



# New England Electric Railway Historical Society

## CODE OF CONDUCT

**Issue Date:** March 31, 2021

**Revision Dates:** April 20, 2002, November 2, 2002, December 14, 2002, July 14, 2012, March 11, 2023

### 1.0 PURPOSE:

The purpose of this code of conduct is to ensure that the New England Electric Railway Historical Society, and its subsidiary, the Seashore Trolley Museum, and any other subsidiary, carries out its missions both safely and productively in an atmosphere of consensus and cooperation, and that the experiences of members as volunteers or employees, and of employees are enjoyable. This Code is intended to define generally-accepted behavior for both members and employees.

### 2.0 DEFINITIONS:

For the purposes of definition, the term "New England Electric Railway Historical Society," "Seashore Trolley Museum," "Society," and "Museum" shall be construed as one and without distinction as one to another.

For the purposes of definition, the term "member" refers to any person or individual to whom a membership card has been issued, without distinction or regard to the annual amount of dues paid or whether or not said individual is qualified to vote in the affairs of the society.

For the purposes of definition, the term "employee" refers to any person or individual that is employed by the Society in any capacity, without distinction or regard to level of compensation or to position held. Employees may or may not be Society members.

For the purposes of definition, the term "Executive Director" refers to the Executive Director of the New England Electric Railway Historical Society, the staff position primarily responsible for member relations, personnel issues and disciplinary actions.

For the purposes of definition, the term "President" refers to the President of the New England Electric Railway Historical Society.

For the purposes of definition, the term "Board Chair" refers to the Chair of the Board of Trustees of the New England Electric Railway Historical Society.

For the purposes of definition, the term "Board" refers to the Board of Trustees of the New England Electric Railway Historical Society.

For the purposes of definition, the term “By-Laws” refers to the most-recent and currently-prevailing version of the By-Laws of the New England Electric Railway Historical Society.

### **3.0 POLICY:**

Members and employees shall uphold the core values of the Society, which are integrity, transparency, accountability, respect and responsibility. Members and employees shall treat other members, employees, Museum visitors, vendors and contractors, public officials, and neighbors to the Museum with courtesy and good will at all times. At all times, members and employees shall put group harmony and productivity ahead of their personal ambitions and interests. The level of contributions, amount of work performed, and/or technical or other skills do not give any member or employee a license to mistreat, slander, or be disrespectful of others.

All members and employees are welcome to participate in Museum activities. Any member wishing to contribute their time and talent shall be encouraged. Members and employees shall not denigrate the contributions of any other member or employee, no matter how great or small.

Physical abuse, violence, intimidation, or harassment against visitors, other members, officers, employees or vendors shall be grounds for revocation of membership. Harassment or discrimination on the basis of race, color, sex, (including pregnancy, gender identity, and sexual orientation), age, national origin, disability, political affiliation, military service, or religion by any member or employee will not be tolerated. The Society reserves the right to refer individuals allegedly committing the acts stated above for criminal investigation under state or federal law.

Personal disputes between members and/or employees shall have no place on Society property or at Society functions. Disputes between members and/or employees with respect to Society policies, Society operations, and Society activities shall be referred first to the Executive Director. Failing a satisfactory resolution, a complaint can be duly filed with y the President & CEO, and/or the Board Chair if special circumstances dictate, for mediation, resolution, or sanction[s]. Within the Society itself, the President & CEO and/or Board Chair shall be the ultimate arbiter of all disputes.

Per Maine state law, smoking is not allowed in areas accessible and viewable by the general public or where children may be present at Seashore Trolley Museum. This includes our parking lots. Smoking is also prohibited in all enclosed structures and on all rolling stock, regardless of where they are located on campus. A smoking area is set up by our Bunkhouse for volunteers, but may not be used on large event days when the public exits the property via the road that passes by the Bunkhouse.

Some prescription and non-prescription medications, as well as some medical conditions may cause a lack of alertness, delayed response time or alterations of moods or judgment. If you are taking any medication or have any condition with such possible side effects, carefully evaluate whether you can safely operate any of the Society’s vehicles or artifacts, or complete tasks involving machinery or other potentially hazardous operations. If you have any doubts, please contact your physician before beginning work.

