

WELCOME!

The mission of the James Prendergast Library is to provide access to information resources, staff, facilities and services that respond to the pursuit of knowledge, education, lifelong learning opportunities and cultural enrichment by the people of the City of Jamestown and Chautauqua and Cattaraugus counties.

Whether you have recently joined our staff or have been at the James Prendergast Library (Library) for a while, we are confident that you will find our organization a rewarding place in which to work and we look forward to a productive and successful association. We consider the employees of the Library to be one of its most valuable resources. This handbook has been written to serve as the guide for the employer/employee relationship.

There are several things to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or the applicability of a policy or practice to you, you should address your specific questions to your supervisor or the Director. Neither this handbook nor any other organization document confers any contractual right, either expressed or implied, to remain in the organization's employ. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will with or without cause and without prior notice by the organization, or you may resign for any reason at any time. No supervisor or other representative of the organization (except the Director) has the authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to the above.

The procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

Some subjects in this handbook are covered in detail in official policy documents. Refer to these documents for specific information because the handbook only briefly summarizes those guidelines and benefits. Please note that the terms of the written insurance policies are controlling and override any statement made in this or other documents.

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THE WAY WE WORK

Equal Employment Opportunity Statement

The James Prendergast Library (Library) provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, creed, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, familial status, domestic violence victim status, arrest or conviction records, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. The Library complies with applicable state and local laws governing nondiscrimination in employment in every location in which the organization has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfers, leaves of absence, compensation and training.

The Library expressly prohibits any form of unlawful employee harassment based on race, color, creed, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, familial status, domestic violence victim status, arrest or conviction records, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. Improper interference with the ability of Library employees to perform their expected job duties is absolutely not tolerated.

Anti-harassment Policy and Complaint Procedure

The Library is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, the Library expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment.

It is the policy of the Library to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, creed, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, familial status, domestic violence victim status, arrest or conviction records, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. The Library prohibits any such discrimination or harassment.

The Library encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of the Library to promptly and thoroughly investigate such reports. The Library prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, creed, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, familial status, domestic violence victim status, arrest or conviction records, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws, or any other characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on organization time or using organization equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the Library (e.g., an outside vendor or patron). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Complaint Process

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, the Director, or Board of Trustees President.

When possible, the Library encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. The Library recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

The Library encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with its resolution, that party may appeal to the Board of Trustees President.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

AMERICANS WITH DISABILITIES ACT (ADA) AND THE ADA AMENDMENTS ACT (ADAA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed

provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of the Library to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our organization policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The Library will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to the Library. Contact the Director with any questions or requests for accommodation.

WHISTLEBLOWER POLICY

The Library requires trustees, employees, and volunteers to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the James Prendergast Library Association must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

It is the responsibility of all trustees, employees, and volunteers to report ethics violations or suspected violations in accordance with this Whistleblower Policy.

Appropriate subjects to raise under this policy include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies.

Reporting Procedures and Corrective Action for Employees

Employees should first discuss their concern, in confidence, with their immediate supervisor. If after speaking with his/her supervisor, the employee is convinced that his/her concern is unwarranted or that, in the opinion of the employee, the supervisor will take appropriate steps to resolve the employee's concern, no further action is required by the employee.

However, further action is required if the employee (a) continues to have reasonable grounds to believe the concern is valid and that the response of his/her immediate supervisor is not adequate or (b) the immediate supervisor recommends that the issue should be referred to a higher level in the organization. In this situation, the employee should write a formal complaint to the Library's Director who will investigate the matter promptly.

If the employee's supervisor is the subject of the employee's concern or is possibly involved, the employee may choose to discuss their concern directly and in confidence with the Library's Director and then write a formal complaint. It is the responsibility of the Director to investigate promptly the circumstances of the complaint.

In extraordinary circumstances and after due consideration, an employee who suspects or believes that the Director is involved in unethical or illegal behavior, may take his/ her concerns directly to the President of the Library's Board of Trustees.

