

Standard 7: Volunteers, Staff and Consultants

The land trust has volunteers, staff and/or consultants with appropriate skills and in sufficient numbers to carry out its programs.

The work of a land trust is substantial, diverse and often technical or specialized, and includes fundraising, public relations, financial management, landowner contact, designing and carrying out transactions, legal and tax matters, and land and/or easement monitoring and management. A land trust that acquires, owns, or manages land or easements, even temporarily, is dealing with complex issues and thousands or even millions of dollars' worth of assets. Conducting this work properly takes trained individuals. If a land trust is completely managed by volunteers they have a responsibility to see that the work is carried out with appropriate expertise and supervision and that the work is shared by a sufficient number of people. If the land trust has staff, it must be sure that the staff is properly trained to manage the complex tasks of land conservation, and the board must establish appropriate policies and procedures to guide staff. All land trusts must engage outside expert help in the event they do not have sufficient time or expertise in-house and must be sure to select projects that are consistent with their capacity.

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Land Trust Standards and Practices

Practice 7A: Capacity

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- The land trust regularly evaluates its programs, activities and long-term responsibilities and has sufficient volunteers, staff and/or consultants to carry out its work, particularly when managing an active program of easements.

A land trust must have enough knowledgeable and dependable assistance to carry out its programs, no matter what its level of activity. A land trust needs to be sure not only that it can undertake the necessary work of the land trust today, but also that it can sustain its work into the future. Because land trusts promise to protect their conservation properties forever, their responsibility to structure transactions knowledgeably and manage their organizations wisely is especially great. With conservation easements in particular, this places obligations on the land trust to develop easement stewardship systems and to implement these systems consistently. The land trust should periodically assess the stewardship obligations it has, determine if more assistance is necessary to fulfill these obligations and plan accordingly. A land trust should evaluate projects carefully and select projects that are consistent with their capacity to manage the projects in the short- and long-term.

Evaluating Programs and Staffing Needs

A land trust should regularly evaluate whether it has adequate volunteers, staff and/or consultants to carry out its programs and responsibilities. Often this evaluation is part of the annual budgeting and work planning processes (see practice 6A). Long-term staffing requirements are often addressed through strategic planning (see 1B). On a project-by-project basis, the land trust must determine if it has the capacity to complete the project and fulfill any long-term stewardship responsibilities.

A land trust may want to contact organizations with similar missions and responsibilities to see how they have evaluated personnel needs. One land trust recently evaluated its conservation easement program and found that of its roughly 100 easements, each one could potentially be subdivided into three separate parcels—leading to a future stewardship obligation of managing 300 easements. In investigating how other land trusts with similar easement holdings managed their programs, the land trust found that at least one stewardship staff person was needed to manage 60-70 easements. With this information, the land trust determined that it must be prepared to hire two to three more stewardship staff as landowners exercise their reserved rights in the future. The land trust is now planning for how it will secure the staff to manage these future obligations and reduce the number of subdivisions allowed for in its easements.

Types of Expertise

Whether a land trust relies primarily on its board, volunteers, staff, and/or consultants to carry out its work, it needs regular and continuing access to expertise of the following types:

- Land conservation methods and techniques;
- The tax implications of various conservation approaches and charitable gift deduction rules;
- The legal aspects of conducting land transactions;
- Land and resource management and/or easement monitoring and enforcement;
- Negotiating land transactions;
- Outreach, public relations and communications;
- The legal requirements and tax aspects of operating a nonprofit, tax-exempt organization;
- Nonprofit budgeting, bookkeeping and financial management;
- Nonprofit management, including the operation of nonprofit boards, the development of mission statements and program goals, and program administration; and
- Fundraising and membership development.

Some land trusts need expertise in more specialized areas, such as:

- The real estate development process and financial analysis;
- Staff supervision, management and development; and
- Computer hardware and software.

All land trusts on occasion also need to engage outside professionals to perform specialized services, such as lawyers to review documents, appraisers to do appraisals, surveyors to survey property boundaries, title companies to do title searches, and certified public accountants to audit financial records. (See practice 9A for more detailed discussion of land transaction and management expertise.)

Sources of Expertise

Land trusts obtain this expertise from a variety of sources.

- **Board of directors.** Land trusts put people on their boards who have needed skills and are willing to contribute them, such as lawyers, accountants, real estate agents, developers, public relations experts, and fundraisers.
- **Volunteers.** Land trusts operate volunteer programs that attract and keep skilled people—such as a biologist from the local university to do site inspections and resource management, or a schoolteacher to design an environmental education program.
- **Ongoing consulting advice.** Land trusts sometimes engage ongoing help—from an attorney, or accountant, or land planner—on a consulting basis.
- **Interns.** Land trusts get valuable help by hiring knowledgeable interns (paid or volunteer)—from college or graduate school natural resource programs, for example—who can assist with property management, easement monitoring and special research projects.
- **Nonprofit assistance programs.** A land trust may be able to obtain part-time or temporary expert assistance from a civic group, corporation or alumni association—especially in business and personnel management.
- **One-time contracts.** A land trust can engage special assistance at particular times during its development—a specialist in nonprofit management to help the organization develop a strategic plan or deal with internal management problems; a fundraising specialist to guide a capital fundraising campaign.
- **Joint ventures.** A land trust may be able to find another conservation organization or government agency that is willing to be a partner in a particularly large, complex or unusual land transaction project.
- **Ongoing relationship with another organization.** A larger land trust may agree to provide certain services for a smaller land trust operating in its geographic region, or two or more land trusts may pool resources and share the expertise of a single person. Land trusts have also formed ongoing relationships with government agencies and universities.

Dependable Expertise

Land trusts not only need to find this expertise but also must find *dependable* ways to get it. People who are doing the work of the land trust must be able to devote the necessary time, make a commitment to follow through, and do a high quality job. This is a challenge particularly for land trusts that rely solely on volunteer or contracted assistance. Here are some ways to develop dependable sources of help:

- **Tell board members up front what is expected of them.** If the land trust is counting on its board to do much of the work of the organization, board members need to know before they join the board how much time and what special skills they are expected to contribute.
- **Consider whether paying for help is more reliable than donated or pro bono services.** Land trusts that use pro bono legal help, for example, sometimes find the legal work is not done on time or is not given the attention they feel it deserves.
- **Develop ongoing relationships with paid consultants.** A continuing relationship can help assure that the consultant gives the land trust priority in making his time available when the land trust needs it.
- **Structure volunteer programs.** Programs to use volunteers need to be planned and structured so that volunteers are willing to continue to work with the land trust and feel a responsibility and commitment to perform. (See practice 7B for further discussion of volunteer programs.)
- **Share the workload.** Board members and volunteers should not be overloaded with work or given substantial work that does not use their abilities. Hiring someone, perhaps on a part-time basis, to keep records, handle correspondence, coordinate land projects, and deal with details and follow-up can help ensure that projects stay on track and that people feel their skills are well used.
- **Provide education and training opportunities.** Training and education can provide land trust personnel with information or skills they lack, and can build confidence and commitment among people who are unsure that they have the skills to do what is expected of them. For example, land trusts sometimes find their fundraising effort lags because some board members don't follow through in asking for gifts. Providing some training in soliciting gifts can demystify the process. (See practice 7D for sources of training and education opportunities.)
- **Hire paid staff.** One of the surest ways to have ongoing, dependable expertise is to hire paid staff.

Finally, the land trust must continually plan for the future. It needs to identify and build new leadership for its board. If it relies on volunteers, it needs to recruit new volunteers as existing ones move on to other interests. Larger land trusts need to think about staff promotion and succession. A land trust not only needs to be sure it can undertake the necessary work of the land trust today, but that it can continue to sustain its work in the future.

