



NEWS

ACTION BULLETIN

APRIL 2018

MSC MEMBERS BULLETIN SPECIAL ANNUAL STAFF TRAINING CALENDAR & EMPLOYMENT ISSUE GETTING READY FOR THE 2018 SEASON

IMPORTANT REMINDER: *This information is provided for your general educational purposes only. You should always consult your attorney or other advisors for advice on how the law applies to specifics at your camp.*

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, 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 unless the employee has worked for you five weeks or less. (However, if you are a non-profit camp who has elected to pay unemploy-

ment benefits in lieu of contributions, you may be required to pay unemployment benefits to an employee whose unemployment period is outside of your season.)

Full-Time Students and Volunteers 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.

Volunteers: UPDATED LAW FOR 2018

Volunteers performing service for civic, charitable or humanitarian reasons, without expectation of receipt of compensation are not eligible for unemployment compensation.

The MSC Members Bulletin is a periodic publication for camp members of the Maine Summer Camps/ MYCF.

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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 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/>

□ **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.

□ **Hiring Discrimination:** Maine resource on allowed hiring questions: http://www.maine.gov/mhrc/guidance/pre-employment_inquiry_guide.htm.

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 informal EXCEPTION for camp counselors and junior counselors only which is:

- 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 FOR 2018 is \$10.00/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 \$10.00 per hour. 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.

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-minute (consecutive) 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 UPDATED LAW FOR 2018

Posting Notice. Camps as employers are required to post in a prominent and accessible location a poster regarding sexual harassment. See poster requirements below.

Individual Employee Notification. In addition, camps must annually provide each employee with an individual written notice that includes at a minimum the following information: (1) the illegality of sexual harassment; (2) the definition of sexual harassment under state law; (3) a description of sexual harassment, utilizing examples; (4) the internal complaint process available to the employee; (5) the legal recourse and complaint process available through the Commission; (6) directions on how to contact the Commission; and (7) the protection against retaliation for making a complaint. The notice must be delivered in a manner to ensure notice to all employees without exception, such as including the notice with an employee’s pay.

Training. Camps with 15 or more employees shall conduct an education and training program for all new employees. Training provided must include: (1) the illegality of sexual harassment; (2) the definition of sexual harassment under state and federal laws and federal regulations; (3) a description

of sexual harassment, utilizing examples; (4) the internal complaint process available to the employee; (5) the legal recourse and complaint process available through the Commission; (6) directions on how to contact the Commission; (7) and the protection against retaliation for making a complaint. Employers shall conduct additional training for supervisory and managerial employees, at a minimum: (1) the specific responsibilities of supervisory and managerial employees and; (2) methods that these employees must take to ensure immediate and appropriate corrective action in addressing sexual harassment complaints.

Compliance Checklist. The Department of Labor will develop a compliance checklist for employers covering the training requirements described above. The checklist is available on the Department's publicly accessible website. The Maine Human Rights Commission also provides a link to the compliance checklist on the Commission's publicly accessible website. Employers shall use the checklist to develop a sexual harassment training program and shall keep a record of the training, including a record of employees who have received the required training. Training records must be maintained for at least 3 years and must be made available for Department inspection upon request.

Enforcement. The Department shall enforce the notification requirement and, upon inspection or complaint, shall ensure that employers have provided the training as required.

Penalties. An employer who violates this law may be assessed a fine by the Department as follows:

1. An employer who violates the workplace posting requirement may be assessed:
 - a. For the first violation, a fine of up to \$25 per day, not to exceed \$1,000;
 - b. For a 2nd violation occurring within 3 years of a prior violation, a fine of not less than \$25 per day up to \$50 per day, not to exceed \$2,500; and
 - c. For a 3rd or subsequent violation occurring within 3 years of 2 or more prior violations, a fine of not less than \$25 per day up to \$100 per day, not to exceed \$5,000.
2. An employer who violates the individual employee notification or training requirements may be assessed:
 - a. For the first violation, a fine of \$1,000;
 - b. For a 2nd violation, a fine of \$2,500 and;
 - c. For a 3rd or subsequent violation, a fine of \$5,000.

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)



YOUTH PROGRAM ACCREDITATION



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LNT.ORG/ACCREDITATION

OTHER EMPLOYER ISSUES CRIMINAL BACKGROUND CHECKS

Maine Youth Camp Rules require you to determine if an employee has a sexual criminal history. These are spelled out in Chapter 208 6.A.3 a-b. 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.

