

UNITED STATES MASTERS SWIMMING, INC.
Professional Management Guidelines
(As Amended Through 9/12/2002)

I. Purpose

- A. The purpose of the Professional Management Guidelines manual is to list and maintain in one place all of the operating policies and procedures used by USMS to manage employees and independent contractors. USMS intends to continue to use its volunteer base as much as possible and practical. However, certain positions and tasks involve a time commitment and expertise well beyond what can be expected of a volunteer. These positions and tasks may be subject to compensation based on the following guidelines.
- B. Amendments to these guidelines shall be proposed by the Executive Committee or Board of Directors and approved by the House of Delegates.

II. Definitions

- A. **Employee:** An employee is a person who performs services for USMS, where USMS can control what services will be performed and how the services will be performed.
- B. **Independent Contractor:** An independent contractor is a person or entity that performs services for USMS, where USMS can control the result of the services but not the means and methods of accomplishing the result. Independent contractors may be hired for a one-time project or service, or may have a renewable contract for the ongoing provision of services.

III. Approval of Professional Positions and Projects

- A. Compensated employee positions and independent contractor tasks shall be approved in advance by the USMS House of Delegates.

IV. Budgeting

- A. The amount of compensation for employees and independent contractors shall be subject to the budget and over-budget processes of FOG Parts II. and V.
- B. Compensation for employees is defined as payment other than reimbursed expenses per the process set forth in FOG Part IV.
- C. Compensation for independent contractors is defined as the total amount specified in their contract.
- D. An employee or independent contractor to be compensated may still apply for reimbursement of budgeted expenses per the process set forth in FOG Part IV, provided such reimbursement does not conflict with the express terms of the applicable contract (see Section VI below).

V. Selection Process

- A. The selection process for employees shall be determined by the USMS Executive Committee. The method used for selecting employees who will receive compensation greater than \$10,000 annually shall include an application and interview process unless an alternate process is approved in advance by the House of Delegates.
- B. The selection process for independent contractors shall be determined by the USMS Executive Committee. Unless an alternate process is approved in advance by the House of Delegates, the method used for selecting independent contractors who will receive compensation greater than \$10,000 annually shall include:
 - 1. An application and interview process.Or
 - 2. A Request for Proposal (RFP) and bidding process.
- C. When an application process is used, pursuant to paragraphs A or B.1 above, an announcement, including job description and application deadline, shall be published in the USMS official publication and in the National Office Newsletter. The USMS Executive Committee shall determine the interview process used.
- D. When an RFP and bid process is used pursuant to paragraph B.2 above, an announcement, including methods for obtaining the RFP, a brief description of the project, and a bid deadline shall be published in the USMS official

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publication and in the National Office Newsletter. The USMS Executive Committee shall determine the bid evaluation process used.

- E. Notwithstanding the provisions in paragraph B above, the application and RFP processes need not be used when a previously-selected independent contractor's contract is being renewed for a new period for the same tasks or projects that are the subject of the original contract.

VI. Contracts

The method used to document the terms of agreement with employees and independent contractors shall be determined by the USMS Legal Counsel and approved by the Executive Committee. Prior to finalizing the agreement, Legal Counsel shall consult with the chair of the Finance Committee to determine compliance with approved budget.

VII. Job Descriptions

- A. The USMS Executive Committee, or its designee, shall develop and maintain job descriptions for all employee positions. These descriptions shall be used during the selection process and during performance reviews.
- B. The USMS Executive Committee, or its designee, shall develop and maintain descriptions of responsibilities and work to be performed by independent contractors. The descriptions shall be used during the selection process and during performance reviews. Job descriptions shall be available to any USMS member on request.

VIII. Performance Review

For the purposes of these guidelines, there are two types of performance review. The review process outlined in Section A is to be used for employees. The review process outlined in section B is to be used for independent contractors.

- A. **Employees:** An initial performance review generally will be conducted for each employee between 90 and 120 days following the start of the first period of employment. Performance reviews shall be conducted annually for each employee. Employees may request an interim performance review at any time.

Performance reviews should involve conversations between the employee and direct supervisor and should be documented on a Performance Review Form. Prior to the review, the supervisor should solicit comments from people who work directly with the employee. The employee shall receive a copy of the completed Performance Review Form. The USMS Corporate Secretary shall keep copies of all completed Performance Review Forms.

- B. **Independent Contractors:** The USMS Executive Committee, or its designee, shall evaluate each independent contractor according to benchmarks and/or time intervals specified in the independent contractor's contract. If there are no such benchmarks or time periods in the contract, the USMS Executive Committee, or its designee, should evaluate each independent contractor annually. The substance of the evaluation should be based upon the terms of the agreement that USMS has entered into with the contractor. The evaluation should be presented verbally by the Executive Committee (or members of that Committee as designated by the President). After this discussion, a brief summary of the issues that were addressed will be prepared and maintained by the USMS Corporate Secretary.

IX. Emergency Waiving of Guidelines

If circumstances develop in which compliance with these guidelines would not be in the best interest of USMS, the Executive Committee may waive these guidelines if the majority of the members of the Board of Directors approve.