Benefits of Hiring Staff

Standard 7, which the practices in this section address, emphasizes that land trusts need to

have access to appropriate expertise, and that expertise must be available when they need it. Paid staff is one of the best sources of such expertise, for the following reasons:

- **Staff is accountable.** An organization whose board is doing all the work has little leverage when those board members fail to meet deadlines or do poor quality work. The other board members fully appreciate the difficulty of trying to complete the land trust's work during evenings and weekends. Paid staff, in contrast, is accountable: standards of performance can be set; their work can be objectively evaluated; and, if necessary, staff can be fired.
- **Staff is readily available.** A land trust may quickly lose credibility if it does not have a continuous presence on land transactions. A staff person can be available to meet with landowners when they call. When crises or obstacles arise on a transaction in progress, a staff person can be there to deal with them.
- **Staff helps ensure follow-through.** Staff can make sure plans are written down, dates are set and people meet their responsibilities. This is difficult and unappealing work for board members. Transactions, stewardship, fundraising, organizing of special events, and simply administering the organization all require planning and day-to-day oversight that board members find it difficult to provide.
- **Staff can oversee volunteers and consultants.** Staff can have a multiplier effect on the amount of work the land trust can accomplish. They can find, interview, and supervise consultants and volunteers who can greatly increase the land trust's ability to carry out its programs.
- **Staff can free board members for governance.** With a staff person to oversee administration, program planning, and follow-through, and to ensure technical assistance is obtained when needed, the board can focus on the governance of the organization, for which it ultimately is accountable. When board members both govern the land trust and try to carry out its work, governance may slip. Such a working board may pay more attention to closing the land deal than to assuring it is done in a careful, responsible manner and that any problems or issues that arise are fully deliberated.

Staff can do much more than keep a land trust out of trouble, especially if that staff person is a full-time chief staff officer. For many land trusts, paid staff makes the difference between a land trust that can only react to opportunities and a land trust that can set challenging goals and meet them. In fact, most of the land conserved by land trusts has been protected by trusts with staff. Approximately 30 percent of the land trusts in the country have full-time staff, but they account for more than 90 percent of the land that land trusts have protected.

Of course, acreage isn't the only measure of the significance of the land protected, and land trusts without staff are saving important conservation resources. But land trusts that have an ambitious agenda, anticipate undertaking costly or complex land transactions, or

want to move quickly to carry out their program will want to seriously consider hiring staff. A land trust promises its members, donors and supporters that it is doing the best job it can to save land in the community: it owes it to the community to take the necessary steps to do that job. As the Brunswick-Topsham Land Trust in Maine explained in its resolution authorizing the hiring of staff:

When the BTLT was founded in 1985, we thought an all-volunteer effort would be enough. We were wrong. We have a massive and urgent job ahead of us. Properties in our towns we have long taken for granted are rapidly being developed. It will be a full-time job in the foreseeable future to protect even a small portion of them. We need to be aggressive, creative, and forever on the job to protect a legacy of land and natural resources we will be happy and proud to leave to our children. They will honor our vision if we do; they will damn our shortsightedness if we don't.

Invariably, land trusts with staff say that hiring staff made the most difference in their success—and that they just wish they had hired staff sooner.

Evaluating Whether to Hire Staff

A land trust has a number of common sense considerations in realistically evaluating whether it needs to, and can, hire paid staff. Some factors to consider include:

- Are transactions completed in a timely, thorough and competent manner?
- Are important conservation opportunities being missed because there is no one with the skills or time necessary to take advantage of them?
- Are stewardship responsibilities so substantial that the land trust can no longer adequately meet them, increasing the likelihood that there will be trespass or violations, and/or increasing the land trust's liability risks?
- Is there significant fundraising potential that is not being tapped because there is no one to plan and administer membership development and fundraising efforts?
- Is the land trust missing opportunities for outreach and public education because it lacks a constant presence in the community and needs someone to develop materials, organize speaking engagements, and develop a strategy and carry it out?
- Is the board unable to adequately govern the organization because it is too swamped with carrying out the day-to-day work?
- Does the land trust want to operate a more proactive, aggressive conservation program, and will this require the addition of paid staff?

- Is there sufficient fundraising potential in the area in which the land trust operates to support a staff person?
 - Are board members willing to do the fundraising necessary to hire staff?
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What Kind of Staff?

The land trust needs to decide what type of staffing it needs, and how much staff time is required. The basic choice is between an administrative staff person or a professional chief staff officer.

Administrative staff can answer phone calls, keep records, track and coordinate transactions and other projects, and ensure there is follow-through. Administrative staff can make a tremendous difference for a land trust that is fairly able to maintain its conservation program relying on board members, either because its agenda is limited or because people on its board have substantial free time and expertise. If the only staff a land trust has is administrative, the position is commonly part-time.

A chief staff officer position (usually called executive director, but sometimes director or president or chief executive officer) can give the organization focused leadership and a professional ability to move ahead. An executive director normally has lead responsibility for carrying out all of the land trust's work, including transactions, fundraising, public relations and education, etc. The board provides the overall direction for the organization and retains its fundraising and public outreach functions. It may carry out other work as well (especially in a small land trust), but does so under the coordinating leadership of the chief staff officer. (See practice 7E for further discussion of board/staff roles.)

Most chief staff officers are full-time, but land trusts sometimes can find highly qualified people part-time. It is a good idea to hire administrative staff to support the director. Of course, the land trust may also hire other staff on a full or part-time basis. After the chief staff officer and the administrative person, it is common for a land trust to add either a project manager to handle land transactions, or a development professional to help raise money, depending on the strengths and abilities of the chief staff officer.

Creative Staffing Options

Most land trusts with full-time staff operate at a regional level and/or in an area with a reasonable fundraising base. Land trusts operating only at a local level may find it difficult to raise enough money to support a full-time staff person over time. A local land trust may find some other creative ways to have access to staff, without hiring a full-time person of its own.

- **Land trusts may be able to “share” a chief staff officer.** The Roxbury Land Trust and the Steep Rock Association in Connecticut and the Napa County Land Trust and the Sonoma Land Trust in California have used this approach. Napa and Sonoma eventually each were able to each hire full-time staff.
 - **A group of land trusts in a region may be able to have joint access to staff.** On Cape Cod, more than 15 land trusts help fund the Compact of Cape Cod Conservation Trusts, which provides them with ongoing expert technical assistance.
 - **A local land trust may be able to affiliate with a larger land trust to have ongoing access to its expertise.** In some cases, larger land trusts will help a local group of people accomplish their conservation goals without even forming a local land trust. An excellent example of this is the Vermont Land Trust’s Mettowee Valley project, where VLT’s field staff worked with local people to develop a protection plan for the Valley in its entirety.
 - **A group of people interested in local land conservation may be able to be a chapter of a staffed land trust** rather than operating as an entirely independent organization. The Lakes Region Conservation Trust in New Hampshire and the Finger Lakes Land Trust in New York have both worked with local chapters. This approach allows people in a community to have some autonomy of operation, while also having access to ongoing expertise. It also can help avoid potential competition and overlap.
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Sharing the Work

Depending a few people to carry out the land trust’s work is extremely risky. The land trust may flounder and die if the person in charge leaves without identifying or training a successor. Too much responsibility on the shoulders of one person can lead to burnout and the loss of good people. If responsibility is concentrated in the hands of a few, they may feel pressured to do too much; others, meanwhile, will have too little to do and will lose interest in the land trust.

The benefits of sharing responsibilities are many, including:

- An improved likelihood of the land trust’s continuity;
- Increased opportunities for new ideas and a fresh infusion of enthusiasm;
- Prevention of burnout;
- More broadly based community support for land trust programs and activities as more people become involved; and
- Increased opportunities to identify people with leadership potential.

There are several approaches a land trust can use to help share the work and avoid

reliance on a single person.

- **Avoid board reliance on one board member.** A board should not rely on its energetic founder to continue to do all the work over time; nor should the founder try to keep power and control for him or herself. The board can help ensure one person does not dominate by limiting board members' terms and by establishing a strong nominating committee to help recruit other energetic, creative people to the board.

Alternatively, a board member who feels the board is overly dependent on him or her can lessen the board's reliance by identifying, recruiting and training other board members. One land trust board chair came up with a creative solution when the board objected to his proposed retirement: he insisted that, alternatively, he become paid staff. This caused the board to create and fund a staff position that would continue beyond his tenure. (See practice 3C for ways to keep board members active and involved.)

- **Avoid board over-reliance on the chief staff officer.** A board should not expect the staff to run the land trust without the board carrying out its vital responsibilities in planning, fundraising and financial management. For a land trust with one or two staff, the board also must help carry out parts of the land trust's program. The dangers of board over-reliance on the staff are twofold: the board may become lax in governing the affairs of the organization, and the lack of activity may result in a board so weak that the organization flounders when the chief staff officer leaves.

Both the board chair and chief staff officer must take responsibility for avoiding this problem. The board chair should establish a board structure and operating procedures that keep the board active (see practice 3C). The chief staff officer should help the board chair in this endeavor, particularly by keeping the board informed of land trust activity and by refraining from making critical decisions about the organization's future without involving the board.

