



## MSC MEMBERS BULLETIN SPECIAL ANNUAL STAFF & EMPLOYMENT ISSUE GETTING READY FOR THE 2015 SEASON

March 25, Vol. 2015 #1

This information is not intended as legal or tax advice. Always consult a professional before taking legal or tax action.

### **Define your Season: Unemployment Compensation – Labor Dept Form FX-25**

Youth camps are classified as “Seasonal Industries” under the State of Maine Unemployment Compensation Law. The “Season” is set by the camp and must be less than 26 weeks in order to maintain the “Seasonal” classification. Seasonality affects your unemployment tax liability on wages for employees eligible for unemployment benefits. See the section below for which classes of employees are NOT eligible. Camps are required to list the beginning and ending day of their season on the Maine Department of Labor’s form FX-25. The State Unemployment office sends these out annually in the fall, and it is important to fill this out to protect yourself as a seasonal employer from unemployment claims. If you don’t get a form and you are seasonal, you should contact the Department at (207) 621-5127. FX-25 is not downloadable on the web; you must establish an account. The *employment* season is not the same as the camper season. **FX-25 dates define your employment season and thus the dates should be the same as on the employment contracts for your seasonal employees eligible for Unemployment Compensation.** Here is how this relates to unemployment claims: If eligible seasonal employees’ employment ends on the end date you entered on your FX-25 and they then file for unemployment, they may be entitled to benefits, but the benefits will NOT be charged to your camp’s account (since their unemployment is after the end of your season). If their employment ends before

the date you entered on your FX-25 (during your season), they may be entitled to benefits and in that case the benefits WOULD be chargeable to your camp’s unemployment account. (*However, if you are a non-profit camp who has elected to pay unemployment benefits in lieu of contributions, you may be required to pay unemployment benefits to an employee whose unemployment period is outside of your season.*) Check with your camp attorney for more information.

### **Full Time Students are not eligible for Unemployment Compensation**

Because full time students are not eligible for unemployment compensation, there is no requirement to pay Federal unemployment taxes (FUTA) or Maine unemployment taxes (SUTA) on the wages for services performed by a student if the service is performed in the employ of the camp for less than 13 calendar weeks in the calendar year and,

- The camp did not operate for more than seven months in the calendar year and,
- The camp did not operate for more than seven months in the preceding calendar year or,
- The average gross receipts for the camp for any six months in the preceding calendar year were not more than 33-1/3 percent of its average gross receipts for the other six months in the preceding calendar year.

### **Full time student is defined as—**

- An individual who is enrolled as a full time student at an educational institution or,
- Is between academic years or terms if the individual was enrolled as a full time student at an educational institution for the immediately preceding academic year or term and there is a reasonable assurance that the individual will be so enrolled for the immediately succeeding academic year or term.

*The MSC Members Bulletin is a periodic publication for camp members of the*

*Maine Summer Camps/MYCF.*

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# MSC Members Bulletin cont.

## Hiring Reminders

□ **Maine New Hire Reporting:** Maine employers are required to report information about newly hired or rehired employees to the Maine Department of Health and Human Services, Maine Child Support: Division of Support & Recovery (DSER). The purpose is to enable the DSER or a similar agency in another state to obtain or enforce orders against persons who has failed to pay required child support. The report is due within 7 days of each hire or rehire and must include a specific list of information for any employee who receives a W-2 form and any independent contractor who will be paid \$2,500 or more in a year. Failure to file a report subjects the employer to a civil penalty of up to \$200 per month for each violation.

For more information go to: <https://www.maine.gov/dhhs/ofi/dser/employer/faq.html>. To report new employees go to: <https://portal.maine.gov/newhire/>.

□ **Pre-offer stage:** Before an employment offer, it is not allowed to inquire about medical conditions & disabilities. It is permissible to ask about the ability to do the job. This assumes the job description covers job requirements in quantifiable terms (ex, “can lift at least 30 pounds).

□ **Job requirements** must be consistently advertised to the public and to in-house candidates.

