

## **North Shore Public Library Personnel Policy**

### **OBJECTIVES OF THE NORTH SHORE PUBLIC LIBRARY**

The Library exists first and foremost to serve the public by providing recreational and educational materials, supplemented by an active schedule of programs and exhibits.

In suburban areas such as the North Shore, which often lack a community focal point, the Library can serve as a much-needed center of activity and provide a cohesive element for the residents. To achieve this, the Library must serve all members of the community from the youngest to the oldest, make a continual effort to keep the community informed of its services and activities, and attract new users.

The Library Board and staff should be alert and responsive to the needs of the community at large, cooperating with other community organizations and giving consideration to the desires of individual community members.

## **INTRODUCTION**

### **A. PREFACE**

The purpose of this guide is to ensure that Library personnel policies, procedures, programs and benefits are properly documented and communicated to all employees. The Director is responsible for the communication, maintenance and administration of this guide. Any exceptions to any of the policies contained in this guide are to be approved in writing by the Director.

It is our right to implement policies and procedures in any manner believed to be in our best interests and within applicable legal and ethical boundaries. No policy described herein is to be construed as constituting the terms of an employment contract.

### **B. ABOUT THIS GUIDE**

We have prepared this guide to answer questions about your job. It contains general guidelines only, and none of its provisions are to be considered contractual in nature. Due to government regulations and the changing needs of our operations, these policies may change. We will let you know of developments that may affect you.

### **C. OUR COMMITMENT TO FAIR EMPLOYMENT PRACTICES**

NSPL is committed to the following goals and fair employment practices:

- It is our policy to treat each person associated with the Library fairly and with respect.
- We try to provide satisfying work through appropriate training opportunities, and open, honest communication regarding performance.
- We strive to provide, fulfilling work and a safe, healthful, pleasant work environment.
- Each staff member is expected to show interest in his/her work and offer cooperation and loyalty.
- Each person has the right to express his/her views about our policies and procedures. Constructive criticism and suggestions are welcome.
- Library staff is expected to behave in a manner consistent with our policies and guidelines.
- You are encouraged to use the established procedures for resolving serious complaints or problems.

### **D. WHAT WE EXPECT FROM YOU**

- Respect and courtesy to our patrons and co-workers at all times
- Dedication to your job
- Loyalty to NSPL
- Honesty
- Reliability
- Cooperation
- Good Judgment

You should be alert to situations that may seem unethical, or be detrimental to your fellow employees or the Library. You are expected to avoid and correct such situations by bringing them to the attention of the appropriate individuals and/or your Department Head, for which you will suffer no adverse consequences.

## **EQUAL OPPORTUNITY**

### **A. STATEMENT OF PURPOSE**

The North Shore Public Library believes all the employees are entitled to Equal Employment Opportunity. The Library does not discriminate against employees or applicants for employment because of race, color, religion, sex, age, marital status, national origin, sexual orientation, disability, predisposing genetic condition, or veterans status, provided they are qualified and meet the mental and physical requirements established for the job. The Library seeks to employ the most qualified individuals for each position. All personnel decisions are based on merit. You should report any claim of discrimination to your Department Head, or to the Director, who is also the Library's Equal Employment Opportunity Compliance Officer (EEO Officer).

### **B. OUR PERSONNEL PHILOSOPHY**

The personnel policies of the Library are based on the belief that the Library's success is primarily dependent on YOU, our employees.

It is our policy therefore to provide you with the opportunities so that you may have the satisfaction and fulfillment that comes from a positive workplace environment, respect, and the appreciation of accomplishment through work well done.

### **C. HARASSMENT**

It is the Library's policy that all employees are responsible for assuring that the Library's workplace is free from any and all forms of harassment, whether it be based on race, color, religion, gender, sexual orientation, national origin, age, disability, predisposing genetic condition, or status as a Vietnam-era or special disabled veteran. Improper interference with the ability of employees to perform their expected job duties will not be tolerated.

Because of the Library's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct which could be viewed as sexual harassment including:

1. Unwelcome sexual advances; requests for sexual favors; and all other verbal or physical conduct of a sexual or other offensive nature, especially where:
  - Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
  - Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
  - Such conduct that has the purpose or effect of creating an intimidating, hostile or offensive working environment.
2. Offensive comments, jokes, innuendo and other sexually oriented statements.

## COMPLAINT PROCEDURE

Each member of management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their co-workers.

If you (or you observe a coworker) experience any job-related harassment based on your sex, your race, or any other factor, or believe you have been treated in an unlawful, discriminatory manner, promptly report the incident to your Department Head, who will investigate the matter and take appropriate action, including reporting it to the Director. Employees are encouraged to document the incident in writing using the NSPL Complaint Form. If you believe it would be inappropriate to discuss the matter with your Department Head, report it directly to the Director, who will undertake an investigation. A complaint form can be obtained from the Library Director.

All problems will be handled promptly. In addition, special privacy safeguards will be applied in handling sexual harassment complaints, under which the privacy of the charging party and the person accused of sexual harassment, will be held in confidence to the extent possible. We will seek to retain as confidential all documentation of allegations and investigations.

The Library will take appropriate corrective action against the offending employee, including disciplinary measures up to and including discharge when justified, to remedy any violation of this policy. The Library prohibits any form of retaliation against an employee for filing a bona fide complaint under this policy, or for assisting in a complaint investigation. However, if after investigating any complaint of harassment or unlawful discrimination, it is determined that the complaint is not bona fide, or that the employee has provided false information, disciplinary action may be taken against the individual who filed the complaint or who provided false information.

*Please see Appendix A for the Sexual Harassment Prevention Policy Notice, and Appendix B for the Sexual Harassment Policy in New York State.*

## **D. IMMIGRATION CONTROL ACT**

The Library complies with the Immigration Reform and Control Act of 1986, which requires the Library to attest to the U.S. Government that all persons hired are legally entitled to work in the United States. In order to comply with this law, the Library must verify your identity and your right to work in the United States. We are required to examine certain documents such as, but not limited to, a U.S. Passport, Certificate of Citizenship, Social Security Card, Certificate of Birth and Driver's License with photograph.

## **YOUR EMPLOYMENT WITH THE LIBRARY**

### **A. GETTING ACQUAINTED**

On arrival to work on the first day of your employment, you will be shown your work area and your duties will be explained to you. During your first full month of employment, your Department Head will introduce you to fellow employees and you will be given an orientation that will cover the personnel policies and benefits.

### **B. YOUR DEPARTMENT HEAD**

Your Department Head is a part of our management and will have more to do with your welfare and progress than any other person. He or she has the responsibility for overseeing your work schedule, insuring the quality and quantity of your work, and providing you with whatever assistance you may need.

Your Department Head will arrange for your job instruction and orientation. Periodically, your Department Head will evaluate your performance and discuss the results of the evaluation with you.

### **C. INTRODUCTORY PERIOD**

The first six (6) months of your employment is considered an Introductory Period. The Introductory Period is regarded as part of the selection process and is used to observe an employee's work, to secure the most efficient adjustment of a new or promoted employee, and to reject any employee whose performance is unsatisfactory. Any employee not dismissed from service before or at the expiration of the introductory period will be considered to have successfully completed orientation and will become a regular employee. The Introductory Period will enable your Department Head to decide if you are able to perform the job and will also give you a chance to decide if you would like to stay as a regular employee.

Prior to the conclusion of your Introductory Period, your Department Head will review your work performance. Any employee not dismissed from service before the end of the Introductory Period will be considered to have successfully completed orientation and will become a regular employee. Your seniority will be recorded as of the first day of your employment.