- **Bring new people into the land trust's leadership.** The land trust board and staff, if there is staff, should develop mechanisms for continually bringing new people into the land trust. Mechanisms for identifying and developing new people include advisory boards (with a clear purpose and functions), board or staff committees that include members from outside the land trust, and an active volunteer program.
- **Learn to delegate.** Individuals who are overworked and are relied on excessively by others often create the situation themselves by being unwilling to relinquish control, power or responsibility to others. Training in leadership development and managing people may help such people learn to delegate effectively and in a way that helps ensure the work will be done and done well.
- **Plan for succession and, if possible, some "back-up" for key responsibilities.** The board chair, in coordination with the nominating committee, should identify potential future leaders on the board and develop them by giving them increasing responsibility

and close involvement with the organization's internal workings. Likewise, the chief staff officer should develop the staff to move into positions of greater responsibility, as positions are vacated. It is also advisable to train a second individual for any key position or function so that he can fill in at least temporarily in a crisis. For example, the organization needs individuals knowledgeable enough about the organization's work to fill the leadership gap if the board chair or chief staff officer leaves, and someone knowledgeable enough about the land trust's land transactions to take over the handling of a deal in the absence of its original project manager.

While these ideas may help a land trust avoid dominance by one or several people, lack of sufficient people to do the work is a common problem for nonprofits, and a land trust should not feel it is a failure if its board and staff are overburdened. Mission-oriented people take on more work than they have the capacity to do—and then frequently find a way to do it. But by continually trying to involve more people in the organization, a land trust will be able to keep the work from overwhelming the land trust's leaders and will build a strong and growing program—and the capacity to accomplish it.

Links to Other LTA Resources

- [“Land Trusts Grow Stronger with More Staff, Larger Budgets”, *Exchange*, Winter 2002 \(Vol. 21 No. 1\)](#)
- [“Recognizing and Preventing Staff Burnout”, *Exchange*, Summer 2001 \(Vol. 20 No. 3\)](#)
- [LTA's *Land Trust Jobs & Salaries* InfoPak includes sample job descriptions and hiring guidelines](#)

To Fully Implement this Practice, LTA Recommends...

- That there are adequate staff, contractors or volunteers to meet current needs, including easement stewardship obligations.
- That staff, contractors and volunteers have adequate training to fulfill their responsibilities.
- That there is a periodic review of future needs and obligations, and a formal plan in place for funding and staffing future needs and obligations, including stewardship obligations and potential violations.

Practice 7B: Volunteers

- If the land trust uses volunteers, it has a program to attract, screen, train, supervise and recognize its volunteers.
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Volunteers provide tremendous benefits to a land trust and may be one of the organization's strongest assets. In many organizations, they perform the work that would otherwise be done by paid staff. In other organizations, they reduce the workload on staff and dramatically expand a land trust's capacity. If not used effectively, however, volunteers can be a drain on the organization or they may feel unrewarded for their efforts. Poorly trained or unsupervised volunteers can even pose liability problems. A land trust that wishes to engage volunteers effectively to accomplish important work should establish a program for recruiting, screening, training, supervising, and recognizing them.

Many land trusts make effective use of volunteers. The tips and recommendations in this section are adapted from a paper by Will Murray of Conservation Impact and the former Director of Conservation Programs for The Nature Conservancy's Western Regional Office.

Setting Up the Program

A land trust may be able to use an occasional volunteer for very simple tasks and do so successfully without much planning or supervision. But a land trust that depends on volunteers to accomplish important work should establish a program for recruiting, screening, training, supervising, and recognizing them. The extent and formality of the program depends on the number and types of volunteers involved. Operating a structured volunteer program can require a significant investment of time and energy, but it greatly increases the land trust's success in using volunteers—and heads off potential problems.

Before establishing a volunteer program, a land trust should seriously consider whether volunteers are really needed and whether someone can devote the time to train and supervise them. A staff person with the Society for the Protection of New Hampshire Forests, which makes extensive use of volunteers, says:

You have to know what it is you want your volunteers to do and how you will train them before you recruit them. Otherwise, you will look unprepared and disorganized, and your volunteers will lose interest.

Why people volunteer

To develop an effective volunteer program, a land trust needs to understand what motivates people to volunteer. Among the main reasons people give for volunteering are:

- **It is easy.** A land trust needs to make it easy for people to volunteer by having convenient times and locations for volunteering and not expecting unreasonable amounts of time to be given.
- **It is fun.** People like the social interaction and camaraderie of volunteering. Pizza and beer can liven up an evening spent stuffing envelopes for the membership mailing. Picnics or outings for volunteers, especially with other land trust personnel, can build the feeling of teamwork.
- **The opportunity to learn new things.** Volunteers may seek an opportunity to learn new skills or to learn more about the land trust and its work. Providing ongoing training or education or interaction with land trust insiders may be especially important for some volunteers.
- **To be involved with a cause.** Volunteers need to understand and feel involved in the organization's work and mission. They should be kept informed about the organization's activities, and the relevance of their work to its success should be clear.

Identifying volunteer jobs

It is demoralizing for a volunteer to find that the organization has no clear idea of how he can be utilized or that there is not enough work to keep him busy. The land trust should make a careful assessment of program needs and develop a list of jobs that can be done by volunteers. The assessment should identify the tasks to be done, the skills necessary to do them, the amount of time they require, the number of volunteers needed, and who will directly supervise the work.

Volunteers tend to work best for jobs that have one or more of the following characteristics: they can be broken down into manageable segments with clearly defined conclusions; they require a large number of people to accomplish; they are repetitive and easy to learn; or they require skills that the land trust does not have.

Land trusts use volunteers for many types of jobs, from routine administrative details to highly professional work. They include the following:

- **Land-related research.** For example, the Steep Rock Association in Connecticut has used volunteers to update lists and maps of properties abutting their preserves. The Marin Agricultural Land Trust in California has used volunteers to work on its agricultural land trust database.
- **Office work.** The Island Heritage Trust in Maine depends on volunteers to help run its office, including getting out mailings and distributing promotional items.
- **Education.** In the past, the Society for the Protection of New Hampshire Forests (Forest Society) has trained "docents" who brought natural resource education to

youth and adult groups across the state. The Wissahickon Valley Watershed Association in Pennsylvania trains volunteers to teach its educational programs.

- **Nature center operations.** The Forest Society trains volunteers to deliver educational tours of its solar-heated conservation center. The Wildlands Conservancy in Pennsylvania uses volunteers to operate its educational center, do gardening and lawn work, keep bird feeders filled, and organize and operate the library.
- **Special events.** Land trusts make extensive use of volunteers for special events. Volunteers help plan and conduct annual dinners and picnics for many land trusts. The Yakima Greenway Foundation in Washington has made extensive use of volunteers in its “Gap-to-Gap” relay, which has become a weekend of events celebrating the protected river. The Sanibel-Captiva Conservation Foundation in Florida used volunteers to run its “Great Island Pickup,” a litter pick-up effort. Volunteers serve as cooks, front desk help, loaders, and weighers.
- **Maintenance and construction.** Many land trusts use volunteers to work on trail construction and maintenance crews. Volunteers, appropriately supervised, may also work on construction of various types of facilities.
- **Land management.** The New Jersey Natural Lands Trust has used volunteers to manage trust-owned properties. In Illinois, a volunteer stewardship network has helped accomplish boundary posting and patrolling, prescribed burning, restoration, and other activities for The Nature Conservancy’s 140 preserves.
- **Inventories.** The Island Heritage Trust had volunteers assist with its scenic, historic and cultural inventory.
- **Newsletters/publications.** The Wissahickon Valley Watershed Association had a volunteer (a former teacher and librarian) who wrote its press releases. Many land trusts have volunteer newsletter editors. Sanibel-Captiva Conservation Foundation had a volunteer update the field guide to one of its preserves; the same volunteer also wrote a nature column for the foundation’s newsletter.
- **Office work.** The Lakes Region Conservation Trust in New Hampshire uses volunteers to manage its office archives and to assist with special mailings.
- **Tour guides.** Many land trusts use volunteers to lead hikes on their properties. Sanibel-Captiva has used a formal trail-guide volunteer program for its system of preserves. The people who coordinate the volunteers are volunteers themselves. The Conservancy, Inc., in Florida has volunteer boat guides for some of its trips.
- **Photography/design.** Land trusts often use volunteer artists or designers to design land trust materials, especially for special events, and photographers to take photos for the newsletter and other purposes.

Recruiting Volunteers

To effectively recruit volunteers, a land trust needs to develop a description of the available jobs, advertise those jobs, and screen potential volunteers to assess their interests and skills and match them with appropriate work.