□ **Conditional offer stage:** With an offer, disabilities relative to a specific job can be discussed. You must ask the exact same

questions of every applicant. Avoid questions on marital status, organizations to which the applicant belongs, etc.

□ **Employment “contracts” vs. employment at will:** Be clear that all employment is “at will” which means you can dismiss at any time without cause. It is recommended to confirm in a letter or employee manual, using this or similar language: “Please understand employment is at will. The position can be terminated by either of us without notice.” For key positions, you may wish to require the employee gives you notice before quitting so you don’t get stuck with an important position being vacant in mid-season with no notice. To be ‘at will’ you must give the employee the same notice to terminate. So if you require an employee to give you two weeks’ notice to quit you must give two weeks’ notice to terminate.

□ **Maine resource on allowed hiring questions:** [http://www.maine.gov/mhrc/guidance/pre-employment\\_inquiry\\_guide.htm](http://www.maine.gov/mhrc/guidance/pre-employment_inquiry_guide.htm)



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Call Jason Allen for a consultation  
P: (207)693-6264 | E: [jason@mooselandingmarina.com](mailto:jason@mooselandingmarina.com)

\*Transportation travel charges apply.

# MSC Members Bulletin cont.

## **Pay Period Requirement & Counselor Exception**

Any employee who is NOT a counselor, junior counselor or counselor-in-training or otherwise exempt as described below under “Minimum Wage” must be paid at least the current hourly minimum wage rate. Typically at a camp this includes kitchen, maintenance, laundry and office staff. ALL EMPLOYEES are required to be paid at least every sixteen days. **There is a Maine Department of Labor EXCEPTION for camp counselors and junior counselors only which states:**

- The camp must prorate the lump sum offered in the contract by at least every sixteen days for the season and establish a regular payday.
- All required deductions must be computed by pay period.
- Counselors and junior counselors must be permitted to draw up to the full amount of each net amount due on each payday or can allow the amount to be held until requested and must clearly understand that they have this option.
- Employees will be provided with a statement each date wages are due indicating the date of the pay period, gross amount, itemized deductions and net amount due. These steps eliminate the problem of having unsecured paychecks around camp until the counselor can get to the bank, and also allow counselors to wait to draw their total wages at the end of the season if they prefer.

## **Maine Minimum Wage still \$7.50/hr – Counselor Exemptions**

All hourly employees in Maine must be paid minimum wage, with an exemption only for camp counselors. Current Maine minimum wage is \$7.50 per hour. Since 2009 changes in the law, the exemption from minimum wage and overtime pay for counseling staff is:

1. “Those employees who are counselors or junior counselors or counselors-in-training at licensed summer camps; (includes both resident & day camp counselors).
2. Employees who are under the age of 18 and who are employees of summer camps and similar seasonal recreation programs not requiring such licensure operated as or by non-profit organizations (corporations or associations existing under the provisions of Title 13, Part 2).”

## **Rest Breaks for Hourly Wage earners**

Maine law requires **hourly wage employees**, (includes all employees required to be paid minimum wage), to have an unpaid 30 consecutive minute rest break after 6 consecutive hours of work. This law does not apply if fewer than 3 people are on duty and the nature of the work done by the employees allows them frequent breaks during their work day. A meal time lasting at least 30 consecutive minutes counts as a rest break. An employee and employer may negotiate for more or fewer breaks, but both must agree (this should be put in writing). No coffee, bathroom, or smoking breaks are required, but may be offered or negotiated.

## **Harassment – Sexual and Other**

Staff training to prevent harassment should be provided each season. It is illegal for one employee to harass another as well as for a supervisor to harass an employee. The principal of harassment is “unwelcome conduct between persons”. In cases of harassment by a supervisor, the employer may be responsible, even if he/she doesn’t know it is going on. Harassment can encompass lewd or derogatory jokes, swearing, unwanted advances, touching, displaying sexual materials, racial/ethnic remarks and the like. Staff should be trained about harassment and steps to take if they believe they are a victim.