Reporting Procedures and Corrective Action for Individuals Not Employed By the Library
Individuals who are not employees of the Library should submit their concerns in writing directly to the President of the Board of Trustees. If the President of the Board of Trustees is not available or is the subject of the concern, the complaint should be directed to the Vice-President of the Board of Trustees.

The President or Vice-President shall be responsible for designating an appropriate committee, as circumstances dictate, to investigate and make appropriate recommendations to the Board of Trustees with respect to all concerns received in writing. The designated committee has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations.

The President or Vice-President shall inform the originator of the receipt of the written complaint. All trustees of the Library shall be informed of the nature of the complaint with emphasis on maintaining the confidentiality appropriate for personnel issues.

The Board of Trustees and its designated committee shall resolve all complaints in a timely fashion and inform the individual submitting the complaint of the Board's final action.

No Retaliation

No trustee, employee or volunteer who in good faith reports an ethics violation shall suffer harassment, retaliation, or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns, in good faith, within the James Prendergast Library Association prior to seeking resolution outside the Library.

Acting In Good Faith

Anyone reporting a concern must act in good faith and have reasonable grounds for believing information disclosed indicates financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies.

The act of making allegations which prove to be unsubstantiated and to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of

employment or dismissal from the trustee or volunteer position. Such conduct may also give rise to other actions, including civil lawsuits.

Confidentiality

Reports of concerns and their investigations shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

EMPLOYMENT

Employee Classification Categories

All employees are designated as either nonexempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and the Library.

Nonexempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are NOT exempt from the law's requirements concerning minimum wage and overtime and are eligible for time and one-half over 40 hours worked. Any time worked over scheduled hours, whether or not overtime is incurred, must be approved by a supervisor.

Exempt employees are generally managers or professional, administrative or technical staff who ARE exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor.

The Library has established the following categories for both nonexempt and exempt employees:

- **Regular, full time:** Employees who are regularly scheduled to work the organization's full-time schedule of 37.5 hours per week. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefits program. Full time exempt employees requested to work Sunday will earn time and a half in compensatory time off.
- **Regular, part time:** Employees who are not in a temporary status and who are regularly scheduled to work less than the full-time schedule but at least 20 hours each week. Regular, part-time employees are eligible for some of the benefits offered by the organization subject to the terms, conditions and limitations of each benefits program.

Internal Transfers/Promotions

Employees may request consideration to transfer to other jobs as vacancies become available and will be considered along with other applicants. At the same time, the organization may initiate transfers of employees between departments to meet specified work requirements and reassignment of work requirements.

The Library offers employees promotions to higher-level positions when appropriate. The Library prefers to promote from within and may first consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is considered to be in the organization's best interest.

Employment of Relatives and Personal Relationships

The Library wants to ensure that practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion and transfer. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other. Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins and domestic partner relatives.

If employees begin a dating relationship or become relatives, partners, or members of the same household and if one party is in a supervisory position, that person is required to inform management of the relationship.

The Library reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

Probationary Period

The probationary period is intended to give a new employee the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Library uses this period to evaluate the employee's capabilities, work habits, and overall performance. Either the employee or the Library may end the employment relationship at will at any time during or after the probationary period, with or without cause or advance notice.

All new and rehired associates work on an introductory basis for the first three months after their date of hire. If the Library determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance the probationary period may be extended for a specified period of time.

Progressive Discipline

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established. The Library supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with our organizational values, best practices and employment laws.

Outlined below are the steps of our progressive discipline policy and procedure. The Library reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

The following outlines the Library's progressive discipline process:

- **Verbal warning:** A supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written warning:** Written warnings are used for behavior or violations that a supervisor considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of the written warning.
- **Performance improvement plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a performance improvement plan. This status will last for a predetermined amount of time. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, termination may occur.

The Library reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge.

Separation of Employment

Separation of employment within an organization can occur for several different reasons.