Job descriptions/written expectations

Job descriptions help a land trust analyze the job requirements, enable the land trust to match volunteer interests and talents to the positions available, and are essential in evaluating volunteer performance.

Volunteer job descriptions can be brief and simple but should include a job title, the name of the person supervising the volunteer, specific job responsibilities and schedule for completion, job logistics (hours, location, etc.), and any qualifications required. It may also be useful to list job “benefits”, such as the opportunity to develop new skills, to work closely with staff or other professionals, to do hands-on conservation work, to have fun, or to be actively involved with an important cause.

Attracting volunteers

Land trusts can use various methods to recruit volunteers.

- **Develop volunteer recruitment materials.** Materials should describe the goals and programs of the land trust, the types of jobs volunteers can do, and the benefits of volunteering. The Forest Society has a general brochure on volunteering, and a specific brochure on its docent program for delivering environmental education.
- **Get the message out.** Most land trusts announce volunteer jobs in their newsletters. The Sanibel-Captiva Conservation Foundation regularly prints profiles of volunteers, which not only recognize the volunteer, but give potential volunteers a picture of how their skills might be used and what kind of help the organization needs. Some organizations include a form or a check-off box in their membership flyer. If a land trust needs many volunteers, it might run advertisements in local newspapers and use radio public service announcements.
- **Target key organizations.** Volunteers may be found through other organizations, including other conservation organizations, volunteer action committees, service clubs, outdoor groups, scout or other youth clubs, colleges, organizations for retired people, and organizations for the handicapped.
- **Use recruiters.** Some organizations develop a corps of recruiters—preferably volunteers themselves—to make presentations on the organization and its volunteer needs. The Wildlands Conservancy in Pennsylvania holds an evening orientation session with coffee and donuts and asks volunteers to bring a friend interested in volunteering.

Screening volunteers

Screening volunteers allows a land trust to match volunteers with jobs that fit their skills, abilities and interests. To screen volunteers, land trusts should:

- **Have volunteers complete an application.** The application should be simple and include questions on applicable experience, type of volunteer work desired and the conditions under which the volunteer can work (such as the time of day and number of hours).
- **Conduct an interview.** An interview, conducted by phone or in person, allows the land trust to make a better assessment of the volunteer's interests and abilities and allows the volunteer to learn more about the organization and work involved. If possible, the person who will supervise the volunteer should be present. An interview leads to better volunteer performance and a lower number of dropouts—ultimately saving time and preventing unhappy situations. The formality of this interview can vary with the type of volunteer position.

Screening volunteers may help a land trust identify unexpected skills and talents. One Florida land trust found a former Dow Chemical employee, experienced in chemical vegetation control, who helped eradicate nonnative Brazilian pepper trees from the trust's properties. The same organization also found a retired architect, who oversaw the building of its observation tower and teaching shelter.

Managing and Recognizing Volunteers

For volunteers to be effective, they need to be trained to do the work expected of them, supervised to be sure they are carrying it out correctly and that they have the tools and resources they need to do the job, and, above all, recognized for the important contribution they make to the land trust's accomplishment of its mission.

Orientation and training

Volunteers need to be properly trained so they can perform effectively and be good representatives of the land trust. For many jobs, training and supervision is minimal but necessary. Training is critical if the volunteer's work involves safety hazards; a land trust may open itself to liability if it does not appropriately train volunteers who must handle dangerous equipment or undertake hazardous jobs, or who lead others in such activities.

Training begins with an orientation session. The orientation should provide an overview of the organization's goals, programs, policies, and procedures; an introduction to other volunteers and/or staff; and a discussion of how volunteer efforts contribute to the success of the organization.

For most land trust volunteer work, training is on the job. Where necessary, the land trust should hold individual training sessions. The volunteer should be walked through the project and given an opportunity to ask questions. Supervision should be close in the

beginning to make sure the work is done correctly; it is discouraging for a volunteer to complete a task and then find out it was done wrong. The supervisor should be sure the volunteer has the tools necessary to do the work, such as sufficient desk space or access to a telephone or computer.

In some cases more extensive training may be required. Here are two examples of land trust programs that have been established. These programs may have evolved since this writing.

- Sanibel-Captiva Conservation Foundation trains volunteers to serve as trail guides on its properties. After an introductory training course, each new guide is teamed for one month with an experienced trail guide to gain practical experience. Experienced guides may also attend the training courses as refreshers.
- The Forest Society in New Hampshire provides intensive training for its environmental education docents, who attend courses twice a week over a two-month period.

Volunteer training should be an ongoing activity. Where appropriate, volunteers should be invited to attend workshops and conferences and should be included in staff training sessions. Volunteers should be kept informed of changes in organizational policies and procedures and of new programs. This helps them feel part of the organization, allows them to represent the land trust more effectively and informs them of new volunteer opportunities.

Supervising the work

Supervision provides an opportunity to assess the volunteer's work, to address any problems that may arise, and to determine whether there is a good match between the volunteer and job. Supervisors may be board members, staff or other volunteers. Ideally, one person should be given the responsibility of coordinating the volunteer program. In some cases, the job of administering it on a day-to-day basis is given to a volunteer.

Without supervision, volunteers also pose a risk to the organization in their demeanor or behavior. One land trust received a complaint that a volunteer had sexually harassed a participant in the land trust's special event. The land trust was able to deal with the problem quickly and decisively because someone was clearly in charge and responsible for making decisions. The volunteer was immediately interviewed and dismissed from the volunteer position.

The supervisor should meet regularly with the volunteer to assess the progress made (as measured against goals outlined in the job description) and to identify areas requiring attention. Records should be kept of volunteer activities and accomplishments for use in future job placement. Volunteers should be told when they are not meeting the requirements of the job and either be given additional training, offered another position or (as tactfully as possible) relieved of their responsibilities. Volunteers who leave the organization should have exit interviews to help identify areas where the volunteer

program needs strengthening.

The approach to supervision varies with the type of work involved. The work of some volunteers is closer to pro bono consulting work than what is traditionally considered volunteer work. Obviously attorneys, land planners or naturalists donating their time to accomplish work in their field should not be supervised the same way as volunteers cooking at a special event or leading trail hikes. Nevertheless, their work needs to be supervised and evaluated.

Recognition—the most essential step

Volunteers should be recognized frequently and in a variety of ways. Thanks may be informal, such as writing an informal note of thanks or taking the volunteer to lunch. But it should also be formal. Examples of recognition include certificates, award dinners or picnics. The Forest Society gives “Volunteer of the Year” awards at its annual meeting. The Wildlands Conservancy holds an end-of-year thank-you party as an open house at its educational center. One Florida land trust held a sunset cruise to honor its volunteers. The Island Heritage Trust in Maine thanked volunteers at a ceremony in which they received copies of a beautiful poster of the area. Many land trusts feature volunteers’ accomplishments in their newsletter and sometimes in the local paper. Volunteers may be invited to special social and educational events. Some volunteers may be interested in pursuing a volunteer career ladder that offers increased responsibility, the chance to do more interesting work and promotion to leadership positions, such as volunteer coordinator or director.

Perhaps most important of all, volunteers should be thanked at the end of the day for their help—a simple but very effective form of recognition.

Evaluating the Program

Land trusts should periodically evaluate the work being completed by volunteers, and the comments of volunteers and staff, and assess the success of the volunteer program. Is the use of volunteers improving the land trust’s program? If not, what is the problem? How can the program be improved? The land trust might look at how other organizations use their volunteers and adapt ideas where appropriate.

Sample Materials from Land Trusts

- [Lakes Region Conservation Trust \(NH\) – Volunteer Opportunities](#)
- [Save the Prairie Society \(IL\) – Member Survey Update](#)
- Society for the Protection of New Hampshire Forests
Nature Trail Guide
Volunteer Job Descriptions: [Identification of Property Owners](#) & [Field Work](#)
- Yakima Greenway Foundation (WA)

[Greenway Volunteers Are Special \(recruitment materials\)!
Volunteer Application](#)

Practice 7C: Staff

- If the land trust uses staff, each staff member has written goals or job descriptions and periodic performance reviews. Job duties or work procedures for key positions are documented to help provide continuity in the event of staff turnover.
-

Staff help provide organizations with capacity to take on certain projects and with specific technical skills. When hiring staff, written job descriptions are important. The process of writing a job description helps evaluate whether the duties assigned to that person are reasonable. Job descriptions protect employees, outlining what is expected of them and providing a basis for evaluation. Likewise, a job description protects the organization by making sure that the responsibilities are not disputed. Key staff should periodically document the processes they use to carry out their responsibilities and the lessons they have learned in developing or implementing programs. This documentation helps organizations learn and grow, and makes transitions to new staff easier.