THIRD PARTY BACKGROUND CHECK OPTION:

If you use a “consumer reporting agency” to do a background check on applicants for employment, you are subject to the Federal (and Maine) Fair Credit Reporting Act (“FCRA”). It requires you to give notification to each applicant for employment of your intention to use a consumer reporting agency to do a background check on the applicant, and requires you to obtain the applicant’s written authorization to do so. The notice must be a stand-alone document and can include the authorization given by the applicant. An electronic signature provision can satisfy the “in writing” requirement.

The consumer reporting agency will require you to certify that you have notified the applicant, received her/his authorization, that you will take the required action described below if you decide to not hire the applicant based on the information in the agency’s report, and that you will not use the information for any illegal purpose.

Prior to taking an “adverse action,” such as deciding not to hire based on the report, you must provide the applicant with a copy of the report and a “Notice of the Consumer’s Rights under FCRA”. The consumer reporting agency must provide you with a copy of this notice, which you can send to the applicant. It should also be able to provide you with a form notice as described above.

REMINDER: OSHA REPORTING REQUIREMENT UPDATED LAW FOR 2018

The Occupational Safety and Health Act requires camps to maintain records of work-related illnesses and injuries. The required record-keeping Forms 300, 300A and 301 can be accessed online at www.osha.gov/recordkeeping. Information about your requirements can be viewed and downloaded. The records must be maintained at the worksite for at least five years. Each February through April, employers must post a summary of the injuries and illnesses recorded the previous year. Also, if requested, copies of the records must be provided to current and former employees, or their representatives.

A new rule, which took effect Jan. 1, 2017, requires certain employers to electronically submit injury and illness data that they are already required to record on their onsite OSHA Injury and Illness forms.

Covered establishments with 250 or more employees are only required to provide their 2017 Form 300A summary data. Establishments with 20-249 employees in certain high-risk industries must submit information from their 2017 Form 300A by July 1, 2018.

ACA plans to publish additional information on this new rule later this spring.

REQUIRED EMPLOYMENT POSTERS

Employers must display certain posters in the workplace where workers can see them.

State of Maine Required Posters UPDATED LAW FOR 2018

There are now 9 required posters and they can be downloaded from: www.maine.gov/labor/posters/index.html. For questions call the ME Dept. of Labor: 207-623-7900

Minimum Wage

Child Labor Laws

Regulation of Employment

Occupational Safety and Health Regulations

(only if you are a state, county or municipal employer)

Whistleblower’s Protection Act

Video Display Terminal Poster

Worker’s Compensation

Sexual Harassment

Maine Employment Security Act

Optional Posters: These are available at: <http://www.maine.gov/labor/posters/>

Federal Government Posters (US Dept of Labor) Available by downloading from this site: <https://www.dol.gov/general/topics/posters>

2018 Maine Staff Trainings

Compiled by Maine Summer Camps

Lifeguard Training & Water Safety

RIVERTON POOL, PORTLAND

Lifeguard

4/17/18
4/18/18
4/19/18
4/20/18 One day \$215

Contact: lcote@portlandmaine.gov or 207-874-8456

WYONEGONIC, DENMARK

Waterfront Lifeguarding

6/5/18 to 6/8/18
6/9/18 to 6/12/18
6/14/18 to 6/17/18 \$385

Waterfront Lifeguarding Review Course

6/18/18 to 6/19/18 \$130

Water Safety Instructor

6/9/18 to 6/13/18 \$415

Contact: susie@wyonegonic.com or 207-452-2051

CAMP MATAPONI, NAPLES

ARC: Water Safety Instructor

6/15/18 to 6/17/18 \$350
Lodging: \$50

Contact: todd@campmataponi or 207-274-7300

CAMP MANITOU, OAKLAND

Lifeguard Certification

6/4/18 to 6/7/18 \$300

Water Safety Instructor: American Red Cross

6/8/18 to 6/11/18 \$370

Contact: dave@campmanitou.com or 207-465-2271

PILGRIM LODGE, WEST GARDINER

Red Cross Lifeguard Training

6/10/18 to 6/12/18 \$400

Contact: karen@pilgrimlodge.org or 207-724-3200

CAMP WINONA, BRIDGTON

Water Safety Instructor

6/3/18 to 6/7/18 \$350
Lodging: \$65

Lifeguard Instructor

6/3/18 to 6/8/18 \$350
Lodging: \$75

Lifeguard with waterfront module Review/Update

6/17/18 to 6/18/18 \$330

Lodging: \$55

Contact: information@winonacamps.com or 207-647-3721

CAMP SUSAN CURTIS, STONEHAM

Life Guard Training (ARC)