### **D. LET'S TALK ABOUT IT**

We encourage you to bring your questions, suggestions, and problems to our attention. We will give careful consideration to each of them. If there is anything about your job that is bothering you, let's get it out in the open and talk about it. Discuss it frankly with us and we will do everything we can to help you "iron it out." Your problem will be handled in a fair manner.

Here are the steps that you may take:

If you feel you have a problem, you should present the situation to your Department Head so the problem can be resolved quickly. Past situations have shown that most problems can be settled by a simple examination and discussion of facts.

1. If the problem is not resolved, present the problem in writing to the appropriate department head, who will respond promptly. A meeting with staff members and other interested parties may be called in an attempt to reach a satisfactory solution.
2. In the event you are not satisfied, the department head will present your complaint to the Director, along with a written evaluation and recommendation. A detailed review will be conducted and a final decision will be made.

Should the problem still remain unresolved after completion of Step 3, it may be referred by the Director for Board Review.

We are anxious to hear from you on any subject. We want to offer every opportunity to discuss your concerns, so you are assured you have been treated fairly.

**E. APPOINTMENTS TO STAFF**

Appointments are in accordance with the policies and rules of the New York State and Suffolk County Civil Service Commissions, and are based on the requirements of the position and the competence and qualifications of the individual applicant. After an applicant has been chosen for employment, the positions and the current terms of employment will be confirmed in writing.

If you are promoted, the first six (6) months of your employment is considered a Promotional Probation. Prior to the conclusion of your Promotional Probation, your Department Head will review your work performance. Any employee who does not successfully complete the Promotional Probation will be returned to their prior position.

**F. A WORD ABOUT SENIORITY**

Merit, ability, leadership, creativity, initiative and willingness to take responsibility are of primary importance regarding promotions. Seniority is a factor in scheduling Sundays, vacations and holidays at the discretion of the director.

**G. CATEGORIES OF STAFF**

FULL-TIME

Full-time employees are regularly scheduled to work thirty-five (35) hours per week, excluding meal periods.

PART-TIME

Part-time employees are regularly scheduled to work less than thirty-five (35) hours a week. They include one of the following position categories:

- Substitute employees who work up to 17 hours per week as needed to accommodate Library needs. Substitutes are not entitled to receive any employee paid time off or health benefits.

## PART-TIME “ELIGIBLE” EMPLOYEE CATEGORIES ARE AS FOLLOWS:

- Employees working 18 hours per week or more with paid time off accruing based on average hours worked one-year prior. Employee must be hired from the appropriate civil service list.
- Employees working 18+ hours per week (less than 35) with paid time off based on average hours worked one-year prior. Employee must be hired from the appropriate civil service list.

### **H. OPERATING HOURS AND HOURS OF WORK**

Library hours of work can range from 9:00 A.M. to 9:00 P.M. Monday through Friday and 9:00 A.M. to 5:00 P.M. on Saturday. Sunday is not part of our regular workweek. However, from October (after Columbus Day weekend) through April, the Library is open on Sunday from 1:00 P.M. to 5:00 P.M. These listed operating times are subject to change.

The Director and Department Heads will determine the night and weekend shifts. You will receive as much notice as possible of changes in your schedule. Your Department Head will advise you of your schedule.

Employees must work their scheduled hours unless other arrangements are made with your Department Head. The Department Head and Director must approve all scheduled changes in writing.

### **I. SCHEDULE AND WORK HOURS**

1. A maximum of eight (8) hours, excluding meal and break periods, may be worked each day.
2. Core library hours on weekdays are from 9:30 A.M. to 9:00 P.M. (subject to change)
3. All flextime is subject to the Director's approval.
4. Changes must be submitted to the Director in writing at least one (1) day in advance. In emergency situations, the Library may allow a shorter notification period.
5. Scheduled employees are expected to attend staff meetings. You must notify your Department Head in advance if you are unable to attend. The times and dates of Staff meetings will be announced by the director.
6. Unscheduled employees may attend meetings with pay after approval by their Department Head or Director.

### **J. COMPENSATORY TIME OFF**

Employees are eligible for compensatory time off according to the following:

1. An employee working more than thirty-five (35) hours in a workweek must get pre-approval by the director. Upon Director's approval, they shall be eligible for compensatory time off for each hour of overtime.
2. An employee must take compensatory time off preferably within the pay period or not more than (1) month's time after it is earned. Requests for compensatory time off must be in writing should be submitted to the Department Head for approval two (2) weeks in advance of the requested day(s) off.

If you have any questions regarding this policy, discuss the matter with your Department Head or with the Director.

#### **K. TIME RECORDS AND PAYROLL SHEETS**

In accordance with federal laws requiring that accurate records be kept of hours worked in each workday and each workweek, all employees will record their actual hours of work. The library will require employees to use the ADP handscan to record their arrival and departure times. Employees should check their hours worked by logging in on the ADP website.

Altering the time record of another employee, or allowing someone else to alter or falsify your time records, or altering or falsifying time records in any way is a violation of our policy. Any employee who violates this rule will be subject to disciplinary action.

#### **L. MEAL PERIODS**

All employees who work six (6) consecutive hours must take a thirty (30) minute unpaid meal period. Employees who work at least seven (7) consecutive hours must take a thirty to sixty (30-60) minute unpaid meal period (time taken agreed upon by supervisor and employee). Meal period is usually at mid-shift, however, your Department Head will advise you of your schedule. Employees may take breaks only upon the prior approval of their Department Head (clerical staff will be scheduled Mon-Saturday). The guiding principle for all breaks is that the Library must be staffed.

#### **M. BREAK PERIODS**

Employees who work at least 4 consecutive hours receive one break period, not to exceed fifteen (15) minutes. Employees who work at least seven (7) consecutive hours receive two break periods of fifteen minutes each. Employees may take breaks only upon the prior approval of their Department Head and may not leave the premises during a break.

#### **N. PAY PERIODS AND PAY POLICIES**

Our workweek is from Monday to Sunday. Employees are paid bi-weekly for the payroll period ending on Sunday. Paychecks cannot be given to anyone other than the person named on the check unless prior written approval is given to the payroll clerk or Director by the employee. Direct Deposit is available and interested employees should contact the business office for information.



The law requires that we make deductions for social security (FICA); Federal, State and City income taxes; State disability insurance; and wage assignments/garnishments (if applicable). Your payroll stub itemizes all deductions made from your gross earnings.

Review your payroll stubs. Any errors should be brought to the attention of your immediate Department Head and/or Payroll Clerk. Adjustments, if necessary, will be made in your next paycheck.

#### **O. WAGES**

Salaries for employees are based on salary ranges established for each position in accordance with New York Civil Service Law, based on educational requirements, job responsibilities and the job market within a classification. We will inform you of any wage rate increases, or changes in wage differentials.

#### **P. SALARY INCREASES IN THE EVENT OF A BUDGET DEFEAT**

If the voters of the district turn down the Library budget proposal of a given year, the Library reverts to the previous year's budget total. Categories within that total must be revised by the Board to accommodate the new calendar year's needs. Wherever possible, the necessary budget revisions shall be made in such a way as to provide for the salary increases contemplated by the proposed salary schedule.

#### **Q. WHEN YOU ARE ABSENT**

Our ability to serve the community depends upon all of us working together as a team. Other staff members are dependent upon you to be on the job every workday, on time, in order to ensure that all tasks are properly accomplished. People with unpredictable attendance records hurt themselves, other staff members and the Library. Employees with poor attendance and lateness records will be disciplined.