- **Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two weeks' notice (exempt four weeks), preferably in writing, to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
- **Retirement:** Employees who wish to retire are required to notify the Director and their supervisor in writing at least one (1) month before the planned retirement date.
- **Job abandonment:** Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The Director shall initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.
- **Termination:** Employees of the Library are employed on an at-will basis, and the organization retains the right to terminate an employee at any time.

Return of Organization Property

The separating employee must return all organization property at the time of separation.

Accrued vacation leave will be paid in the last paycheck.

Health Insurance/COBRA

Health insurance terminates the last day of the month of employment. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued health coverage will be provided.

Rehire

Former employees who left the Library in good standing and were classified as eligible for rehire may be considered for reemployment.

Supervisors must obtain approval from the Director prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals or any other benefits.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

WORKPLACE SAFETY

Drug-Free Workplace

The Library has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, the Library is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of the Library. The Director is responsible for policy administration.

Employee Assistance and Drug-Free Awareness

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available from the Director.

The Library will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety sensitive or that require driving or if they have violated this policy previously.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

Work Rules

The following work rules apply to all employees:

Whenever employees are working, are operating any company vehicle, are present on company premises, or are conducting related work off-site, they are prohibited from:

- Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
- Being under the influence of alcohol or an illegal drug as defined in this policy.

The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body; while performing company business or while in a company facility is prohibited.

The Library will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.

Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

Required Testing

The Library retains the right to require the following tests:

- Pre-employment: All applicants must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.
- Reasonable suspicion: Employees are subject to testing based on observations by a supervisor of apparent workplace use, possession or impairment. The Director must be consulted before sending an employee for reasonable suspicion testing.
- Post-accident: Employees are subject to testing when they cause or contribute to accidents that seriously damage a company vehicle, equipment or property and/or result in an injury to themselves or another employee requiring off-site medical attention. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner.
- Follow-up: Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including discharge. Depending on the circumstances and the employee's work history/record, the Library may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies for a minimum of one (1) year but not more than two (2) years. If the employee either does not complete his/her rehabilitation program or tests positive after completing the rehabilitation program, he/she will be subject to immediate discharge from employment.

Consequences

Applicants who refuse to cooperate in a drug test or who test positive will not be hired. Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated. The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.

Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management and Human Resources. Should the results prove to be negative, the employee will receive back pay for the times/days of suspension.

Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

Inspections

The Library reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

Crimes Involving Drugs

The Library prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

Employee Assistance and Drug-Free Awareness

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available from the Director.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.

Workplace Bullying

The Library defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.”

The purpose of this policy is to communicate to all employees that the organization will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. The Library considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person’s work area or property.
- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

Violence in the Workplace

All employees, patrons, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another employee, patron, vendor or business associate will not be tolerated. The Library resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. The Library treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor or the Director. When reporting a threat or incident of violence, the employee should be as specific and detailed as

possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Director of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. The Library will not retaliate against employees making good-faith reports. The Library is committed to supporting victims of intimate partner violence by providing referrals to the Library's to community resources and providing time off for reasons related to intimate partner violence.

The Library will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. The Library will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, the Library may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The Library encourages employees to bring their disputes to the attention of their supervisors or the Director before the situation escalates. The Library will not discipline employees for raising such concerns.

Safety

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area or with a client.

Although most safety regulations are consistent throughout each department, each employee has the responsibility to identify and familiarize his/herself with the emergency plan for his/her working area. It is the responsibility of the employee to immediately report each safety and health incident that occurs by an employee or that the employee witnesses. It is important to deal with any injuries as soon as possible. Failure to report such an infraction may result in employee disciplinary action, including termination.

Furthermore, management requires that every person in the organization assumes the responsibility of individual and organizational safety. Failure to follow organization safety and health guidelines or engaging in conduct that places the employee, client or organization property at risk can lead to employee disciplinary action and/or termination.