- Once harassment has been reported (or is observed), the camp has to address and resolve the issue.
- A staff person can bypass the employer and go directly to the Maine Human Rights Commission.
- **The best protection is training.**
- <http://www.nolo.com/legal-encyclopedia/preventing-sexual-harassment-workplace-29851.html>.
- Maine’s own Jack Erler teaches a broad range of laws including sexual harassment, which camp counselors need to know.

## **Termination Concerns**

Discrimination against an employee based on race, color, sex (including pregnancy and medical conditions which result from pregnancy), sexual orientation (including gender identity), physical or mental disability, religion, age, ancestry or national origin is illegal in Maine. The major concern for an employer is that termination can result in a lawsuit alleging such discrimination by an employer against the employee. This is just a brief reminder of some key termination considerations.

- Legal experts recommend you always have another person in the room during a termination interview.
- Spoken comments are the ones usually remembered, so choose words carefully.
- Be direct about reasons for the termination. Lawyers state it is good to let the employee respond and vent feelings, as there are fewer lawsuits when employees are given the chance to talk about the termination and express themselves.
- Keep signed notes on incidents leading up to the termination & about the termination interview; these are part of the personnel file and an employee can request to view their file. The employee may be asked to initial these items and note if they do not agree with the termination. Even if they do not sign the notes, they are still valid documents in the personnel file.
- Re: annual seasonal breaks in service: Past year’s performance issues in addition to current year issues can be used for a current termination. Seasonal employees don’t get to start fresh every season.
- Consider asking the terminated employee to sign a waiver of any claim against the camp if you intend to pay the employee more than wages due at the date of termination. All claim waivers should be reviewed with your attorney before they are used in an employment termination.

# Maine Staff Trainings – 2015

Compiled by Maine Summer Camps for our Members

## Lifeguard Training and Water Safety

\*ARC=American Red Cross Trainings

### **Alfond Youth Center - Waterville, ME**

April 18,19,25,26 **OR** Waterfront Lifeguard Class; \$250  
April 20-23 **OR**  
May 16, 17, 23, 24 **OR**  
June 6, 7, 13, 14 (4 Sessions)  
Lore Wing 207.873.0684 ext. 230 or [lwing@alfondyouthcenter.org](mailto:lwing@alfondyouthcenter.org)

### **YWCA of Central Maine - Lewiston, ME**

April 17-18 ARC Recertification Lifeguard and CPR/AED for currently certified  
\$125 Y members; \$150 non-members  
April 20-22 **OR** ARC Lifeguard Training  
May 8-9, 15-17 \$275 Y Members; \$300 non-members  
May 31 ARC CPR/AED for Professional Rescuers and Healthcare Providers  
\$92 Y members; \$102 non-members  
June 6 Basic Water Rescue  
\$80 Y members; \$90 non-members  
June 8-11 **OR** ARC Water Safety Instructor with  
June 16-19 online pre-reg module-\$35 plus \$300 Y members; \$320 non-members  
[www.ywcamaine.org](http://www.ywcamaine.org) or 207.795.4050

### **City of Portland Recreation – Portland, ME**

May 16, 17, 30, 31, June 6, 7, 13, 14 (pick one)  
ARC Lifeguard Training; resident \$200; non-resident \$215; Materials \$90  
May 12, 13, 14, 16, 18, 19, 20 (pick one)  
ARC Water Safety Instructor; resident \$302; non-resident \$332; Materials \$85  
<http://www.portlandmaine.gov/DocumentCenter/Home/View/1990>  
or [clepage@portlandmaine.gov](mailto:clepage@portlandmaine.gov)

### **Camp Winona – Bridgton, ME**

May 31-June 4 ARC Water Safety Instructor; \$330; \$415 w/lodging  
May 31-June 5 ARC Lifeguard Instructor; \$330; \$425 w/lodging  
June 14-15 ARC Lifeguard with Waterfront Review and Update; \$130 w/lodging  
[information@winonacamps.com](mailto:information@winonacamps.com);  
[www.winonacamps.com](http://www.winonacamps.com); 207.647.3721