If you are unable to report for work, you must notify your supervisor or designee each day two (2) hours before the beginning of your scheduled workday to make certain that any projects or tasks you were working on are covered. If we know why you are out, and when to expect your return to work, we will be in a better position to plan work and schedules.

Failure to appear at work without notifying us is considered personal absence without pay. Any employee who is absent for two (2) working days without notifying us or without good cause may be deemed to have resigned.

We reserve the right to require employees to submit a doctor's note after one (1) day of absence.

#### **R. LATENESS**

Employees are expected to be at their work locations and ready to start work at the beginning of their scheduled workday. Lateness may result in your being dismissed without pay for the day or having your wage deducted for the duration of lateness. Habitual lateness will subject you to disciplinary action, up to and including discharge.

## **S. SMOKING POLICY**

Pursuant to the New York State Clean Air Act, we have prohibited smoking inside the Library. Failure to comply with this policy is unacceptable. Not only will violators of this policy receive a written reprimand, but also continued violation may result in termination. Any employee whose violation of this policy causes a fine to be levied upon the Library will be liable for the fine.

## **T. OUR DRUG FREE WORKPLACE**

It is our policy to prohibit the unlawful manufacture, distribution, dispensation, possession or use of controlled substances in our workplace. Any employee who violates this prohibition will be subject to appropriate disciplinary action, up to and including discharge.

As a condition of employment, all employees agree to comply with our policy and agree to notify management immediately upon any conviction for a violation of a criminal drug statute.

If we suspect unlawful drug use on our premises by any employee, we may request the assistance of police authorities and reserve the right to perform testing of any employee to identify those persons who use unlawful drugs.

An employee who reports to work under the influence of illegal drugs will not be permitted to remain on the premises. Transportation away from the work premises will be provided to the employee.

The Director or her designee has the right to conduct an on-the-spot search and inspection of employees and their personal effects as described above if an employee is suspected of violating any part of this policy.

## **U. ALCOHOL ABUSE**

We are sensitive to the problem of alcoholism, however it must not affect work performance. We will not accept alcohol dependence or use as an excuse for poor performance, chronic absenteeism, tardiness or other violations of our rules. If an employee's abuse of alcohol has an adverse effect on his work, the employee will be subject to discharge.

An employee who reports to work under the influence of alcohol will not be permitted to remain on the premises. Transportation away from the work premises will be provided to the employee.

## **V. BULLETIN BOARDS**

Information of interest and importance to employees is posted regularly on the employee bulletin board located near the time clock. You should check the bulletin board on a regular basis for information. The bulletin board is reserved for and restricted to postings of Library notices, bulletins and required government posters. In order to avoid misunderstandings, employees may not post materials without prior authorization. In no event may notices contain anything of a nature that may reflect unfavorably on the Library or its employees.

## **W. SUGGESTIONS**

We all have a stake in keeping our eyes open for ways to save time, effort and, of course, money. We welcome constructive suggestions. Suggestions should be submitted to the Director with the signature of the employee. Anonymous suggestions will not be entertained.

Suggestions are generally defined as the description of a proposed new procedure or practice or a modification of current procedure that in the view of the employee will improve efficiency, safety, service, or lower costs. Suggestions can also involve the use of forms, supplies, space, time and reduction of errors.

## **X. PERSONNEL FILES**

The Library maintains personnel files on each employee. These files are Library property and contain documentation regarding all aspects of the employee's tenure with the Library.

To ensure that your personnel file is up-to-date at all times, notify your supervisor or the human resources department of any changes in your name, telephone number, home address, marital status, number of dependents, beneficiary designations, scholastic achievements, the individuals to notify in case of an emergency, and so forth.

### Employee Access to Personnel Records and Management Files

Under normal circumstances, an employee has limited access to his or her personnel records. The basic guidelines for employee access to records are as follows:

1. Employees may review their personnel file once a year. An employee who disagrees with any information in the file may place a written disagreement in the file that will be attached to the specific document.
2. Employees may not review files kept by department managers and supervisors.
3. Employees may not see the following information under any circumstances:
  1. Plans for job assignments or salary changes
  2. Personnel planning data
  3. Grievance or complaint records
  4. Security records
  5. Information about another employee held for some reason in the employee's own file

### Employee Access Procedures

Any employee who wishes to see his or her personnel file may request access from the Library Director.

Employees must review the file in the presence of an appropriate business department representative. Employees may take notes or make single copies of any matter in their file, but no employee is allowed to remove anything from any personnel file. An employee may be dismissed for removing Library property.

## **Y. REFERENCES**

On occasion we receive requests for information about employees. It is our practice to maintain the confidential nature of our employee records. Information in employee personnel files will not voluntarily be disclosed to anyone outside the Library without a signed consent form from the employee or former employee specifically authorizing the release of the information.

We reserve the right to verify information such as employment status and job title without notification to the individual involved, and to cooperate with law enforcement, public safety, the Civil Service Commission, or medical officials who have valid need to ascertain limited specific information about an individual.

## **Z. RESIGNATION**

Should you wish to leave our employ, we ask that you notify your Department Head and the Director in writing, at least four (4) weeks in advance of your departure date. Full-time staff that retire and wish to return as a substitute will be hired back at the entry-level salary of the position they vacated.

Your consideration in this regard will enable us to arrange for a replacement and is a condition to your receipt of termination benefits. If an employee fails to give us the proper notice, the employee will not be eligible for unused benefits. Employees are required to work during the notice period, unless otherwise requested by management.

Employees who fail to show up for work for two (2) consecutive days will be deemed to have voluntarily resigned unless the employee can provide a valid justification for his or her absence and the lack of a phone call alerting us to the absence.

Full-time employees who wish to transfer to part-time work must submit a resignation from their full-time position.

## **AA. TERMINATION OF EMPLOYMENT**

### **1) Termination due to Poor Performance:**

This is the involuntary separation of an employee due to unsatisfactory performance (e.g. excessive tardiness or absence, poor attitude, carelessness, lack of initiative, or incompetence which has not improved despite warning and counseling). Except during the Introductory Period or in cases of misconduct that necessitate an employee's immediate release, no employee will be released without adequate warning.

### **2) Termination for Misconduct:**

This is an involuntary termination for a variety of reasons, including insubordination, dishonesty, misconduct, disorderly conduct, theft, unethical practices, fraud, falsification of Library records, embezzlement, willful damage to Library property, sleeping on the job, carrying concealed weapons, coercing, inciting, bribing, or otherwise inducing employees to engage in any practice in violation of normally accepted conduct. Warnings and counseling need not precede termination for misconduct.

**3) Lay-off:**

In the event of lay-off due to lack of work, change in service, relocation or lack of funds, employees shall receive four (4) weeks written notice or pay in lieu thereof. This means that if an employee receives less than 4 weeks notice they will still receive four weeks pay. In the event of a reduction in force, the Director shall make lay-off decisions. An employee's refusal to accept another position with the Library will be considered a voluntary resignation.

**BB. EXIT INTERVIEW AND SEPARATION ISSUES**

Departing employees may be asked to participate in an exit interview with the Director or her designee. The purpose of this interview is to:

1. Ensure that the reason for termination is not based on a misunderstanding or a condition that could be remedied.
2. Inform the employee of his/her separation benefits.
3. Gather information that could be helpful in improving working conditions and the quality of the organization.

Clarify personal information necessary for post-employment.

## **YOUR BENEFITS**

Your financial benefits extend beyond your paycheck. The following is a brief outline of benefits. If you have any questions about them, be sure to ask your Department Head or the Director for details.

