



**Minutes**  
**RESNET Board of Directors Board Meeting**  
**February 21, 2010**  
**Raleigh, NC**

**Members Attending**

Ben Adams  
Steve Byers  
Dennis Creech  
Rick Davenport  
Lance DeLaura  
Brett Dillon  
Philip Fairey  
Richard Faesy  
David Goldstein  
Andy Gordon  
Tom Hamilton  
Michael Holtz  
Maci McDaniel  
Lee O'Neal  
Kelly Parker  
Javier Ruiz  
Orlo Stitt  
Greg Thomas  
Daran Wastchak  
Barb Yankie

**Staff Attending**

Steve Baden  
Faye Berriman  
Stephanie DeZee  
Laurel Elam  
Clinton Heyn  
Kathy Spigarelli

**Call to Order/Roll Call**

The meeting was called to order by Board President, Philip Fairey at 8:30 AM EST. Steve Baden conducted the roll call. Mark Jansen was granted an excused absence because his son is leaving for a second tour in Afghanistan.

**Welcome of New Board Members**

Philip Fairey recognized and welcomed the seven new Board members; Rick Davenport, Lance DeLaura, Brett Dillon, Maci McDaniel, Javier Ruiz, Orlo Stitt, and Greg Thomas

### **Approval of Agenda - Philip Fairey**

Motion- Lee O'Neal made a motion to approve the proposed agenda. Kelly Parker seconded the motion. The motion passed unanimously.

### **Introduction of New RESNET Staff - Steve Baden**

Steve Baden introduced RESNET's new staff members:  
Laurel Elam- Conference Coordinator/Program Manager  
Clinton Heyn- Quality Assurance Director  
Stephanie DeZee- Customer Support Specialist

### **Approval of October Board Minutes**

Michael Holtz requested that the COMNET section in the draft October meeting minutes be amended. Lee O'Neal made a motion to approve the amended minutes. Daran Wastchak seconded the motion. The motion passed unanimously. (*Attachment A*)

### **Presentation of Board President Awards**

Philip Fairey presented Daran Wastchak with an award for his work with the Quality Assurance Committee. Mr. Fairey also presented Kelly Parker with an award for his work with the new chapters of the RESNET Standards.

### **Accept RESNET 2009 Financial Statement**

Lee O'Neal reported that RESNET finances are doing well. Faye Berriman submitted RESNET's financial statement for 2009. Daran Wastchak made a motion to accept the financial statement. Barb Yankie seconded the motion. The motion passed unanimously.

### **Election of 2010 RESNET Board Officers**

Philip Fairey reported that the nominations committee recommends that David Goldstein be elected RESNET Board President, Mark Jansen be elected Vice President, Lee O'Neal be elected Treasurer, and Daran Wastchak be elected Secretary. Kelly Parker, Steve Byers and Michael Holtz served on the nominations committee.

Philip Fairey asked if any Board member wanted to nominate additional persons as Board officers. There were no names put forward.

Steve Byers made a motion to accept the slate of officers recommended by the committee. Michael Holtz seconded the motion. The motion passed. David Goldstein, Daran Wastchak and Lee O'Neal abstained.

### **In-Coming Board President Report**

David Goldstein reported that there are many new opportunities in the coming year. He spoke specifically about the following:

- Existing Homes- There are 100 million existing homes that need energy upgrades and that cost should be built into the mortgage.

- Commercial Buildings- It is important to get private industry and government involvement.
- Evaluation- Two ratings evaluating the same home with the HERS Index will only differ by 2 points.
- Long term financial planning

### **Adopt RESNET/COMNET Standing Committee & Appoint Committee Chair**

David Goldstein and Michael Holtz reported on RESNET/COMNET efforts and the importance of creating a RESNET/COMNET Standing Committee. (*Attachment B*) Michael Holtz also reported on the progress of the COMNET working group.

Michael Holtz made a motion to create a COMNET Standing Committee to develop a formal plan for integrating commercial building energy performance issues into RESNET. The Committee shall be made up of the major stakeholders who have been and are involved in the COMNET effort as well as RESNET staff and Board members. The motion was seconded by Javier Ruiz.

Friendly Amendment: Philip Fairey proposed a friendly amendment to remove the word “Board” from standing committee so that anyone from RESNET can be on committee. Both the proposer and the person seconding the motion agreed to the change as a friendly amendment. The amended motion passed unanimously.

It was agreed that RESNET would seek a transfer of the copyright of the COMNET Guideline from the Energy Foundation. Additionally, as soon the copyright transfer was completed, RESNET will publish the COMNET Guideline as a RESNET Guideline and seek public comment on the document prior to proposing that it be adopted as a RESNET Standard. The COMNET Committee will propose a budget and activities for 2011 for consideration by the Board at its Fall Board meeting. Discussion ensued.

Michael Holtz submitted to the Board a formal letter of his resigned from the RESNET Board of Directors. (*Attachment E*) Mr. Holtz is resigning from the Board because he is no longer associated with Architectural Energy Corporation and currently holds a Software Provider seat.

Philip Fairey made a motion to appoint Charles Eley of Architectural Energy Corporation to serve the remainder of Michael Holtz’s term on the Board of Directors. Daran Wastchak seconded the motion. The motion passed unanimously.

Philip Fairey made a motion to elect Charles Eley as chair of the COMNET Standing Committee. Steve Byers seconded the motion. The motion passed unanimously.

### **Adopt RESNET Personnel Manual and Benefit Package**

Lee O’Neal reported on the development of RESNET’s Personnel Manual. (*Attachment C*) Philip Fairey, Kathy Spigarelli, Mark Jansen, Faye Berriman, Steve Baden, and Lee O’Neal (Chair) served on the RESNET Employee Handbook and Benefits Working Group. The personnel manual was sent to the Board prior to meeting for review and Board members were asked to put comments and changes in writing, then submit to Steve.

Daran Wastchak made a motion to approve with the understanding that the Executive Committee will review changes and if there are substantial changes then a lawyer will need to

participate. The Executive Committee will be responsible for reviewing the document in the future. Kelly Parker seconded the motion. The motion passed unanimously.

Lee O'Neal reported on the Employee Benefits Package. (*Attachment D*) Worker Compensation will be based on the state in which the employee works. The RESNET Employee Handbook and Benefits Working Group reviewed three options for the employee retirement plan and concluded that the Safe Harbor plan with Matching Contribution to be the best option for RESNET.

Brett Dillon made motion to approve the benefit plan. Lance DeLaura seconded the motion. The motion passed unanimously.

### **Executive Session - Evaluation of Executive Director**

An executive session of the Board was held to discuss the Executive Director's performance appraisal by the Executive Committee and consider the Executive Committee's recommendation for a bonus and new contract for the Executive Director.

A motion was made by Lee O'Neal and seconded by Brett Dillon to approve the Executive Committee's recommended bonus. The motion passed unanimously.

A motion was made by Lee O'Neal and seconded by Andy Gordon to approve a new 2-year contract for Steve Baden as Executive Director, effective April 1, 2010. The motion passed with an abstention by Lance DeLaura.

### **Engaging and Supporting the Retrofit Industry - The New RESNET Initiative**

Steve Baden made a presentation to the Board regarding the Retrofit Industry Initiative. Mr. Baden discussed a proposed partnership to engage the contractor community. After discussion the RESNET Executive Committee was tasked to re-negotiate the agreement and submit it back to the Board for consideration

Richard Faesy noted that the RESNET By-Laws state that the Executive Committee cannot sign a contract in an amount more than \$5,000 without Board approval. On review of Article V of the RESNET By-Laws it was determined that this restriction applies only to indebting the corporation, which is not the case in the instance under discussion since there was ample budget to carry out any necessary payment approved by the Executive Committee.

### **RESNET Technical Committee Report – Brett Dillon**

Brett Dillon, Chair of the Technical Committee, reported on the new subcommittees and members and the priorities for the upcoming year.

Subcommittees:

HVAC-

- Dennis Stroer, Chair
- Michael Lubliner
- Rob Salcido
- Jerry Lyle

Building Envelope-

- Bruce Harley, Chair
- Michael Stuart
- Rebecca Troutfetter
- Chulin Chao

Auxiliary End Uses-

- Philip Fairey, Chair
- Rob Salcido
- Michael Stuart
- Dean Gamble

Domestic Water Heating-

- Chulin Chao, Chair
- Dennis Stoer
- Jerry Lyle

Performance Testing-

- Michael Blasnik, Chair
- Abe Kruger
- Asa Foss
- Gary Nelson

Renewables-

- Rebecca Troutfetter, Chair
- Dave Roberts

The technical committee decided on priorities for the upcoming year and will develop a work plan based on the following priorities:

- Define Conditioned Floor Area
- Home Size Bias
- HVAC Commissioning and Controls
- Innovative Design Amendment- The technical committee approved this amendment and will now go to the Board.
- Florida Solar Energy Center's Proposal on Electrical Loads
- Realignment of HERS Reference Homes based on IECC

Mr. Dillon discussed the technical committee's process for amending standards and he will send the process flow chart to the Board for approval.

David Goldstein suggested the committee develop a transparent process for technical submittal with timelines.

### **RESNET Quality Assurance and Ethics Committee Report**

Daran Wastchak, Chair of the Quality Assurance and Ethics Committee, reported on the quality assurance changes in the RESNET Standards. Phase one included editorial corrections and the creation of Chapter Nine of the Standards. The changes have final approval, so Chapter Nine is officially adopted.

Phase Two includes more substantive changes and those changes are 90% complete. When the changes are finalized the standards will go through the public comment process and will then be voted on for approval. July 1<sup>st</sup> is the goal for completion for Phase Two.

Mr. Wastchak reported that the reimbursement policy for Providers which have “significant non-compliance issues” with their QA, while approved by the Board earlier in the year, will have a final revision once the Phase Two changes have been approved. This should address Board concerns about the new policy as it was originally written.

Clinton Heyn, Director of Quality Assurance, updated the Board on completed Quality Assurance renewals and reviews. March 31<sup>st</sup> will be deadline for annual Quality Assurance submittals. In the future, Mr. Heyn will send out request for submittals by December 31<sup>st</sup>. 25% of providers will have their in-field review during the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2010. Mr. Heyn gave an update on the EPA/QA agreement. The agreement will provide real-time feedback for what RESNET is doing with quality assurance and is a communication sharing agreement; if EPA or RESNET finds issues they will inform each other. The agreement will be sent to the Board for approval.

### **RESNET Training and Education Committee Report**

Kathy Spigarelli presented the report from the Training and Education Committee meeting held on February 20<sup>th</sup>. The committee work will focus on revising the categories on all national RESNET tests. A subcommittee was formed to more clearly define the definitions of the categories and to recommend any consolidation of categories. Subcommittee members are Doug Walters (chair), Neil Moyer, Dallas Jones, Kelly Parker, and Tei Kucharski. The subcommittee has a goal of April 30<sup>th</sup> to complete the definitions. The full committee will then add/delete categories per test and weighting of categories will be done in August. Determination of number of questions and their categories that need to be added to the tests will be done in September and then an RFQ will be sent out about development of new test questions. Questions will be reviewed at the 2011 RESNET Conference.

### **RESNET Standards Committee Report**

Michael Holtz reported on Standards Committee’s mission, composition, structure, process and issues.

The mission of the Standards Committee is:

Oversee the RESNET standards development, amendment, interpretation and maintenance process to ensure the highest quality consensus-based standards and compliance with ANSI and ISO procedures. Coordinate the regular review and republication of all RESNET standards. Coordinate interaction and cooperation with other standards making organizations relevant to RESNET’s mission.

The composition of the Standards Committee is:

General Interest-

Matt Golden, Sustainable Spaces  
Candace Lightner, Energy Smart Real Estate Professional  
Ed Mazria, Architecture 2030

Users-

Philip Fairey, FSEC  
Tom Fitzpatrick, Texas HERO

Michael Holtz  
Government-  
Pat Hudson, Michigan Energy Office  
Ed Pollock, U.S. Department of Energy  
Jim Ploger, NASEO

The structure of the Standards Committee is:

Board of Directors-  
Standards Committee-  
    Technical Committee  
    Quality Assurance and Ethics Committee  
    Training and Education Committee

The standards making process is:

Standards making committees create or amend standards following RESNET procedures (in compliance with ANSI and ISO Procedures), including appropriate notification of the standard development or amendment activity. Standards Committee reviews the proposed standard or standard amendment to ensure RESNET procedures and proper documentation / formatting have been followed, and if appropriate, recommends to the Board its release for public comment. Board authorizes release of the proposed standard or standard amendment for public comment. Proposed standard or standard amendment posted on the RESNET web site for public comment.

After public comment period, public comments assembled by RESNET staff and then sent back to the appropriate standard making committee for consideration / resolution. Standards making committees consider (respond to) all public comments, prepare a revised proposed standard or standard amendment, and returns it to the Board for consideration, and, if appropriate, approval. An appeals mechanism shall be available for the "impartial handling of procedural appeals", and any and all appeals shall be reported to the Standards Committee and to the Board.

Standards Committee reviews the revised proposed standard or standard amendment, including the process and results of public comment consideration / resolution and any appeals, and determines if another public comment period is required, or whether public comments and appeals have been adequately addressed, and thus can recommend to the Board that the proposed new standard or standard amendment be published as a RESNET Standard or Standard amendment. Board either authorizes another public comment period or adopts the proposed new standard or standard amendment. Staff publishes new or amended standard and places it on the RESNET web site.

Issues to address:

Compliance with ANSI Voluntary Consensus Standard-Making Procedures  
    Standards Making Process and Procedures  
    Standards Making Committee Composition  
Consistent Standard Format  
Revision and Republication Tracking

Michael Holtz made a motion that the Standards Committee shall develop a RESNET Standards Promulgation manual which will address in the process and procedures that RESNET will follow to create new standards or revise existing standards. This manual shall

ensure that the RESNET standards development and amendment process and procedures are in compliance with ANSI procedures. Philip Fairey suggested a friendly amendment to add ISO requirements. The motion passed unanimously.

Michael Holtz made a motion to have the standards committee investigate the costs and benefits of RESNET becoming an ANSI Accredited Standards Development Organization (SDO). The motion passed unanimously.

Ben Adams made a motion to elect Philip Fairey as Chair of the Standards Committee. Steve Byers seconded the motion. The motion passed unanimously.

### **Report of RESNET Board Labeling Working Group**

A labeling working group was formed at the last meeting on labeling and the members are Richard Faesy, Bill Prindle, Steve Byers, Ben Adams, Philip Fairey, Diane Ferrington, Jeff Lindberg, Phil Dunsky, David Heslam, Sean Penrith and Matt Delassio.

The working group completed an inventory of labeling programs and engaged in dialogue with DOE.

Steve Baden will convene a new taskforce at the appropriate time to deal with technical and visual labeling issues.

### **Update on National Building Registry**

Steve Byers gave an update on the National Building Registry. Mapping was completed in January and February. Additional registries for raters and quality assurance designees have been added to the scope and there is potential to expand the registry to include home energy survey professionals. Work that still needs to be completed is integration of addresses, formatting a rater spreadsheet and development of a software spreadsheet templates. Alpha testing will be completed after the conference and Beta testing to selected providers will be completed in 1-2 months.

### **Report from Department of Energy**

Ed Pollock gave a report from the Department of Energy. 2,500 homes have been constructed in the Builders Challenge program to date; 700 homes have been constructed since January of this year. Nine homes have been certified net-zero in a range of prices. Mr. Pollock announced that the Builders Challenge program will continue. Mr. Pollock encourages everyone to communicate to their representatives in Washington to educate them on who RESNET is and what RESNET does. The U.S. Department of Housing and Urban Development and the Federal Trade Commission are entering an MOU that will develop a national building label. Mr. Pollock also discussed the need for appraiser education on energy efficient homes.