6/8/18 to 6/11/18 \$300

Contact: tmulks@susancurtisfoundation.org
or 207-928-2955

Ropes, Climbing Wall and Challenge Course

ALFOND YOUTH CENTER, OAKLAND

Ropes Course

5/29/18 to 6/1/18 TBD

Contact: acharrier@alfondyouthcenter.org or 207-873-0684

CHEWONKI, WISCASSET

Adventure Basics: Level 1 Training

5/30/18 to 6/3/18 \$685

Level 1 Challenge Course Certification Testing

6/4/18 One day \$225

Contact: gshute@chewonki.org or 207-882-7323

HIGH 5 ADVENTURE LEARNING CENTER

Adventure Basics Level 1 Challenge Course Training

Battleboro, VT 4/25/18 to 4/29/18 \$885

Advanced Technical Skills

Battleboro, VT 5/9/18 to 5/11/18 \$405

Adventure Basics Level 1 Challenge Course Training

Battleboro, VT 5/14/18 to 5/18/18 \$885

Beyond Basics Level 2 Challenge Course Training

Battleboro, VT 5/30/18 to 6/2/18 \$405

Contact: jottinger@high5adventure or 802-254-8718

CHEWONKI, WISCASSET

Adventure Basics: Level 1 Training

5/30/18 to 6/3/18 \$685

Contact: gshute@chewonki.org or 207-882-7323

WYONEGONIC, DENMARK

High Ropes Facilitator

6/1/18 to 6/4/18 \$495

Low Ropes Facilitator

6/5/18 to 6/7/18 \$335

Climbing Wall Facilitator

6/8/18 One day \$85

Contact: susie@wyonegonic.com or 207-452-2051

CAMP MANITOU, OAKLAND

Ropes Course Facilitator
(High, Low, Climbing Tower)

6/11/18 to 6/13/18 \$465

Contact: dave@campmanitou.com or 207-465-2271

CAMP SUSAN CURTIS, STONEHAM

Ropes Course Training with
High 5 Adventure: Initiatives.
Low & High Ropes, Climbing Tower

6/4/18 to 6/7/18 \$350

Contact: tmulks@susancurtisfoundation.org
or 207-928-2955

ACADIA NATIONAL PARK

Top Rope Climbing Instructor

5/21/18 to 5/24/18 \$495

Top Rope Climbing Instructor

5/25/18 One day \$150

Contact: climb@acadiamountainguides.com or 207-866-7562

Shooting Sports

BRYANT POND 4-H CAMP, BRYANT POND

4-H Shooting Sports Instructor Training

6/16/18 to 6/17/18 \$85

Contact: ronald.fournier@maine.edu or 207-665-2068

WYONEGONIC, DENMARK

Archery Course I 6/12/18 to 6/13/18

Archery II 6/14/18 to 6/15/18 \$195

Contact: susie@wyonegonic.com or 207-452-2051

CAMP BEECH CLIFF, MOUNT DESERT

Archery Certification 6/9/18 to 6/10/18 \$160

Contact: john@campbeechcliff.org or 207-244-0365

CAMP MANITOU, OAKLAND

Archery Level 1 6/12/18 One day \$165

Contact: dave@campmanitou.com or 207-465-2271

CAMP WINONA, BRIDGTON

Camp Rifle Instructor Training

6/9/18 to 6/11/18 \$175

Lodging: \$20

Contact: information@winonacamps.com or 207-647-3721

CAMP SUSAN CURTIS, STONEHAM

Archery Training with New
England School of Archery

6/11/18 One day \$175

Contact: tmulks@susancurtisfoundation.org or 207-928-2955

Watercraft

WYONEGONIC, DENMARK

Canoe: Introduction and
Instructor Course 1

6/1/18 to 6/4/18 \$465

Canoe: Introduction and Instructor Course 2

6/8/18 to 6/11/18 \$465

Canoe: Instructor course only, Course 1

6/1/18 to 6/4/18 \$425

Canoe: Instructor course only, Course 2

6/8/18 to 6/11/18 \$425

Windsurfing Instructor

Workshop with Intro to Windsurfing

6/10/18 to 6/12/18 \$225

Contact: susie@wyonegonic.com or 207-452-2051

CAMP WINONA, BRIDGTON

Safe Powerboating

6/16/18 to 6/17/18 \$225

Lodging: \$25

US Sailing Counselors Course

6/11/18 to 6/12/18 \$175

Lodging: \$35

Basic Water Rescue/ Small Craft/ Instructor:

