



Department of Parks, Recreation, and Facilities

## Contract Recreation Instructor Handbook

### **MISSION**

#### **Parks, Recreation, and Facilities**

To provide diverse recreation, wellness, and leisure experiences that are fun, builds community, generates tourism, and promotes safety and environmental awareness through the beautification and maintenance of parks and facilities throughout the city.

### **GOALS FOR RECREATION PROGRAMS**

The Recreation Division plays an important role in creating a healthy community through diverse and innovative programming. We create spaces to learn and play, spaces to be safe, and spaces to create and imagine. Through intense marketing and with strong community partnerships, Marietta will be an extraordinary city to visit, live, work, and play. The primary goals for programming through Contract Instructors are to:

- Increase participation in structured community recreation, fitness, and sports programs.
- Retain and increase memberships at Custer Park Sports and Fitness Center.
- Ensure all citizens' recreational needs are met through enjoyable self-directed and contracted programs that are well-rounded, enriching, and unique to Marietta.

## HOW IT WORKS

The City of Marietta Parks, Recreation, and Facilities Department utilizes independent contract instructors to provide unique recreational services. Programs may be designed for preschoolers, school age children, teens, adults, families, and seniors. We are always open to new and creative ideas, so feel free to bring something new to the department.

This handbook was prepared for convenience and understanding of instructors who wish to establish a contract with the department. This handbook brings together important policies, procedures, and other information that applies, or might be of interest, to instructors. This handbook covers a variety of subject matter. Instructors should be aware that there are other important policies and procedures that should be consulted as the need arises.

### Instructor Status

1. All instructors are Independent Contractors and are not employees of the City of Marietta. *An Independent Contractor creates their own curriculum, provides their own supplies, staffs their activities, and sets their hours and budget. Independent Contractors offer a general service to the public and are required to abide by the terms of their contract with the agency for which they provide the service.*
2. Independent Contractors are required to sign an agreement prior to each programming season. The agreements will be provided by the designated Recreation Supervisor prior to the start of each programming season.

### **Programming Seasons are: January 1st – June 30th & July 1st – December 31st**

3. Independent Contractors are required to complete an IRS Form W-9 (Request for Taxpayer Identification Number and Certification). Completed forms must be returned to the designated Recreation Supervisor
  - a. The City of Marietta is required to file a federal IRS Form 1099-MISC (Miscellaneous Income) for services received by an Independent Contractor if payments are in excess of \$600 per year
  - b. Cumulative payments less than \$600 are still included in the Independent Contractor's taxable income even though they are not reportable to the IRS
4. All instructors and substitute instructors (and assistants ages 17 and older) are required to complete a Criminal History Request Consent Form. Complete Forms must be returned to the designated Recreation Supervisor.
  - a. The City of Marietta Police Department performs all criminal record checks. A criminal records check is a search of the Georgia Crime Information Center (GCIC) database

- b. No instructor, substitute instructor, or assistant may provide instruction unless they have been cleared by the City of Marietta Police Department and Marietta Department of Parks, Recreation, and Facilities.
5. All instructors, substitutes, and assistants are required to be bound in writing by the same terms and conditions as the letter of agreement between the City of Marietta and the Independent Contractor
6. The city communicates with Independent Contractors via mail, email, and telephone. Please notify the Recreation Supervisor with any updates to your address, email address, and/or telephone number(s).

### PROCESS

1. The process begins by submitting a program proposal form describing your program or activity to:

Custer Park Sports and Fitness Center  
545 Kenneth E. Marcus Way, Marietta, GA 30060  
(770) 794-5630

Or

Attn: Franklin Gateway Sports Complex  
205 Lawrence Street, Marietta, GA 30060  
(770) 794-5601

The proposal is then forwarded to the appropriate Recreation Coordinator & Supervisor that oversees the facilities that are listed on the proposal form. *Submission of a proposal does not guarantee acceptance. Instructors will be notified if accommodations cannot be made, or if there is a schedule conflict.*

2. If there is interest in your program or activity, the proposal is sent to the Manager of Recreation & Park Services to determine insurance requirements, that fees are adequate, to ensure the programs align with goals/objectives and will not interfere with other parks and recreation programs and events.
3. The City does NOT insure, provide workers' compensation, unemployment, or any other benefit to independent contractors. If insurance is required, then the requirements will be communicated with you and a copy of your insurance certificate will need to be submitted for review.