### **Adopting New RESNET Mission Statement**

Richard Faesy presented recommendations for revisions to RESNET's mission and vision statements. (*Attachment F*)

Vision Statement Recommendation:



RESNET's vision is of a world that encourages and rewards minimizing building energy use through independent, performance-based building certification.

Mission Statement Recommendation:

RESNET's mission is to establish and maintain the standards of quality for evaluating building energy performance and increase the opportunity for ownership of high performance buildings.

Richard Faesy made a motion to accept the above recommendations on vision and mission statements. Lance LeLaura seconded the motion. The motion passed unanimously.

### **New Procedures for Accrediting Providers**

The Quality Assurance and Ethics Committee has two solutions, one short-term and one long-term, regarding procedures for accrediting providers. (*Attachment G*)

Short-term: Recommendation that the Training and Education Committee adopt the same application review process currently employed by the QA Committee, i.e. receive a copy of staff's completed checklist with notes and comments about each application. If the Committee sees any red flags, then the full application is sent to the Committee for a more thorough evaluation. This change should expedite the review process while maintaining Committee oversight of the approvals.

Long-term: As part of the QA Committee's Phase Two amendments, slated to go into effect on July 1, 2010, amend the Standards to create a new "Accreditation Committee" who shall be responsible for reviewing and approving all accreditation applications. The new committee shall be a "Standing Committee" of RESNET. As the Phase Two amendments are worked through further, the QA Committee will discuss the make-up of the new committee's membership to properly address the issues of conflict of interest and competitive issues.

Both have been approved, no vote is required.

### **Location of 2011 and 2012 RESNET Building Performance Conferences**

Laurel Elam reported on the locations of the 2011 and 2012 RESNET Conferences.

2011- Orlando, FL February 28- March 1 at the Hilton Disney

2012- Austin, TX February 27- March 1 at the Renaissance Austin

Meeting adjourned at 4:57 PM

# **ATTACHMENT A**

**DRAFT**  
**Minutes**  
**RESNET Board Fall 2009 Board Meeting**

Friday, October 9, 2009  
Indianapolis Embassy Suites Hotel

**Members Attending**

Ben Adams  
Steve Byers  
Richard Faesy  
Philip Fairey  
David Goldstein  
Tom Hamilton  
Bruce Harley  
Michael Holtz  
Mark Jansen  
C.T. Loyd  
Greg Nahn  
Lee O'Neal  
Kelly Parker  
Bill Prindle  
Robert Scott  
Daran Wastchak  
Erin Wiggins  
Barb Yankie

**Members Absent**

Dennis Creech  
Andy Gordon  
David Wilson

**Staff Attending**

Steve Baden  
Laurel Elam  
Kathy Spigarelli

**Call to Order**

President Philip Fairey called the meeting to order at 9:08 a.m. EDT and the roll was taken. There was a quorum for the meeting.

## **Approval of Agenda**

Kelly Parker made a motion to approve the agenda with addition of new business. Steve Byers seconded the motion. The motion passed.

## **Approval of February 15, 2009 Board Minutes**

Bruce Harley mentioned several editorial changes that needed to be made.

Kelly Parker made a motion to only include in the board meeting minutes that the board went into executive session and the items they discussed. Daran Wastchak seconded the motion. Greg Nahn suggested only including executive committee action items in the minutes. Bruce Harley proposed friendly amendment to keep the first paragraph in the executive session section of the minutes and to amend the third paragraph to remove dollar amount. Both Mr. Parker and Mr. Wastchak agreed to proposed friendly amendment. The question was called and the motion passed.

Mark Jensen made a motion to approve the amended meeting minutes. Barb Yankie seconded the motion. The motion passed. Attachment A is the revised minutes as adopted.

## **New Approach to Quality Assurance**

Daran Wastchak, chair of the of the Quality Assurance and Ethics Committee, made a presentation on the work of the committee and their new approach to quality assurance.

Mr. Wastchak discussed recent committee work and the proposed quality assurance standard changes. Phase one is devoted to editorial changes and moving various quality assurance sections from parts of various chapters in the RESNET Standards into a new Chapter Nine. An electronic ballot will be sent out about moving phase one to public review. Phase two will be devoted to policy changes.

Kelly Parker suggested when a policy is made there should be an effective date posted on the policy on the website. Philip Fairey agreed, stating that all official RESNET documents should contain a date.

## **COMNET Overview**

David Goldstein presented an overview of the COMNET effort for rating commercial buildings. COMNET will create a technical standard along with training and certification standard that can serve multiple needs. Discussion ensued. The presentation will be sent to the board as well as contact information for comments.

It was announced that RESNET has been asked to administer, at least for an interim period, COMNET after the standard has been drafted. RESNET staff will work with the COMNET team in proposing a management plan for housing COMNET within RESNET and report back to the board.

### **Status of National Building Registry**

Steve Byers made a brief presentation on the status of the National Building Registry. Phase one will be completed by the RESNET Conference in February 2010.

### **New Approach to RESNET Standards**

Michael Holtz, chair of the Standards Committee, made a presentation on committee's new approach to RESNET Standards. Presentation included mission, structure, issues and action items of the committee.

Daran Wastchak made motion that when chapters eight and nine of the RESNET Standards are final, a 2010 Standards edition be created rather than publishing them as addenda. Richard Faesy seconded. Motion unanimously approved.

### **Washington Update**

Steve Baden made a presentation on the legislative activity in Washington including the Retrofit for Energy and Environmental Performance rebate, the National combined Energy and Renewable Energy Portfolio, and Senate bill 1637. Discussion ensued.

### **Adopt 2010 RESNET Priorities**

Philip Fairey presented the proposed 2010 RESNET Priorities. After discussion it was agreed that board members would have one week to propose changes to the proposed priority narratives and that an electronic ballot will be taken after the input is received.

An Energy Labeling working group was formed that will be lead by Richard Faesy. Other members of the working group are Bill Prindle, Bruce Harley, Ben Adams and Steve Byers.

### **Adopt RESNET 2010 Budget (Lee O'Neal)**

Lee O'Neal made a brief presentation on the RESNET 2010 Budget. It was pointed out that a line item of the budget request is for scholarships for board members to register for the 2010 RESNET Building Performance Conference. The conditions for the scholarships is that participating board members must

moderate at least one session at the conference and register at the conference hotel using the RESNET conference hotel registration block.

C.T. Loyd made motion to adopt the following budget request:

**2010 Proposed Budget**

<b>Payroll</b>	<b>\$135,000</b>
- Conference Coordinator/Program Manager – Laurel Elam	
- Customer Service Representative – Stephanie DeZee	
<b>Professional Services</b>	<b>\$465,000</b>
- Executive Director – Steve Baden	
- Deputy Director – Kathy Spigarelli	
- Quality Assurance and Accreditation Director – Clinton Heyn	
- Web Support – Randy Martin	
- COMNET Support - TBD	
- Revision of RESNET Standards - TBD	
- Misc Contractual Support – TBD if needed	
<b>Accounting</b>	<b>\$ 40,000</b>
<b>Travel</b>	<b>\$126,000</b>
<b>RESNET Conference</b>	<b>\$200,000</b>
- Board Registration Scholarships (\$10,000)	
- Conference Food & Beverages (\$190,000)	
<b>Other</b>	<b>\$120,000</b>
- Credit Card Service Fees (\$25,000)	
- Rater Member Subscriptions (\$20,000)	
- Supplies (\$12,000)	
- Telephone (\$10,000)	
- Insurance (\$4,000)	
- Copying & Printing (\$4,000)	
- Legal Services (\$3,000)	
- Postage/Delivery (\$2,500)	
- Internet Services (\$2,000)	
<b>Total Proposed Budget</b>	<b>\$1,086,000</b>

Daran Wastchak seconded the motion. The RESNET 2010 budget was unanimously approved.

### **Sites of the 2011 and 2012 RESNET Building Performance Conferences**

Steve Baden announced that he, Laurel Elam, and Kathy Spigarelli have selected Orlando, Florida for the site of the 2011 RESNET Building Performance Conference and Austin, Texas as the site for the 2012 RESNET Conference. The selection was made after review of proposals from Austin, Texas, Dallas, Texas, Denver, Colorado, Nashville, Tennessee, Orlando, Florida, Phoenix, Arizona, San Antonio, Texas and San Diego, California.

### **Overview of RESNET Policies on Whistle Blowers**

Steve Baden briefed the board on the Whistle Blower policy. *See Attachment B*

### **Conflict of Interest Policy**

Steve Baden briefed the board on the Conflict of Interest policy. *See Attachment C*

### **Anti-Trust Policy**

Steve Baden briefed the board on the Anti-Trust policy. *See Attachment D*

Staff will develop a standard form for acknowledging their acceptance of the terms of the Whistle Blower, Conflict of Interest and Anti-Trust policies and a streamlined process to deal with policy issues. This will apply to the RESNET Board, staff, and committee and task force members. Staff will seek legal counsel on these policies and development of a RESNET employee and Board member handbook.

### **New Business - Mission Statement**

Previously the board voted via electronic ballot to revise RESNET's mission state to "RESNET's mission is to set the standards of quality for evaluating a building's energy performance".

Erin Wiggins made a motion to reconsider the vote on the mission statement. Barb Yankie seconded. After discussion the question was called. The reconsideration motion passed by a vote of 15 to 3.

Daran Wastchak made a motion to adopt the revised mission statement. Motion was seconded by Steve Byers. The motion failed by a vote of 15 to 3.

The board was asked to submit revisions to both vision and mission statement. David Goldstein and Richard Faesy will work on mission statement language.

### **Adjournment**

CT Loyd moved to adjourn. Lee O'Neal seconded the motion. The motion passed. The meeting was adjourned at 3:12 p.m. EDT.

Respectfully submitted,

Bruce Harley  
Secretary

DRAFT



**Attachment A**

**Draft  
Minutes**

**RESNET Board of Directors Annual Meeting**

February 15, 2009

New Orleans Astor Crowne Plaza Hotel

Iberville Room

9:00 a.m. – 5:00 p.m.

**Members Attending**

Ben Adams  
Steve Byers  
Dennis Creech  
Richard Faesy  
Philip Fairey  
David Goldstein  
Andy Gordon  
Tom Hamilton  
Bruce Harley  
Michael Holtz  
Mark Jansen  
C.T. Loyd  
Lee O'Neal  
Greg Nahn  
Kelly Parker  
Bill Prindle  
Robert Scott  
Daran Wastchak  
Erin Wiggins  
Barb Yankie

**Members Absent**

David Wilson

**Staff Attending**

Steve Baden  
Claudia Ahrens  
Kathy Spigarelli

**Guests**

Bruce Gough – CRESNET  
Cliff Majersik - Institute for Market Transformation  
Ed Pollock – U.S. Department of Energy

Steve Saunders – TexEnergy Solutions  
Bill Spohn – Tru Tech Tools.com  
George Sullivan - Eco Smart Building PC  
Don Trask – Green Building Appraiser  
Ed Voytovich – BPCA/NYS  
Eric Werling – EPA

### **Call to Order**

President Philip Fairey called the meeting to order at 9 a.m. and the roll was taken. There was a quorum for the meeting.

### **Approval of Agenda**

Daran Wastchak made a motion to approve the agenda. Mark Jansen seconded the motion. The motion passed.

### **Approval of September 26, 2008 Board Minutes**

Bruce Harley mentioned that a few, non substantive editorial changes needed to be made. Kelly Parker made a motion to approve the amended meeting minutes. Ben Adams seconded the motion. Dennis Creech abstained due to his absence at the meeting.

### **President's Report**

RESNET President Philip Fairey spoke about how RESNET has placed itself in a position to face the current national energy challenges including the large amount of money that may flood into the market place. He commented that RESNET committees and the RESNET Board will have to work harder than in the past.

He reminded the Board that at the mid-year meeting the Board set priorities that are broad and very pertinent and that we must maintain focus on these.

Mr. Fairey reminded the Board to continue to advocate to Congress that they did the right thing in passing performance based incentives and to encourage them to continue these efforts. He said that it is critical that RESNET move into the commercial market and commended David Goldstein's work in this and other areas with his work in Washington. He closed with commending RESNET's work on many international fronts including establishing ongoing dialogs with the European Union and the International Energy Agency.

### **Executive Director's Report**

Steve Baden began his report by talking about the high standard of quality assurance that now exists in our industry in comparison to other nations.

Mr. Baden went on to highlight RESNET's accomplishments during 2008 including:

- Adoption of RESNET National Energy Audit Standard (Already adopted by the States of Arkansas and Missouri)
- Development of Draft Joint RESNET/BPI Comprehensive Energy Audit Standard
- Extension of New Homes Tax Credit
- Adoption of RESNET Policy Initiatives for Obama Administration and the New Congress
- Revision of RESNET National Rater Test
- DOE Adopt HERS Index for National Builder Challenge
- 2030 Challenge Adopting HERS Index
- Development of RESNET Green Rater Designation
- NAHB Recognize RESNET Green Rater Designation in Its Green Building Program
- Enhanced RESNET Financial Stability (\$123,158 in Checking Account and \$495,647 in Insured Reserves)

Mr. Baden discussed the current economic uncertainty and downturn of the housing market, which presents an opportunity for energy efficiency policy initiatives including:

- More raters taking rater training
- Infusion of new Rating and Training Providers
- Attendance at 2009 RESNET Conference
- Obama focus on building performance

Steve announced that in Spring of 2009 he would be announcing a new staffing plan for the organization. The plan would meet the projected new staff demand for the organization but would be scalable and flexible to meet whatever situation arises. It would also conform to the current budget realities of the organization.

RESNET has positioned itself for opportunities in 2009 by:

- Priorities adopted in September positions organization to take advantage of emerging opportunities
- RESNET has financial resources to achieve priorities
- Will expand staff resources to meet increased work load

Mr. Baden reminded the board that action will be needed on the stimulus package:

- Billions of dollars are slated to go to states for building energy efficiency in form of block grants.

- Action should be focused on advocacy at the state house level on ensuring most effective use of funds using existing infrastructure.

He encouraged board members to get involved in their state energy office or state department that is the recipient of the stimulus funding. They could have a huge opportunity to influence how these dollars will be spent.

### **Report on 2009 RESNET Building Performance Conference**

Executive Director Steve Baden reported that although staff had prepared for a reduction of 25% over last year's attendance of 550, this year's attendance is over 750. He attributed this at least in part to an increase in pre-conference training opportunities.

### **Nomination & Election of 2009 Board Officers**

The chairman of the RESNET Board Officers Nominations Committee, Michael Holtz reported that all current RESNET Board officers have agreed to stand for another term and that the Nominations Committee recommended that the current officers remain in their positions (Philip Fairey, president; David Goldstein, vice president; Bruce Harley, secretary; Lee O'Neal, treasurer).

Steve Byers made a motion that all current officers remain in their current positions. Mark Jansen seconded the motion. The motion passed with all current officers abstaining.

### **Washington Policy Update**

Steve Baden reported that stakeholders from the contracting, rating and software industry as well as environmental and energy efficiency groups met in Washington last week in order to discuss a comprehensive federal retrofit incentive program.

### **Decision on Forming a Standards Development Organization (SDO) with BPI**

Philip Fairey presented an overview of some questions and answers he had received from Laverne Dalglish, representing BPI regarding costs and cost sharing for developing a Standards Development Organization with BPI. He reported that this effort would require dedicating a staff person at 100K and other annual costs associated with maintenance at approximately 50K.

The alternatives available to certify standards under ANSI only were discussed. The Board agreed that RESNET's Standards Committee chaired by Michael Holtz will work to get all of our standards to be compatible with the ANSI Standards process.

Bill Prindle offered to look for grant funding to start this process under a separate funding stream.

After considerable discussion Steve Byers, Daran Wastchak, Ben Adams and Dennis Creech met and recommend language regarding this issue.