Canoe, Row, Kayak, Sailing

6/15/18 to 6/17/18 \$150

Lodging: \$40

Contact: information@winonacamps.com or 207-647-3721



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NASHOBA, RAYMOND

Powerboat Towing Safety Course 1

6/14/18 One day \$270

Stand Up Paddling

6/16/18 One day \$70

Contact: info@nashobagatherings.com or 207-655-7170

Wilderness First Aid

CHEWONKI, WISCASSET

Wilderness Advanced First Aid

5/31/18 to 6/3/18 \$430

Lodging: \$160

Wilderness First Responder Bridge

6/4/18 to 6/7/18 \$430

Lodging: \$160

Contact: gshute@chewonki.org or 207-882-7323

CAMP WINNEBAGO, FAYETTE

Wilderness First Aid

6/11/18 to 6/12/18 \$175

Contact: andy@campwinnebago.com or 207-767-1019

WYONEGONIC, DENMARK

First Aid CPR

6/16/18 One day \$85

Contact: susie@wyonegonic.com or 207-452-2051

CAMP WINONA, BRIDGTON

Wilderness First Aid (Wilderness Medical Associates)

6/13/18 to 6/14/18 \$195

Lodging: \$20

Wilderness First Aid

(Wilderness Medical Associates)

6/16/18 to 6/17/18 \$195

Lodging: \$20

Contact: information@winonacamps.com or 207-647-3721

CAMP AGAWAM, RAYMOND

Solo Wilderness First Aid and Wilderness First Responder Recertification

6/9/18 to 6/10/18 \$195

Lodging: \$20

Contact: mander@campagawam.org or 207-627-4780



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ACADIA MOUNTAIN GUIDES (varied locations)