Full-time employees working 35 hours per week will accrue paid time off and health insurance benefits.

Employees who work 18 or more hours and are hired off the civil service list may accrue paid time off.

Substitute employees who can work up to 17 hours per week, including pages are not entitled to benefits.

All employees are entitled to join the retirement system. All employees may contribute a percentage or amount of their earned wages into the 403b or a 457 retirement savings plan approved by the library.

### **A. BEREAVEMENT PAY**

If you need bereavement leave, please notify the Director so that appropriate arrangements can be made to cover your absence and assist you while you are away.

### **B. JURY DUTY**

We will cooperate as much as possible to enable employees to fulfill their civic obligation of serving on jury duty. We will pay all employees scheduled to work at least their regular rate of pay for the first two (2) weeks of jury duty provided the employee has been employed by us for more than twelve (12) months. The employee serving Jury Duty must comply with the following rules:

1. Immediately upon receipt of the notice or summons for jury duty, the employee must deliver a copy of such jury duty notice or summons to the Director or her designee.
2. If the employee is excused from jury duty for any day or half day during the required period of service, the employee shall report for work.
3. An eligible employee who is called for jury duty shall give the Director or her designee proof of the days of such service.
4. The employee will receive his/her regular pay only upon delivery of a certificate of jury service to the Director or her designee, which states the number of days served as a Juror. Immediately upon receipt from the court, payment for jury duty service must be delivered to the Director.
5. An eligible employee shall not receive jury duty pay for any day (or week) for which the employee receives pay for holidays and paid time off, during any authorized leave of absence from work, or under any other employer benefit plan or policy.
6. Jury duty service will not be deducted from allowable paid time off.

7. The employee must elect a "call in" option, if available.

### **C. PROFESSIONAL MEETINGS AND CONFERENCES**

The Library encourages all employees to participate in all conferences, workshops, and organizations for professional development, time and funds permitting. The Director will make recommendations to the Board for conference participation of staff members.

### **D. RETIREMENT BENEFITS**

Eligible employees receive New York State Retirement System benefits. Employees should contact the Director for information about eligibility and plan benefits.

### **E. RETIREMENT SAVINGS PLANS**

All eligible employees are entitled to contribute to the 403b and 457 plans that the library offers. Employees should contact the business office for information, or attend informational staff workshops when they are scheduled.

### **F. HEALTH INSURANCE**

A New York State health insurance plan is offered to eligible employees (as defined by the New York State Government Employees Health Insurance Program), and their dependents. Pages, custodian and substitutes are not eligible for this New York State health insurance benefit program.

Full-time employees who are regularly scheduled 35 hours per week are eligible to enroll in this program.

### **G. LEAVE FOR CANCER SCREENING**

All employees are entitled to take up to four hours of paid leave for cancer screenings of any kind, not just limited to breast and prostate screenings. All cancer screening absences must have medical documentation for leave time to be granted.

## **LEAVES OF ABSENCES**

### **A. MILITARY LEAVE**

Leaves of Absence without pay for military or Reserve duty are granted to all employees. If you are called to active military duty or to Reserve or National Guard training, or if you volunteer for the same, you should submit copies of your military orders to your supervisor as soon as possible. You will be granted a military leave of absence without pay for the period of military service, in accordance with applicable federal and state laws. If you are a reservist or a member of the National Guard, you are granted time off without pay for required military training. Your eligibility for reinstatement after your military duty or training is completed is determined in accordance with applicable federal and state laws.

### **B. FAMILY AND MEDICAL LEAVES OF ABSENCE**

#### **PART 1. Employees Who Qualify for a Leave Under the Family and Medical Leave Act of 1993**

The Library will grant a leave of absence to regular full-time and regular part-time employees (who meet the requirements described below) for the care of a child after birth or adoption or placement with the employee for foster care, the care of a family member (spouse, child, or parent) with a serious health condition, or in the event of an employee's own serious health condition. Leaves will be granted for a period of up to twelve weeks in any twelve-month period.

An employee must have completed at least one full year of service with NSPL and have worked a minimum of 1,250 hours in the twelve-month period preceding the leave to be eligible for such leave. Employees who do not meet these requirements may apply for a leave of absence subject to the conditions described in Part 2 of this policy.

#### Child/Family Care Leave

If you request a leave of absence to care for a child after birth, adoption, or placement in your home for foster care or to care for a covered family member with a serious health condition, you will be granted unpaid leave under the following conditions:

1. If the leave is planned in advance, you must provide us with at least thirty days' notice prior to the anticipated leave date, using our official Leave-of-Absence Request Form.
2. If the leave is unexpected, you should notify your supervisor and Personnel by filing the Leave-of-Absence Request Form as far in advance of the anticipated leave date as is practicable. (Normally, this should be within two business days of when you become aware of your need for the leave.)

All our benefits that operate on an accrual basis will cease to accrue during the leave period.

You will be required to use all accrued, unused vacation and personal days during the leave period. Once such benefits are exhausted, the balance of the leave will be without pay.



All group health benefits (e.g., major medical, hospitalization, and dental insurance) will continue during the leave provided you continue regular employee contributions to these plans. (Other benefits, such as pension, TSA, life insurance, and long-term disability will be governed in accordance with the terms of each benefits plan.)

Employees requesting a leave to care for a covered family member with a serious health condition may be required to provide medical certification from the family member's physician attesting to the nature of the serious health condition, probable length of time treatment will be required, and the reasons that the employee is required to care for this family member. Employees may also be required to provide additional physician's statements on request. Further, the family member may be required to submit to medical examination by physicians designated by NSPL at our discretion and at our expense.

#### Leave for Employee's Serious Health Condition

If you request a leave of absence for your own serious health condition, you will be granted leave under the following conditions:

1. If the leave is planned in advance, you must provide us with at least thirty days' notice prior to the anticipated leave date, using our official Leave-of-Absence Form.
2. If the leave is unexpected, you should notify your supervisor and Personnel by filing the Leave-of-Absence Request Form as far in advance of the anticipated leave date as is practicable. (Normally, this should be within two business days of when you become aware of your need for the leave.)
3. Any time that you expect to be or are absent for more than five consecutive work days as a result of your own serious health condition (including pregnancy and injuries covered by workers' compensation), you will be required to submit appropriate medical certification from your physician. Such certification must include at a minimum, the date the disability began, a diagnosis, and the probable date of your return to work. Any health-related absence of longer than five (5) consecutive days would be deemed by NSPL to be FMLA leave unless you are otherwise advised.

All our benefits that operate on an accrual basis will cease to accrue during your leave period.

You will be required to use all accrued paid time off. Once such accrued benefits are exhausted, the balance of your leave will be without pay.

You will not be allowed to use accrued paid time off during this time if you are eligible for short-term disability benefits or workers' compensation benefits. Your twelve (12) week FMLA leave entitlement will run concurrently with your workers' compensation or disability leave.

All group health benefits will continue during the leave provided you continue regular employee contributions to these plans. (Other benefits, such as pension, TSA, life insurance, and long-term disability will be governed in accordance with the terms of each benefits plan.)

During your leave, you may also be required to provide us with additional physician's statements on request attesting to your continued disability and inability to work. You may also be required to submit to medical examination physicians designated by NSPL at our discretion and at our expense, at the beginning of, during, or at the end of your leave period, and to provide us with access to your medical records as required.

Before you will be permitted to return from medical leave, you will be required to submit a note from your physician indicating that you are capable of returning to work and performing the essential functions of your position with or without reasonable accommodation. Where required, we will consider making reasonable accommodation for any disability you may have in accordance with applicable laws.