After the lunch break the following language was agreed to by the Board:

“The RESNET Board of Directors resolves that RESNET continue to work in a collaborative manner with BPI. However, at this time, while RESNET supports future ANSI accreditation of RESNET Standards, we are electing not to pursue a joint ANSI standards development organization with BPI. The RESNET Board of Directors charges the Standards Committee with developing a strategy for pursuing ANSI accreditation, including exploring funding options and identifying potential barriers to the effort.”

### **Executive Session**

An executive session of the Board was held to discuss the Executive Director’s performance appraisal by the Executive Committee and consider the Executive Committee’s recommendation for a bonus for the Executive Director.

Mark Jansen moved that the Executive Director be granted a bonus as recommended by the Executive Committee. The motion was seconded by Andy Gordon. The motion carried unanimously.

### **Acceptance of 2008 RESNET Financial Report**

Lee O’Neal made a brief report that RESNET was in good financial standing, making references to the handout of Financial Statements. *See Attachment A.*

Michael Holtz made a motion to acknowledge receipt of RESNET’s 2008 Financial Report. Mark Jansen seconded the motion. The motion passed.

### **Technical Committee Report**

Bruce Harley, Chair of the Technical Committee presented a brief overview of issues the committee will address during the upcoming year. He announced that the Technical Committee will be soon requesting authorization from the Board on proceeding through the standard amendment public review/comment process on ground source heat pumps and an interpretation on accessory structures.

### **Quality Assurance and Ethics Committee Report**

Ben Adams, Chair of the Quality Assurance and Ethics Committee began by recognizing staff's work on quality assurance monitoring and reported that all 2007 reports had been submitted.

Mr. Adams reported that the issue involving the Barb Collins' situation had one final task to be addressed. He reported that the committee had instructed staff to come up with a plan to place the providers associated with this case on probation and report back to committee.

Mr. Adams reported that next year's quality assurance program work plan would include a change that would affect all providers. All quality assurance submissions would be due on a date certain annually. The submissions will be due on March 1, with the exception of this year, when they will be due on May 1, 2009. This change is being made so that staff can complete review of all quality assurance submissions and submit a report to the Board at the fall Board meeting as well as use the results of the review during the accreditation renewal process.

In addition, the committee will be embarking on a complete review of the quality assurance standards for potential improvements.

Ben Adams explained that because of work obligations, he could no longer serve as Chair of the Quality Assurance and Ethics Committee but would stay on as a member. He made a motion to nominate Daran Wastchak to serve as the new Chair. Steve Byers seconded the motion. The motion passed.

### **Standards Committee Report**

Michael Holtz made a presentation to the Board on the new Standards Committee. He explained that the mission of the committee would include:

- Oversee the development and maintenance of all RESNET standards to ensure compliance with ANSI and ISO protocols
- Provide regular review and republication of all the RESNET standards
- Oversee the standards amendment and interpretation process

The Board discussed issues such as size and composition of the committee and terms, as well as issues such as being proactive in recruiting members of the committee, and limiting representation of the number of people from one organization or company.

Members of this committee do not need to be members of RESNET and there are proposed term limits and size limits, which is not the case for any of RESNET's standing committees.

Board members were encouraged to nominate individuals for membership to this committee.

### **Training and Education Committee Report**

Mark Jansen presented the report from the Training and Education Committee which met February 14, 2009.

Mark Jansen made a motion to authorize a proposed standard amendment to require certified rater trainers and quality assurance designees complete 12 hours of RESNET approved continuing education credits annually go through the standard amendment public review/comment process. Lee O'Neal seconded the motion. The motion passed.

The Board discussed issues involving the need to distinguish between RESNET trainers and quality assurance designees, consideration of business models that include having more than one quality assurance designee and the need for coordination between the Chairs of the Training and Education and the Quality Assurance Committees on these issues.

### **Canadian Affiliate Report**

Bruce Gough gave a presentation about activities in Canada. He indicated that CRESNET was interested in becoming a provider under RESNET.

This led to a discussion on how RESNET should formalize relationships with international affiliates. Would they become international providers or affiliates or some other arrangement? Executive Director Steve Baden stated that he is currently negotiating provider agreements with Canada, Japan and Shanghai and that when the terms of the agreement is drafted, he would submit it to the Board for action.

### **Japan Affiliate Report**

George Sullivan and Mark Jansen explained the Japan affiliate Japan Energy Star Council (JESC) in Japan. It was formed in July of 2008 in order to formally establish JESC and fulfill its mission in Japan. JESC is in the process of setting up as a not-for-profit corporation.

Two prospective candidates of JESC will be trained in Chicago this spring to be RESNET QA/QC professionals for Japan. REM/Rate Software and Required Books for training additional raters in Japan will be funded by the Ministry of Education. The Green School Program will work on software customization and translation.

JESC will be working with other organizations and have two residential pilot projects and Japan Green School Technology Center. Mark Jansen will be doing training in Chicago this Spring. Ministry of Education will be sponsoring translation of training materials.

### **European Union Energy Performance of Buildings**

Eduardo Maldonado presented the status of the implementation of the EPBD – The European Directive on the Performance of Buildings in 2009. He reported that Philip Fairey has joined the ISO TC to work on a new standard. He passed out copies of the recently released Country Reports 2008. These are available on line as well at [www.buildingsplatform.eu](http://www.buildingsplatform.eu) .

Mr. Maldonado also announced that RESNET will be invited to the next regular meeting to be held in Madrid in January 2010.

### **Shanghai Affiliate Report**

Kevin Mo of the NRDC presented the work being carried out under the Shanghai RESNET Project whose partners are:

- RESNET
- Natural Resources Defense Council (NRDC)
- Shanghai Real Estate Science Research Institute (SRESRI)
- 

The upcoming work under this agreement will include:

- Florida Solar Center to customize EnergyGauge Summit for Shanghai
- SRESRI to customize/localize RESNET standards and get RESNET accreditation
- Provider training
- Rater training and test
- Replicate Shanghai experience to other Chinese cities and promote RESNET standards in China
- In return, China experience and lessons also help RESNET expand ratings on high rise/commercial and go international

### **U.S. Department of Energy Update**

Edward Pollock gave a high level overview of the substantial energy-related funds that will be distributed in the next year as part of the economic stimulus package, including funding for low income weatherization, Home Performance with ENERGY STAR, HUD programs loan guarantees for energy efficient clean coal power plants and state energy offices for building projects. He emphasized the effect this influx of money will have on the creation of new jobs.

### **Environmental Protection Agency Update**



David Lee reported that ENERGY STAR market penetration had increased by 5% since last year from 12% to 17%.

He reported that Version 3 – ES Energy Star Spec will be released in 2011, with the first draft being released for formal comment in the spring 2009. It will include another set of checklists including:

- Framing
- HVAC quality
- Indoor air quality
- Water management

Mr. Lee also commented on EPA's desire for a closer working relationship between BPI and RESNET and hoped for a more integrated residential energy policy between DOE and EPA.

### **Update on the Joint 2010 RESNET/North Carolina Energy Star Conference**

RESNET will be holding its' 10<sup>th</sup> annual conference in partnership with Appalachian State University at the Hilton in North Raleigh, North Carolina in February 2010. The RESNET Board Meeting will be on February 21<sup>st</sup> with the conference the following three days.

Due to the higher than expected turnout in attendance this year, Board members were concerned whether the hotel facility be large enough to hold another overflow if it happens. They requested that staff come back with a plan that insures we can handle a larger number of participants.

### **Introduction to RESNET Community Network**

John Baden gave a short presentation on the potential for the application of "community network" for RESNET. He identified the following potential features that could be part of this application:

- Join a group in your professional category whether you are a rater, provider or building performance contractor.
- Send and receive e-mails from other members notifying you of relevant information
- Finding building performance events near you, and post your own
- Send out messages to professional groups to help promote your events
- Buy and sell building performance equipment

Some of the Board members expressed concerns about the possibility that this may become too big too fast. A small subcommittee was formed to explore this application for RESNET with John before moving forward. The subcommittee

members include: Dennis Creech, Robert Scott, Bill Prindle, Andy Gordon, and Tom Hamilton.

### **Adjournment**

Kelly Parker moved to adjourn. C.T. Loyd seconded the motion. The motion passed.

Respectfully submitted,

Bruce Harley  
Secretary

DRAFT

## Attachment B



*Setting the STANDARD for QUALITY*

### RESNET Whistleblower Policy

RESNET is committed to operating in furtherance of its tax-exempt purposes and in compliance with all applicable laws, rules and regulations, including those concerning accounting and auditing, and prohibits fraudulent practices by any of its board members, officers, employees, contractors, or volunteers. This policy outlines a procedure for a director, officers, employee, contractor or volunteer to report actions that he or she reasonably believes violates a law, or regulation or that constitutes fraudulent accounting or other practices. This policy applies to any matter which is related to RESNET's business and does not relate to private acts of an individual not connected with the business of RESNET.

If a director, officer, employee, or volunteer (for simplification, herein referred to as employee) has a reasonable belief that an employee or contractor of RESNET has engaged in any action that violates any applicable law, or regulation, including those concerning accounting and auditing, or constitutes a fraudulent practice, the individual is expected to immediately report such information to the Executive Director. If the individual does not feel comfortable reporting the information to the Executive Director, he or she is expected to report the information to the President of the RESNET Board of Directors.

All reports will be followed up promptly, and an investigation conducted. In conducting its investigations, RESNET will strive to keep the identity of the complaining individual as confidential as possible, while conducting an adequate review and investigation.

RESNET will not retaliate against an individual in the terms and conditions of employment because that employee: (a) reports to a supervisor, to the Executive Director, the Board of Directors or to a federal, state or local agency what the employee believes in good faith to be a violation of the law; or (b) participates in good faith in any resulting investigation or proceeding, or (c) exercises his or her rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect the employee's rights.

RESNET may take disciplinary action (up to and including termination) against an employee who in management's assessment has engaged in retaliatory conduct in violation of this policy.

In addition, RESNET will not, with the intent to retaliate, take any action harmful to any employee who has provided, to law enforcement personnel or the court truthful information relating to the commission or possible commission by RESNET or any of its employees, a violation of any applicable law or regulation.

Supervisors will be trained on this policy and RESNET'S prohibition against retaliation in accordance with this policy.

DRAFT

## Attachment C



*Setting the STANDARD*  
for QUALITY

### RESNET CONFLICT OF INTEREST POLICY

#### SECTION 1. PURPOSE:

The Residential Energy Services Network, Inc. (RESNET) is a 501(c)(3) nonprofit, tax-exempt organization. Maintenance of its tax-exempt status is important both for its continued financial stability and for public support. Therefore, the IRS as well as state regulatory and tax officials view the operations of RESNET as a public trust, which is subject to scrutiny by and accountable to such governmental authorities as well as to members of the public.

Consequently, there exists between RESNET and its board, officers, and management employees and the public a fiduciary duty, which carries with it a broad and unbending duty of loyalty and fidelity. The board, officers, and management employees have the responsibility of administering the affairs of RESNET honestly and prudently, and of exercising their best care, skill, and judgment for the sole benefit of RESNET. Those persons shall exercise the utmost good faith in all transactions involved in their duties, and they shall not use their positions with RESNET or knowledge gained there from for their personal benefit. The interests of the organization must be the first priority in all decisions and actions.

#### SECTION 2. PERSONS CONCERNED:

This statement is directed not only to directors and officers, but to all employees and contractors who can influence the actions of RESNET. For example, this would include all who make purchasing decisions, all persons who might be described as "management personnel," and anyone who has proprietary information concerning RESNET.

#### SECTION 3. AREAS IN WHICH CONFLICT MAY ARISE:

Conflicts of interest may arise in the relations of directors, officers, and management employees with any of the following third parties:

1. Persons and firms supplying goods and services to RESNET.
2. Persons and firms from whom RESNET leases property and equipment.

3. Persons and firms with whom RESNET is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property.
4. Competing or affinity organizations.
5. Donors and others supporting RESNET.
6. Agencies, organizations and associations which affect the operations of RESNET.
7. Family members, friends, and other employees.

#### **SECTION 4. NATURE OF CONFLICTING INTEREST:**

A conflicting interest may be defined as an interest, direct or indirect, with any persons or firms mentioned in Section 3. Such an interest might arise through:

1. Owning stock or holding debt or other proprietary interests in any third party dealing with RESNET.
2. Holding office, serving on the board, participating in management, or being otherwise employed (or formerly employed) with any third party dealing with RESNET.
3. Receiving remuneration for services with respect to individual transactions involving RESNET.
4. Using RESNET's time, personnel, equipment, supplies, or good will for other than RESNET-approved activities, programs, and purposes.
5. Receiving personal gifts or loans from third parties dealing or competing with RESNET. Receipt of any gift is disapproved except gifts of a value less than \$50, which could not be refused without discourtesy. No personal gift of money should ever be accepted.

#### **SECTION 5. INTERPRETATION OF THIS STATEMENT OF POLICY:**

The areas of conflicting interest listed in Section 3, and the relations in those areas which may give rise to conflict, as listed in Section 4, are not exhaustive. Conflicts might arise in other areas or through other relations. It is assumed that the directors, officers, and management employees will recognize such areas and relation by analogy.

The fact that one of the interests described in Section 4 exists does not necessarily mean that a conflict exists, or that the conflict, if it exists, is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances it is necessarily adverse to the interests of RESNET.

However, it is the policy of the board that the existence of any of the interests described in Section 4 shall be disclosed before any transaction is consummated. It shall be the continuing responsibility of the board, officers, and management employees to scrutinize their transactions and outside business

interests and relationships for potential conflicts and to immediately make such disclosures.

## **SECTION 6. DISCLOSURE POLICY AND PROCEDURE:**

Transactions with parties with whom a conflicting interest exists may be undertaken only if all of the following are observed:

1. The conflicting interest is fully disclosed;
2. The person with the conflict of interest is excluded from the discussion and approval of such transaction;
3. A competitive bid or comparable valuation exists; and
4. The board has determined that the transaction is in the best interest of the organization.

Disclosure in the organization should be made to the Executive Director (or if she or he is the one with the conflict, then to the board president), who shall bring the matter to the attention of the board. Disclosure involving directors should be made to the board president, (or if she or he is the one with the conflict, then to the board vice president) who shall bring these matters to the board.

The board shall determine whether a conflict exists and in the case of an existing conflict, whether the contemplated transaction may be authorized as just, fair, and reasonable to RESNET. The decision of the board on these matters will rest in their sole discretion, and their concern must be the welfare of RESNET and the advancement of its purpose.

## Attachment D

# Residential Energy Services Network (RESNET) ANTITRUST POLICY

The Residential Energy Services Network (RESNET) has two primary responsibilities:

- Setting the standards for the quality of rating services, and
- Support the growth of rating services infrastructure nationally

It is the policy of RESNET that in carrying out these activities the organization will not restrict fair and open competition and will not violate the provisions of antitrust laws.

RESNET, conscious of the potential antitrust problems inherent in setting the standards for the quality of rating services, adopts a policy that RESNET "shall not directly or indirectly restrict free and lawful competition." To ensure strict compliance with the antitrust laws, the RESNET Board of Directors has adopted a RESNET Antitrust Policy for staff, directors, committees and its membership. These clearly defined statements of conduct must always be kept in mind, and all organization meetings and other activities shall be conducted in accordance therewith.

Section 1 of the Sherman Antitrust Act and Section 5 of the Federal Trade Commission Act prohibit "contracts, combinations or conspiracies in restraint of trade and unfair methods of competition in commerce...."

One of the clearest antitrust violations an organization can commit is an agreement by its members to set prices at a fixed level. Such an agreement is a per se violation of the antitrust laws, even if the prices set are reasonable or the ends sought are worthy. Similarly, terms and conditions of sale which affect the buyer should not be discussed. These include discounts, terms of service warranties and other individual policies followed in dealing with customers. Informal understandings and planned courses of action on these subjects by competitors also clearly are forbidden.

