- (5) In the event of a public health emergency, including, but not limited to:
 - (a) Closure of the employee's place of business, or the school or place of care of the employee's child, by order of a public official due to a public health emergency;
 - (b) A determination by a lawful public health authority or by a health care provider that the presence of the employee or the family member of the employee in the community would jeopardize the health of others, such that the employee must provide self-care or care for the family member; or
 - (c) The exclusion of the employee from the workplace under any law or rule that requires the employer to exclude the employee from the workplace for health reasons.

For purposes of the above, "Family member" means an employee's spouse, same-gender domestic partner, custodial parent, non-custodial parent, adoptive parent, foster parent, biological parent, stepparent, parent-in-law, a parent of an employee's same-gender domestic partner, an employee's grandparent or grandchild, or a person with whom the employee is or was in a relationship of in loco parentis. "Family member" also includes the biological, adopted, foster child or stepchild of an employee or the child of an employee's same-gender domestic partner. An employee's child in any of these categories may be either a minor or an adult at the time the employee uses sick time.

If your use of PTO for sick leave is foreseeable, such as a pre-scheduled medical appointment, you must make a reasonable effort to schedule your absence in a manner that does not unduly disrupt the Association's operations. Anytime that you take more than three consecutive scheduled workdays of PST for sick leave, the Association reserves the right to require you to provide verification from a health care provider of your need to take the time off, or certification, as specified in ORS 659A.280, of your need to take leave for a purpose specified in ORS 659A.272 (relating to harassment, stalking, sexual assault, and domestic violence).