WMA Wilderness First Aid

Newry

4/28/18 to 4/29/18 \$265

Lodging: \$50

WMA Wilderness First Responder

5 days + course pre-work

East Hartland, CT

5/11/18 to 5/15/18 \$650

WMA Wilderness First

Responder / WEMT Recertification

East Hartland, CT

5/13/18 to 5/15/18 \$300

WMA Wilderness First Aid

Newry

5/18/18 to 5/19/18 \$315

Lodging: \$50

WMA Wilderness First Responder

Newry

5/18/18 to 5/20/18 \$445

Lodging: \$80

WMA Wilderness First Aid

Rockport

6/1/18 to 6/2/18 \$265

WMA Wilderness First Responder/

WEMT Recertification

Rockport

6/1/18 to 6/3/18 \$375

WMA Wilderness First Responder

5 days + pre-course work

Gay Island

6/25/18 to 6/29/18 \$1,025

Wilderness First Responder 5-day

Hurricane Island

4/25/18 to 4/29/18 \$1,050

8/8/18 to 8/12/18 \$1,050

Contact: phoebe@hurricaneisland.net or 207-867-6050

ALFOND YOUTH CENTER, OAKLAND

Wilderness Advance First Aid

5/20/18 to 5/23/18 \$430

Lodging: \$100

Bridge (WAFA-WFR)/WFR Recert

5/24/18 to 5/27/18 \$430

Lodging: \$100

Wilderness First Responder

5/20/18 to 5/27/18 \$715

Lodging: \$100

Contact: acharrier@alfondyouthcenter.org or 207-873-0684

CAMP ARCADIA, CASCO

Wilderness Advance First Aid

6/12/18 to 6/13/18 \$200

Contact: louise.johnson@camparcadia.com or 207-627-4605

Other

NASHOBA, RAYMOND

Equestrian 6/15/18 One day \$70

Tennis 6/15/18 \$130

Lodging: \$20

Contact: info@nashobagatherings.com or 207-655-7170

CAMP WINONA, BRIDGTON

Fly Fishing

6/16/18 \$30

Contact: information@winonacamps.com or 207-647-3721

CAMP WINONA, BRIDGTON

State of Maine Trip Leader Safety

6/15/18 \$60

Contact: information@winonacamps.com or 207-647-3721

Mental Health First Aid

6/12/18 to 6/12/18 \$60

Contact: information@winonacamps.com or 207-647-3721

PORTLAND POTTERY, PORTLAND

Pottery Instructor Training

6/16/18 \$75

Contact: karend@portlandpottery.com or 207-772-4334



High 5 Adventure Learning Center
Spring Training Opportunities for Camp Staff

Adventure Basics: Level 1 Training
April 25-29, Brattleboro, VT
May 14-18, Brattleboro, VT
May 30-June 3, Chewonki Foundation, Wiscasset, ME
Optional Level 1 Certification Testing is offered the day after each training.

Beyond Basics: Level 2 Training
May 3-6 (Certification Testing May 7)
May 30-June 2 (Certification Testing June 3)
Both dates in Brattleboro, VT

Advanced Technical Skills: Level 2 Review
May 9-10 (Level 2 Certification Testing May 11) Brattleboro, VT

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Best Practices

From the American Camping Association

For Utilizing International J-1 Participants in Camps programs that are most commonly utilized by camps — Camp Counselor Program and the Summer Work Travel (SWT) Program. Some camps may also use the Intern or Trainee programs.

Camp Counselor Program participants have direct responsibility for supervision of American campers and of activities that bring participants into interaction with their campers. The category is open to foreign nationals who are bona fide youth workers, students, teachers or individuals with specialized skills at least 18 years of age and sufficiently proficient in the English language to supervise and interact with American youth.

The SWT Program provides opportunities for foreign students to experience the US and its citizens, travel, and work in jobs that require minimal training and are seasonal or temporary. Applicants must be post-secondary school students enrolled in and actively pursuing a degree or other full-time course of study at an accredited, classroom-based, post-secondary educational institution outside the United States; have successfully completed at least one semester or equivalent of post-secondary academic study; and are sufficiently proficient in English to successfully interact in an English speaking environment; and are pre-placed in a job prior to entry unless from a visa waiver country. Participants in this program are placed in support positions in camps and not working directly with campers.

Intern and Trainee — This category is designed for foreign nationals who are currently enrolled full-time and pursuing studies at a degree or certificate-granting post-secondary academic institution or who have graduated from such an institution no more than twelve months prior to their program period.

Important distinctions among the categories include: Mutual Exclusivity — While regulations recognize that some non-counseling chores are an essential part of camp life for counselors, participants in one category are not to serve in positions for which another category exists. For example, those in the Camp Counselor category are therefore not to be utilized in office, maintenance, or kitchen positions, or other support roles; and SWT participants are not to supervise campers or serve as activity leaders.

Program Dates — J-1 camp counselors may arrive at camp as early as May 1; however, they are not to have program end dates later than September 21. Start and end dates for SWT participants are proscribed by the Department of State according to each individual country's student calendar. Intern participants have a program period of 12 months and Trainees up to 18 months.

Program Exclusions — Some categories have prohibited duties. For example, among other restrictions, SWT participants may not serve as domestic help, night watch persons, or drivers of vehicles for which licenses are required.

The following “best practices” have been identified as those that directly contribute to the success of the cultural exchange experience for camps, staff, and the campers they serve. They also support the legal and regulatory obligations of the exchange visa program.

The Camp

Administrative Practices Expected practices of directors:

- Understand and accept the premise that the purpose of the J-1 Visa program is cultural exchange and implement that philosophy.
- Understand and comply with the regulatory opportunities and limitations of the J-1 Visa program and respective provisions of each individual program category including prohibited duties.
- Establish a strong relationship with agencies that you partner with and know the designated sponsor or each participant.
- Gain thorough knowledge of each participant's health insurance coverage and provisions.
- Complete SEVIS (Student and Exchange Visitor Information System) validation for arriving participants promptly in accordance with individual agency procedures.
- Assist international participants in obtaining a Social Security card.
- Compensate appropriately and provide access to cash.
- Provide worker's compensation insurance in accordance with state laws and regulations.
- Develop and implement a crisis plan for dealing with the illness, injury, arrest, or death of an international participant or a family emergency back home.
- Formulate and administer policies that include providing immediate notification to the sponsoring agency of any personnel action, including changes to location/site within the organization, or any emergency situation involving an international participant.
- Plan cultural exchange opportunities for each participant, including those that take place outside of camp or in the local community.
- Ensure that all supervisors of participants are competent and trained in regulatory elements, cultural sensitivity, and inclusion techniques.