WORKPLACE EXPECTATIONS

Confidentiality

Our patrons and other parties with whom we do business entrust the organization with important information relating to their businesses. It is our policy that all information considered confidential will not be disclosed to external parties or to employees without a “need to know.” If an employee questions whether certain information is considered confidential, he/she should first check with his/her immediate supervisor.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

All inquiries from the media must be referred to the Director.

Conflicts of Interest

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of the Library may conflict with the employee’s own personal interests. Organization property, information or business opportunities may not be used for personal gain.

Employees with a conflict-of-interest question should seek advice from their supervisor.

Outside Employment

Employee may engage in other employment as long as the practice does not interfere with Library employment or policy.

Attendance and Punctuality

Vacation and holidays must be scheduled with one’s supervisor in advance. Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline even if the employee has not yet exhausted available paid time off.

Employees must call in prior to the start of their shift if they are unable to report to work that day.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. The first instance of a no call/no show will result in a final written warning. The second separate offense may result in termination of employment with no additional disciplinary steps.

A no call/no show lasting three days may be considered job abandonment and may be deemed an employee's voluntary resignation of employment.

Attire and Grooming

It is important for all employees to project a professional image while at work by being appropriately attired. The Library employees are expected to be neat, clean and well groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed.

The Library is confident that employees will use their best judgment regarding attire and appearance. Management reserves the right to determine appropriateness.

ELECTRONIC COMMUNICATION AND INTERNET USE

The following guidelines have been established for using the Internet, organization-provided cell phones and e-mail in an appropriate, ethical and professional manner:

- Internet, organization-provided equipment (e.g., cell phone, laptops, computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon the Library or be contrary to the Library's best interests; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and organization-provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees must not use the system in a way that disrupts its use by others. Employees must not send or receive large files that could be saved/transferred via thumb drives. Employees are prohibited from sending or receiving files that are not related to work.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact IT with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the organization.

Right to Monitor

All organization-supplied technology and organization-related work records belong to the organization and not to the employee. The Library reserves the right to monitor use of organization-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

Social Media—Acceptable Use

Below are guidelines for social media use.

Employees may not post financial, confidential, sensitive or proprietary information about the organization, patrons, employees or applicants.

Employees may not post obscenities, slurs or personal attacks that can damage the reputation of the organization, patrons, employees or applicants.

When posting on social media sites, employees must use the following disclaimer when discussing job-related matters, *“The opinions expressed on this site are my own and do not necessarily represent the views of the James Prendergast Library.”*

The Library may monitor content out on the Internet. Policy violations may result in discipline up to and including termination of employment.

SOLICITATIONS, DISTRIBUTIONS AND POSTING OF MATERIALS

The Library prohibits the solicitation, distribution and posting of materials on or at organization property by any employee or nonemployee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by the Library management and organization-sponsored programs related to the Library’s products and services.

- Nonemployees may not solicit employees or distribute literature of any kind on organization premises at any time.
- Non-employee visits should not disrupt workflow.
- Employees may not solicit other employees during work times, except in connection with an organization-approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a organization-sponsored event
- The posting of materials or electronic announcements are permitted with approval from the Director.

Violations of this policy should be reported to the Director.

COMPENSATION

Performance and Salary Review

Performance appraisals are conducted on an annual cycle. Employees will receive a performance review on the established date each year. The performance appraisal will be discussed, and both the employee and supervisor will sign the form to ensure that all strengths, areas for improvement and job goals for the next review period have been clearly communicated. Performance evaluation forms will be retained in the employee's personnel file.

Merit increases are not guaranteed. A performance review does not always result in an automatic salary increase.

Payment of Wages

Salary payment is twice monthly: on the 15th and 30th (or the last banking day of the period).

Any overtime payment earned during that pay period is paid in that pay period.

If the normal payday falls on an organization-recognized holiday, paychecks will be distributed one workday before the aforementioned schedule.

No salary advances are permitted.