### **Camp Cobbossee – Monmouth, ME**

May 31-June 5 Waterfront Leadership School for Waterfront Directors; \$925 w/lodging; non-profit discount available at [waterfrontleadership@gmail.com](mailto:waterfrontleadership@gmail.com)  
[josh@cobbossee.com](http://josh@cobbossee.com) or [www.cobbossee.com](http://www.cobbossee.com)

### **Wyonegonic Camps – Denmark, ME**

June 2-5 **OR** ARC Lifeguard with Waterfront  
June 7-10 **OR** Module; \$350 w/lodging  
June 12-15  
June 6-10 Water Safety Instructor; \$390 w/lodging  
June 16-17 ARC Lifeguard with Waterfront Review and Update; \$130 w/lodging  
<http://wyonegonic.com/contact-us/certification-trainings/>  
or [training@wyonegonic.com](mailto:training@wyonegonic.com)

### **Camp Manitou - Oakland, ME**

June 10-12 ARC Water Safety Instructor  
\$370 w/lodging  
<http://tinyurl.com/manitoutraining2015> or [dave@campmanitou.com](mailto:dave@campmanitou.com)

### **Pilgrim Lodge - West Gardiner, ME**

June 19-21 ARC Lifeguard Training with CPR;  
\$425 w/lodging  
<http://www.pilgrimlodge.org/pages/registrationinfo.html>  
207.724.3200

### **University of Maine – Farmington, ME**

April 11&18 **OR** Lifeguard Review Courses  
May 2&3 **OR**  
May 30&31  
May 5-28 Water Safety Instructor Course  
June 1-4 Lifeguard Instructor Course  
For prices, housing and prerequisites see:  
<http://www2.umf.maine.edu/frc/american-red-cross-courses-3/>



## Pottery & Ceramics

### **Portland Pottery Studio – Portland, ME**

June 20 Pottery and Ceramics Counselor Training;  
\$75 w/lunch. 207.772.4334

## Ropes

### **Acadia Mountain Guides - Various Sites in Maine**

June 1-4 PCIA Top Rope Climbing Instructor Cert.,  
Bar Harbor; \$495  
June 1-5 PCIA Single Pitch Climbing Instructor Cert.,  
Bar Harbor; \$595  
By Reservation: PCIA Climbing Site Belayer Cert.  
On Site-One Day  
PCIA Climbing Wall Instructor Cert.  
On Site-Two Days  
Instructor: Jon Tierney, 207.866.7562  
[climb@acadiamountainguides.com](http://climb@acadiamountainguides.com)

### **Wyonegonic Camps – Denmark, ME**

June 2-5 High Ropes Facilitator, Instructor Mike Barker;  
\$495 w/lodging  
June 6-8 Low Ropes Facilitator; Instructor Mike Barker;  
\$335 w/lodging  
Combined price for both courses; \$695  
<http://wyonegonic.com/contact-us/certification-trainings/>  
or [training@wyonegonic.com](mailto:training@wyonegonic.com)

### **Camp Susan Curtis - Stoneham, ME**

June 8-10 High 5 Adventure Basics-Initiatives, low and high ropes; \$200 w/lodging  
[tmulks@susancurtisfoundation.org](mailto:tmulks@susancurtisfoundation.org) or 207.774.1552

### **Camp Manitou - Oakland, ME**

June 12-14 High/low Ropes training with climbing tower; \$465 w/lodging  
<http://tinyurl.com/manitoutraining2015> or [dave@campmanitou.com](mailto:dave@campmanitou.com).