Job Descriptions

A job description forms the basis for hiring and evaluating a staff person. A job description generally is an overall description of the job, details on who will supervise the person, and a list of specific job responsibilities and functions. The job description may make it clear if the position requires night or weekend work, or other specific job requirements.

It is easy to overlook the importance of job descriptions in the haste to hire more staff or in a smaller, less structured organization. However, the process of writing the job description can be instructional, and the job description protects both the employee and the organization.

When the land trust writes the job description, it is able to clarify exactly what the requirements of the position are and what are its specific job duties. This often reveals the qualifications of the person who should be hired. It also helps provide a check to ensure that the duties assigned to the person are realistic for one person to manage. It may also help clarify the job description of other staff that interact with the new position. Job descriptions are not static and should be updated periodically.

The job description helps protect the employee by giving him or her a clear sense of what is required and how he or she may be evaluated. It clarifies the supervisory and reporting structure for the employee. For the organization, it helps ensure that employees have a clear understanding of their tasks.

Documenting the Work

In order to plan for succession and possible back up for key responsibilities, it is helpful to document the key job responsibilities and actions for certain staff. The type of documentation and level of detail will vary by position. Here are a few examples.

- Having a written procedure of how incoming mail, including checks, should be stamped and sorted so that a temporary staff person could step into that role for a day without causing an interruption in mail delivery or the processing of checks.
 - Documenting easement monitoring procedures so that an incoming easement steward has a checklist of job responsibilities to work from, or to share with other volunteers that may help with stewardship responsibilities.
 - Keeping track of the donor calls, visits and contacts made by the executive director in the event the director is called away or is ill, allowing someone else to step in and maintain contact with key donors.
-

Links to Other LTA Resources

- [“Hiring Staff—A Primer for Boards and Executive Directors”, *Exchange*, Spring 1996 \(Vol. 15 No. 2\)](#)
- [Land Trust Alliance – Employee Performance Evaluation](#)

Other LTA Publications

- [LTA’s *Land Trust Jobs & Salaries* InfoPak includes sample job descriptions and hiring guidelines](#)

More Helpful Publications

- For more information on job descriptions, see *Managing a Nonprofit Organization in the Twenty-First Century*, by Thomas Wolf and Barbara Carter, 1999. Published by Simon & Schuster Inc.

Sample Land Trust Job Descriptions

- [Coalition for Buzzard’s Bay \(MA\) – Position Available: Communications and Outreach Coordinator](#)
- [Columbia Land Trust \(WA\) – Development Director Job Description](#)
- [Elkhorn Slough Foundation \(CA\) – Land Manager](#)
- [Grand Traverse Regional Land Conservancy \(MI\) – Position Description: Land Protection Specialist](#)

- [Green River Valley Land Trust \(WY\) – Job Description: Executive Director](#)
- [Quoddy Regional Land Trust \(ME\) – Job Description: Stewardship Coordinator](#)
- [River Fields \(KY\) – Land Conservation Manager Position Description](#)
- [Skagit Land Trust \(WA\) – Job Description: Executive Director](#)
- [Southern Appalachian Highlands Conservancy \(NC\) – Position Title: Director of Land Protection](#)
- [Sudbury Valley Trustees \(MA\) – Job Description: Ranger/Biologist](#)
- [Washtenaw Land Trust \(MI\) – Position Announcement: Director of Marketing and Development](#)
- [Wildlands Trust of Southeastern Massachusetts – Job Description: Staff Assistant](#)
- [Wood River Land Trust \(ID\) – Stewardship Coordinator Position Description](#)

Practice 7D: Availability of Training and Expertise

- Volunteers and staff have appropriate training and experience for their responsibilities and/or opportunities to gain the necessary knowledge and skills.
-

A land trust should seek volunteers and staff who have appropriate training or experience to carry out its work or a willingness to learn new skills. Where volunteers and staff are lacking certain skills, the land trust should ensure they gain them by providing access to training and education opportunities. In addition, the land trust should make provisions for ongoing or in-service training to allow board, staff and volunteers to keep skills and knowledge current as the land trust's needs change and as the land conservation field evolves.

Much land trust work involves technical matters, such as real estate and tax law, or is very specialized, such as conservation easements. Ensuring land trust personnel have expertise in these specialized areas is paramount. But opportunities for continuing education are important in other aspects of a land trust's work and for all land trust personnel. Training and education is vital in a wide array of nonprofit management activities, including communications and marketing, fundraising, financial management, staff supervision and management, board development, and nonprofit legal issues. Many leaders involved with land trusts, be they board or staff, have excellent technical skills but have little experience in the equally essential areas of management, leadership development and administration. Moreover, a land trust that does not have or build good fundraising and outreach skills may not even be able to obtain the resources to undertake a land protection program.

Sources of Training and Education

Land trusts should provide time and funding to allow staff, board and volunteers to take advantage of training and education opportunities. The land trust's annual budget should include funding for items such as the following:

- **Land Trust Alliance Sponsorship, Land Trust Alliance Rally and publications.** The Land Trust Alliance offers a variety of training, educational and networking opportunities. A Sponsor membership provides all land trust staff and board members with access to LTA's programs and services. This includes the quarterly professional land trust journal, *Exchange*, discounts on conferences and publications, and access to LTAnet, telephone consultation and networking. Land trusts should also budget to send land trust personnel to LTA's national land trust conference (the Land Trust Alliance Rally). At a minimum, the chief staff officer and/or the lead

staff person (if there is a staff) overseeing land protection and a board member, ideally the chairman, should attend.

- **Technical workshops and conferences sponsored by state and regional land trust service centers and other conservation organizations.** LTA field programs and state and regional land trust service centers offer many training opportunities. The Land Trust Alliance publishes a calendar of training opportunities on its website at www.landtrustalliance.org. Other national conservation organizations and statewide or regional land trust councils or associations may offer training opportunities locally and should be contacted directly.
- **Workshops and conferences sponsored by other professional organizations or consulting firms,** such as sessions on fundraising, management, communications, writing and editing, and desktop publishing. There are many nonprofit resource centers and community colleges that offer board development, financial management and other nonprofit workshops.
- **In-house lectures and seminars** that draw on specialized staff or outside expertise. A land trust might bring in an expert in planned giving to discuss how the land trust could use such techniques, or a lawyer with a specialty in liability to review state liability law and the land trust's risk management and assessment program.
- **In-house management consulting** either to provide management training or to deal with special management issues or problems confronting the land trust.
- **Educational materials,** such as films, videos, publications, and newsletters.
- **Tuition sharing or reimbursement** for university or community college courses in topics such as natural resource management, legal issues and nonprofit management.
- **Field trips** to project sites, other land trusts or the like.
- **Memberships in professional organizations.**
- **Meetings with other professionals in the same field.** Land trust personnel may be able to participate in or start formal or informal networking groups—of other land transaction professionals, land managers, fundraisers, chief staff officers, public relations staff, etc. Networking with people in the same fields is one of the best ways to learn.
- **Participation in a state or regional land trust network.** Many states or regions are served by a formal or informal regional network or service program that helps land trusts share information, coordinate activities and sometimes provide educational opportunities. Land trust staff and board members should participate in these networks.

Links to LTA Training and Conference Opportunities

- [Land Conservation Leadership Program](#)
- [Land Trust Alliance Rally](#)
- [Regional Training Opportunities](#)

Practice 7E: Board/Staff Lines of Authority

- If the land trust has staff, the lines of authority, communication and responsibility between board and staff are clearly understood and documented. If the board hires an executive director (or chief staff person), the board delegates supervisory authority over all other staff to the executive director. (See 3E.)
-

Nonprofit organizations with staff commonly struggle with confusion about lines of authority and areas of responsibility between the board and staff. In most organizations, the division of power is even and respected, but perceptions of responsibility and authority sometimes shift as board and staff interact and conduct their work. Sometimes a board dominates the organization, taking on many of the day-to-day management decisions and relegating the staff to a minor role. Sometimes a board is passive, leaving the staff to define organizational policies as well implement them. A land trust needs to do its best to be sure that responsibilities and lines of authority are clear. Failure to do so risks confusion, mistakes and problems with internal morale. One of the standard rules of nonprofit management is that the board has authority to hire, oversee and fire the executive director (or chief staff person) and that the executive director has the power to hire, oversee and fire the rest of the staff. This is essential for the executive director to be able to manage the work of the organization effectively. In land trusts where board members serve in the dual capacity of board and volunteer staff, it is advisable that these board members' staff roles be clearly defined and that, in their staff capacity, they report directly to the executive director or other appropriate staff member and do their work as volunteer staff, not as board members.