#### Leave Entitlement

Eligible employees are entitled to leave for up to twelve weeks in any twelve-month period (or in the case of a leave for an employee's own serious health condition, where a leave extension is requested and approved).

Leave taken to care for a child after birth, adoption, or placement in your home for foster care must be taken in consecutive workweeks. Leave taken for the employee's or a covered family member's serious health condition may be taken consecutively, intermittently, or on a reduced work/leave schedule based on certified medical necessity. In such instances, we will follow applicable federal and state laws in reviewing and approving such leave requests.

#### Reinstatement Rights

Eligible employees are entitled on return from leave within the twelve (12) week period to be reinstated to their former position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if the employee's position is no longer available due to a job elimination). Exceptions may also apply for certain highly compensated employees under certain conditions. In addition, employees on a leave extension are not guaranteed reinstatement. These employees will be handled in accordance with the reinstatement provisions in 2 of this policy.

### **PART 2. Leaves for Employees Who Do Not Qualify for Leave under The Family and Medical Leave Act**

Full-time regular and part-time regular employees who have less than one year of service and/or who have not worked a minimum of 1,250 hours during the twelve-month period prior to their leave or who are not suffering from a serious health condition may request a medical leave of absence, subject to the following terms and conditions:

Leave requests must be made at least thirty days in advance of the date the employee would like the leave to begin or, in emergency situations, with as much advance notice as is practicable, using our official leave of absence form. (Normally, this should be within two business days of when the need for the leave becomes known to the employee.)

The certification requirements and the conditions for required use of accrued time off, benefits accrual, and continuation of group health insurance during leave set forth in Part 1 apply to all leave requests.

Leaves will be limited to a sixty (60) calendar-day maximum duration.

Reinstatement will not be guaranteed to any employee requesting a leave under this Part, however, we will endeavor to place employees returning from leave in their former position or a position comparable in status and pay, subject to budgetary restrictions and our need to fill vacancies and our ability to find qualified temporary replacements.

All questions regarding leaves of absence should be directed to the Director. Leave-of-Absence Request Forms are available from your Department Head.

### **C. Child-Care Leave**

In the event of the birth of the employee's child, employees may use accrued paid time off, and may take further leave without pay up to twelve (12) months after delivery without loss of seniority. The Director must be informed at least sixty (60) days in advance of an employee's intention to take maternity/paternity leave. Employees on maternity/paternity leave must notify the Director of their intention to return to work at least one (1) month in advance of their expected return date.

Any employee who is granted an approved leave of absence under this policy is required to continue making the employee's share of health insurance premium contributions during the period of unpaid absence.

In the event that an employee elects not to return to work upon completion of an approved unpaid leave of absence, the Library may recover from the employee the cost of any payments made by the Library to maintain the employee's health coverage unless the failure to return to work was for reasons beyond the employee's control. Benefit entitlements based upon length of service will be calculated as of the last paid workday prior to the start of the unpaid leave of absence.

The employee will not be entitled to earn additional employee benefits and paid time off during the period of leave.

### **D. PAID FAMILY LEAVE ACT**

Please look at Appendix D for information on the Paid Family Leave Act.

### **E. PERSONAL LEAVE OF ABSENCE**

Employees who have successfully completed the Introductory Period may request an unpaid personal leave of absence for a period not to exceed one (1) year. A written request for personal leave of absence must be submitted to the Director at least thirty (30) days prior to the commencement of the requested leave. The Director will submit the request to the Board of Trustees for approval. Employees on approved personal leave of absence maintain the seniority level held at the time such leave commences.

Any employee who is granted an approved leave of absence under this policy is advised to provide for the retention of his or her group insurance coverage by arranging to pay the entire premium contributions during the period of unpaid absence.

The employee will not be entitled to earn additional employee benefits (e.g. paid time off) during the period of leave.

## **OTHER BENEFITS**

### **A. EXTENDED HEALTH CARE COVERAGE (COBRA)**

Under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), as amended, health coverage may be extended to you and your family, for up to 18 months at your expense if you are terminated or your hours are reduced and result in loss of coverage, except when termination is for gross misconduct. The 18-month period may be extended to 29 months if you or your dependant becomes disabled for Social Security purposes during the first sixty days (60) of continuation coverage. Health care coverage may also be extended for up to 36 months to spouses and dependents of deceased employees, divorced or legally separated spouses and dependents of employees covered by Medicare, and dependent children who would no longer be covered under our Group Plan. Details of COBRA rights will be given upon enrollment in our Group Health Plan.

### **B. DISABILITY INSURANCE**

#### **1. Short-Term Disability Insurance.**

An employee who normally works at least thirty (30) hours a week and is absent due to illness, injury or maternity is eligible to receive weekly payments designed to partly replace income lost during periods of disability for up to twenty five (25) weeks in accordance with our Disability Insurance Plan.

#### **2. State Short Term Disability Insurance.**

Any employee who is absent due to illness, injury or maternity is eligible to receive weekly payments designed to partly replace income lost during period of disability for up to twenty-six (26) weeks. Coverage and benefits are in accordance with State law.

#### **3. Long-Term Disability Insurance**

An employee who normally works at least thirty (30) hours a week will receive a monthly benefit designed to partly replace income lost during periods of prolonged disability that result from injury, sickness or maternity. Coverage under this insurance policy begins when the short-term disability policy ends. Additional information about disability insurance policy, forms, and answers to questions may be obtained from the Administrative Staff.

### **C. UNEMPLOYMENT INSURANCE**

All employees are covered for unemployment compensation.

**D. WORKERS' COMPENSATION INSURANCE**

If you injure yourself on the job you will be eligible to receive Workers' Compensation benefits. All accidents must be immediately reported, and a claim form obtained from and submitted to the Director. This form must be submitted to both the Workers' Compensation Board and our insurance carrier within ten (10) days of an accident.

**E. SOCIAL SECURITY AND MEDICARE**

As an employee of NSPL, you are covered by Social Security and Medicare under the Federal Insurance Contribution Act (FICA). Your contribution is established by law and deducted from your paycheck. We contribute an equal amount on your behalf for your retirement benefit and Medicare.

## **LIBRARY RULES**

### **A. CONFIDENTIAL INFORMATION**

All information that is not common knowledge is considered privileged, and is not to be disclosed under any circumstances. This includes Library records, patron information, memoranda and any other written material. In particular employees should not discuss the following information in public places:

1. All material pertaining to Library patrons.
2. Information concerning our budget, income or expenditures except as it may appear in the printed Annual Report or any material made public by NSPL.
3. Minutes or content of all non-public meetings arranged by the Director in which Board members, and/or staff members participate in discussing Library work and policies.
4. Any information given to staff in writing or orally which is designated as confidential.
5. Salaries or other personal data pertaining to individual staff members to which an employee has access by nature of the work. This includes all types of personnel material, such as salary, evaluations, attendance records, data reported on application forms, references written or received by NSPL, or other material relevant to employment.

Employees who have questions about this rule should immediately discuss the question with the Director.

### **B. NO SOLICITATION/DISTRIBUTION**

In order to avoid interference with your work, and the work of others, solicitation for any purpose by employees during working time is strictly prohibited. Work time does not include mealtime or break time. Solicitation of Library employees or distribution of materials to Library employees by non-employees will not be permitted during working time. Solicitation or distribution of materials by non-employees is strictly prohibited if such solicitation or distribution interferes with the normal operation of the Library.