Time Reporting

A work hour is any hour of the day that is worked and should be recorded to the nearest quarter of an hour. The workday is defined as the 24-hour period starting at 12:00 a.m. and ending at 11:59 p.m. The workweek covers seven consecutive days beginning on Sunday and ending on Saturday. The usual workweek period is 37.5 hours.

Overtime is defined as hours worked by an hourly or nonexempt employee in excess of 40 hours in a workweek and should be recorded to the nearest quarter of an hour. **Overtime must be approved in advance by the supervisor to whom the employee reports.**

Employees will submit their time sheet weekly as directed by their supervisor. Each employee is to maintain an accurate daily record of his or her hours worked. All absences from work schedules should be appropriately recorded.

Meal/Rest Periods

The scheduling of meal periods at the Library is set by the employee's immediate supervisor with the goal of providing the least possible disruption to organization operations.

Meal Period

Employee meal periods are important to organization productivity and employee health. Employees who work at least six consecutive hours will be provided a meal break not to exceed 60 minutes. The meal period will not be included in the total hours of work per day and is not compensable. Nonexempt employees are to be completely relieved of all job duties while on meal breaks.

Rest Breaks

Salaried employees, as they are paid a weekly salary regardless of the hours they work, may choose to take breaks as needed. Nonexempt employees are permitted a mid-shift 15-minute rest break for each four hours of work. Breaks for nonexempt employees are considered "time worked" and is compensable.

Impermissible Use of Meal Period and/or Rest Breaks

Neither the lunch period nor the rest break(s) may be used to account for an employee's late arrival or early departure or to cover time off for other purposes—for example, rest breaks may not be accumulated to extend a meal period, and rest breaks may not be combined to allow one half-hour long break.

Overtime Pay (nonexempt employees)

Nonexempt employees who exceed 40 hours of work time in a workweek will be paid time and one half.

Paid leave, such as holiday, sick or vacation pay, does not apply toward work time.

The workweek begins at 12:00 a.m. on Sunday morning and ends at 11:59 p.m. on Saturday night.

Supervisors are required to obtain approval from the Director prior to the use of overtime.

Employees who anticipate the need for overtime to complete the week's work must notify the supervisor in advance and obtain approval before working hours that extend beyond their normal schedule.

Employee Travel and Reimbursement

Employees will be reimbursed for reasonable expenses incurred in connection with approved travel on behalf of the organization.

Travelers seeking reimbursement should incur the lowest reasonable travel expenses and exercise care to avoid the appearance of impropriety. If a circumstance arises that is not specifically covered in the travel policies, the most conservative course of action should be adopted.

Travel for staff must be authorized in advance. Travelers should verify that planned travel is eligible for reimbursement before making travel arrangements. Upon completion of the trip, and within 30 days, the traveler must submit a Travel Reimbursement Form and supporting documentation to obtain reimbursement of expenses. For more details, refer to the Travel Policy.

Exempt employees will be paid their regular salary for weeks in which they travel. Nonexempt employees will be paid for travel time in accordance with federal and state wage payment laws.

TIME OFF/LEAVES OF ABSENCE

Holiday Pay

The Library recognizes **and closes** for the following holidays each year. **Full time staff receive paid holidays. Should a holiday fall on a Saturday or Sunday, when they normally wouldn't work, full time staff receive a floating holiday which must be used by the end of the year. This floating holiday is at their discretion, with supervisor approval.**

Part time staff receive no pay for holidays.

- New Year's Eve Day
- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Easter Sunday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day

- Thanksgiving Day
- Christmas Eve Day
- Christmas Day

Good Friday the library is open, but full time staff get credit as a floating holiday

Vacation

Full- and part-time employees are eligible for vacation leave benefits.