Exemplary practices of directors

- Feature cultural programming at camp.
- Showcase international programs and staff in camp marketing materials.

Hiring Process

Expected practices of directors:

- Ensure that you do not displace American workers by participating in the program.
- Define and articulate why your camp wants to include international participants other than to fill vacancies.
- Conduct a comprehensive interview with program applicants through the most effective means possible.
- Be thorough in your evaluation and selection processes.
- Spend as much time on the selection process as you would with American staff.
- Be forthright in matching candidates' skills and interests with the camp's needs.
- Provide clear expectations of participants while at camp.

Exemplary practices of directors

- Embrace cultural exchange by defining and articulating how inclusion of international participants fits into your camp philosophy.
- Avoid stereotyping nationalities by demonstrating a willingness to host international participants from a wide variety of countries in a broad range of positions.
- Prior to the interview, provide applicants with appropriate resources that are specific to your camp and the positions you are seeking to fill, so they may adequately prepare.

After Hiring — Prior to Camp Expected practices of directors

- Communicate regularly with the participants before they arrive at camp and give timely answers to follow-up questions that you may receive. Address the nature of the local community, camp location, type of accommodation, facilities, and food service.
- Provide information such as policies, handbooks, organizational charts, maps, weather reports, lists of what to bring, camp website information, orientation/training schedules, job descriptions, camper profiles, rules and regulations, camp mission statements, time-off policies, transportation-to-town options, email addresses of mentors/buddies, local attractions/local community information, etc.
- Present a realistic picture of the camp and establish expectations.
- Make sure that plans for cultural programming and opportunities for cultural activities outside of camp are firmly in place.

Exemplary practices of directors

- Provide opportunities for networking with former international participants from their home country (e.g., share email addresses of former camp staff).
- Help establish dialogue with current and former participants

as well as American staff. Share email addresses and promote connections through social networking.

- Keep your participants excited about the upcoming season through publications, news flashes, spotlights on activities and events, and other creative techniques, to help them eagerly identify with the experience.

Arrival and Pre-Camp

Expected practices of directors:

- Welcome international participants upon arrival.
- Show sensitivity to time and cultural adjustments.
- Provide adequate housing that is welcoming and clean, including fresh linens and bedding.
- Conduct additional orientation/training for international participants to help them with cultural adjustments.
- Take specific measures to help participants acclimate culturally.
- Make an active effort to integrate the entire staff into one group.
- Have patience with language and dialect issues.
- Incorporate into training an understanding of cultural differences such as those in hygiene, fashions, and customs.
- Provide responsible education/orientation and training for understanding and competence.
- Show sensitivity to food issues, health or stamina issues, allergies, and cultural and religious practices.



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FEEDING SUMMER ADVENTURES

Exemplary practices of directors

- Project an attitude of “I care about you and want you to have a successful summer.”
- Provide training to American staff on the purpose of the J-1 Visa program and how to create a successful international team.
- Designate a liaison on the camp staff who participants may safely approach to address adjustment or other issues.
- Develop a buddy/mentor system to help with integration.

During the summer

Expected practices of directors:

- Provide positive feedback and reinforcement.
- Continue to show patience with differences in language and dialect.
- Help arrange transportation for time off.
- Partner with the sponsoring agency on any problems or issues that arise
- Facilitate communication between international participants and sponsoring agency.
- Help with financial issues such as accessing cash, establishing bank accounts etc.
- Provide a secure place for storing important documents and other valuable items.
- Ensure Internet, email, and telephone access.




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- Establish equal and respectful treatment.
- Train supervisory staff in all aspects of the J-1 Exchange Visitor Program.
- Keep open lines of communication between the director, supervisors, and international participants.
- Demonstrate commitment and an understanding of cultural differences.
- Provide ongoing training and support.
- Include cultural programming as a part of the camp's activities.
- Attend to health issues with proper access to doctors, dentists, medications etc.
- Encourage participants to obey the rules of the exchange program and to return to their home country after the summer.
- Comply with rules governing the J-1 Visa program, including the mutual exclusivity of camp counseling and support roles.
- Develop a program of training and support designed to solve problems related to participants.
- Create opportunities for out-of-camp recreational, cultural, and community-based experiences for participants.
- Make laundry provisions.
- Provide equal access to camp activities and facilities for international participants.
- Treat American staff and international participants equally, with respect to opportunities, work hours, and time off.
- Consult with the respective agency well in advance of participant termination and have a firm plan in place to protect health, safety, and welfare during the transition process.