Administrative or disciplinary action against member companies or organizations, or the expulsion of members companies, may result in economic injury to the affected members and, thus, may constitute an illegal boycott or restraint of trade.

Therefore, these sensitive areas must be discussed in accordance with strictly defined guidelines and only in the presence of the executive director.



Frequently, an organization engages in the voluntary development of industry standards. Antitrust problems will arise if the standard developed is designed to advance the economic interests or operates as a marketing advantage for some members to the detriment of others.

Statistical reporting is another common organization sponsored activity. However, since some associations and their members have used these activities in the past to further price-fixing and monopolistic schemes, statistical reporting projects must be conducted with great care in order to conform with clearly defined rules regarding the collection and dispersal of confidential product information. Antitrust problems also may arise when organizations become involved in industry wide research and development programs. When pooling of results exists, organization sponsored joint research and development activities may injure competition by diluting the competitive pressures to innovate. Another area of potential antitrust infraction involves organization sponsored efforts to petition government agencies for action which may have an adverse economic impact on some competing companies. A delicate balance always must be maintained between the First Amendment right to petition government and the antitrust laws' prohibition against restraint of trade. The First Amendment does not protect parties which seek to prod government agencies into imposing trade restrictions by misleading them or by engaging in other dishonest activities. Any effort designed to injure industry competitors clearly is prohibited.

The proper conduct of RESNET meetings requires an understanding and conscious awareness by all of antitrust implications. Your non-participation in the discussions pro and con may not protect you if, out of such discussions at a meeting you attend, any agreement in restraint of trade originates. However, no imputed unlawful purpose can arise if conscious independent and individual judgment is exercised and no illegal common course of action is pursued. To assist in avoiding antitrust problems at RESNET meetings, a list of four DON'TS has been prepared. You should read and remember these four basic rules. BE ALERT AND KEEP INFORMED. Antitrust laws are wide ranging, complex, and subject to changing interpretation. Consult your company's lawyer or the RESNET executive director immediately if you have any questions about the legality of any proposed organization action.

### **RESNET ANTITRUST DON'TS**

- 1. DON'T discuss the prices your company will charge customers.**
- 2. DON'T discuss discounts, terms, or conditions of sale, warranty terms, profits or profit margins, shares of the market, bids or the intent to bid, rejection or termination of customers, sales territories or markets.**
- 3. DON'T discuss administrative or disciplinary action by RESNET against a**

particular member, or enforcement of RESNET's Code of Ethics, in the absence of specific guidance.

**4. DON'T propose or discuss any proposal or engage in any activity, which is intended to have the effect of producing an adverse economic impact on some competing companies.**

DRAFT

# **ATTACHMENT B**

# Recommendations for the Integration of COMNET Activities into RESNET

## RESNET COMNET Integration Working Group

January 2010

### Background:

With funding from the Energy Foundation and the Sea Change Foundation, the New Buildings Institute (NBI), with technical and program leadership provided by Architectural Energy Corporation (AEC), Institute for Market Transformation (IMT), the Natural Resources Defense Council (NRDC) and RESNET, has created the COMNET Manual. The COMNET Manual defines energy modeling rules and procedures for evaluating energy efficiency in commercial buildings. The COMNET Manual and energy efficiency calculation process serves three distinct purposes:

- Establishing eligibility for federal tax deductions per Section 179D of the Internal Revenue Service code;
- Calculating percent savings for credit eligibility related to sustainable building rating systems (i.e. LEED); and
- Estimating annual energy use for a building in the design phase for the purpose of energy labels.

The intent for use of the COMNET Manual is for commercial building energy analysis software developers to incorporate the COMNET energy modeling rules and procedures into their energy analysis software so that a reference (baseline) building is automatically generated where predicted energy performance can be compared to the purpose of the analysis (see three purposes described above). The baseline building requirements and assumptions may be different, as summarized in the table below taken from the COMNET Manual:

	Tax Deductions	Sustainable Building Rating Systems	Energy Labels
Baseline	ASHRAE Standard 90.1-2001	ASHRAE Standard 90.1-2007	CBECs Median Energy Use
Operating Assumptions	Prescribed	Default	Default
Percent Savings Energy Use	Regulated Only	All Energy Use	Not applicable

The NBI COMNET Management Group and Development Group consisted of experts in commercial building energy design and analysis:

## Management Group

Mark Cherniak, New Buildings Institute  
Charles Eley, Architectural Energy Corporation  
David Goldstein, NRDC  
Steve Baden, RESNET  
Cliff Majersik, Institute for Market Transformation

## Development Group

Charles Eley, Architectural Energy Corporation  
Mangesh Basarkar, Florida Solar Energy Center  
Martyn Dodd, EnergySoft  
Jon McHugh, McHugh Engineering  
Snuller Price, E3

The COMNET Manual represents a major advance in creating comprehensive, uniform rules and procedures for modeling the energy performance of commercial buildings. However, similar to RESNET's Technical Standards for modeling residential buildings, continued development, refinement and interpretation is required to ensure that the rules and procedures remain current with national energy standards (i.e. ASHRAE 90.1) and national needs (i.e. energy labels).

During 2009, the New Buildings Institute, NRDC and the Institute for Market Transformation approached RESNET about the possibility of bringing the COMNET Manual development and maintenance process into RESNET. The RESNET Board of Directors at its October 2009 Meeting in Indianapolis agreed in principle that integration of the COMNET and related activities into the RESNET organization was within the mission and goals of RESNET, and that serious consideration be given to this possibility.

A RESNET COMNET Integration Working Group was formed, consisting of the following individuals:

- Michael Holtz, Chairman
- Philip Fairey
- Kelly Parker
- Charles Eley, COMNET Technical Leader

The charge of the Working Group was to answer two fundamental questions:

- How could (should) COMNET be integrated within the RESNET organizational structure?

- How could (should) COMNET development and maintenance efforts be financially supported / maintained?

The Committee has held three conference calls to address these two questions, and this report summarizes the conclusions and recommendations of the Committee.

### **How could (should) COMNET be integrated within the RESNET organizational structure?**

Broadening RESNET's mission to address commercial building issues -- COMNET Standard, software provider accreditation, energy labeling, etc...-- will have a profound impact on RESNET – organizationally and operationally. A top to bottom assessment will be necessary to determine the ramifications of an equal emphasis on residential and commercial building energy performance issues.

Including a focus on commercial building energy performance matters would promote RESNET's leadership in building energy performance evaluation, rating, labeling and national energy efficiency policies and programs. It would bring into RESNET nationally recognized researchers, organizations, and energy consultants that would strengthen the technical capabilities and experience of RESNET and enhance its reputation and credibility. To achieve these and other benefits, the RESNET Board and Membership must not only approve this commercial building initiative but enthusiastically recruit and welcome potential new members to RESNET and actively support their efforts.

Commercial buildings are substantially different than residential buildings, and thus, the skill set of the individuals and professionals involved in commercial buildings research and design are also substantially different than those individuals involved in residential building research and design.

### **Recommendations**

Upon deliberation of the above and other issues, the Working Group offers the following recommendations to initiate the integration of COMNET into RESNET:

- Establish a standing COMNET Committee composed of the major stakeholders who are already involved / invested in the COMNET effort and RESNET staff and Board members to provide an immediate home for near-term (next twelve months) development and maintenance of the COMNET Manual and related issues.
- Charge the standing COMNET Committee to develop a charter and mission statement; review, and make recommendations for changes to, the RESNET Bylaws to address the integration of commercial buildings with RESNET; develop a committee / sub-committee structure; recommend a long-term

integration strategy for commercial buildings within RESNET; develop an annual operating budget, including sources of funding; and establish a fee structure for the use of the COMNET Manual and for membership. These recommendations shall be presented to the RESNET Board at its 2010 Fall Board Meeting.

- Prepare a Statement of Principles in cooperation with the Energy Foundation, the New Buildings Institute and RESNET regarding the integration of COMNET. The Statement of Principles would establish the broad principles that should be addressed as RESNET creates an effective home for future COMNET efforts. This will be presented to the RESNET Board at its 2010 fall meeting
- Review the composition of the Board of Directors relative to the potential growing emphasis on commercial buildings and determine if the Board composition requires modification.

### **How could (should) COMNET development and maintenance efforts be financially supported / maintained?**

In its 2010 budget, the RESNET Board allocated \$50,000 to staff activities related to the integration of COMNET into RESNET. In addition, it is expected during 2010 that the New Buildings Institute will receive funding from the Energy Foundation and the Sea Change Foundation to fund the continued development of the COMNET Manual and verifier certification and software accreditation standards, as well as efforts to promote the acceptance and use of the COMNET Manual. Thus, the majority, if not all, of COMNET integration costs during 2010 are covered.

### **Recommendations:**

- The standing COMNET Committee be tasked with developing a strategy and plan for funding of the COMNET related activities after 2010 and present this strategy and plan to the RESNET Board for consideration at its Fall 2010 Board Meeting.

### **Motion**

The Working Group puts forward the following motion which it requests the Board to discuss and approve at its February 21<sup>st</sup>, 2010 Board Meeting:

Moved that the RESNET Board shall create a Standing COMNET Committee to develop a formal plan for integrating commercial building energy performance issues into RESNET. The Committee shall be made up of the

major stakeholders who have been and are involved in the COMNET effort and RESNET staff and Board Members. The COMNET Integration Plan shall address the following matters:

- Statement of Principles regarding the integration of COMNET into RESNET. This Statement of Principles shall be prepared in cooperation with the Energy Foundation, New Buildings Institute, and RESNET.
- Charter and Mission Statement for the Standing COMNET Committee.
- Recommendations for changes to the RESNET Bylaws and organizational structure to address the integration of commercial building energy performance issues into RESNET, including potential changes to the composition of the Board of Directors, the Executive Committee and support staff.
- A COMNET committee / subcommittee structure.
- A 2011 operating budget request for COMNET activities, including a strategy for funding these activities.
- A timeline / schedule for implementing the recommended changes and other actions called for in the Plan.
- Other such matters as the COMNET Committee deems relevant and appropriate to address regarding the integration of commercial building energy performance issues into RESNET.

The COMNET Integration Plan shall be prepared by the COMNET Committee and distributed to the Board two weeks prior to its 2010 Fall Board Meeting at which time the Board will discuss and take action on the recommendations contained in the Plan.

The recommendations and a Board Motion for the integration of COMNET activities into RESNET are hereby submitted by the RESNET COMNET Integration Working Group for the Board's consideration and action.

On Behalf of the Working Group,

Michael J. Holtz, Chairman

January 28, 2010



# **ATTACHMENT C**

**Draft**

**Residential Energy Services Network, Inc.  
(RESNET)**

**TEAM MEMBER HANDBOOK**

**Table of Contents:**

	Introduction to the Team Member Handbook.....	4
	About RESNET	4
	Purpose	5
I.	Application of Human Resources Policies.....	5
II.	At-Will Employment.....	5
	Equal Employment Practices	6
III.	Introductory Period of Employment.....	9
IV.	Team Member Categories and Definitions.....	6
	Team Member Classifications	10
	Working Hours and Schedules	11
	Overtime	12
	Timekeeping Procedures	12
	References	12
V.	Staff Evaluations and Salary Reviews.....	13
	A. Staff Evaluation	13
	B. Salary Reviews	13
VI.	Payroll, Reimbursements and Advances.....	13
	A. Payroll Schedule	13
	B. Team Member Reimbursements	13
	C. Payroll Advances	13
VII.	Team Member Benefits.....	14
	Holidays	14
	Paid Time Off (PTO)	15
VIII.	Leaves of Absence.....	16
	General Provisions	16
	Military Leave (Active and Reserve Service)	16
	Other Time Off	17
	Funeral or Bereavement Time Off	17
	Civic Duty Time Off	17
	Voting Time Off	17
IX.	Insurance Benefits	17
	Medical Insurance	17
	Disability Insurance	18
	Paid Family Leave Benefits Policy	18

	<b>Team Member Contributions</b>	<b>18</b>
	<b>Team Member Eligibility</b>	<b>19</b>
	<b>Waiting Period</b>	<b>19</b>
	<b>Benefits</b>	<b>19</b>
	<b>Unemployment Compensation</b>	<b>19</b>
	<b>Social Security</b>	<b>19</b>
	<b>Workers' Compensation</b>	<b>19</b>
	<b>Flexible Spending Accounts</b>	<b>20</b>
<b>X.</b>	<b>Retirement.....</b>	<b>20</b>
<b>XI.</b>	<b>Staff Lay-Offs, Reorganizations and Resignations.....</b>	<b>20</b>
	<b>Staff Lay-Offs and Reorganizations</b>	<b>20</b>
	<b>Resignations</b>	<b>21</b>
<b>XII.</b>	<b>Policies.....</b>	<b>21</b>
	<b>RESNET Blogging and Social Media Policy</b>	<b>21</b>
	<b>Cell Phone Policy</b>	<b>23</b>
	<b>Drug and Alcohol Abuse Policy</b>	<b>23</b>
	<b>Standards of Conduct</b>	<b>25</b>
	<b>Prohibited Conduct</b>	<b>25</b>
	<b>Relatives and Intimate Relationships at Work</b>	<b>26</b>
	<b>Business Ethics</b>	<b>27</b>
	<b>General Requirements</b>	<b>27</b>
	<b>Protection Against Retaliation</b>	<b>28</b>
	<b>Business Conduct</b>	<b>28</b>
	<b>Discount and Preferential Treatment</b>	<b>29</b>
	<b>Use of RESNET's Name, Facilities, or Relationships</b>	<b>29</b>
	<b>Related Party Business Dealings</b>	<b>29</b>
	<b>Confidentiality</b>	<b>29</b>
	<b>Conflicts of Interest</b>	<b>30</b>
	<b>Protection of Confidential or Proprietary Information</b>	<b>31</b>
	<b>RESNET Whistleblower Policy</b>	<b>32</b>
<b>A</b>	<b>Attachment A: RESNET Team Member Handbook/ Policies Acknowledgement</b>	<b>34</b>

## **INTRODUCTION TO THE TEAM MEMBER HANDBOOK**

We want to extend you a very warm welcome to Residential Energy Services Network, Inc. We are committed to helping you be successful, and we hope you will be happy, productive, and continually learning and growing while you're with us.

### **ABOUT RESNET**

Residential Energy Services Network, Inc. (RESNET®) is a 501 (c)(3) nonprofit corporation, established in 1987. RESNET® encourages awareness of the efficient use of energy in buildings throughout the United States of America through education of the public, the housing industry, utilities industry, and related organizations to serve the public interest. RESNET® informs members of the latest advancements, improvements, uses, and benefits of energy ratings and residential energy efficiency financing; promotes improved cooperation, coordination and understanding between those engaged in the home energy rating industry; works with the lending industry in developing and promoting new residential energy efficiency financing products; and provides an open forum for the exchange of ideas and experiences on home energy ratings and residential energy efficiency financing for the entire home energy rating industry.

RESNET® also supports national standards for the home energy rating industry in partnership with governmental agencies, the mortgage industry, certified energy raters, accredited energy providers, and accredited rater training providers. RESNET® assists its members in soliciting and obtaining funding to support and grow their businesses and serves as a voice of the home energy rating industry to decision-makers on policies that affect the industry.

RESNET® sponsors a three-day annual conference, which provides a national forum on residential energy efficiency financing and home energy ratings; publication of the proceedings of its conferences and current issues through its information network and RESNET® Notes, a monthly publication available by subscription; rater training services for lenders and real estate professionals; an accreditation program developed by RESNET® and recognized by the Environmental Protection Agency based upon the Mortgage Industry National Home Energy Rating Accreditation Standard; and special projects on issues relating to the goals of the organization. RESNET® hosts a website at <http://www.natresnet.org>.

## **PURPOSE**

This Team Member handbook contains information about the employment policies and practices of Residential Energy Services Network, Inc. (hereinafter referred to as "RESNET"). We expect each employee (hereinafter referred to as "Team Member") to read this handbook carefully as it is a valuable reference for understanding your job and RESNET. All previously issued handbooks and any inconsistent policy statements -- oral or written -- are superseded.

Except for the employment-at-will policy, RESNET reserves the right to revise, delete or add to any and all policies, procedures, work rules or benefits stated in this handbook. All such revisions, deletions or additions may be made at any time with or without notice, but they must be in writing and must be signed or presented by the Executive Director of RESNET. No oral statements or representations can change or alter the provisions of this handbook.

Nothing in this Team Member handbook (with the exception of the employment-at-will policy), or in any other personnel document, including benefit plan descriptions, creates, is intended to create a contract, promise or representation of continued employment for any Team Member. No supervisor or manager has any authority to enter into a contract of employment -- express or implied -- with any Team Member. Only the Executive Director of RESNET has the authority to enter into an employment agreement, and then only in writing. Any binding commitments regarding your employment being anything other than at-will must be in writing and signed by the Executive Director of RESNET.

Not all RESNET policies and procedures are set forth in this handbook. We have summarized only some of the more important ones. If you have any questions or concerns about this handbook or any other policy or procedure, please ask your supervisor.

### **I. APPLICATION OF HUMAN RESOURCES POLICIES**

These policies cover all full-time and part-time Team Members of RESNET.

#### **AT-WILL EMPLOYMENT**

Employment at RESNET is at will. This means that employment may be terminated for any or no reason, with or without cause or notice, at any time by you or RESNET. Nothing in this handbook or in any other document or oral statement shall limit the right to terminate employment at will.

This at-will employment policy may be revised, modified, deleted or superseded only by a written employment agreement signed by the Board of Directors of RESNET which expressly revises, modifies, deletes or supersedes the at-will

employment policy. Unless your employment is covered by such a written employment agreement signed by the Executive Director of RESNET, this at-will employment policy is the sole and entire agreement between you and RESNET as to the duration of employment and the circumstances under which employment may be terminated.

With the exception of employment at will, all terms and conditions of employment with RESNET may be modified at the sole discretion of RESNET with or without cause or notice at any time. No implied contract concerning any employment-related decision or term or condition of employment can be established by any other statement, conduct, policy or practice.

## **EQUAL EMPLOYMENT PRACTICES**

### **UNLAWFUL DISCRIMINATION IS PROHIBITED**

RESNET is an equal opportunity employer and makes employment decisions on the basis of merit. RESNET prohibits discrimination based on race, color, gender, religion, creed, sex, pregnancy, marital status, age, national origin or ancestry, physical or mental disability, medical condition, veteran status, sexual orientation or any other consideration protected by any applicable federal, state or local laws. All such discrimination is unlawful.

### **UNLAWFUL HARASSMENT IS PROHIBITED**

RESNET is committed to providing a work environment free of unlawful harassment. Therefore, in accordance with applicable law, RESNET prohibits sexual harassment and harassment because of race, color, gender, national origin, ancestry, religion, creed, physical or mental disability, medical condition, marital status, sexual orientation, age, or any other basis protected by federal, state or local law. RESNET also prohibits harassment based upon the perception that a person has, or is associated with a person who has, any of these characteristics. RESNET's policy prohibits harassment of Team Members, applicants, and persons providing services pursuant to contract. RESNET is committed to taking all reasonable steps to prevent harassment from occurring.

### **SEXUAL HARASSMENT DEFINED**

Federal law defines sexual harassment as unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment; or (2) submission to or rejection of such conduct is used as basis for employment decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with a Team Member's work performance or creating an intimidating, hostile or offensive working environment.

California law defines sexual harassment as unwanted sexual advances or visual, verbal or physical conduct of a sexual nature. This definition includes many forms of offensive behavior. The following is a partial list:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct: leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, e-mails, websites or posters.
- Verbal and written conduct: making or using derogatory comments, e-mails, letters, epithets, slurs, sexually explicit jokes, or comments about a Team Member's body or dress.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations.
- Physical conduct: touching, assaulting, impeding or blocking movements.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a supervisor or manager, or by persons, including customers or clients, doing business with or for RESNET.

#### **LIABILITY FOR UNLAWFUL HARASSMENT**

Any RESNET Team Member, including any supervisor or manager, who is found to have engaged in unlawful harassment is subject to disciplinary action up to and including discharge from employment. A Team Member who engages in harassment may be held personally liable for monetary damages. RESNET will not pay damages assessed personally against a Team Member.

#### **RESNET'S REPORTING PROCEDURE**

RESNET's reporting procedure provides for a timely, thorough and objective investigation of any harassment or discrimination claim, appropriate disciplinary action against one found to have engaged in prohibited harassment or discrimination, and appropriate remedies if warranted under the circumstances.



If you believe you have been harassed or discriminated against on the job, or if you are aware of the harassment or discrimination of others, you must provide a written or verbal report to your supervisor or any other RESNET supervisor or the Executive Director of RESNET as soon as possible. The report should include details of the incident(s), the names of individuals involved, the names of any witnesses, direct quotes when relevant, and any documentary evidence (notes, pictures, cartoons, etc.). All incidents of harassment or discrimination that are reported will be investigated. RESNET will endeavor to protect the privacy and confidentiality of all parties involved to the extent possible consistent with a thorough investigation.

If RESNET determines that harassment or discrimination has occurred, RESNET will take remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment or discrimination. If a complaint of harassment or discrimination is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

### **PROTECTION AGAINST RETALIATION**

Applicable law also prohibits retaliation against any Team Member by another Team Member or by RESNET for reporting, filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by RESNET or a federal or state enforcement agency. Please report any retaliation to your supervisor or any other RESNET supervisor or the Executive Director of RESNET. Any report of retaliatory conduct will be objectively, timely and thoroughly investigated in accordance with RESNET's investigation procedure outlined above. If a report of retaliation is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

If RESNET determines that unlawful discrimination has occurred, remedial action will be taken, commensurate with the severity of the offense. Appropriate action will also be taken to deter any future discrimination. RESNET will not retaliate against any Team Member for filing a complaint and will not knowingly permit retaliation by management Team Members or coworkers.

### **OPEN-DOOR POLICY**

At some time during your employment, you may have a complaint, suggestion, or question about your job, your working conditions or the treatment you are receiving. We ask that you take your concerns first to your supervisor, following these steps:

- Within a week of the occurrence, bring the situation to the attention of your immediate supervisor, who will review the issue and/or investigate, if needed, and provide a solution or explanation. If your situation or problem involves your immediate supervisor, you may bring the concern to the attention of the Executive Director

- If the problem is not resolved, you may put it in writing and present it to the Executive Director, who will review the issue and/or investigate, if needed, and provide a solution or explanation. It is recommended that you bring this matter to the Executive Director as soon as possible after you believe that your immediate supervisor has not resolved the matter.
- If the problem is still not resolved, you may present the problem in writing to the President of the RESNET Board of Directors, who will attempt to reach a final resolution.

This procedure, which we believe is important for both you and RESNET, can not result in every problem being resolved to your satisfaction. However, RESNET values your input and you should feel free to raise issues of concern without fear of retaliation.

### **III. INTRODUCTORY PERIOD OF EMPLOYMENT**

The first 90 days of continuous employment at RESNET, during which you learn your responsibilities and get acquainted with your fellow Team Members, is considered an introductory period. During this time your performance will be closely monitored. Also, during this time you will have a chance to decide whether you are and will be happy with your job, and your supervisor will have the opportunity to determine whether you are adapting to your new work at RESNET.

After your introductory period, your performance will be reviewed. If RESNET decides you should continue to be employed, you will be advised of any improvements expected from you and you will be given the opportunity to express any recommendations that you have to improve the efficiency of RESNET.

Completion of the introductory period does not guarantee continued employment. You remain employed at will, which means employment may be terminated for any or no reason, with or without cause or notice, at any time by RESNET or by you.

### **IV. TEAM MEMBER CATEGORIES AND DEFINITIONS**

#### **TEAM MEMBER CLASSIFICATIONS**

Team Members at RESNET are classified as full-time and part-time non-exempt, and exempt employees. Independent contractors are not considered Team Members unless otherwise required by law.

#### **NON-EXEMPT TEAM MEMBERS**

A non-exempt Team Member is a Team Member (generally paid by the hour) whose position does not meet the federal and state requirements for exempt status and therefore, is eligible for overtime pay according to state and federal

overtime pay requirements. Please consult your supervisor if you have questions about your employment status or classification.

### **FULL-TIME NON-EXEMPT TEAM MEMBERS**

Full-time non-exempt Team Members are those who are normally scheduled to work and who do normally work a schedule of 40 hours per week. Following the completion of the introductory period, full-time non-exempt Team Members are eligible for all Team Member benefits described in this Handbook.

### **PART-TIME NON-EXEMPT TEAM MEMBERS**

Part-time regular non-exempt Team Members are those who are normally scheduled to and do normally work less than 30 hours per week. Part-time non-exempt Team Members may be assigned a work schedule in advance or may work on an as-needed basis. Part-time regular Team Members are eligible for some, but not all, of the Team Member benefits described in this Handbook. Part-time Team Members are eligible for some personal time off (“PTO”) benefits on a pro-rata basis depending on the number of hours normally worked but are not eligible for group health insurance or Cafeteria Plan benefits.

### **EXEMPT TEAM MEMBERS**

An exempt Team Member is generally an executive, administrative or professional Team Member whose position meets the federal and state requirements for exempt status, and therefore, is exempt from overtime pay requirements. Exempt Team Members are also exempt from certain provisions related to record keeping, meal periods and rest periods. Please consult your supervisor if you have questions about your employment status or classification.

### **WORKING HOURS AND SCHEDULES**

RESNET’s normal business hours are from 9:30 a.m. to 6:00 p.m. (Eastern), Monday through Friday. Your supervisor will assign your individual work schedule. All Team Members are expected to be ready to perform their work at the start of their scheduled work time or shift.

### **MEAL AND REST BREAK POLICY**

All non-exempt Team Members will be subject to RESNET’s meal and rest break policies which comply with applicable law.

### **MEAL BREAKS**

All non-exempt Team Members are provided with, and must take, a meal period of at least 30 minutes if they work more than five (5) hours in a day. For Team

Members working regular business hours (i.e. 9:30 a.m. – 6:00 p.m.), you must take your meal break approximately in the middle of your work day. A second meal period of at least 30 minutes must be taken if the Team Member works 10 or more hours in a day. You must clock out and clock in for the required meal periods.

## **REST BREAKS**

Non-exempt Team Members are allowed ten-minute rest periods for each four hours of work or major portion thereof. For Team Members working regular business hours (i.e. 9:00 a.m. – 6:00 p.m.), Team Members are allowed a ten-minute rest break in the morning, and one in the afternoon. Rest breaks are paid and Team Members do not clock out for rest breaks.

Team Members may leave the premises during their meal periods. You may not perform any work for at least 30 minutes of your meal break. Team Members should remain on the premises during their rest periods and not take more than ten minutes for each rest period.

Every non-exempt Team Member is responsible for complying with this mandatory meal and rest break policy. If, at anytime, you are unable to comply with this policy during any workday or shift for any reason, you must report that fact to a supervisor or manager immediately, or by no later than the next business day, so that arrangements can be made to ensure that you take your required meal and rest breaks pursuant to this policy and applicable law. No one at RESNET has the authority to ask or require you not to take your required meal and/or rest breaks. If you fail to comply with this meal or rest break policy, you may be subject to discipline up to and including termination.

## **OVERTIME**

As necessary, Team Members may be required to work overtime. A supervisor must previously authorize all overtime work. You may **NOT** work more than an eight hour day to make up any missed time from another work day. RESNET provides compensation for all overtime hours worked by non-exempt Team Members in accordance with applicable state and federal law.

For overtime purposes for non-exempt Team Members, the workday begins at 12:01 a.m. and ends at midnight. The workweek begins at 12:01 a.m. Sunday and ends at midnight the following Saturday for all Team Members.

## **TIMEKEEPING PROCEDURES**

All non-exempt Team Members are required to record time worked for payroll purposes. Team Members must record their own time at the start and at the end of each work period, including before and after the meal break. Team Members must also record their time whenever they leave the building for any reason other

than RESNET business. A supervisor must initial any handwritten marks or changes on the timecard. Completing another Team Member's timecard, allowing another Team Member to complete your timecard, or altering a timecard is prohibited.

Any errors in your timecard should be reported immediately to your supervisor, who will attempt to correct legitimate errors.

## REFERENCES

All requests for references must be directed to the Deputy Director of RESNET. No other manager, supervisor or Team Member is authorized to release references for current or former Team Members. RESNET's policy as to references for former Team Members is to disclose only the dates of employment and the title of the last position held. If you authorize disclosure in writing, RESNET will also provide a prospective employer with information on the amount of the salary or wage you last earned.

## V. STAFF EVALUATIONS AND SALARY REVIEWS

- A. **Staff Evaluation**: Managers shall conduct performance reviews for all staff under their supervision at least annually. Positive performance evaluations do not guarantee increases in salary or promotions.
- B. **Salary Reviews**: Salary increases are not guaranteed, and are subject to approval of budget authorization by the Board of Directors. Cost-of-living, merit and the overall financial health of RESNET may be considered in setting individual salary levels. Most raises will go into effect at the start of the calendar year unless otherwise indicated.

## VI. PAYROLL, REIMBURSEMENTS AND ADVANCES

- A. **Payroll Schedule**: The payroll schedule is semi-monthly. The 1<sup>st</sup> through the 15<sup>th</sup> day period will be paid on the 18<sup>th</sup>. The 16<sup>th</sup> through the end of the month pay period will be paid on the 3<sup>rd</sup> of the following month. Should any payday fall on a weekend or holiday, the pay date will move to the previous work day. Each Team Member at his or her request has the option to receive pay via direct deposit or via check. Non-exempt Team Members must give completed time sheets to the Deputy Director prior to each pay date based on a schedule provided by the Deputy Director.
- B. **Team Member Reimbursements**: RESNET will reimburse its Team Members for all legitimate employment-related expenses as required by applicable law. Team Members should obtain advance authorization from his or her supervisor for all employment-related and out-of-pocket expenses incurred such as business travel, parking,

mileage (except to and from work), etc. RESNET requests that Team Members document their expenses (and provide receipts where possible) and submit reimbursement requests within 30 days of occurrence. For mileage reimbursements, RESNET will reimburse the Team Member based on the current, standard IRS posted rates.

**C. Payroll Advances:** RESNET does not provide payroll advances.

## **VII. TEAM MEMBER BENEFITS**

### **HOLIDAYS**

RESNET observes the following paid holidays:

- \* New Year's Day
- \* Memorial Day
- \* Fourth of July
- \* Labor Day
- \* Thanksgiving Day
- \* The day after Thanksgiving
- \* Christmas Day

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday. However, RESNET may recognize the holiday on another day or grant individual days instead of closing. Holiday observance will be announced in advance.

To be eligible for holiday pay, you must be regularly scheduled to work on the day on which the holiday falls and must work your scheduled working day immediately preceding and the scheduled working day immediately following the holiday, unless an absence on either day is approved in advance by your supervisor.

If you are required to work on a designated holiday, you will receive one extra day of Paid Time Off (PTO).

If a holiday occurs during your PTO period, you will be granted one additional day of PTO, to be taken at a time approved in advance by your supervisor.

Holiday pay is not counted for the purpose of calculating a Team Member's overtime hours of work or overtime premiums.

## PAID TIME OFF (“PTO”)

Full-time Team Members accrue Paid Time Off (“PTO”) in accordance with the following schedule:

<u>Length of Employment</u>	<u>PTO Accrued</u>	<u>Accrual Rate (Hours per day)</u>
Start of employment through 6 months	0	0
6 months through 1st year	5 days	0.32 hours per day
2nd year through 5th year	10 days per year	0.32 hours per day
6th year through 10th year	15 days per year	0.49 hours per day
11th year and thereafter	20 days per year	0.667/day

Temporary Team Members and part-time Team Members do not accrue PTO time.

Regular part-time Team Members receive pro-rated PTO benefits based on the percentage of time regularly scheduled to work.

There is no accrual during the first six months of employment. No PTO time may be taken until after completion of the first year of employment.

During the second six months of continuous employment, a Team Member who is scheduled to and does work 40 hours per week would normally accrue five working days or 40 hours of PTO.

In the second, third, fourth and fifth years of continuous employment, a Team Member who is scheduled to and does work 40 hours per week would normally accrue 10 working days or 80 hours of PTO.

In the sixth through tenth years of continuous employment, a Team Member who is scheduled to and does work an average of 40 hours per week would normally earn 15 working days or 120 hours of PTO.

In the eleventh and following years of continuous employment, a Team Member who is scheduled to and does work an average of 40 hours per week would normally earn 20 working days or 160 hours of PTO.

RESNET encourages Team Members to take PTO on an annual basis. Earned PTO accrues to a maximum of 160 hours in the second through fifth years of employment; 240 hours in the sixth through tenth years of employment; and 320 hours in the eleventh and following years of employment. Once the maximum accrual amount has been reached, no additional PTO will be earned until previously accrued PTO is used.

Team Members should request PTO as far in advance as possible.

Team Members are encouraged to schedule their PTO for one-week periods. PTO will be scheduled so as to provide adequate coverage of jobs and staff requirements. RESNET has the right to grant or deny PTO requests at its discretion.

Team Members on leaves of absence or other periods of inactive service do not accrue PTO. If a holiday occurs during your PTO period, you will be granted one additional day of PTO, to be taken at a time approved in advance by your supervisor.

## **VIII. LEAVES OF ABSENCE**

### **GENERAL PROVISIONS**

RESNET, in its discretion, may grant Team Members an unpaid leave of absence in certain circumstances. Leaves of absence will be unpaid unless otherwise required by applicable law. It is important to request any leave in writing as far in advance as possible, to keep in touch with your supervisor or the Deputy Director of RESNET during your leave, and to give prompt notice if there is any change in your return date. At all times, RESNET reserves the right to deny any request for leave of absence for any reason, unless it is otherwise required to do so under applicable law.

You may not obtain other employment or apply for unemployment insurance while you are on a leave of absence. Acceptance of other employment while on leave will be treated as a voluntary resignation from employment with RESNET.

PTO, holidays, and other benefits will not accrue while you are on a leave of absence unless otherwise required by law.

### **MILITARY LEAVE (ACTIVE AND RESERVE SERVICE)**

Leave without pay is provided to you in accordance with applicable law when you enter military service of the Armed Forces of the United States or are in the Armed Forces Reserves. You are afforded reemployment rights and retain full seniority benefits for all prior service upon reemployment in accordance with the Uniformed Services Employment and Reemployment Rights Act and the California Military and Veterans Code. You must notify the Deputy Director of RESNET of your need for military leave as soon as possible. You also need to bring your official military service orders to the Deputy Director for review prior to commencement of the leave.



## **OTHER TIME OFF**

### **FUNERAL OR BEREAVEMENT TIME OFF**

In the event of the death of your current spouse or domestic partner, child, parent, brother, sister, or any relative permanently residing in your household, you may take up to 3 consecutive work days off with pay with the approval of the Deputy Director of RESNET.

### **CIVIC DUTY TIME OFF**

Non-exempt Team Members who have completed their introductory periods will receive full pay while serving up to 3 days of jury or witness duty per year. Additional days taken for jury or witness duty will be unpaid. Exempt Team Members will receive pay for one entire week of absence due to jury or witness duty per year. Exempt Team Members will not incur any reduction in pay for a partial week's absence due to jury or witness duty. You must notify your supervisor of the need for time off for jury or witness duty as soon as a notice or summons from the court or a subpoena is received. Any jury duty or witness duty fees will be integrated with any payments made by RESNET such that at no time will you receive more than your regular compensation. You may be requested to provide written verification from the court clerk of having served. If work time remains after any day of jury or witness duty, you will be expected to return to work for the remainder of your work schedule.

### **VOTING TIME OFF**

If you cannot vote before or after working hours in statewide public elections, then you will be allowed sufficient time off to go to the polls. RESNET will pay you for up to the first two hours of absence from regularly scheduled work which is necessary to vote in a statewide public election. Any additional time off will be without pay. You must give reasonable notice of the need to have time off to vote and must give at least three days' notice when three days' notice is possible.

## **IX. INSURANCE BENEFITS**

### **MEDICAL INSURANCE**

Full time Team Members whether exempt or non-exempt are eligible for health insurance under RESNET's policy after six months of employment. Medical insurance coverage is a benefit provided by RESNET. You should consult the Plan Document or the Summary Plan Description for more complete information about eligibility and the details of RESNET's medical insurance plan. Copies of the Plan Document and the Summary Plan Description are available from the Deputy Director of RESNET. The Plan Document is controlling.

In the event of any increase in medical insurance premium rates, all Team Members may be required to contribute to the cost of increased premiums to retain coverage.

### **DISABILITY INSURANCE**

You are covered by California State Disability Insurance (SDI). SDI may be payable when you cannot work because of illness or injury not caused by employment at RESNET or when you are entitled to temporary workers' compensation at a rate less than the daily disability benefit amount.

### **PAID FAMILY LEAVE BENEFITS POLICY**

Team Members contribute to California's Paid Family Leave ("PFL") insurance fund. The PFL fund is administered by the California Employment Development Department ("EDD"), not RESNET. Through the PFL fund, the EDD provides eligible Team Members with a wage supplement for a maximum of six weeks within a rolling 12-month period. PFL benefits may be available from the EDD for a leave of absence:

1. For the birth or placement of a child, as defined by the PFL law, for adoption or foster care within one year of the birth or placement of the child; or
2. To care for an immediate family member (spouse, registered domestic partner, child or parent, as defined by the PFL law) who is seriously ill and requires care.

In some instances, PFL benefits may be coordinated with an otherwise authorized leave of absence, if any. In such circumstances, the use of PFL benefits during the leave period will not extend the length of the leave beyond what is required by applicable law and/or RESNET policy. Team Members may be required to use up to two weeks of PTO (if any) prior to receiving PDL benefits (one week to be used to cover the seven-day waiting period).

Fraud or dishonesty in connection with an application for or use of PFL benefits is grounds for immediate disciplinary action, up to and including discharge.

### **TEAM MEMBER CONTRIBUTIONS**

Like State Disability Insurance ("SDI") contributions, Team Member PFL contributions are not optional and must be deducted automatically from each Team Member's paycheck. The amount of the contributions is fixed by the EDD, not RESNET.

## **TEAM MEMBER ELIGIBILITY**

The EDD decides whether a Team Member is eligible for PFL benefits, not RESNET, and Team Members must apply for PFL benefits through the EDD. Requests to take time off from work will be evaluated in accordance with RESNET policies and applicable law.

## **WAITING PERIOD**

The EDD mandates a seven (7) day waiting period before an eligible Team Member may receive PFL benefits.

## **BENEFITS**

Team Member benefits, including health insurance, do not continue during a leave of absence unless otherwise required by law and/or applicable RESNET policies. As appropriate, you will receive separate information about your right to continue your health insurance under Cal-COBRA or COBRA.

Nothing in this policy may be construed as creating any contractual or other rights regarding a leave of absence, benefits during a leave of absence, reinstatement following a leave of absence, etc. For further information about such matters, refer to the applicable policies set forth elsewhere in the Team Member Handbook.

## **UNEMPLOYMENT COMPENSATION**

RESNET contributes to the Unemployment Insurance Fund on behalf of its Team Members. In the event your employment with RESNET ends, you may be entitled to benefits in accordance with this Fund.

## **SOCIAL SECURITY**

Social Security is an important part of every Team Member's retirement benefit. RESNET pays a matching contribution to each Team Member's Social Security taxes.

## **WORKERS' COMPENSATION**

At no cost to you, you are protected by Workers' Compensation Insurance while a Team Member at RESNET. The policy covers you in case of occupational injury or illness by providing, among other things, medical care, compensation and vocational rehabilitation.

To ensure that you receive any workers' compensation benefits to which you may be entitled, you will need to:

- Immediately report any work-related injury to you supervisor.

- Complete a written Team Member's Claim Form and return it to the Deputy Director of RESNET.
- Seek medical treatment and follow-up care if required.

RESNET is required by law to notify the workers' compensation insurance of any concerns of false or fraudulent claims. Any person who makes or causes to be made any knowingly false or fraudulent material statement or material misrepresentation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony. A violation of this law is punishable by imprisonment and/or by a fine, or both. Additional civil penalties may also be assessed.

## **FLEXIBLE SPENDING ACCOUNTS**

Flexible spending accounts are voluntary plans that enable Team Members to save money by paying for certain health and dependent care expenses using tax-free pay. Please refer to the current benefit list for details.

## **X. RETIREMENT**

RESNET has a retirement plan for its Team Members. The employer contribution will vary year-to-year depending on the financial health of the organization. Team Members are eligible for the retirement program after one year of employment with RESNET. Eligible Team Members can also make contributions to this plan up to limits allowable under the law.

RESNET reserves the right to change or discontinue any of the benefits it provides to Team Members to the extent permitted by applicable law.

## **XI. STAFF LAY-OFFS, REORGANIZATION AND RESIGNATIONS**

**Staff Lay-Offs and Reorganization:** While RESNET hopes to continue growing and providing employment opportunities, changes in the economy, business conditions, consumer demand and other factors can create a need to restructure or reduce the number of people employed.

If it becomes necessary to restructure our operations or reduce the number of Team Members, RESNET will attempt to provide advance notice, if possible, so as to minimize the impact on those affected. Team Members subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite, if possible.

In determining which Team Members will be subject to layoff, RESNET may take into account, among other things, operational requirements, the skill, productivity, ability and past performance of those involved, and also, where feasible, length

of service. Ultimately, however, RESNET has the sole discretion to determine which Team Members will be selected for layoff.

**Resignations:** Team Members are encouraged to notify their supervisors at the earliest possible time of a decision to resign. Staff may be expected to participate in the training of their replacements.

## **XII. POLICIES**

### **RESNET BLOGGING AND SOCIAL MEDIA POLICY**

RESNET recognizes the importance of the Internet in shaping public thinking about RESNET and our current and potential products, Team Members, partners, and customers. RESNET also recognizes the importance of our Team Members joining in and helping shape industry conversation and direction through blogging and interaction in social media. If and when you choose to participate in a blog or other interactive social media communication that relates to RESNET or its industry or business, the following guidelines should assist in fostering a respectful, knowledgeable interaction with people on the Internet while also protecting the privacy, confidentiality, and interests of RESNET and our current and potential products, Team Members, partners, customers, and competitors.

#### **GUIDELINES FOR INTERACTION ABOUT RESNET ON THE INTERNET**

If you are developing a Web site or writing or commenting on a blog or other social media outlet (i.e. Facebook, websites, Twitter, etc.) that will mention RESNET and/or our current and potential products, Team Members, partners, customers, and competitors, you should clearly indicate that the views expressed on the blog or Web site are yours alone and do not represent the views of RESNET and that you accept full responsibility and liability, if any, for any posts, comments, or content that you post.

Unless given permission by the Executive Director of RESNET in writing, you are not authorized to speak on behalf of RESNET or to represent that you do so.

If you are developing a site or writing a blog that will mention RESNET and/or our current and potential products, Team Members, partners, customers, and competitors, as a courtesy to RESNET, we request that you inform your manager so that we can attempt to understand your point of view.

#### **CONFIDENTIAL INFORMATION COMPONENT OF THE BLOGGING POLICY**

You may not share information that is or may be considered trade secrets, confidential and/or proprietary about RESNET. This includes information about

RESNET's Team Members, contractors, business practices, member information, finances, accounting, strategy or any other information that is not publicly known or released by RESNET.

These are given as examples only and do not cover the range of what RESNET considers trade secret, confidential and proprietary information. If you have any question about whether information has been released publicly or doubts of any kind, speak with the Executive Director of RESNET before releasing information that could potentially harm RESNET, or our current and potential products, Team Members, partners, and customers. You may also want to be aware of the points made in the non-disclosure agreement you signed when you joined RESNET.

RESNET logo and trademarks and any copyrighted material may not be used without explicit permission in writing from RESNET. This is to prevent the appearance that you speak for or represent RESNET officially.

### **RESPECT AND PRIVACY RIGHTS COMPONENTS OF THE BLOGGING POLICY**

If and when you choose to participate in blogging or other social media outlets concerning RESNET (or its Team Members, contractors, members or business), RESNET encourages you to speak respectfully and professionally on such matters such that the communication would be consistent with RESNET's Code of Conduct and related policies. RESNET also requests that you respect, and not infringe upon, the privacy rights of its agents, Team Members, contractors, and members by seeking their permission before writing about or displaying internal RESNET business that might be considered to be a breach of their or RESNET's privacy and confidentiality.

### **YOUR LEGAL LIABILITY COMPONENT OF THE BLOGGING POLICY**

Recognize that you are legally liable for anything you write or present online. Depending on the circumstance and comments involved, Team Members may be disciplined by RESNET for commentary, content, or images relating to RESNET (and/or its officers, agents, Team Members, and members, etc.) that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment or that violate any other laws.

### **CELL PHONE POLICY**

Team Members who are issued a RESNET cellular telephone, are reimbursed for a cellular phone and/or other digital communication services by RESNET for business-related work use, or who need to drive as part of their job at RESNET, must comply with all driving, cell phone/ text, and related safety laws and at all times put safety first. Due to applicable laws and safety reasons, RESNET prohibits such Team Members from using, checking, or listening to any hand-

held cell phones (and other digital devices such as blackberrys and laptops, etc.), while driving.

RESNET also prohibits such Team Members from using any devices used to manually communicate with any person (or entity) using text-based communication, including but not limited to, text message, instant messages, or electronic mail. Usage includes receiving, reviewing, or sending any such text-based communications and messages while driving.

Team Members are required to stop their vehicle in a safe location so that they can safely use their digital communication device, including their cell phones, blackberrys, laptops and other devices. Special care should be taken in situations where there is traffic, inclement weather, or the Team Member is driving in an unfamiliar area. Team Members who are charged with traffic violations resulting from their use of personal or RESNET-issued cellular telephones or other digital devices while driving will be responsible for all liabilities, fines, etc., that result to the extent permitted by law.

Team Members who violate this policy may be subject to disciplinary actions, up to and including, termination.

## **DRUG AND ALCOHOL ABUSE**

RESNET maintains zero tolerance for drug and alcohol abuse by its Team Members. The use of any illegal drug, intoxicants, or controlled substances is strictly prohibited. Illicit drug use and indiscriminate alcohol consumption puts everyone at risk and cannot be tolerated. In keeping with our efforts to promote health and safety and protect the interests of our Team Members, clients, vendors, and members, we cannot allow anyone to use, possess, sell, manufacture, purchase, or be under the influence of alcohol, illegal drugs, intoxicants, or controlled substances at any time on RESNET premises, in RESNET vehicles, or while on business. Furthermore, the involvement of Team Members in these activities off the job raises significant concerns for RESNET and will be treated with equal severity.

The use of alcohol, illegal drugs, intoxicants, and controlled substances, whether on or off duty, can impair a Team Member's ability to work safely and efficiently. As such, RESNET prohibits the use of these substances to the extent that they affect, or have the potential to affect, the workplace. Accordingly, prohibits the following:

- Possessing, using, or being under the influence of alcohol or an illegal drug, intoxicant, or controlled substance during working hours or while on RESNET business.
- Operating a vehicle owned or leased by the RESNET while under the influence of alcohol or an illegal drug, intoxicant, or controlled substance.
- Distribution, sale, manufacture, or purchase—or the attempted distribution, sale, manufacture, or purchase—of an illegal drug, intoxicant, or controlled substance during working hours, while on RESNET business or while on premises owned or occupied by the RESNET.

A Team Member suspected of possessing alcohol, an illegal drug, intoxicant, or controlled substance is subject to inspection and search, with or without notice. Team Members' personal belongings, including any bags, purses, briefcases, and clothing, and all RESNET property, are also subject to inspection and search, with or without notice. Team Members who violate RESNET's drug and alcohol policy or who are suspected of violating this policy (as determined at the RESNET's discretion) will be removed from the workplace immediately and will be subject to disciplinary action. RESNET may also bring the matter to the attention of appropriate law enforcement authorities. Any conviction for criminal conduct involving illegal drugs, intoxicants, or controlled substances, whether on or off duty, or any violation of RESNET's drug and alcohol abuse policy, may lead to disciplinary action, up to and including termination.

The use of prescription drugs and/or over-the-counter drugs may also affect a Team Member's job performance and seriously impair a Team Member's value to RESNET. A Team Member who is using prescription or over-the-counter drugs which may impair his or her ability to safely perform the job or may affect the safety or well-being of others must submit a physician's statement that the prescription drug use will not affect job safety. The Team Member is not required to identify the medication or the underlying illness. Various federal, state, and local laws protect the rights of individuals with disabilities and others with regard to the confidentiality of medical information, medical treatment, and the use of prescription drugs and substances taken under medical supervision. Nothing contained in this policy is intended to interfere with individual rights under, or to violate, these laws.

**NOTE:** On occasion, RESNET staff may entertain business associates during work hours or after work hours as representatives of the RESNET. These occasions may include lunches, dinners, and business conferences. On these occasions, only the moderate and limited use of alcoholic beverages is acceptable. In addition, occasionally, alcohol is served at social events sponsored by the RESNET. Alcohol may be served at these events only with the approval of the Deputy Director of RESNET. Only the moderate and limited use of alcohol is acceptable. Team Members are expected to remain responsible, professional, and sober at all times.



## STANDARDS OF CONDUCT

### PROHIBITED CONDUCT

There are many of us working together here at RESNET, and we need to guard our security, our personal safety, our welfare, and RESNET operations. The following conduct is prohibited and will not be tolerated by RESNET. This list of prohibited conduct is illustrative only. Other types of conduct detrimental to security, personal safety, Team Member welfare and RESNET's interests may also be prohibited.

1. Falsification of employment records, employment information, or other RESNET records.
2. Recording the work time of another Team Member or allowing any other Team Member to record your work time, or falsifying your timecard.
3. Possessing, distributing, selling, transferring, using or being under the influence of alcohol, an illegal drug, or a controlled substance during work time.
4. Theft, deliberate or careless damage of any RESNET property or the property of any Team Member or contractors, clients or consumers.
5. Removing or borrowing RESNET property without prior authorization.
6. Unauthorized use of RESNET equipment, time, materials, or facilities.
7. Taking, copying, or otherwise misusing RESNET information, including confidential records and business records.
8. Participating in horseplay or practical jokes on RESNET time or on RESNET property.
9. Engaging in criminal conduct whether or not related to job performance.
10. Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management.
11. Making false, vicious, profane or malicious statements toward or concerning RESNET or any of its Team Members at any time during working hours or on RESNET property.

12. Failure to notify a supervisor when unable to report to work.
13. Unexcused absences and tardiness.
14. Failure to observe working schedules, including rest and lunch periods.
15. Violation of any safety, health, security or RESNET policy, rule, or procedure.
16. Committing a fraudulent act or a breach of trust in any circumstances.

This statement of prohibited conduct does not alter RESNET's policy of employment at will. Either you or RESNET may terminate the employment relationship at any time for any or no reason, with or without cause or notice.

### **RELATIVES AND INTIMATE RELATIONSHIPS AT WORK**

RESNET strives to maintain a harassment-free workplace as well as a professional work environment where no actual or potential conflicts of interest exist that may disrupt the workplace. At times, a familial or intimate relationship among Team Members and/or contractors can create an actual or at least potential or perceived conflict of interest in the employment or work setting, especially where one relative, spouse, partner, individual, etc. supervises another relative, spouse, partner, individual, etc. While RESNET respects its Team Members' (and contractors') off-duty time and non-work-related relationships that occur off of RESNET's premises (and at non-work-related events), RESNET may consider such relationships when they affect or relate to an individual's job, work performance, occur during working time or on RESNET premises.

To avoid this problem, RESNET may refuse to hire or place a relative or other intimately associated individual in a position where the potential for favoritism or conflict exists. If two Team Members marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment or work of the other individual.

In cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment, at the discretion of RESNET.

### **BUSINESS ETHICS**

RESNET expect all officers, directors and Team Members to exercise the highest degree of professional business ethics in all actions they undertake on behalf of RESNET. In furtherance of that objective, RESNET expects its officers, directors and Team Members to act in accordance with the policies herein at all times.

## GENERAL REQUIREMENTS

- RESNET and its Team Members shall comply with all applicable legal requirements of the United States and each state or foreign country in which RESNET conducts its business.
- The use of assets of RESNET for any unlawful or improper purpose is strictly prohibited.
- No undisclosed or unrecorded fund or asset of RESNET shall be established or maintained for any purpose.
- No false or misleading entries shall be made for any reason in the books, records or any financial documents of RESNET, or any materials prepared for or submitted to its accountants or independent auditors, and no Team Member shall engage in any arrangement that results in such prohibited act. In addition, all Team Members dealing with or providing information or documentation to RESNET's accountants or auditors must provide complete and accurate information to the accountants or auditors and must immediately report any request, suggestion or threat that they do otherwise to the Deputy Director of RESNET on an anonymous and confidential basis.
- No payment on behalf of RESNET shall be approved without adequate supporting documentation, or made with the intention or understanding that any part of such payment is to be used for any purpose other than that described by the documents supporting the payment.
- Just as we expect our Team Members to speak honestly to contractors, clients or consumers, we expect them to display the same integrity in anything they write, whether for internal or external use. As a result, all internal records, records, memoranda and other documents must be accurate, complete and truthful and must be maintained in that condition without any alteration, covering up, falsification or other change which would mislead someone reviewing the record about its original contents or meaning. Any Team Member who is asked or directed to engage in such prohibited conduct should report the issue immediately to the Deputy Director of RESNET as a signed complaint or on an anonymous, confidential basis.
- No confidential information concerning RESNET shall be used or revealed within or outside RESNET without proper authorization and purpose.
- The use of RESNET Team Members, materials or equipment for personal purposes is prohibited, unless specifically authorized.

- Compliance with established internal control procedures is required at all times.

### **PROTECTION AGAINST RETALIATION**

Retaliation against any Team Member as a result of their bringing forward any questions, concerns or complaints about accounting or auditing matters, recording of information, record retention, or in any other manner concerning the honesty and integrity of RESNET's operation is strictly prohibited. Similarly, retaliation is prohibited against any Team Member who provides accurate information to any law enforcement agency about the commission of any federal or state offense. Any Team Member who feels that he or she has been retaliated against or threatened with retaliation for these reasons should report the matter immediately to the Deputy Director of RESNET as a signed complaint or on an anonymous, confidential basis.

### **BUSINESS CONDUCT**

No Team Member may accept a gift or gratuity valued in excess of \$100.00 from any contractor, vendor, supplier, or other person doing business with RESNET. Team Members may not accept a meal or entertainment in connection with furthering RESNET's business interests unless such meals or entertainments are of a token amount. Team Members may not receive compensation (e.g., an honorarium) for participation on professional committees and panel presentations related to RESNET business, but the sponsoring organization may pay reasonable travel expenses if non-RESNET participants are treated equally.

### **DISCOUNT AND PREFERENTIAL TREATMENT**

You may not accept any discount or other preferential treatment for your personal use because of your position with RESNET. If you use RESNET's suppliers or contractors for personal business, you are expected to pay full market value for services rendered and materials provided.

In no event may a gift, gratuity or any other payment influence a business decision, transaction or service.

### **USE OF RESNET'S NAME, FACILITIES OR RELATIONSHIPS**

You should not use RESNET's name, facilities, or relationships for personal benefit in connection with activities outside work. Use of RESNET's name, facilities or relationships for charitable or pro bono purposes can be made only with prior written approval from the Deputy Director.

## **RELATED PARTY BUSINESS DEALINGS**

You must notify your supervisor of any business relationship or proposed business transaction RESNET may have with any Organization in which you or a related party have a direct or indirect interest or from which you or a related party may derive a benefit, or where a related party member is employed, if such a relationship or transaction might give rise to an actual or the appearance of a conflict of interest.

## **CONFIDENTIALITY**

Information about RESNET, its Team Members, contractors, suppliers and vendors is to be kept confidential and divulged only to individuals within RESNET with a need to receive, and authorized to receive, such information. If in doubt as to whether information should be divulged, err in favor of not divulging information and discuss the situation with your supervisor.

All records and files maintained by RESNET are confidential and remain the property of RESNET. Records and files are not to be disclosed to any outside party without the express permission of the Executive Director of RESNET. Confidential information includes, but is in no way limited to financial records, personnel and payroll records (regarding current or past Team Members), information regarding contractor transactions, contractor information, information regarding contractors, vendors or suppliers, or any documents or information regarding RESNET operations, procedures or practices. Such confidential information may not be removed from RESNET premises without express authorization.

Confidential information obtained during or through employment with RESNET may not be used by any Team Member for the purpose of furthering current or future outside employment or for obtaining personal gain or profit. The duty not to use or disclose confidential information remains in effect during and after employment. RESNET reserves the right to avail itself of all legal or equitable remedies to prevent impermissible use of confidential information or to recover damages incurred as a result of such impermissible use of confidential information. Confidential information obtained from other sources, namely prior employers, should not be used or disclosed in your current position.

## **CONFLICTS OF INTEREST**

RESNET expects the undivided loyalty of its Team Members in the conduct of RESNET business. It is important that Team Members be free from any financial interests or other relationships that might conflict with the best interests of RESNET. Accordingly, each Team Member shall avoid any investment or other interest in another business which would conflict with the proper performance of his/her duties or responsibilities for RESNET, or which might interfere with

his/her independence of judgment with respect to transactions between RESNET and such other business. Examples of such situations are as follows:

- To give or receive gifts of more than token value which are in any way connected with business relationships;
- To lend to or borrow from individuals or concerns that do business with or compete with RESNET, except as a retail consumer of a financial institution on an arms-length basis;
- To serve as an officer, director, Team Member or consultant of or receive income from any enterprise doing business with or competing with RESNET, or seeking to do so, or to own an interest in or engage in the management of an organization providing services or products to RESNET, or to which RESNET sells or with which it competes, except when such interest (a) comprises publicly traded securities listed on a national securities exchange, NASDAQ or the OTC margin list and (b) is not in excess of five percent of the securities of such RESNET;
- To accept compensation from outsiders for services or products for which the Team Member is being paid by RESNET;
- To speculate or deal in materials, equipment, supplies, products, lands, leases or property purchased or sold by RESNET, or for which negotiations to purchase, acquire or sell are pending or may reasonable be anticipated, or to receive (other than from RESNET) any compensation, bonus or commission in connection with any transaction relating to RESNET's business;
- To knowingly cause, either directly or indirectly, RESNET to enter into a business transaction with a close relative of a RESNET Team Member or a business enterprise of such relative;
- To knowingly buy or sell for the Team Member's own account or the account of a relative of a RESNET Team Member any security or other interest which RESNET or a Team member may be considering buying or selling, or has decided to buy or sell, until RESNET's or Team member's decision has been completely executed and publicly announced;
- To transmit any knowledge of any considerations or decisions of any information that might be prejudicial to the interests of RESNET to any person, except as may be necessary for the proper discharge of the Team Member's responsibilities for RESNET.

If a Team Member finds that he or she has, or is considering the assumption of, a financial interest or outside relationship which might involve a conflict of interest, or if the Team Member is in doubt as to the proper application of this policy, he or

she should promptly make all the facts known to the RESNET Executive Director and refrain from any exercise of responsibility in any manner which might reasonably be considered to be affected by any adverse interest.

## **PROTECTION OF CONFIDENTIAL OR PROPRIETARY INFORMATION**

RESNET's confidential and proprietary information is vital to the current operations and future success of RESNET. Each Team Member shall use all reasonable care to protect or otherwise prevent the unauthorized disclosure of such information. In no event shall confidential information be disclosed or revealed within or outside RESNET without proper authorization or purpose. If a Team Member is uncertain whether certain information should be treated as confidential, the Team Member should presume that such information is confidential and not disclose it without proper authorization.

By way of example, confidential or proprietary information will include information regarding RESNET's business methods, business plans, databases, systems, technology, intellectual property, know-how, management, business development, operations, products, services, research, development, inventions, financial statements, financial projections, financing methods, pricing strategies, contractor sources, Team Member records, system designs, terms and conditions of arrangements of any business or contractor lists, methods of competing, and other proprietary information.

## **RESNET WHISTLEBLOWER POLICY**

RESNET is committed to operating in furtherance of its tax-exempt purposes and in compliance with all applicable laws, rules and regulations, including those concerning accounting and auditing, and prohibits fraudulent practices by any of its board members, officers, Team Members, or volunteers. This policy outlines a procedure for Team Members to report actions that they reasonably believe violates a law, or regulation involving serious improper conduct such as incorrect or fraudulent financial or other reporting, unlawful activity, conduct that violates the Code of Conduct or Business Ethics, or any other serious or potentially serious conduct.

This policy applies to any matter which is related to RESNET's business and does not relate to private acts of an individual not connected to the business of RESNET.

If you have a reasonable belief that any Team Member of RESNET has engaged in any action that violates any applicable law, or regulation, including those concerning accounting and auditing, or constitutes a fraudulent practice, you are expected to immediately report such information to the Executive Director. If you do not feel comfortable reporting the information to the Executive Director, you

are expected to report the information to the Deputy Director or the President of the Board of Directors.

All reports will be followed up promptly, and if appropriate, an investigation will be conducted. In conducting its investigations, RESNET will strive to keep the identity of the complaining individual as confidential as possible, while conducting an adequate review and investigation.

RESNET will not retaliate against an individual in the terms and conditions of employment because that Team Member: (a) reports to a supervisor, to the Executive Director, the Board of Directors or to a federal, state or local agency what the Team Member believes in good faith to be a violation of the law; or (b) participates in good faith in any resulting investigation or proceeding, or (c) exercises his or her rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect the Team Member's rights.

RESNET may take disciplinary action (up to and including termination) against a Team Member who in management's assessment has engaged in retaliatory conduct in violation of this policy.

In addition, RESNET will not, with the intent to retaliate, take any action harmful to any Team Member who has provided to law enforcement personnel or court truthful information relating to the commission or possible commission by RESNET or any of its Team Members of a violation of any applicable law or regulation.

Supervisors will be trained on this policy and RESNET'S prohibition against retaliation in accordance with this policy.

---



## Attachment A

### RESNET TEAM MEMBER HANDBOOK/POLICIES ACKNOWLEDGEMENT

This is to acknowledge that I have received and read a copy of RESNET's Team Member Handbook and understand that it sets forth the terms and conditions of my employment as well as the duties, responsibilities and obligations of employment with RESNET. I understand and agree to abide by and be bound by the rules, policies and standards set forth in RESNET's Team Member Handbook.