## **Shooting Sports-Archery and Riflery**

### **Camp Beech Cliff - Mt. Desert, ME**

May 9-10 Archery-Level 1 Certification w/Acadia Leadership Institute; \$150; \$190 w/lodging  
[www.campbeechcliff.org](http://www.campbeechcliff.org) 207.244.0365

### **Camp Winona – Bridgton, ME**

June 6-8 Rifle Instructor; \$170; \$195 w/lodging  
[information@winonacamps.com](mailto:information@winonacamps.com);  
[www.winonacamps.com](http://www.winonacamps.com); 207.647.3721

### **Camp Susan Curtis - Stoneham, ME**

June 9 New England School of Archery Certification; \$175 w/lodging  
[tmulks@susancurtisfoundation.org](mailto:tmulks@susancurtisfoundation.org) or 207.774.1552

### **Wyonegonic Camps – Denmark, ME**

June 10-11 *OR* Archery Level 1; Instructor Lucy Morris;  
June 12-13 \$180; \$195 w/lodging  
<http://wyonegonic.com/contact-us/certification-trainings/>  
or [training@wyonegonic.com](mailto:training@wyonegonic.com)

### **Camp Manitou - Oakland, ME**

June 15 Archery-Level 1 Certification; \$165 w/lodging  
June 15-16 Rifle Instructor-Civilian Marksmanship; \$175 w/lodging  
<http://tinyurl.com/manitoutraining2015> or [dave@campmanitou.com](mailto:dave@campmanitou.com).

### **YMCA Camp of Maine – Winthrop, ME**

June 19 Archery-Level 1 Certification; \$170 w/lunch  
June 19-22 Archery-Level 1& 2 Certification; \$220 w/lodging  
June 22 Archery-Level 2 Certification; \$220 w/lodging  
[info@maineycamp.org](mailto:info@maineycamp.org) 207.395.4200

## **Tennis**

### **Wyonegonic Camps – Denmark, ME**

TBD Tennis Instructor Training  
<http://wyonegonic.com/contact-us/certification-trainings/>  
or [training@wyonegonic.com](mailto:training@wyonegonic.com)

## **Trip Leader**

### **Camp Winona – Bridgton, ME**

June 11 Maine Trip Leader Safety; \$60  
[information@winonacamps.com](mailto:information@winonacamps.com);  
[www.winonacamps.com](http://www.winonacamps.com); 207.647.3721

### **Wyonegonic Camps – Denmark, ME**

TBD Maine Trip Leader and Leave No Trace  
<http://wyonegonic.com/contact-us/certification-trainings/>  
or [training@wyonegonic.com](mailto:training@wyonegonic.com)

## **Water Safety**

### **Opening For the Season – Drinking**

### **Water Safety**

#### **Maine Rural Water Association (MRWA)-Richmond, ME**

April 17 Chewonki Foundation, Wiscasset  
April 21 Salmon Falls River Camping Resort, Lebanon  
April 22 Range Pond State Park, Poland  
April 23 Fort Knox State Park, Prospect  
April 24 Acadia National Park Headquarters, Bar Harbor  
May 5 USDA Farm Service, Presque Isle  
May 7 Greenville Town Office, Greenville  
FREE sponsored by US EPA. [www.mainerwa.org](http://www.mainerwa.org) 207.737.4092

## **Watercraft**

\*ARC = American Red Cross

\*ACA= American Canoe Association

### **Camp Winona – Bridgton, ME**

June 8-9 *OR* US Sailing Counselor; \$150; \$170  
June 10-11 w/lodging  
June 11-12 Powerboat Safety NASBLA approved; \$195; \$215 w/lodging  
June 12-14 ARC Small Craft Safety Basic/Instructor; \$150; \$190 w/lodging  
[information@winonacamps.com](mailto:information@winonacamps.com);  
[www.winonacamps.com](http://www.winonacamps.com); 207.647.3721

### **Wyonegonic Camps – Denmark, ME**

June 12-15 ACA Canoe Instructor Level 1 with intro to canoeing; \$460 w/lodging  
June 6-9 *OR* ACA Canoe Instructor Level 1; \$410 w/lodging  
June 12-15  
June 10-12 Windsurfing Instructor Training; \$225 w/lodging  
<http://wyonegonic.com/contact-us/certification-trainings/>  
or [training@wyonegonic.com](mailto:training@wyonegonic.com)