### **C. TELEPHONE CALLS AND ETIQUETTE**

As a representative of the Library, you should answer the telephone in a courteous, thoughtful, professional manner. Remember to answer all calls promptly, use the proper greeting, and give the caller your undivided attention. For example: Circulation should say, "North Shore Public Library, may I help you?" and Reference and Children's Departments should answer with the appropriate department name.

In order not to interrupt our flow of work, personal phone calls should be kept to a minimum during working hours. You are asked to advise your friends and relatives of this policy. Telephones are for the sole purpose of conducting Library business. Personal calls, whether incoming or outgoing, are to be strictly limited to the giving or receiving of necessary information and should be kept as brief as possible. All personal long-distance telephone calls must be

reported to the Director. The use of cell phones while working is prohibited. All cell phones should be kept on silent. Use of personal audio devices (e.g. iPods, MP3 players, earbuds/earphones/headphones, etc.) during the time an employee is working is prohibited.

Staff members are expected to answer telephones for self and others. The telephone is the primary communications link with the public and one way that we serve the community. All incoming business calls must be returned promptly.

#### **D. ETHICAL BEHAVIOR**

All employees of the Library are expected to observe the highest standards of ethics and integrity in their conduct. This means following a basic code of ethical behavior and policies on Confidential Information.

Employees who have questions about how these policies apply in particular situations should discuss the exact circumstances with the Director. Each situation will be considered on its own merits.

#### **E. ETHICAL USE OF COMPUTERS AND EMAIL**

Computers are an expensive and valuable resource and are to be used only for Library business. Any use of computer resources for other than official business will be considered misconduct and the employee committing such activity will be subject to discipline.

All computer programs written for and used by NSPL are Library property or are protected by a contract that we have signed. No program or data should ever be copied for personal use or given to anyone outside the Library without the written approval.

Computer terminal passwords are confidential and must be safeguarded at all times. It is the system user's responsibility to ensure that passwords are never left unprotected or unsecured. An unprotected password constitutes a security violation. System users are held accountable for all the processing done with their password. For their own protection, employees must therefore ensure that their passwords are not shared with anyone other than designated personnel.

All electronic and telephonic communication systems and all communications and information transmitted by, received from, or stored in these systems are the property of the Library and as such are to be used solely for job-related purposes. To ensure that the use of our computers and electronic computer communications is consistent with our legitimate business interests, authorized personnel may monitor use, which may include retrieving stored voice-mail messages. Moreover, improper use of the E-Mail system (e.g. harassment, spreading offensive jokes or remarks) will not be tolerated. The use of personal electronic devices while working is prohibited.

As a condition of employment and continued employment, all employees are required to sign an acknowledgment form regarding our E-mail policy.

#### **F. SAFETY, INJURIES AND REPORTING ACCIDENTS**

We are committed to provide a safe and healthy work environment. We take all practical steps to safeguard our employees from accidents and maintain a safe working environment. Employees are expected to follow safe procedures and take an active part in protecting themselves and their colleagues; detect and report hazardous conditions, practices and behavior at their work area; report all accidents and injuries to their immediate Department Head in a timely fashion (reports of violent incidents must be in writing); submit recommendations to management on actions that can be taken to improve unsafe conditions or practices at their work area.

Certainly, no one wants to get hurt and few people deliberately take chances. Unfortunately, accidents can happen when someone is careless or fails to follow proper procedures. With an alert safety attitude, you can help to eliminate painful and costly accidents. State and national statistics show that 85% of all accidents are caused by some unsafe act of personal carelessness. Your safety, and the safety of your co-workers is one of our greatest concerns.

Always report any accident, injury or illness immediately to your Department Head, who will direct you to the proper personnel and area for treatment. Prompt treatment is often the only difference between a serious injury and a minor one. Department Heads are responsible for completion of appropriate forms.

## **G. YOUR GUIDE TO CONDUCT**

The Library has adopted rules of conduct applicable to all employees. Such rules assure safe and efficient business operations and protect the rights and well being of all our employees. An employee is subject to disciplinary action, up to and including discharge, for unacceptable conduct.

Employees whose conduct is unsatisfactory will be subject to progressive discipline except where the severity of the offense merits immediate dismissal.

The purpose of progressive discipline is to let employees know that their conduct is unacceptable and to give employees whose contribution to the Library is otherwise valuable the opportunity to improve their performance. The reason for disciplinary is to protect the interests of the Library and those associated with it. Another purpose of these guidelines is to encourage the development of consistent and fair practices throughout the Library.

Set forth below are examples of such misconduct categorized by the nature of the action. These lists are not exhaustive, and other unacceptable conduct may also cause the employee to be disciplined.

**First-Level Offenses:** Set forth below are examples of first-level offenses:

- Unauthorized excessive absences, tardiness, or early departure
- Failure to notify Department Head of completion of assigned work
- Leaving the building without punching in and out
- Failure to follow prescribed work procedures

The Department Head will generally issue written warning to an employee who commits a first-level offense. The purpose of the warning is to impress upon the employee the seriousness with which the Library views the employee's conduct and to put the employee on notice of the need for corrective steps. Under appropriate circumstances, more severe discipline, including discharge, may be warranted for a first-level offense.



If a warning notice is issued, it becomes a part of the employee's record. The Library when appraising the employee for promotion or transfer, or in the event of future misconduct by the employee in determining the appropriate discipline can consider the warning notice.

If an employee believes he or she has a valid explanation for the misconduct set forth on the warning notice, the employee may submit a written explanation to the issuing Department Head and such explanation will be attached to the warning notice.

Three warning notices within twelve months' time may result in a disciplinary layoff without pay irrespective of the type of first-level offenses involved. Four warning notices within a year may result in discharge, regardless of the type of first-level offenses involved.

**Second-Level Offenses:** Examples of second-level offenses are:

- Punching the time card of another employee or permitting any other person to punch one's time card
- Reporting to work while under the influence of alcohol or drugs or when ability is impaired by use of alcohol or drugs
- Unauthorized use of material or equipment
- Violating major safety rules
- Unauthorized conduct that might subject the Library to civil or criminal liability
- Refusal to follow Department Head's instructions
- Conducting personal business on Library time

Commission of a second level offense may subject an employee to both the issuance of a warning notice and disciplinary time off without pay. An employee who commits two-second level offenses within a twenty-four-month period will generally be discharged. Under appropriate circumstances a single second level offense may warrant discharge.

**Third-Level Offenses:** Examples of third-level offenses are:

- Using alcohol or drugs on Library property.
- Insubordination
- Falsifying any reports such as insurance claims, personal absence, illness, time, or Library records
- Theft or unauthorized possession, removal, or use of Library property or that of a coworker
- Acts of physical violence
- Threatening, intimidating, coercing, or interfering with employees or Department Heads
- Gambling on Library property
- Sleeping during work hours
- Immoral or indecent conduct
- Harassment

Third-level offenses are generally of such a serious nature that a first occurrence will warrant an employee's discharge.

The Director will evaluate each instance of unacceptable conduct on a case-by-case basis and may, in her own discretion, apply a lesser or greater discipline depending on the facts.

#### **H. COMMUNITY AFFAIRS - PUBLIC RELATIONS**

All official policy or position statements of the NSPL are made only in accordance with specific Library policy as determined by the Board of Trustees. Employees must refrain from giving the impression their views and positions are endorsed by the Library or by their co-employees. Personal statements on controversial issues must indicate they are not Library policy.

#### **I. SECURITY**

Employees should exercise caution regarding personal articles left on Library premises during or after work hours. NSPL does not accept responsibility for losses that may result.