Roles of Board and Staff

There is no absolute definition of the roles of board and staff. Roles depend on the composition of the board, the size of the staff, the resources available to the organization, the scope of its mission, its age, and the personalities of the individuals involved. This section presents some of the common thinking on the subject, but land trusts should adapt the ideas to fit their own situations. Peter Drucker, one of the country's leading management experts, says:

What are the respective tasks of the board and the executive officer? The conventional answer is that the board makes policy and the executive officer executes it. The trouble with this elegant answer is that no one knows (or has ever known) what policy is, let alone where its boundaries lie. As a result, there is constant wrangling, constant turf battles, constant friction. (*Nonprofit Management & Leadership*, Vol. 1, No. 1, Fall 1990.)

Board roles

One interesting book on board governance, *Boards that Make a Difference*, suggests that

the board should determine what needs the organization should meet (what “ends” it is trying to attain) and what limitations the board places on the means for achieving those ends. Under this approach, it is the board’s responsibility to establish policies defining organizational ends and limitations, to approve programs that implement those policies while observing the limitations imposed, and to determine—through ongoing monitoring of performance and goals—whether the ends are being achieved or the limitations exceeded. This approach works well when the land trust has staff. If it does not have staff, board members must set policy and also act as staff implementing the policies.

Overall, with a staffed organization, the board should focus more on the general than the specific, should address categories or classes of difficulties rather than individual problems, should involve itself with long-range development of the organization rather than short-term management, and is responsible for evaluating the land trust’s programs from the perspective of community needs and expectations. Most important, the board should play a major role in keeping the organization’s overall mission in focus as policies and programs evolve to meet changing conditions.

More specifically, typical board roles for organizations with staff include the following:

- Establishing and modifying long-term goals and policies;
- Providing oversight to ensure the organization is managed in a manner consistent with its mission and financial resources;
- Approving major organizational plans and actions;
- Selecting and evaluating the chief staff officer against his job description;
- Assuming a major role in fundraising and community outreach activities; and
- Performing volunteer services for which individual board members are particularly well suited by training or experience.

For more on the board’s role, see standard 3.

Staff roles

The chief staff officer’s primary functions are generally considered to include overall responsibility for management of the organization and the development of policy options for board consideration. Specific responsibilities include the following:

- Providing the board with the information necessary to decide on the relative merits of various policy options;
- Keeping the board informed of program accomplishments and problems;
- Keeping low-level issues off of the board’s agenda;
- Hiring staff, serving as an intermediary between the board and staff, assessing staff performance, and resolving staff conflicts;
- Overseeing the implementation of programs and administrative procedures that help the organization fulfill its mission;
- Providing day-to-day direction and focus for the work of the organization; and
- Working with the board chair to develop and carry out board orientation, training

and development and to plan board meetings.

The chief staff officer treads a fine line in his relationship with the board. He or she holds his/her position at the discretion of the board and is charged with carrying out its wishes. At the same time, the chief staff officer knows more about the organization's work and operations than any board member. He or she controls, to great extent, the amount and type of information that reaches the board. By developing and analyzing options, the chief staff officer takes an active role in formulating policy.

Chief staff officers, to be effective, must consider board relations one of their primary responsibilities and devote the necessary time to have an effective, productive and cooperative relationship with the board.

Written Job Descriptions for All Parties

It is helpful to define the formal roles of board and staff in writing. Written job descriptions for board members, descriptions for committee responsibilities and a job description for the chief staff officer (called chief staff officer henceforth) go a long way toward identifying any overlapping functions or gaps and making authority and responsibility clear. The written statements can also be used as a basis for negotiating conflicts between board and staff when questions of responsibility and authority are involved. See also 3B and 7C for more on job descriptions.

The board's job description should be written and approved by the board itself and made available to all board members and staff. It should be reviewed regularly and updated as changes in programs and policies or the addition of staff require the board's role to be reviewed.

The board should prepare the chief staff officer's job description before he or she is hired. A chief staff officer hired without a written job description should develop one and take it to the board for review and approval. The absence of a job description makes it easier for an assertive board to erode the executive director's authority or, conversely, for a strong executive director to usurp the board's functions.

The chief staff officer in turn should be responsible for seeing that job descriptions are prepared for the rest of the staff and that the lines of authority between board, executive director and staff are clear.

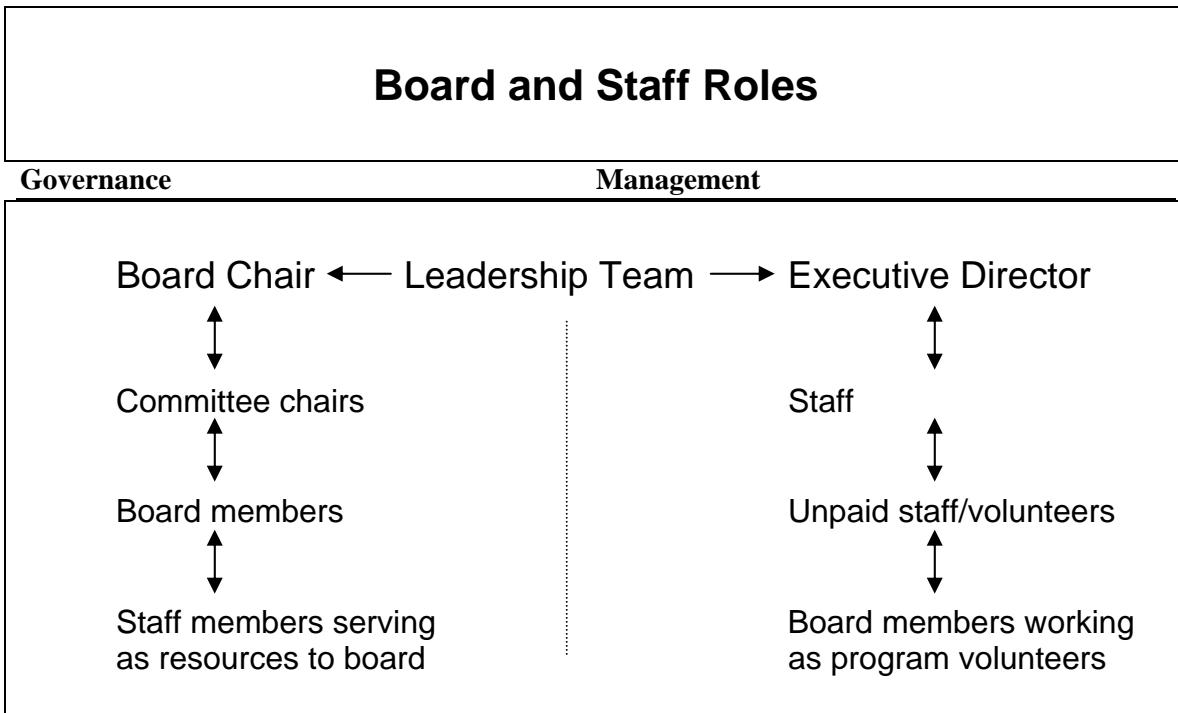
Lines of Supervision

One of the cardinal rules of nonprofit management is that the board has authority to hire, oversee, and fire the chief staff officer and that the chief staff officer has the power to hire, oversee, and fire the rest of the staff. This is essential for the chief staff officer to be able to truly manage the work of the organization. The board should not tell the chief

staff officer whom to hire, nor should it tell staff other than the chief staff officer what work to do.

Some of the most severe management problems in nonprofits are created by staff trying to circumvent the chief staff officer by dealing with the board, or by the board undermining the authority of the chief staff officer by mandating specific actions regarding the staff. In fact, some authorities on this subject suggest that generally the chief staff officer should be the only person to have individual contact with the board and that staff should inform the chief staff officer of any contacts with the board, in writing, with a copy of the memo to the board member involved. This may be too rigid and impractical for most land trusts, but it does emphasize the importance of establishing and following clear lines of authority, from the board to the chief staff officer, and then from the chief staff officer to the staff.

In land trusts where board members serve in the dual capacity of “board” and “volunteer staff” because of staffing limits or because of a need for certain board members’ expertise, it is advisable that these board members’ staff roles be clearly defined and that, in their staff capacity, they report directly to the chief staff officer, or perhaps another appropriate staff person.