### **Camp Beech Cliff - Mt. Desert, ME**

June 13 ACA Standup Paddleboard Workshop with Acadia Leadership Inst. Ages 18 and up; \$75 per person  
Register: [www.campbeechcliff.org](http://www.campbeechcliff.org) 207.244.0365

### **Camp Nashoba North - Raymond, ME**

June 15 Stand Up Paddleboard-Instructor Training; \$70; 2 sessions (am and pm)  
[nashobastaff@gmail.com](mailto:nashobastaff@gmail.com) or call Stacey at 978.486.8236 (until May 20) or 207.655.7170

## **Wilderness First Aid and First Responder**

### **Bucknam Road Fire Station – Falmouth, ME**

May 2-3 SOLO Advanced Wilderness First Aid\*/Re-cert Wilderness First Responder. Sponsored by AMC. Maine Chap. Mem. \$131; AMC Member \$164; Non-member \$205; Optional CPR \$35.  
\*Must have current Wilderness First Aid Card.


Kim Sanders [kimberlyannsanders@gmail.com](mailto:kimberlyannsanders@gmail.com)

### **Maine Audubon – Falmouth, ME**

May 2-3 SOLO Wilderness First Aid/Re-cert Wilderness First Responder (AMC). Maine Chap. Mem. \$119; AMC Member \$149; Non-member \$186; Optional CPR \$35

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## **Wilderness First Aid and First Responder cont.**

### **Acadia Mountain Guides - Various Sites in Maine**

- May 8-9 WMA Wilderness First Aid, Newry; \$225; \$265 w/lodging
- May 8-10 WMA, WAFA, WFR, WEMT Open Recertification, Newry; \$325; \$395 w/lodging
- May 15-16 WMA Wilderness First Aid, Camden; \$225
- May 15-17 WMA, WAFA, WFR, WEMT Open Recertification, Camden; \$375
- July 24-28 5 Day Wilderness First Responder Intensive Gay Island; \$975 w/lodging

Instructor: Jon Tierney, 207.866.7562  
[climb@acadiamountainguides.com](mailto:climb@acadiamountainguides.com)

### **Camp Beech Cliff - Mt. Desert, ME**

- May 11-19 Wilderness First Responder with Gerry Brache (SOLO); \$575; \$750 w/lodging
- May 23-24 Wilderness First Aid with Gerry Brache (SOLO); \$175; \$215 w/lodging
- [www.campbeechcliff.org](http://www.campbeechcliff.org) 207.244.0365

### **Outward Bound Hurricane Island - Newry, ME**

- May 22-24 Wilderness First Responder Recertification \$350 w/lodging
- <http://www.wildmed.com/wilderness-medicine-search-rescue-training-schedule/> or Andy Bartleet [abartleet@hiobs.org](mailto:abartleet@hiobs.org), 207.706.6290

### **YWCA of Central Maine - Lewiston, ME**

- May 31 ARC CPR/AED for Prof. Rescuers and Healthcare Providers; \$92 member; \$102 non-member.
- [www.ywcaine.org](http://www.ywcaine.org) or 207.795.4050

### **Chewonki - Wiscasset - ME**

- May 27-30 Wilderness Advanced First Aid (WAFA); \$415; \$550\* w/lodging.
- June 1-4 WAFA to WFR Bridge (Wilderness First Responder); \$415; \$550\* w/lodging
- \*\$200 non-refundable deposit due upon registration.  
<http://www.chewonki.org/workshops/default.asp>

### **Camp Agawam - Raymond, ME**

- June 6-7 SOLO Wilderness First Aid/ Wilderness First Responder recertification.  
\$180; \$200 w/lodging; \$15 WFR recert.  
\$35 AHA Heartsaver CPR.
- Karen Malm 207.627.4780; [mander@campagawam.org](mailto:mander@campagawam.org)