Part-time employees earn vacation on a quarterly basis. Part-time employee who work 260 hours (the equivalent of 20 hours per week) or more per quarter will receive vacation credit equal to $\frac{1}{4}$ of the average number of hours worked each week during the quarter. Working 20 to 29 hours per week will earn vacation on a prorated basis. Full-time employees are those working 37.5-plus hours per week. Vacation accrual begins on the first day of full- or part-time employment. Vacation can be used only after it is earned. Employees may not take vacation while on probation. Vacation leave will not be earned during an unpaid leave of absence.

Employees may carry over a maximum of 22 days vacation at the end of the year.

To schedule vacation time, employees should submit a completed leave form to their supervisor at least two weeks before the requested leave. Employees must ensure that they have enough accrued leave available to cover the dates requested. Requests will be approved based on a number of factors, including operating and staffing requirements. If the request for vacation leave is denied, the supervisor should provide an appropriate reason to the employee.

Vacation will be paid at the employee's base rate at the time the leave is taken. If a holiday falls during the employee's vacation, the day will be charged to holiday pay rather than to vacation pay.

Leave taken beyond an employee's available vacation balance may be unpaid. This is with prior supervisor approval.

When an employee separates from the Library, accrued unused vacation leave earned through the last day of active employment will be paid at the employee's base rate of pay at termination.

Sick Leave

All full-time, regular employees accrue sick leave from the date of hire, for a total of 12 days per year. Part-time, regular employees accrue sick leave from the date of hire, in a prorated amount. Sick leave may be accrued to a maximum of 165 days.

Sick leave for full time employees may be used for an employee's personal illness, well-care, and medical and dental appointments, for the employee and their immediate family

For part-time staff, sick time may only be used for personal illness and medical emergencies, on days currently scheduled, for themselves and their immediate family. Sick days may *not* be used for time *beyond the current schedule*. For time off beyond the current schedule, staff should make arrangements to not be scheduled on the required days.

Sick leave may not be used before accrual. If sick leave is exhausted, any available vacation hours will be used in its place. An employee who has a sick leave absence in excess of three consecutive working days must present medical documentation for the absence. Employees are not paid for unused sick leave upon termination of employment.

Sick leave may be accrued to a maximum of 165 hours. Sick leave may not be used before accrual. If sick leave is exhausted, any available vacation hours will be used in its place. An employee who has a sick leave absence in excess of three consecutive working days must present medical documentation for the absence. Employees are not paid for unused sick leave upon termination of employment.

Personal Leave of Absence

Employees who require time off in addition to vacation may request a personal leave of absence without pay for up to a maximum of 30 days. An extension may be approved in limited circumstances.

All regular employees employed for a minimum of three months are eligible to apply for an unpaid personal leave of absence. Job performance, absenteeism and departmental requirements will all be taken into consideration before a request is approved.

No salary will be granted for holidays falling within the approved period. During an unpaid leave of absence, the associate must pay the full cost of their health, dental and life insurance.

Please contact the Director for more information on request procedures.

The employee must return to work on the scheduled return date or be considered to have voluntarily resigned from his or her employment.

Bereavement Leave

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor immediately.

Paid bereavement leave is granted according to the following schedule:

- **Full Time** Employees are allowed three days of paid leave in the event of the death of the employee's spouse, child, father, domestic partner, father-in-law, mother, mother-in-law, brother, sister, stepfather, stepmother, stepbrother, stepsister, stepson or stepdaughter.
- **Full Time** Employees are allowed one day of paid leave in the event of death of the employee's brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, grandparent, grandchild or spouse's grandparent.
- **Part time employees may use accrued vacation time for days they are currently scheduled. If employee's vacation time is exhausted, they may use sick leave if available.**

Jury Duty

Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, employees must notify their supervisor and provide him/her with a copy of the jury summons. The organization will pay regular full-time and regular part-time employees for time off for jury duty.

Military Leave of Absence

The Library is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the organization's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or organization policy. If any employee believes that he or she has been subjected to discrimination in violation of organization policy, the employee should immediately contact the Director.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform

such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact the Director to request leave as soon as they are aware of the need for leave.