Links to Other LTA Resources

- [Board Chair and Executive Director: The Critical Relationship \(Part 1\) – Rally 2004](#)

[workshop](#)

- [Board Chair and Executive Director: The Critical Relationship \(Part 2\) – Rally 2004 workshop](#)

Helpful Publications

- For further discussion of the ends and limitations approach to board governance, see *Boards that Make a Difference: A New Design for Leadership in Nonprofit and Public Organizations*, by John Carver, 2nd edition, 1997. Published by Jossey-Bass, Inc.

Sample Materials from Land Trusts

- Vermont Land Trust
[Board-Staff Relationship: Delegation to the President](#)
[Executive Limitations: Communication and Counsel to the Board](#)

Sample Land Trust Board Member Job Descriptions

- [Barrington Hills Conservation Trust \(IL\) – Board Member Responsibilities](#)
- [Marin Agricultural Land Trust \(CA\) – Job Description for MALT Board Members](#)
- [Orient Land Trust \(CO\) – Position Description: Board of Directors](#)
- [The Nature Conservancy – Statement Of Roles And Responsibilities Of The Conservancy’s Volunteer Leadership And Boards](#)

Sample Land Trust Staff Job Descriptions

- [Coalition for Buzzard’s Bay \(MA\) – Position Available: Communications and Outreach Coordinator](#)
- [Columbia Land Trust \(WA\) – Development Director Job Description](#)
- [Elkhorn Slough Foundation \(CA\) – Land Manager](#)
- [Grand Traverse Regional Land Conservancy \(MI\) – Position Description: Land Protection Specialist](#)
- [Green River Valley Land Trust \(WY\) – Job Description: Executive Director](#)
- [Quoddy Regional Land Trust \(ME\) – Job Description: Stewardship Coordinator](#)
- [River Fields \(KY\) – Land Conservation Manager Position Description](#)
- [Skagit Land Trust \(WA\) – Job Description: Executive Director](#)
- [Southern Appalachian Highlands Conservancy \(NC\) – Position Title: Director of Land Protection](#)
- [Sudbury Valley Trustees \(MA\) – Job Description: Ranger/Biologist](#)
- [Washtenaw Land Trust \(MI\) – Position Announcement: Director of Marketing and](#)

Development

- [Wildlands Trust of Southeastern Massachusetts – Job Description: Staff Assistant](#)
- [Wood River Land Trust \(ID\) – Stewardship Coordinator Position Description](#)

Practice 7F: Personnel Policies

- If the land trust has staff, it has written personnel policies that conform to federal and state law and has appropriate accompanying procedures or guidelines.
-

A sound set of personnel policies is essential for land trusts with staff. Written policies provide guidelines for dealing with employees in an equitable manner, clarify employee/employer roles and responsibilities, assure employees of due process in employment-related disputes, and provide a degree of legal protection for the land trust in case of employee lawsuits. A formal policy may be a brief document meeting legal requirements, backed up by more detailed procedures for everyday operations. As land trusts grow, their personnel policies and procedures tend to become more detailed. However, organizations with only one or two staff are still advised to put their basic personnel benefits, board and staff roles, and grievance procedures in writing.

Benefits of Written Personnel Policies

A sound set of personnel policies is essential for land trusts with staff. Written policies provide a number of benefits:

- They provide guidelines for dealing with employees in an equitable manner, serving as the foundation of good employee relations;
- They clarify employee/employer roles and responsibilities;
- They assure employees of due process in employment-related disputes; and
- They provide a degree of legal protection for the land trust in case of employee lawsuits.

In the absence of written policies, an organization's personnel procedures are subject to a wide variety of interpretations that may change depending upon the situation and the people involved. This may result in inequitable treatment of employees, strained employee relationships, and a decrease in employee motivation and loyalty. At worst, the result could be lawsuits against which the land trust has a poor defense.

Developing Personnel Policies

Personnel policies should be developed with the involvement of the entire staff and should be formally approved by the land trust board. Some organizations have a board personnel committee undertake the development of these policies. After approval, the written policies should be distributed to the board and staff and should be equitably applied. Policies should be updated as necessary to respond to changing conditions.

Personnel policies should be integrated with other organizational planning. Decisions on

wages and benefits must take budget projections into account; proposed changes in staffing policies should be evaluated for their effect on existing or proposed programs. In developing personnel policies, the land trust also should consider current policies and practices; commitments already made to staff about salaries, hours or benefits; input from the staff; and the personnel policies of other nonprofit organizations in the area of similar size and complexity.

What Personnel Policies Contain

Each land trust must tailor its policies to its own needs and circumstances. The policies' scope depends in part on the number of staff and the range of the land trust's programs. A land trust with one or two staff should have some written policies, even if they are simple. These policies may spell out the terms and conditions of employment and other basic procedures. As the land trust grows in staff, its personnel policies tend to cover more subjects. The region in which the land trust is located affects certain policies, such as hours of employment, compensation scales and employee benefits.

Topics covered in personnel policies include the following:

- **Hiring procedures.** This may include nondiscrimination or affirmative action statements and categories of employment (full-time, part-time, temporary, consultant).
- **Hours and conditions of employment.** This may include the length of the workweek and workday for each category of employee, conditions for modifying these hours, if any, and the holidays observed.
- **Compensation and benefits.** Policies should establish how salaries are set and by whom. The chief staff officer should set individual salaries, except that the board should set his or her salary. The personnel policies may include a general statement of principle, such as that salary increases are based on performance rather than length of employment. This section of the policies also may include:
 - Provisions for overtime and compensatory time;
 - Mandated benefits including unemployment compensation and Social Security;
 - Optional benefits including health insurance, a retirement plan and disability insurance; and
 - Types of paid and unpaid leave, including annual leave, sick leave, administrative leave, leave of absence, parental leave, and professional leave—including how leave is accrued and procedures for using it.

Land trusts often have seasonal work—especially in areas with summer or winter

residents. It may be advisable to limit the number of vacation days during key seasons and to place limitations on the number of staff that can be on leave at one time.

- **Employee evaluation and promotion.** This may include performance review schedules, documentation of evaluations, use of evaluations in promotions, salary increases and terminations, and use and length of probationary periods.
- **Employee training.** This may cover opportunities for training and development, and tuition reimbursement policies.
- **Termination of employment.** This may cover possible causes of termination, procedures under which employees may be terminated, procedures for resigning, and eligibility for severance pay and other benefits.
- **Conflict of interest.** This may include staff guidelines for outside employment or employment of relatives, and guidelines for acceptance of gifts or other gratuities from donors, vendors and the like.
- **Grievances.** This usually includes procedures for appealing salary level, performance reviews, promotions, terminations, and other issues.

In developing its personnel policies, the land trust should consult an attorney knowledgeable about employment law in the state. Federal, state and local laws govern a wide range of employment issues, including wages and hours, compensation for overtime, hiring of minors, working conditions, provisions for withholding payroll taxes, access requirements for the disabled, proof of citizenship, prohibition against sexual harassment, and nondiscrimination. Unless the land trust is exempted (because it doesn't have the threshold number of employees, for example), it must conform to all applicable laws. Court decisions concerning employee rights at the federal and state level should also be taken into account. Lawsuits resulting from employment are the single most common type of lawsuit brought against nonprofit organizations. Land trusts should be sure their policies are legal and sound.

Sample Land Trust Personnel Policies

- [Gathering Waters Conservancy \(WI\) – Personnel Policies and Employee Handbook](#)
- [Land Trust of Napa County \(CA\) – Policy Manual for Board and Staff Members](#)
- [Lowcountry Open Land Trust \(SC\) – Personnel Manual](#)
- [Our Nonprofit \(fictitious land trust\) – Personnel Policies](#)
- [Sudbury Valley Trustees \(MA\) – Employee Handbook](#)

Other Materials from Land Trusts

- [Vermont Land Trust – Executive Limitations: Staff Treatment](#)

Practice 7G: Compensation and Benefits

- If the land trust has staff, it provides fair and equitable compensation and benefits, appropriate to the scale of the organization.
-

Every nonprofit organization struggles to provide fair compensation to its staff. Often, it is possible to find staff willing to work for lower compensation because they are committed to the mission, or a volunteer willing to serve as staff with no pay. However, a land trust should be financially prepared to pay market rate for these positions in the future to meet its responsibilities. As the land trust community continues to mature, it is important to retain qualified staff and maintain the credibility of the profession by providing reasonable compensation to employees. On the other end of the spectrum, the IRS is increasing its investigations into compensation that exceeds the norm. Excessive executive compensation, in particular, is subject to more scrutiny. To understand what compensation norms are in the land trust's region of operation, it should periodically review what other comparable nonprofits are paying or access LTA's periodic salaries and benefits surveys.