### **Camp Winona - Bridgton, ME**

- June 9-10 OR Wilderness First Aid with Wilderness  
June 12-13 Medical Associates; \$195; \$215 w/lodging
- [information@winonacamps.com](mailto:information@winonacamps.com);  
[www.winonacamps.com](http://www.winonacamps.com); 207.647.3721

### **University of Maine - Farmington, ME**

- April 11 or 20 Adult and Pediatric First Aid CPR/AED  
For prices, housing and prerequisites see:  
<http://www2.umf.maine.edu/frc/american-red-cross-courses-3/>

### **YMCA Camp of Maine - Winthrop, ME**

- June 13 Basic Wilderness First Aid; \$140 w/lunch  
[info@maineycamp.org](mailto:info@maineycamp.org) 207.395.4200

### **Wyonegonic Camps - Denmark, ME**

- June 15 ACA First Aid and CPR; \$65  
<http://wyonegonic.com/contact-us/certification-trainings/>  
or [training@wyonegonic.com](mailto:training@wyonegonic.com)

### **Camp Winnebago - Fayette, ME**

- June 16-17 SOLO Wilderness First Aid; \$165 w/lodging  
Andy Lilienthal [andy@campwinnebago.com](mailto:andy@campwinnebago.com) or  
207.767.1019

## **Miscellaneous Camp Trainings**

### **Camp Beech Cliff - Mt. Desert, ME**

- May 17 Mindfulness Retreat; \$45; Ages 18 & up  
[www.campbeechcliff.org](http://www.campbeechcliff.org) 207.244.0365
- May 21-22 Adventures in Business with Project Adventure  
\$420; Ages 18 & up.
- [www.pa.org](http://www.pa.org)
- May 31 Family Orienteering with Meadowbrook  
Outdoor Education; \$15 ages 12-18;  
\$18 for adults  
[www.campbeechcliff.org](http://www.campbeechcliff.org) 207.244.0365

### **Camp Nashoba North - Raymond, ME**

- June 15 What All Horse Handlers Should Know with  
Dr. Judd, DVM; \$70  
[nashobastaff@gmail.com](mailto:nashobastaff@gmail.com) or call Stacey at 978.486.8236  
(until May 20) or 207.655.7170

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**Sebago Sailing** offers Small Boat Sales, Fleet Maintenance, Sailing Lessons and ASA (American Sailing Assoc.) Certifications. Our larger sloops are located on Sebago and Long Lake where we provide rentals & charters and smaller sailboat rentals on area lakes and ponds. We are the only full service sailing company on the Maine Lakes. Our professional captains are US Coast Guard Licensed. We sell new Sunfish, Lasers, Optis., and many other small sailboats. We provide a wide variety of sailing services. This may include corporate outings, bachelorette parties, honeymoons, picnic sails, races and more - name it and we'll make it happen!

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## MSC Members Bulletin cont.

### **IMMIGRATION LAW FOR ALL STAFF HIRES**

Forms: Immigration Law requires an I-9 form on each employee you hire, verifying their identity. The government advises you to keep these forms for at least 3 years. Forms can be downloaded at [HTTP://WWW.IMMIGRATIONDIRECT.COM/USCISFORMS/FORMS/I-9.JSP?R=CSE-ORGANIC-NONE-FORM%20I-9](http://WWW.IMMIGRATIONDIRECT.COM/USCISFORMS/FORMS/I-9.JSP?R=CSE-ORGANIC-NONE-FORM%20I-9)

### **OTHER EMPLOYER ISSUES**

#### **CRIMINAL BACKGROUND CHECKS**

Since 2008, there have been requirements in the State Camp Licensing Rules requiring you to determine if an employee has a sexual criminal history. These are spelled out in State Rules, Chapter 208 6.A.3 a-b, which follow. ACA accreditation also requires a check of the National Sex Offender Public Registry <http://www.nsopw.gov> Many camps routinely conduct third party background checks as a basic screening tool. The state considers non-compliance with rule 6.A.3 to be a critical violation. The law states:

6.A.3. Precautions shall be taken to avoid the employment or volunteer selection of persons who have been convicted of a sexual offense.

6.A.3.a. Such precautions shall include the use of a written employment application form that requires the applicant to provide the following: (1) Name, address, telephone number; (2) employment history; (3) name and address of three references; (4) sexual criminal history; and (5) permission for a background check. For the purpose of meeting this requirement the collection of Social Security numbers must be on a voluntary basis.

6.A.3.b. Prior to hiring any employee, or selecting any volunteer, the youth camp should; (1) review the employment application,

(2) check references, (3) interview the applicant, and (4) review the National Sex Offender Public Registry of the US Department of Justice or other relevant available public record information.

#### **THIRD PARTY BACKGROUND CHECK OPTION:**

Numerous options exist. The Chalmers Insurance Group offers a special rate for background checks through Intellicorp to all Maine Summer Camps members. The base fee is \$10 for each background check for criminal & sex offender records; there may be additional fees to search in specific states. Intellicorp now also includes the National Sex Offender Public Registry search in their package. The company reports a number of improvements to their services. If you had an Intellicorp account last year, it is still active; there is no need to re-register. For information contact Bob Doran or Jim Chalmers at 207-647-3311.

#### **REMINDER: OSHA REPORTING REQUIREMENT**

The Occupational Safety and Health Act requires certain employers to maintain records of work-related illnesses and injuries. Camps are among the employers who must comply. The required record-keeping log, Form 300, can be accessed online at <http://www.osha.gov/recordkeeping/new-osh300form1-1-04.pdf>. A booklet that includes the forms and describes your requirements can be downloaded. In addition, you must complete the summary form, Form 300A even if no injuries or illnesses occurred during the year. **This summary must be posted at your work site between February & April of each year.** (Not very effective for the camp community, but that is the requirement). Employees, former employees and their representatives have the right to review the OSHA Form 300 in its entirety.

Maine Youth Camping Foundation  
dba Maine Summer Camps  
P.O. Box 1861  
Portland, ME 04104  
*Return Services Requested*

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### **Required Employment Posters for Maine Businesses**

Employers must display certain posters in the workplace where workers can see them. *Business Answers* can send you

**State of Maine Required Posters** These 9 required posters are available as described above, or can be downloaded from: <http://www.maine.gov/labor/posters/>. For questions call the ME Dept of Labor: 207-623-7900

- Minimum Wage
- Child Labor Laws
- Regulation of Employment
- Occupational Safety and Health Regulations (for public sector workplaces only)
- Whistleblower's Protection Act
- Video Display Terminal Poster
- Worker's Compensation
- Sexual Harassment
- Maine Employment Security Act

There are a number of optional posters also available at this site.

the following posters free of charge and many can be downloaded. Call 1-800-872-3838 or 207-624-9818 (in-state), 1-800-541-5872 (out-of-state). For more information about individual posters, call the agencies listed.

**Federal Government Required Posters** 207-780-3344 (US Dept of Labor) Available by phone or by downloading from this site: <http://www.dol.gov/oasam/programs/osdbu/sbrefa/poster/matrix.htm>

- Job Safety & Health Protection
- Equal Employment Opportunity is the Law
- Fair Labor Standards Act – Federal Minimum Wage
- Employee Polygraph Protection Act
- Family and Medical Leave Act (for employers with 50 or more employees)
- Employee Rights Under Federal Labor Relations Laws

<http://www.dol.gov/olms/regs/compliance/EO13496.htm>

### **Optional Posters**

Maine Human Rights Act-Equal Employment Rights (optional):  
Maine Human Rights Commission 207-624-6050  
Equal Pay Poster (optional): Maine Department of Labor 207-623-7900  
Domestic Violence in the Workplace Poster (optional): Maine Department of Labor 207- 623-7900  
Posters available at: <http://www.maine.gov/labor/posters/>