Exemplary practices of directors

- Design and implement outstanding cultural programming.
- Allow international participants access to food, drinks, and newspapers from their home country.
- Feature international participants and programming in camp media and marketing materials.
- Identify and work with local families or alumni to help integrate international participants into the local community.
- Give international participants equal access to key positions and leadership opportunities.
- Engage with participants to help plan and arrange post-camp travel.

THE SPONSORING AGENCY

Expected practices of agencies:

- Understand, monitor, and comply with all issues, regulations, and requirements of the J-1 cultural exchange programs.
- Observe and ensure regulatory compliance on the part of associated third parties.
- Conduct thorough in-person interviews with every

applicant and maintain a trained and qualified interviewer network.

- Recruit applicants with an appropriate level of English proficiency.
- Conduct thorough and in-depth pre-departure and/or arrival orientation that include information on American culture as well as different types of camps, the nature of camp life, and working with children.
- Maintain ongoing communication with the applicant and the camp throughout the camp experience.
- Provide 24-hour emergency support for applicants during the camp season.
- Implement an application process that facilitates thorough assessment of applicant skills, backgrounds, and attributes, and results in quality matches.
- Check references to ensure quality applicants are being accepted.
- Require participants to provide the best available criminal background check and provide help for this when necessary.
- Ensure participants are clearly aware of the program sponsor from time of recruitment onward.
- Place participants at camps and in positions best suited to their skills, interests, background, and experience.

Exemplary practices of agencies

- Ensure that participants placed as camp counselors understand they will be working with children and are suitable candidates to do so.
- Encourage camps to select participants from a variety of countries.
- Provide camps with information about participants' countries of origin and cultural background.
- Educate camps on the best way to host international participants.
- Provide readily accessible and quality ongoing care, advice, and support for participants and camps during the summer, including visiting, monitoring, and collecting feedback.
- Monitor and evaluate the quality of the experience provided to international participants by each camp and work with camps and participants to improve the overall program experience and level of agency service.
- Present consistent messaging to the camp community regarding developments in the Department of State affecting our programs.

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THE AMERICAN CAMP ASSOCIATION

Expected practices of ACA:

- Monitor public policy issues related to the J-1 Visa exchange program and keep camp professionals informed of these policies.
- Maintain J-1 Visa regulatory and legislative issues as a priority focus of ACA's public policy work.
- Facilitate communication with and among sponsoring agencies.
- Promote the benefits of cultural exchange programs to camps as well as to the general public.
- Develop and track statistical information that is of value to camps, the agencies, and ACA.
- Maintain relationship with Department of State personnel and provide information and resources to them as appropriate.

Exemplary practices of ACA

- Provide educational resources to help camp professionals address international participant issues they may encounter.
- Provide opportunities for camp directors to interact with Department of State personnel.

THE UNITED STATES DEPARTMENT OF STATE (DOS)

Expected practices of DOS:

- Establish and oversee regulations pertaining to J-1 Visa programs.
- Monitor J-1 Visa program compliance through communication with sponsoring agencies, host camps and international participants.
- Collect and analyze data on international exchange participants and placements.
- Conduct field site reviews.
- Assist with problem solving and complaint resolution.
- Perform the associated functions of designation, program administration, and compliance.

Exemplary practices of DOS

- Seek input on trends and challenges from all stakeholders, including participants, sponsoring agencies, and host camps.
- Participate in educational opportunities with camp directors and staff.



There's still time to register for our Kitchen Inspection Webinar!

On **April 23 at 10 am**, we will be offering a webinar on *"How to be better prepared for your Kitchen Inspection"*. At the request of our Education Committee, DHHS has agreed to create this webinar for our camps.

Jen Springer from the Health Inspection Program will be the presenter. Camps can attend the webinar in person, attend remotely, or view it at a different time via our website.

Register at: <https://register.gotowebinar.com/register/4147692501532276226>