#### **J. WORK SPACE APPEARANCE**

All personnel are requested to maintain their work areas in a manner consistent with the highest standards. All employees should adhere to the following guidelines:

1. Work areas should be cleared and proper covering should be applied to business machines at the end of each workday.
2. Areas or rooms to which constituents or visitors have access should be maintained in a presentable condition at all times.
3. Precaution and good judgment should be exercised to prevent confidential and proprietary information from being exposed at work areas.

It is a never-ending job to keep our premises neat and orderly. Of necessity, we work with many papers, files and records. Nevertheless, every employee must make every effort to leave his/her particular desk and work area in good order at the end of each day.

#### **K. DRESS CODE**

Impressions are extremely important. The impression you create through your personal appearance and actions will in great measure determine your professional reputation. If you exercise good judgment in always presenting yourself as a professional, your reputation and that of the Library will be enhanced.

We recognize that dress is a matter of personal taste. However, your personal appearance is a part of our image and you should always be neat and clean. Your dress should be appropriate for the type of work you do.

#### **L. EMERGENCY CLOSINGS**

Employees will not be indiscriminately sent home during bad weather or other uncontrollable emergencies such as power failures, transportation breakdowns etc. The Director will announce

any closing by informing staff of an exact closing time. All personnel are asked to remain at work until a dismissal announcement is made. In the event of severe weather, we will be in contact with the National Weather Service, the Shoreham-Wading River Superintendent of Schools and surrounding libraries in an effort to make sound decisions regarding the restriction of work activity for the safety of all employees.

## **EVALUATIONS AND REVIEW**

### **A. STATEMENT OF PURPOSE**

Our intention is to hire the most qualified people available and to give them the maximum opportunity for advancement. Promotions are based on merit, ability, leadership, creativity, initiative and willingness to accept responsibility. All staff members are expected to demonstrate progressive expertise in job performance and knowledge. One mark of a mature employee is an enthusiastic approach to work; you should consider no assignment unimportant or unworthy of your best efforts. You will be given assistance and guidance on a regular basis by management.

### **B. WORK PERFORMANCE**

It is expected that all employees will carry out their responsibilities fully and to the best of their abilities, and conduct themselves so as to best serve the interests of the Library. When informing a regular employee that work performance does not meet satisfactory standards, the Library will take action appropriate under the circumstances, including:

1. Providing counseling to point out area(s) of weakness and recommending ways to overcome areas of concern;
2. Warning the employee orally and if the problems continue, with written statements (such as employee notices, etc.) to the employee's personnel file; and
3. Releasing the employee if the severity of the case warrants.

## **CONCLUSION**

This Personnel Policy and Benefits Guide is intended to give you a broad summary of things you should know about the Library. The information in this guide is general in nature, and should questions arise, established procedures will be consulted for complete detail. While we intend to continue the policies, benefits and rules contained in this guide, changes or improvements may be made from time to time.

We hope these policies are clear and understandable; if not, or if you have questions about areas not included in this guide, feel free to talk to the Director or your Department Head.

**ONCE AGAIN WELCOME AND GOOD LUCK IN YOUR CAREER**

# North Shore Public Library

## **E-MAIL AND WORKSPACE ACKNOWLEDGMENT FORM**

I understand that all electronic communication systems and all information transmitted by, received from, or stored in these systems is the property of the North Shore Public Library. I also understand that these systems are to be used solely for job-related purposes and not for personal purposes, and that I have no expectation of privacy in connection with the use of this equipment or with the transmission, receipt, or storage of information in this equipment. In addition, there should be no expectation of personal privacy in connection with any workspace in the North Shore Public Library.

I agree not to use a code, access a file, or retrieve any stored communication unless authorized. I acknowledge and consent to NSPL monitoring my use of this equipment at any time at the library's discretion. Such monitoring may include printing up and reading all E-mail entering, leaving, or stored in these systems in the ordinary course of business.

\_\_\_\_\_  
Name of Employee (Please print)

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Business Office Personnel Witness – or Department Head Witness (Please print)

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

# North Shore Public Library

## **PERSONNEL POLICY AND BENEFITS GUIDE RECEIPT**

I have received a copy of the Personnel Policy and Benefits Guide, which outlines the benefits, policies, rules and regulations related to my position. I will read and become familiar with these policies and abide by them during my employment. I understand that any failure on my part to comply with any provision of this guide, now or as amended, or any other rule or regulation may subject me to disciplinary action. I understand I am to direct any questions regarding the policies or the interpretation of these policies to the Director.

I understand that the Personnel Policy and Benefits Guide constitutes management guidelines only and is neither to be interpreted as a contract between NSPL and me, nor does it constitute a guarantee that my employment will continue for any specified period of time. I understand that neither this guide nor any other communication by a management representative is in any way intended to create an express or implied contract of employment.

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Employee's Signature

---

Date

## Appendix A

### **Sexual Harassment Prevention Policy**

**Sexual harassment is against the law.**

All employees have a legal right to a workplace free from sexual harassment, and the North Shore Public Library is committed to maintaining a workplace free from sexual harassment.

Per New York State Law, the North Shore Public Library has a sexual harassment prevention policy in place that protects you. This policy applies to all employees, paid or unpaid interns and non-employees in our workplace, regardless of immigration status.

**If you believe you have been subjected to or witnessed sexual harassment, you are encouraged to report the harassment to a supervisor, or administration so we can take action.**

Our complete policy may also be found: In the NSPL Personnel Policy Handbook

Our Complaint Form may be found: In the Library Director's Office

**If you have questions and to make a complaint, please contact the Library Director**

For more information and additional resources, please visit:  
[www.ny.gov/programs/combating-sexual-harassment-workplace](http://www.ny.gov/programs/combating-sexual-harassment-workplace)



## **Appendix B**

# **Sexual Harassment Policy in New York State**

## **Introduction**

The North Shore Public Library is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the North Shore Public Library's commitment to a discrimination-free work environment. Sexual harassment is against the law and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with the North Shore Public Library. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

### **Policy:**

1. The North Shore Public Library's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with the North Shore Public Library. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The North Shore Public Library will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of the North Shore Public Library who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees working in the workplace who believe they have been subject to such retaliation should inform a supervisor, or administrator. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject the North Shore Public Library to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. The North Shore Public Library will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. The North Shore Public Library will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have

occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

6. All employees are encouraged to report any harassment or behaviors that violate this policy. The North Shore Public Library will provide all employees a complaint form for employees to report harassment and file complaints.

7. Supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Library Director.

8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

### **What Is “Sexual Harassment”?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
  - Such conduct is made either explicitly or implicitly a term or condition of employment;
- or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of sexual harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - o Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee’s body or poking another employee’s body;

- o Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - o Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
  - o Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - o Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
  - o Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - o Sabotaging an individual's work;
  - o Bullying, yelling, name-calling.

### **Who can be a target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

### **Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

## **Retaliation**

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

### **Reporting Sexual Harassment**

**Preventing sexual harassment is everyone's responsibility.** The North Shore Public Library cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or nonemployee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, administrator. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, or administrator.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Library Director.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

**All** complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The North Shore Public Library will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Library Director will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - o A list of all documents reviewed, along with a detailed summary of relevant documents;
  - o A list of names of those interviewed, along with a detailed summary of their statements;
  - o A timeline of events;
  - o A summary of prior relevant incidents, reported or unreported; and
  - o The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

### **Legal Protections and External Remedies**

Sexual harassment is not only prohibited by the North Shore Public Library but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the North Shore Public Library, employees may also choose to pursue legal remedies with the following governmental entities. While a private

attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

### **State Human Rights Law (HRL)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed an HRL complaint in state court.