Lactation/Breastfeeding

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. The Library will provide a room for this purpose. A small refrigerator reserved for the specific storage of breast milk will be available. Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

Inclement Weather

The Library will continue to operate as uninterrupted as safely possible in the event of difficult weather. The decision to close the Library will be made at the discretion of the Director or designee.

Employees will not be penalized for tardiness due to extreme storms as such conditions occur without warning or notice and are beyond the control of employees. It is the policy of the Library that associates who do not report for work during such storms when the office is open will use vacation or may take the day without pay.

Continuing Education

The Library encourages employees to attend meetings and training that will increase employee development. Time to attend meetings and educational opportunities may be compensable depending on the Library's schedules, travel funds and the nature of the request and potential benefit to the organization. Employees should discuss these opportunities with their supervisor.

BENEFITS

For more information regarding benefits programs, please refer to the organization Summary Plan Descriptions, which were provided to employees upon hire, or contact the Director.

Medical and Dental Insurance

The organization currently offers regular full-time employees regularly scheduled to work a minimum of 37 ½ hours per week enrollment in medical and dental insurance coverage options on the first of the month following 30 days of employment.

Employees have up to 30 days from their date of hire to make medical and dental plan elections. Once made, elections are fixed for the remainder of the plan year. Changes in family status, as defined in the Plan document, allow employees to make midyear changes in coverage consistent with the family status change. Please contact the Director to determine if a family status change qualifies under the Plan document and IRS regulations. At the end of each calendar year during open enrollment, employees may change medical and dental elections for the following calendar year. The Business Office is available to answer benefits plan questions and assist in enrollment as needed.

Flexible Spending Account

As part of the organization's Flexible Benefits Plan, we currently offer an employee-funded flexible spending account (FSA) to employees hired on or before January 1 of a calendar year. Plan participants may elect an annual amount of flexible dollars to pay for eligible health care expenses, including medical or dental insurance deductibles, copayments, and out-of-pocket costs for vision care and other types of care.

If eligible medical or dental expenses are less than the elected annual amount of flex dollars for that year, the balance will be forfeited.

Group Life Insurance

The organization offers regular full-time employees who have been employed by the Library for 30 days an employer-paid basic group term life policy along with an accidental death and dismemberment policy. Each policy generally pays a death benefit equal to the lesser of their "Life Salary" (as defined in the Plan document) or \$50,000.

403(b) Plan

The organization offers a voluntary pretax salary reduction plan in which regular full-time and regular part-time employees, who are 21 years of age or older, may elect to participate beginning with the first payroll period administratively feasible after employment. Further details about the Plan may be obtained the Business Office and the Plan document.

Workers' Compensation Benefits

The organization is covered under statutory state workers' compensation laws. Employees who sustain work-related injuries must immediately notify their department supervisor.

EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND RECEIPT

I have received my copy of the Employee Handbook.

The employee handbook describes important information about the James Prendergast Library and I understand that I should consult my supervisor or the Director regarding any questions not answered in the handbook. I have entered into my employment relationship with the James Prendergast Library voluntarily and acknowledge that there is no specified length of employment. **Accordingly, either I or the James Prendergast Library can terminate the relationship at will, with or without cause, at any time, so long as there is not violation of applicable federal or state law.**

I understand and agree that, other than the Director, no supervisor or representative of the James Prendergast Library has any authority to enter into any agreement for employment other than at will; only the Director of the organization has the authority to make any such agreement and then only in writing.

This handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with the James Prendergast Library. By distributing this handbook, the organization expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that, except for employment-at-will status, any and all policies and practices may be changed at any time by the James Prendergast Library and the organization reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the Director has the ability to adopt any revisions to the policies in this handbook.

I understand and agree that nothing in the Employee Handbook creates, or is intended to create; a promise or representation of continued employment and that employment at the James Prendergast Library is employment at will, which may be terminated at the will of either the James Prendergast Library or myself. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by the James Prendergast Library or me.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee's Signature

Employee's Name (Print)

Date

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE