

It was a Friday afternoon before a three day weekend. You are the GC of a state chapter of a 501c6 with a related 501c3, 501c4, and a nonprofit community-supported farm. You wanted to leave a little early but it has been a busy day. Doesn't that always happen before a long weekend?

The Board Meeting

The organization has a board meeting next Friday. You glance at the agenda and under "New Business" is a vote to approve another set of large IT contracts. You were not consulted regarding the contracts or the bidding process, and evidently work has already begun. IT costs have spiraled over the past year: new constituent management, HR, and financial reporting systems are all due to deploy at the same time. The company that will be overseeing the process and developing the IT services is owned by one of your board members.

The Letter

Going through your mail for the day, you open a letter from a Labor Department investigator regarding some employment issues at your related entity (a nonprofit community-supported farm), including the use of minors with seasonal planting, driving tractors, and loading and unloading pallets of harvested food, and claims of misclassification—both of the exempt-non exempt variety and regarding employees vs. independent contractors. The investigator handling the matter has asked for a variety of documentation and has requested interviews with your CEO, Head of Human Resources, and several other employees at the community farm. You have ten days to respond.

The Phone Call

Just as you start to dial outside counsel about the labor investigation, the head of the winter camp your organization operates for middle and high school students in the mountains calls. You used to refer to him as "Doctor" or "Medical Director" but you recently received an anonymous letter that claimed he had no health care training. You started to ask him about it but he talks over you and says that six of 12 kids hadn't yet returned from a hike led by an 11 year old. The pre-teen's parents are naturalists and survivalists, he assures you, so they must have taught their child how to navigate the outdoors. And the two children with special needs were reminded to bring their epi pens, insulin, ankle braces, inhalers and walking sticks. You take this opportunity to look into the camp's operations a bit further and discover that the camp only has a low amount of general liability coverage, likely not enough to cover a serious incident on this hike and moreover, background checks were not completed for half of this winter's staff and volunteers. You tell him to call the National Guard immediately and bring the children back.

The Zoom Meeting

As you are turning off your computer, you hear the incoming call tone saying that your boss, the CEO, is on Zoom. You need to make it home, so you email her a calendar invite for a Zoom 15 minutes from now.

You dial into Zoom from your cell phone. The CEO is screaming. The connection isn't great but you don't want to stop by the side of the road or at a parking lot. What you think she said was that the Chair of the Board and his wife, the secretary/treasurer, were on the second to last day of a trip to Asia. They were arrested on charges of assault. They were photographed wearing bright yellow t-shirts advertising your organization's last 10k fundraising race. What went through your head at that moment was that you didn't have written permission from the law firm and local sports team that were listed on the back of the t-shirts. You start to wonder if there will be additional, similar claims that come in from the past—after all the Chair and his wife have been on the board for the last 20 years.

After a few minutes, the CEO stops to take a breath. You use this opportunity to ask who else is on the call. Folks talk all at once but you look at your smartphone and see 5 other numbers. You recognize the number of the director of communications, your insurer, the Chair's son, who wants to know which law firm you are going to hire to get his parents out of jail, and two other people who mumble their names.