Complaining internally to the North Shore Public Library does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal antidiscrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the

EEOC by calling 1-800-669- 4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Appendix C

**North Shore Public Library**

**Sexual Harassment Policy  
Acknowledgement Statement**

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I have read all of the policy and understand its contents.

I agree to comply with all the material contained and any updates forthcoming.

Employee Name (Please Print Name): \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date Signed: \_\_\_\_\_



**North Shore Public Library Paid Family Leave Act**

**Funding**

Paid Family Leave is funded through employee payroll contributions that are set each year to match the cost of coverage. The rate of employee contributions is reviewed annually, and is subject to change by New York State's Department of Financial Services.

**Qualifying Events**

New Child: You can take Paid Family Leave during the first 12 months following the birth, adoption, or fostering of a child. Expectant mothers cannot take Paid Family Leave for their own pregnancy. Paid Family Leave for the birth of a child begins after the birth. It is not available for prenatal conditions.

Serious Illness: You can take Paid Family leave to care for a close relative with a serious health condition. These relatives can live outside of New York State and even outside the country. You cannot take Paid Family Leave for your own health condition.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves:

- Inpatient care in a hospital, hospice, or residential health care facility, or
- Continuing treatment or continuing supervision by a health care provider.
  - A close relative includes:
    - Spouse
    - Domestic partner
    - Child and stepchild
    - Parent and stepparent
    - Parent-in-law
    - Grandparent
    - Grandchild

Military Active Service Deployment: You can take Paid Family Leave to assist with family situations arising when your spouse, domestic partner, child, or parent is deployed abroad on active military service or has been notified of an impending military deployment abroad. You cannot use Paid Family Leave for your own qualifying military event.

**Benefits**

You can continue your health insurance while on leave and are guaranteed the same or comparable job after your leave ends. If you contribute to the cost of your health insurance, you must continue to pay your portion of the premium cost while on Paid Family Leave.

- Time: Paid Family Leave benefits phase in over four years. Eligible employees can take Paid Family Leave for up to eight weeks in 2018, with coverage increasing to 10 weeks in 2019 and 2020, and 12 weeks in 2021. Leave can be taken either all at once or in full-day increments. You may take the maximum time-off benefit in any given 52-week period.

- **Pay:** Paid Family Leave pay benefits also phase in over four years. Benefits are a percentage of your average weekly wage, capped at that same percentage of the New York State Average Weekly Wage, as calculated annually by New York State's Department of Labor. These benefits are 50% of your average weekly wage for 2018, 55% in 2019, 60% in 2020, and 67% in 2021.
  - **EXAMPLE 1:** An employee who earns \$1,000 a week in 2018 would receive a benefit of \$500 a week (50% of \$1,000). In 2019, that employee would receive a benefit of \$550 a week (55% of \$1000).
  - **EXAMPLE 2:** An employee who earns \$2,000 a week in 2018 would receive a benefit of \$652.96. This employee's benefit is capped at 50% of New York State's Average Weekly Wage — currently \$1,305.92. Half of that amount is \$652.96.

### **Eligibility**

All eligible employees are entitled to participate in Paid Family Leave.

- **Full-time employees:** Employees who work a regular schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment.
- **Part-time employees:** Employees who work a regular schedule of less than 20 hours per week are eligible after working 175 days, which do not need to be consecutive.

Employees are eligible regardless of citizenship and/or immigration status.

### **Your Rights and Protections**

- You have job protection, ensuring you can return to the same job (or a comparable one) when you return from Paid Family Leave.
- You can keep your health insurance while on leave. If you contribute to the cost of your health insurance, you must continue to pay your portion of the premium cost while on leave.
- Your employer is prohibited from discriminating or retaliating against you for requesting or taking Paid Family Leave.
- You do not have to take all of your paid time off before using Paid Family Leave.

### **Taking Paid Family Leave**

1. **Notify your employer.** When you want to take Paid Family Leave, you must notify your employer at least 30 days before your leave will start if it's foreseeable. Otherwise, notify your employer as soon as possible.
2. **Obtain required forms.** Contact your employer, employer's insurance carrier, or visit [ny.gov/PaidFamilyLeave](http://ny.gov/PaidFamilyLeave) to obtain the required forms.
3. **Complete and submit forms.** Fill out the Request for Paid Family Leave (Form PFL-1) following the instructions on the cover sheet, and submit it to your employer. Your employer must fill out their section of the form and return it to you within three business days. If your employer fails to respond, you may proceed to the next step below and submit all materials directly to your employer's Paid Family Leave insurance carrier.

4. Obtain and attach supporting documentation. The specific documentation or additional forms required for each type of leave are described on the request for Paid Family Leave and at [ny.gov/PaidFamilyLeaveApply](http://ny.gov/PaidFamilyLeaveApply).

5. Submit your request forms and supporting documentation. Submit to your employer's Paid Family Leave insurance carrier. You can submit your claim before or within 30 days after the start of your leave. The insurance carrier must pay or deny your request within 18 calendar days of receiving your completed forms.

### **Relationship with Other Types of Leave**

- Paid Family Leave can be taken by employees who are eligible for time off under the provisions of the FMLA. PFL will run concurrently with designated FMLA leave when the reason for leave qualifies under both PFL and FMLA. Eligible employees must then apply for both PFL and FMLA.
- You may not receive short-term disability and Paid Family Leave benefits at the same time. You may not take more than 26 combined weeks of short-term disability and Paid Family Leave in a 52-week period.
- If you are unable to work and qualify for Workers' Compensation Benefits, you may not use Paid Family Leave benefits at the same time as you are receiving Workers' Compensation benefits. If you are receiving reduced earnings, you may be eligible for Paid Family Leave. Please check with human resources.

### **Accruing Time for Paid Family Leave Eligibility**

Paid time off will count as a qualifying work day/days for eligibility for Paid Family Leave. Deductions for Paid Family Leave will continue to be collected from employee contribution during periods of paid time off. Employees may use accrued time and/or supplement PFL with accrued time in order to receive full pay during their absence.

### **Accrual of Leave Time While on Paid Family Leave**

While on PFL, employees will only accrue paid time off for time that is worked.

### **Policy on Spouses Taking Paid Family Leave**

Only one employee at a time may receive PFL to bond with the same child or care for the same family member.

### **Paid Family Leave Process and Contacts**

At North Shore Public Library, requests for Paid Family Leave forms and forms submissions should be directed to Human Resources. Our Paid Family Leave insurance carrier is SunLife, 1-800-247-6875.

### **Discrimination Complaints**

Employees are protected from discrimination and retaliation for requesting or taking Paid Family Leave. If your employer terminates your employment, reduces your pay and/or benefits, or disciplines you in any way as a result of you requesting or taking Paid Family Leave, send your employer's designated Paid Family Leave contact a formal request for job reinstatement using the Formal Request for Reinstatement Regarding Paid Family

Leave (Form PFL-DC-119), which can be found in the forms section of [ny.gov/PaidFamilyLeave](http://ny.gov/PaidFamilyLeave). File the completed form with your employer and send a copy to:

Paid Family Leave, P. O. Box 9030, Endicott, NY 13761-9030

If your employer fails to comply with the request for reinstatement within 30 days, you may file a Paid Family Leave discrimination complaint with the Workers' Compensation Board using Paid Family Leave Discrimination Complaint (Form PFL-DC-120), which is also available on the Paid Family Leave website. Once your complaint is received, the Board will assemble your case and schedule a preliminary hearing in front of a Workers' Compensation Law Judge.