I also acknowledge that my employment with RESNET is not for a specified period of time and can be terminated at any time for any or no reason, with or without cause or notice, by me or by RESNET. I acknowledge that no statements or representations regarding my employment can alter the foregoing. As to the circumstances in which employment may be terminated, this is the entire agreement between me and RESNET; there are no oral or collateral agreements of any kind. I also acknowledge that no supervisor or Team Member has the authority to enter into an employment agreement—express or implied—providing for employment other than at will.

I also acknowledge that, except for the policy of at-will employment, RESNET reserves the right to revise, delete, and add to the provisions of this Team Member Handbook. All such revisions, deletions, or additions must be in writing and must be signed by the Executive Director of RESNET. No oral statements or representations can change the provisions of this Team Member Handbook. I also acknowledge that, except for the policy of at-will employment, terms and conditions of employment with RESNET may be modified at the sole discretion of RESNET with or without cause or notice at any time. No implied contract concerning any employment-related decision or term and condition of employment can be established by any other statement, conduct, policy, or practice.

I understand that the foregoing agreement concerning my employment-at-will status and RESNET's right to determine and modify the terms and conditions of employment is the sole and entire agreement between me and RESNET concerning the duration of my employment, the circumstances under which my employment may be terminated, and the circumstances under which the terms and conditions of my employment may change. I further understand that this agreement supersedes all prior agreements, understandings, and representations concerning my employment with RESNET.

I also acknowledge that the handbook contains an employment-at-will provision that states:

- Either RESNET or I can terminate my employment relationship at any time, with or without cause, and with or without notice;

- That this employment-at-will relationship is in effect regardless of any other written statements or policies contained in this handbook, in any other RESNET documents, or in any verbal statements to the contrary; and
- That no one except the President can enter into any differing employment relationship, contract, or agreement. To be enforceable, any such out-of-the-ordinary relationship, contract, or agreement must be in writing and signed by the President.

I have also read and understand all of the policies set forth in the handbook including, but not limited to, the Anti-Harassment Policies, the Meal and Rest Break Policies, and the Code of Conduct and Business Ethics policies which set forth the standard of conduct expected of its Team Members by RESNET, and I agree to act in accord with all such policies as a condition of my employment by RESNET.

I understand that if I have questions or concerns at any time about the handbook or any of its provisions, terms, or policies, I will consult my immediate supervisor, the Deputy Director, the Executive Director, or the President of the Board of Directors, as appropriate, for clarification.

Parties agree that facsimiles and electronic signatures will be accepted and treated as if they are originals.

**NAME (Print)** \_\_\_\_\_

**DATE** \_\_\_\_\_


**SIGNATURE** \_\_\_\_\_

**[TO BE PLACED IN TEAM MEMBER'S PERSONNEL FILE]**

---

# **ATTACHMENT D**

To: RESNET Board of Directors

From: Lee O'Neal, Chairman   
RESNET Employee Handbook and Benefits Working Group

Re: Recommended RESNET Employee Workers' Composition Insurance and Retirement Provisions

Date: February 15, 2010

At its October meeting the RESNET Board approved having all support personnel contractors' contract with RESNET. The Program Manager /Conference Coordinator and the Consumer Representative will become RESNET employees. Both employees are currently subcontractors with RESNET. Laurel Elam, Program Manager/Conference Coordinator will be based in North Carolina and Stephanie DeZee, Consumer Representative will be based in Ohio.

RESNET's Deputy Director Kathy Spigarelli will supervise all of RESNET employees and contractors. Stephanie DeZee is now married to Steve Baden's son. Mr. Baden will not directly supervise Ms. DeZee.

Philip Fairey selected an Employee Handbook and Benefits Working Group. Members of the working group are:

- Steve Baden, RESNET Executive Director
- Faye Berriman, RESNET Accountant
- Philip Fairey, RESNET Board President
- Mark Jansen, RESNET Board Member
- Lee O'Neal, RESNET Treasurer
- Kathy Spigarelli, RESNET Deputy Director

The first task for the EHB Work Group was to develop a RESNET Employee Handbook. The handbook has been drafted and vetted by an employment attorney and distributed to the board.

The memo presents the EHB Work Group recommendations on Workers' Compensation and retirement provisions.

### **Workers' Compensation**

Workers' Compensation options are limited and governed by state law. The North Carolina Workers' Compensation basic premium is \$381.00. There is an

addition fee of \$262.00 based on rate of exposure and annual salary. The total premium of \$643.00.

Ohio does not participate in a national workers compensation plan. RESNET has to contract with the state for the coverage. RESNET, through Faye Berriman, has entered into coverage but has not received notice on what the total annual premium will be. RESNET should qualify for the lowest rater as there is only one administrative employee (no one in sales or working outdoors, or construction, etc.).

### **Employee Retirement Plan**

The EHB Work Group investigated a number options with Simple IRA and 401-K plans and recommends that RESNET offer a Safe-Harbor matching 401-K plan that creates a pre-tax option for the employees to purchase retirement coverage. For an employee who contributes to their retirement, RESNET would contribute 100% of the first 2% and 50% of the next 4% of an employee's salary. This option can be less of an annual cost to the employer because not all employees contribute and/or maximize their contributions. If the employee does not elect for coverage, RESNET pays \$0.00.

For more information on the options that the EHB Work Group considered see Attachment A.

It is recommended that RESNET obtain a 401-K plan, administered by American National Insurance Company, for a \$300.00 set-up fee and a \$1,500.00 flat fee per year for two (2) employees

A simple IRA would be very low cost to RESNET at this time, but entails each employee choosing their own plan at a brokerage of their choice. RESNET would have to calculate and prepare the contribution monthly, mail a separate check for each employee brokerages of choice, and then complete accounting forms, etc. which is labor intensive and becomes more complex as out employee numbers grow numbers in the future. The EHB Work Group does not recommend this option.

In addition, the EHB Work Group recommends health care coverage for RESNET's employees. The options will be reviewed and the EHB Work Group will make a recommendation to the board after the RESNET Conference.

# Attachment A

## A BRIEF OVERVIEW OF A SIMPLE IRA vs. a 401(k) PLAN

### SIMPLE IRA

- A SIMPLE IRA allows employees to make contributions via salary deferral up to a maximum of \$11,500 for 2010. Employees age 50 and older may make an additional “catch-up” contribution of up to \$2,500 for 2010.
- The employer is required to match, dollar for dollar, the employee’s contribution up to 3% of the employee’s compensation OR the employer can choose to make a non-elective contribution of 2% of an eligible employee’s compensation. Translation: even if an employee chooses not to defer any of his or her salary, the employer will contribute 2% to the SIMPLE IRA.
- An eligible employee is any employee who earned \$5,000 or more in at least twice in the past and who is expected to be paid at least \$5,000 in the current year. The employer may choose to elect less restrictive participation requirements if it so chooses (e.g. new employees are eligible immediately or a compensation level below \$5,000 may be eligible.)
- There are two ways a SIMPLE IRA can be set up. The first allows the employee to select the financial institution of his or her choice and the employee sends contributions to that institution. While this is relatively easy for small employers, as an employer adds more employees this can become administratively cumbersome.

The second way a SIMPLE IRA can be set up is for the employer to choose the financial institution that all contributions will be sent to. The institution can be a bank, brokerage or insurance company that is set up to handle a SIMPLE IRA.

The advantages of a SIMPLE IRA are: 1) Once an employee leaves, the organization no longer has any administrative responsibilities with regard to the former employee’s SIMPLE IRA because it is held in the individual’s name. 2) Unlike a 401(k) plan, an annual Form 5500 does not have to be prepared and filed annually. 3) There are no administrative fees.

The disadvantages of a SIMPLE IRA are: 1) the \$5,000 income level to determine employee eligibility means that even part time employees are likely to

qualify, whereas a 401(k) plan can set a minimum threshold of 1,000 hours worked. 2) an employee's maximum allowable contribution under a SIMPLE IRA is significantly less than a 401(k) - \$11,500 vs. \$16,500 normal contribution; \$2,500 catch-up provision for the SIMPLE vs. \$5,500 for a 401(k). 3) An employee cannot transfer funds from a previous employer's 401(k) or a Traditional IRA into their simple IRA, therefore, requiring them to maintain and manage multiple retirement accounts.

## 401(k) Profit Sharing Plan

Note, even a non-profit can have a profit sharing element to their plan. It is essentially a discretionary contribution made by the non-profit organization to the plan and can be provided as a reward to employees, but is completely at the discretion of the board.

- A 401(k) allows employees to make contributions via salary deferral up to a maximum of \$16,500 for 2010. Employees age 50 and older may make an additional "catch-up" contribution of up to \$5,500 for 2010.
- There are many ways to set up a 401(k) Profit Sharing plan, but three most suited to RESNET.
  1. Traditional 401(k) plan – Allows the organization to make a discretionary contribution that matches the employee's contribution up to a specified amount, typically 3% but it can be more or less. This allows the organization maximum flexibility in down years because they can choose whether to provide the match in any given year. The downside is that if you anticipate having highly compensated employees (HCE) in the future (salary greater than \$100,000), their ability to contribute can be limited by how much non-HCEs contribute.
  2. Safe Harbor Plan with non-discretionary match of 3% - Requires the employer to contribute 3% of an eligible employee's salary regardless of whether or not the employee is contributing a portion of their salary.
  3. Safe Harbor Plan Matching Contribution – Requires the employer to match an employee's contribution in the following manner:
    - The company must match dollar for dollar of the employee's first 3% of salary deferral, i.e. the company's match exposure is 3%.
    - The company must then match 50% of the next 2% of an employee's salary deferral, i.e. the company's match exposure is 1%
    - This places the company's match exposure at a total of 4% of an employee's salary, however, because some employees may not participate at all the employer's cost may actually be less than under the non-discretionary 3% match option.

Any of the plans mentioned in this section can require that an employee work a minimum of 1,000 hours a year to qualify and can also require them to wait up to one year before becoming eligible.

- When setting up a 401(k) plan, you can choose from providers that provide the investment and the 401(k) administration in one package or you can choose a provider that provides the investment options only which then requires the employee to separately hire a 3rd Party Administrator, aka a "TPA." The all in one provider is typically far less expensive with regard to plan set up fees and annual administrative fees because they typically seek to break even on the administration and profit on the investment fees. To that end, I have a provider that will set up a 401(k) plan for a one-time fee of \$250 and will provide the annual administration at a cost of \$900 per year.
- The disadvantages of a 401(k) Profit Sharing Plan are: 1) Once an employee leaves, they may choose to keep their funds in the plan. This will require continued administrative responsibilities with regard to the former employee's 401(k) such as mailing quarterly statements. 2) Unlike SIMPLE IRA, an annual Form 5500 does have to be prepared and filed annually. 3) There are administrative fees.
- The advantages of a 401(k) Profit Sharing Plan are: 1) a 401(k) plan can set a minimum threshold of 1,000 hours worked and require that an employee wait up to one year before becoming eligible, thus eliminating the participation of employees who have a short stint with the organization. 2) an employee's maximum allowable contribution under a 401(k) Profit Sharing plan is significantly greater than a SIMPLE IRA - \$16,500 vs. \$11,500 normal contribution; \$5,500 catch-up provision for the 401(k) vs. \$2,500 for a SIMPLE IRA. 3) An employee can transfer funds from a previous employer's 401(k) or a Traditional IRA into their 401(k), therefore, allowing them to consolidate multiple retirement accounts



# **ATTACHMENT E**

February 18, 2010

RESNET Board of Directors  
RESNET Executive Director

Gentlepeople,

I am saddened to announce that I must resign from the Board of Directors of RESNET. I represent Accredited Rating Software Providers on the Board. However, as of December 24, 2009, I am no longer an employee of Architectural Energy Corporation, developer of the REM / Rate home energy analysis and rating software. Consequently, I must resign from the RESNET Board of Directors so that an individual representing this membership category can be elected to serve out my remaining term.

I have enjoyed my time on the Board and the camaraderie with my fellow Board members and the RESNET staff. Over the many years ( 30 + to be exact ) that I have been involved in the home energy rating field, I have seen it grow from a struggling state energy office supported effort to a vibrant professional private sector operation. We can be proud of all that we have collectively done to improve the energy efficiency in residential buildings. RESNET is now a widely respected organization that federal and state agencies, trade associations, utilities and others look to for unbiased technical advice and standards. We play an increasingly important role in delivering energy efficiency to the homebuilders and homeowners throughout the United States...and we can do the same for commercial buildings.

While I will not be on the Board of Directors, I do plan to remain involved in RESNET affairs. I hope to stay on the Standards Committee, and perhaps the new COMNET Committee. I look forward to seeing each of you and to working with many of you in the future. I wish you continued success in moving RESNET to become the premier organization in setting the standards of quality for evaluating building energy performance.

Thank you for all the support and assistance you have given me over my many years on the Board of Directors, and my best wishes for all of your future endeavors.

Sincerely,

Michael J. Holtz, FAIA

3355 Heidelberg Drive  
Boulder, Colorado 80305

# **ATTACHMENT F**

# RESNET Mission Statement Re-Development

December 31, 2009

## From RESNET Website:

### What is RESNET?

- An industry not-for-profit membership corporation
- A national standards making body for building energy efficiency rating systems

## From “RESNET Strategic Plan” (Sept. 14, 2007):

### Vision Statement

*“RESNET’s vision is of a world that encourages and rewards minimum building energy use through independent, performance-based building certification.”*

### Mission

*“RESNET’s mission is to ensure the success of the building energy performance certification industry, set the standards of quality and increase the opportunity for ownership of high performance buildings.”*

## From “Draft 2010 RESNET Priorities” (Oct. 28, 2009):

RESNET’s mission is to set the standard of quality for rating a building’s energy performance.

## From “2009 Updates to the RESNET Strategic Planning Framework” (Sept. 21, 2009):

### Changes in Mission

A. Amend to:

*“RESNET’s mission is to set the standards of quality for evaluating a building’s energy performance.”*

### Justification:

More succinct definition of RESNET’s mission as an organization.

## **Recommended New RESNET Vision and Mission Statements (Dec. 31, 2009):**

### **Vision Statement Recommendation:**

*RESNET's vision is of a world that encourages and rewards minimizing building energy use through independent, performance-based building certification.*

### **Mission Statement Recommendation:**

*RESNET's mission is to establish and maintain the standards of quality for evaluating building energy performance and increase the opportunity for ownership of high performance buildings.*

# **ATTACHMENT G**

December 29, 2009

RESNET Board,

In a teleconference yesterday afternoon, the QA Committee discussed the issue of how accreditations are approved by RESNET. The agenda item, to be more specific, included the following:

- A. Consider Board discussion regarding accreditation approvals:
  - a. Issues: conflict of interest, competitive issues, sufficient time for Committee to focus on applications, and preservation of a true succession of appeals, i.e. Ethics and Appeals Subcommittee then QA Committee then Board
  - b. Options:
    - 1. Staff does review and approval without consent of Committees (proposed Standard Revision before the Board)
    - 2. New "Accreditation Committee"
    - 3. Modify the make-up of the Ethics and Appeals Subcommittee

The outcome of the Committee's discussion was unanimous approval, which included RESNET staff's support, for the following short-term and long-term solution:

- 1. Short-term – Recommendation that the Training and Education Committee adopt the same application review process currently employed by the QA Committee, i.e. receive a copy of staff's completed checklist with notes and comments about each application. If the Committee sees any red flags, then the full application is sent to the Committee for a more thorough evaluation. This change should expedite the review process while maintaining Committee oversight of the approvals.
- 2. Long-term – As part of the QA Committee's Phase II amendments, slated to go into effect on July 1, 2010, amend the Standards to create a new "Accreditation Committee" who shall be responsible for reviewing and approving all accreditation applications. The new committee shall be a "Standing Committee" of RESNET. As the Phase II amendments are worked through further, the QA Committee will discuss the make-up of the new committee's membership to properly address the issues of conflict of interest and competitive issues.

Daran Wastchak  
Chairman  
RESNET Quality Assurance and Ethics Committee