Possession of or working under the influence of illicit drugs or illegal substances is a very serious offense and may be grounds for suspension or revocation of volunteer duties and membership. Operating, Yard, Track, Bus Department personnel and other volunteers that plan to operate any equipment while on campus are prohibited from using any drug, alcohol, intoxicant or controlled substance during the eight-hour period prior to reporting for duty, or while on duty, which may adversely affect their ability to safely operate any streetcar or piece of equipment.

Any discourtesy to our visitors and/or vendors, failure to comply with safety and operating rules, refusal to cooperate with other volunteers or Museum staff, or inappropriate conduct may be cause for disciplinary action and possible loss of membership privileges.

Individuals may possess and consume alcoholic beverages at specific events or functions where alcohol is being served by the Society, inside the Bunkhouse, or in the area around the exterior of the Bunkhouse when the museum is not open for the public. Unless part of a Society special event, consuming alcohol in or around any of our historic artifacts or displays, inside our carhouses, Restoration Shop, Parts Warehouse, or on our main line is prohibited.

An individual's use or consumption of alcoholic beverages on Society property shall be absolutely prohibited if that individual's behavior is unruly, disruptive, annoying, harassing to others, dangerous to individuals or property, or otherwise in violation of this policy.

Usage of marijuana on the museum's grounds is prohibited. Violations of Seashore's marijuana policy carry a \$500 fine for each infraction. Exceptions may be made for third party event rentals, who are required to add Seashore as an additional insured to their homeowner's insurance. Exclusions and conditions are agreed upon in third party rental agreements directly with the third party.

Firearms, explosives, or other weapons are prohibited on Museum grounds except those carried by duly authorized law enforcement officers.

#### **4.0 AUTHORITY:**

Any and all work at the Museum is under the supervision of the President & CEO, Executive Director, and appointed officials. Members are encouraged to suggest work activities, but their volunteer efforts should be confined to approved projects. Consensus on projects and the sustained coordination of work activities is essential to the Society's success.

Members and employees who hold supervisory or officer status have a special responsibility to avoid words, deeds, and actions that are arrogant, insensitive or capricious. They should set an example of good conduct for others to follow.

Only persons designated by the Board, President & CEO, or Executive Director may represent the Society. Financial commitments are to be made only by the President & CEO, Executive Director, or duly-authorized Society officers. Any member or employee who attempts or makes an unauthorized expenditure shall be personally and fully responsible for said expense.

## **5.0 TREATMENT OF SOCIETY PROPERTY:**

The members of the Society are trustees of Society property. Such property must be treated with care. Unless authorized by a duly-authorized Society official, no member, Museum visitor, vendor, contractor, or employee shall damage or dispose of any Society property.

All Society property is under the sole jurisdiction of the Board. No member, employee, or any other person may unilaterally dictate how it is to be used. This includes members, employees, or other persons who may have invested or contributed time, money, services, or materials toward the procurement, conservation, restoration, or operation of a piece of equipment or property. The contribution of time, money, services, or materials to the Society conveys ownership of that property to the Society, and not to the contributor.

Society property shall not be appropriated for personal use or exclusive custody. Any Society property in the hands and care of members or employees must be authorized by a duly-authorized officer and shall be documented in writing.

Members, employees, or any other persons shall not use Society property for any personal or private use or purpose, including, but not limited to, storage of privately-owned equipment such as motor vehicles, trailers, or campers, and personal possessions such as household goods, parts, supplies, junk, and scrap.

Theft, intentional damage, or threats [written or uttered] to damage Society property, violence against visitors, other members, officers, employees, and/or vendors shall be grounds for revocation of membership in the case of a member, or for termination in the case of an employee, or both if applicable. The Society reserves the right to refer individuals allegedly committing the acts stated above for criminal investigation under state or federal law.

## **6.0 DISCIPLINARY ACTION PROCEDURE:**

Corrective action is progressive and the following is the order in which steps of disciplinary action for members will normally occur. It should be recognized that one or more of these steps may be omitted, according to the circumstances of each individual case. Disciplinary actions for employees shall be as stated in the then-current and approved version of the Employee Handbook, Volunteer Handbook, or Organization Manual.