Establishing Fair and Equitable Compensation and Benefits

A land trust should take care that it provides fair and equitable compensation and benefits. This is important for building and retaining a strong staff, and for making sure that compensation is not unreasonable. There are several ways a land trust might evaluate what compensation and benefits may be appropriate in their region of operation.

- **Review Land Trust Alliance data.** The Land Trust Alliance periodically publishes the results of surveys of the salaries paid by land trusts for various positions and the benefits provided.
- **Contact other nonprofits in the region.** Other conservation organizations and similar nonprofits in the land trust's region may be willing to share general information on their compensation ranges and benefits.
- **Research specific job titles.** For information on salaries for specific jobs that go beyond LTA's survey, contact land trusts in similar regions of the country with the same job titles.

The Internal Revenue Service is increasingly examining the salary of top executives that appear excessive in relation to other similarly compensated individuals in the same field. One source for examining executive compensation in specific organizations is to review the most recent federal [Form 990](#) on file with the IRS. These can be viewed at www.guidestar.com. The Form 990 requires the listing of the top five staff that are

compensated with more than \$50,000 annually, and the compensation of certain officers.

Each land trust should establish compensation and benefits that it feels are competitive in the market, and that will retain staff. It should periodically conduct a review of its compensation and benefits.

Links to Other LTA Resources

- [Jobs and Salaries InfoPak, 2004](#). This LTA InfoPak provides an overview of many of the jobs that exist within land trusts
- [“Salaries and Benefits Rise for Land Trusts’ Staff”, Exchange, Winter 2003 \(Vol. 22 No. 1\)](#)
- [“A Snapshot of Land Trust Salaries and Benefits”, Exchange, Fall 1998 \(Vol. 17 No. 4\)](#)
- [“Survey Shows Increasing Salaries and Benefits for Land Trust Staffs”, Exchange, Winter 2001 \(Vol. 20 No. 1\)](#)

Links to Other Helpful Resources

- [GuideStar – since 1994, focused on facilitating access to information about the operations and finances of nonprofit organizations.](#)
- [IRS Form 990 – Return of Organization Exempt from Income Tax](#)

Sample Materials from Land Trusts

- [Vermont Land Trust – Executive Limitations: Compensation and Benefits](#)

Practice 7H: Working with Consultants

- ❑ Consultant and contractor relationships are clearly defined, are consistent with federal and state law, and, if appropriate, are documented in a written contract. Consultants and contractors are familiar with sections of *Land Trust Standards and Practices* that are relevant to their work.
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Consultants and contractors can provide important skills to a land trust. Contractor relationships and deliverables should be clearly delineated; it is often helpful to define this relationship through a written contract. If a contractor is assuming many of the roles of a staff person, the land trust should clarify contractor v. employee status, and consult the appropriate federal and state labor and employment statutes. Contractors in certain positions can impact the credibility of the land trust's land conservation work. These contractors should be familiar with the *Land Trust Standards and Practices* that are relevant to their work. This is particularly true of contractors assisting with fundraising, financial management, land transactions, or stewardship.

Choosing a Contractor or an Employee

The choice between a contractor and an employee is often simple, especially for very time-sensitive jobs. When a contractor assumes many of the responsibilities of a staff person, the land trust should examine state and federal law governing contractors.

The Internal Revenue Service provides criteria for use when assigning individuals employee or independent contractor status. Individuals qualifying as an independent contractor will often sign an Independent Contractor Agreement and should be issued an IRS Form 1099 if total compensation in any one year is \$600 or more. The following are guidelines for determining employee versus independent contractor status:

1. **Instructions.** A person who is required to comply with instructions about when, where and how to work is ordinarily an employee.
2. **Training.** Training of a person by an experienced employee or by other means is a factor of control and indicates that the worker is an employee.
3. **Integration.** Integration of a person's services into the business operations generally shows that the person is subject to direction and control and, accordingly, is an employee.
4. **Services rendered personally.** If the individual employed must render the services personally, it suggests an employer-employee relationship. Self-employed status is indicated when an individual has the right to hire a substitute without the employer's

knowledge.

5. **Hiring, supervising and paying assistants.** The hiring, supervising and paying of assistants by the employer generally indicates that all workers on the job are employees. Self-employed persons generally hire, supervise and pay their own assistants.
6. **Continuing relationship.** The existence of a continuing relationship between an individual and the organization for which the individual performs services is a factor tending to indicate the existence of an employer-employee relationship.
7. **Set hours of work.** The establishment of set hours of work by the employer is a factor indicating control and, accordingly, the existence of an employer-employee relationship. Self-employed persons are “masters of their own time”.
8. **Full time required.** If workers must devote full time to the business of the employer, they ordinarily will be employees. A self-employed person, on the other hand, may choose for whom and when to work.
9. **Doing work on employer’s premise.** Doing the work on the employer’s premises may indicate that the worker is an employee, especially if the work could be done elsewhere.
10. **Order or sequence of work.** If workers must perform services in an order or sequence set by the organization for which they perform services, it indicates that the workers are employees.
11. **Oral or written reports.** A requirement that workers submit regular oral or written reports to the employer is indicative of an employer-employee relationship.
12. **Payments by hour, week, month.** An employee usually is paid by the hour, week or month, whereas a self-employed person usually is paid by the job on a lump-sum basis (although the lump sum may be paid in intervals in some cases).
13. **Payment of business expenses.** Payment by the employer of the worker’s business or travel expenses suggests that the worker is an employee. Self-employed persons usually are paid on a job basis and take care of their own business and travel expenses.
14. **Furnishing of tools and materials.** The furnishing of tools and materials by the employer indicates an employer-employee relationship. Self-employed persons ordinarily provide their own tools and materials.
15. **Significant investment.** The furnishing of all necessary facilities (equipment and premises) by the employer suggests that the worker is an employee.

- 16. Realization of profit or loss.** Workers who are in a position to realize a profit or suffer a loss as a result of their services generally are self-employed, while employees ordinarily are not in such a position.
- 17. Working for more than one firm at a time.** A person who works for a number of persons or organizations at the same time is usually self-employed.
- 18. Making services available to the general public.** Workers who make their services available to the general public are usually self-employed. Individuals ordinarily hold their services out to the public by having their own offices and assistants, hanging out a “shingle” in front of their office, holding a business license, and advertising in newspapers and telephone directories.
- 19. Right to discharge.** The right to discharge is an important factor in indicating that the person possessing the right is an employer. Self-employed persons ordinarily cannot be fired as long as they produce results that measure up to their contract specifications.
- 20. Right to terminate.** Employees ordinarily have the right to end the relationship with the employer at any time they wish without incurring liability. A self-employed person usually agrees to complete a specific job and is responsible for its satisfactory completion or is legally obligated to make good for failure to complete the job.
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Selecting a Contractor and Securing a Contract

In many situations, it is advantageous for the land trust to prepare a written description of the work to be performed (often called a “scope of work”) and to solicit bids from several contractors on this scope of work. That way, the land trust can evaluate the approach to the project that a certain contractor will use and compare costs.

In some organizations, fiscal controls (see practice 6E) will require bids for projects above a certain amount. For instance, three bids may be required for projects that will exceed \$5,000.

Contracts should specify the work to be completed, the completion dates and payment schedules. Contracts may contain language that allows the right to withhold payment until the job has been completed to the land trust’s satisfaction. An attorney should review any contract language.

Land Trust Standards and Practices

The land trust should use its judgment in determining which contractors should be familiar with which sections of *Land Trust Standards and Practices*. Clearly, the

plumber or person hired to clean the office will not need to be aware of any particular standards or practices. However, attorneys working with the land trust on land projects or employment issues, financial managers and land planners would all benefit by being knowledgeable about the standards and practices relevant to their work with the land trust.

Links to Helpful Resources and Publications

- [How to Hire a Consultant, Dyson Foundation.](#)
- [IRS information – Independent Contractors vs. Employees](#)
- [Sample Request for Proposal – Management Assistance Program for Nonprofits](#)

° This example can be used as a starting point to create a policy or other document for your own land trust, but should be altered as necessary to reflect your organization's unique circumstances using guidance found in the *Land Trust Standards and Practices Guidebook* text and corresponding Standards and Practices Curriculum. This material is designed to provide accurate, authoritative information in regard to the subject matter covered. It is provided with the understanding that the Land Trust Alliance is not engaged in rendering legal, accounting, or other professional counsel. If legal advice or other expert assistance is required, the services of competent professionals should be sought.