4. Contract holders and all instructors, assistants, and substitutes must pass the City of Marietta background check. Instructions to complete this will be communicated if there is an interest in the program.
5. Once all required documents are submitted, a contract is then produced outlining the specifics of the course or activity that you agree to instruct, and it is sent to you for review and signatures.
6. After the return of your signed contract, it is forwarded to the Manager of Recreation & Park Services to review and forward to the Director of Parks and Recreation and City Manager for final approval. A completed contract will be emailed to you and the Recreation Coordinator & Supervisor overseeing the facility where classes are held.
7. When you receive your contract, contact the approved facility and begin classes at an agreed upon time. All classes must be given adequate time for promotion and registrations.
  - a. Example: All October programs must be advertised a minimum of 2 weeks before start of the program. A minimum of 6 weeks is preferred.

## **CONTRACT DOCUMENTS**

- Contract Instructor Program Proposal
- Certificate of Insurance (if required)
- “Passed” Background Check
- Instructor Liability Waiver – included in contract
- Signed Contract

## **TIMELINE**

Independent contract instructors should allow a minimum of 6 weeks from the initial proposal, to the proposed start of the classes. Any delays in submitting proper documents will, of course, delay the process.

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|--|-------------------|
| • Program Proposal Evaluation                | 1 Week            |
| • Background Check                           | 1 Week            |
| • Contract Documents/Insurance/Signatures    | 1 Week            |
| • Contract Approval/Denial – City Management | 1 Week            |
| • Programs Begin                             | 2 weeks - minimum |

**Proposals may be submitted anytime during the year, but all contracts will expire on June 30 & December 31.**

## SCHEDULING

Instructors are responsible for submitting and scheduling classes with the appropriate Recreation Coordinator & Supervisor. When scheduling, please keep in mind holidays that may affect your class schedules. The City of Marietta observes the following holidays:

New Year's Day	January 1
Martin Luther King's Birthday	3rd Monday in January
Spring Day	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25

## COMPENSATION

As an independent contract instructor, YOU establish the price for your services based on the pricing provided in the program proposal. The Recreation Staff will assist you in your decision of pricing if requested. The participant fee will be indicated on your contract and is based on the fee you included on your proposal. A price range is suggested to be flexible for the market or a drop-in rate for participants who can only attend one class at a time.

The City of Marietta imposes a non-resident user fee to individuals who do not reside in the incorporated city limits of Marietta. Instructors reserve the right to offer resident fees to eliminate the need for the city to charge a non-resident user fee.

The fees for these programs are retained by the City and a percentage is paid out to the instructor each month or at the end of the program's session. Contracts must be established and signed by all required departmental staff prior to the start of contract services. The following will outline the criteria for each agreement.

### **Fee Structure**

#### **80-20% Split (80% Contractor/20% City)**

- Designed for all ages.
- Requires minimal assistance and upkeep. No set up by staff.

## REGISTRATION

All Participants must register for classes using the City of Marietta online registration site <https://secure.rec1.com/GA/city-of-marietta/catalog>, in person at Custer Park Sports and Fitness Center, located at 545 Kenneth E Marcus Way, Marietta, GA 30060, or at the Parks and Recreation office located in Marietta City Hall, 205 Lawrence Street, Marietta, GA 30060. This ensures accuracy in reporting, and in processing payments to you. The Rec1 registration system will be used to submit for your payments, and also makes it easier for customers to register for future programs.

**\*\*In special circumstances only, an agreement will be in place that allows participants to register with the instructor.**

1. The programs must receive a minimum number of paid enrollments prior to the start of a scheduled activity. The Recreation Supervisor reserves the right to cancel any activity which does not have the Independent Contractor specified and mutually agreed upon minimum number of registered participants. The Independent Contractor is responsible for obtaining updated roster information. *This information can be obtained by asking staff in the parks and recreation department.*
2. All programs and activities are open to the public.
3. Registration is accepted on a first come, first served basis until the maximum number of participants is reached. *All of the programs, special events, and services offered through the City of Marietta Parks, Recreation, and Facilities Department are available to all eligible persons regardless of race, gender, age, disability, or religion.*
4. The City of Marietta collects registration fees, and processes transfers and refunds for all activities. Instructors may not collect registration fees or accept “barter” payments under any circumstances.
5. Individuals who are not on an activity roster may not participate under any circumstances. *Independent Contractors will not receive payment for individuals who are not on the activity roster*
6. Any discounts offered by the Independent Contractor WILL REDUCE the compensation. Payment is based on an agreed upon percentage of revenue.

## MARKETING AND PROMOTION

The City of Marietta Parks, Recreation, and Facilities Department promotes recreational opportunities in many ways, such as flyers, program guides, social media, and on the City website. Although you are an independent contractor, the programs offered are City of Marietta programs and will be marketed as such unless a special agreement is in place with the City of Marietta that falls outside the guidelines in this handbook. Example:

- ✓ Marietta Parks and Recreation is offering Tae-Kwon-Do in September. The class is in partnership with Marietta City Martial Arts. Contact Custer Park Sports and Fitness Center for more information or sign up at <https://secure.rec1.com/GA/city-of-marietta/catalog>
- ✗ Come join Marietta City Martial Arts. Contact Instructor John @ 555-555-5555 or visit Mariettacma.com. Classes located at Custer Park.