Members may be expelled or suspended from the Society by the Executive Director, for cause arising from serious offenses against the Society or from conduct and attitudes reflecting discredit on the Society. Offenses are breaches of the bylaws or of rules enacted or authorized by the Trustees. Discipline of members may consist of suspension of privileges or termination of membership. Fines may not be imposed but damage arising from carelessness may be assessed against the person responsible for the damage.

Discipline, initially, may be imposed by those officers against whose authority the offense was committed. Members may appeal to the President & CEO or the Chair of the Board. Action in a court of law shall be subsequent to the foregoing.

Conviction in a court of law arising from offenses against the Society shall terminate membership which shall not be reinstated, unless and until such conviction is vacated, annulled, or overturned. In the event of such vacation, annulment, or overturning, the Trustees may reinstate membership at their sole discretion.

- 1. *Informal Discussion:*** Every attempt will be made to resolve problems through informal discussion before proceeding to stronger disciplinary action. A written record of this informal discussion shall be made and maintained.
- 2. *Written Warning:*** This action involves a discussion between the President and the member regarding an infraction of a rule or policy, or this code of conduct, with an emphasis on correcting the behavior. During this discussion, the length of time allowed for the member to improve shall be specified. The member should be certain that they understand the reason(s) for the warning, the expectations for improvement, and the terms for avoidance of further actions. This warning shall be presented in writing and the member will be asked to sign and date the document indicating that they have seen and understand the document. This signature does not indicate agreement with the statements in the document. The document shall also be signed and dated by the Executive Director. If the member refuses to sign the document, the Executive Director shall enter the words "Member Refused to Sign" to the document with their own signature and date.
- 3. *Disciplinary Probation:*** If both informal discussion and formal warning fail to correct the problem(s) or resolve the dispute, the member or employee then may be placed on probation. The onset and duration of the probation shall be determined by the Executive Director based on the particular circumstances. It may occur after one or more formal written warnings, or simultaneous with a warning.
- 4. *Discretionary Suspension:*** For the welfare and good of the Society, and of the member, suspension may sometimes be required. Suspension includes the suspension of membership privileges, except for the normal receipt of membership materials and publications due all members, and exclusion from Society property, facilities, and activities. A suspension allows the opportunity to review the circumstances of the case and to hold discussions with all parties involved before further action is taken. Depending upon the outcome of the review process, all or part of the suspension may be revoked.
- 5. *Automatic Suspensions - Under the Influence:*** The Executive Director shall suspend for a period not to exceed ten (10) days any member of the Society who is under the influence of alcohol, a drug, or any other substance such event that the member's safety and/or that of others cannot be assured.
- 6. *Automatic Suspensions - Battery or Mayhem:*** The Executive Director shall suspend for a period not to exceed thirty (30) days, any member of the Society who either, (a)

engages in conduct which, if allowed to continue, would construe an immediate threat of bodily injury to persons or to the immediate damage to, or the destruction of, Society property, or (b) in fact commits such bodily injury or mayhem to persons or damage to or destruction of Society property.

**7. Termination of Membership:** Members may be expelled from the Society by final action of the President & CEO and Board Chair following the unsatisfactory outcome of a warning, probationary period, or suspension. A thirty (30) day suspension may constitute notice of dismissal. However, the member loses this right if dismissed for an unprofessional act, theft, destruction of Society property, or any other just cause.

Warnings, probations, and suspensions, along with references to any prior verbal or written counseling, shall be documented by the Executive Director. This documentation shall specify the member's alleged deficiency, time frame for expected improvement, and those actions that will ensue if the member does not correct the problem. The member is required to sign any such documentation indicating that they have seen and understood it. Said signature does not indicate agreement with the statements in the document. The document shall also be signed and dated by the Executive Director.

If the member refuses to sign the document, the Executive Director shall enter the words "Member Refused to Sign" to the document along with their own signature and date. All such documentation regarding the discipline of members shall be maintained in a secure file, with the same level of security and access as Society personnel files.