Additional publicity by the Independent Contractor is encouraged.

All advertisements and flyers must be approved by the Recreation Supervisor prior to placement or distribution. The Recreation Supervisor can advise or assist with developing materials, upon request. Instructors have the privilege of using the city copy machine for activity related purposes. Large runs (25 or more copies) must be approved by the Recreation Supervisor prior to use. Instructors are prohibited from using the copy machine for personal use, or for copying materials used at other facilities.

The city collects, at various points, personal information from program participants including names, addresses, email addresses, and phone numbers. This information is used for customer relationship purposes, to complete transactions and to analyze trends. Independent Contractors have access to student information for notifications relating to activity cancellations, rescheduling activities, etc; However, this information may not be used for telemarketing, email broadcasts or direct mail without the expressed written consent of the Recreation Supervisor, or the Manager of Recreation & Park Services, if necessary.

## PROFESSIONAL STANDARDS & POLICIES

### Professional Conduct

Though not employees of the City of Marietta, Independent Contract Instructors do represent the City. You should strive to conduct yourself in a professional manner always including dressing, acting, and speaking professionally, as well as be supportive in both the department policies and the city's decisions. Confirm with the appropriate Recreation Supervisor as to any facility specific dress codes.

Instructors are responsible for control of participants. Please make sure that participants do not unduly disturb other activities in the facility and that no damage is done to the room or equipment.

Only authorized personnel have access behind the front desk at Custer Park Sports and Fitness Center. Instructors are not permitted behind the desk without approval from a City of Marietta employee.

Instructors may never drive underage participants in their personal vehicles.

### **Course/Activity Cancellation**

If you must cancel a class for any reason, please notify the appropriate Recreation Coordinator/Supervisor no later than 2 hours prior to the change occurring so the staff can notify participants. The instructor is expected to contact the participants if the program isn't taking place within a recreation facility.

**NOTE: The contract provides the ability to have programs upon availability at the facilities. Programs/classes may be suspended or cancelled for lack of participation or room availability. Proper notice will be given. City sponsored special events and programs at times, will cause a cancellation and/or give cause to reschedule a class.**

### **Safety of Participants**

The contract instructor's primary responsibility is to ensure the safety of participants involved in an activity. It is the contract instructor's responsibility to know where the first aid kits and AED are in the facility or provide one if in an outdoor environment.

In the case of a potentially life-threatening emergency, call 9-1-1. If a child is involved, notify the parent/guardian immediately.

The instructor is required to complete and submit an accident report to the Recreation Supervisor within 24hrs of an accident. Accident report forms are available from any City of Marietta employee.

### **Releasing of Minors**

At the end of the activity time, the independent contract instructor must not release children to anyone other than the authorized parent, guardian, or to an individual authorized by the parent. The contract instructor must stay until all participants have left the facility unless there is written permission from the parent that the child is at minimum 12 years of age and allowed to stay in the facility for open gym.

### **Discrimination and Harassment**

The City of Marietta does not tolerate any form or type of discrimination and harassment by, among, or to its representatives. Discrimination and harassment can be defined as any behavior that is disrespectful and causes discomfort to another person, be it physical, verbal,



visual, or sexual. Independent Contract Instructors are responsible for their own actions/conduct, and must never engage in discrimination or harassment.

The City of Marietta strives to provide an environment that encourages personal growth, memorable experiences, and a spirit of understanding and cooperation. Aggressive, abusive, profane, threatening and/or inappropriate behavior toward employees, volunteers, and fellow instructors, visitors, or students will not be tolerated.

### **Inclusion**

Marietta Parks, Recreation, and Facilities is committed to making all program and services accessible to everyone. The Americans with Disabilities Act (ADA) is federal legislation which gives civil rights protection to individuals with disabilities. This act guarantees equal opportunity for individuals with disabilities for employment, public accommodations, transportation, local and state government services and telecommunications. It is the policy of the City of Marietta to fully abide by the requirements of the ADA and to make reasonable accommodations for individuals with vision or hearing impairments or other individuals with disabilities so that they have an equal opportunity to participate. Please advise the Recreation Supervisor if a participant has a disability requiring special accommodations.

### **Child Abuse**

The job of protecting children starts in the community. If you see signs of suspected child abuse, or suspect that a child is in danger, please notify a City of Marietta employee so the situation can be reported to the Cobb County Department of Family and Children Services. Georgia law requires recreational professionals to report under O.C.G.A. 19-7-5; 16-12-100 (child service organizations which include coaching, and recreational programming).

More information can be found at <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/manda/>