

James Prendergast Library Association

Board of Trustees

Meeting Minutes April 21, 2022

Board Members Present in Person or Virtual: Dan Hickman, Cassie Blakeslee, Mike Corey, Frank Corapi, Judy Long, Liz Margarito, Mary Zrdojewski, Abby Soffel

Absent: Ned Lindstrom, Joni Blackman, Jessica Carr

Staff Present: Anne Greene

Public Present: Dennis Phillips

Meeting called to order at 5:17pm by Dan Hickman [President]

Agenda Topics:

1. Public Comment – No Comment
2. Consent Agenda – No Changes
  - a. Motion made to approve agenda by Judy Long, second by Frank Corapi Y-8 N-0
  - b. Motion made to approve minutes by Mike Corey, second by Judy Long Y-8 N-0
3. New Staff Introductions
  - a. Anne Greene introduced one new staff member, Shawnette Williamson, Building Attendant.
4. Director's Report – Anne Greene
  - a. Bookbinding with Infinity Arts: The Library offered a class on bookbinding run by Deb Eck of Infinity Arts, one of our Murray L. Bob Education Initiative Programs, with 17 people attending.
  - b. Computer Lab Improvements: The Carnahan Jackson Foundation awarded us a grant for various computer updates for \$10,800, and we are in the process of upgrading the public computer space.
  - c. New Braille Books: We have added additional books in Braille to our collection in the Children's Room (thanks to a grant from the Lenna Foundation). These books have garnered a lot of attention!
  - d. VITA at the Library: The Volunteer Income Tax Assistance (VITA) program run by United Way uses the library's space every year and the program is very popular. This year we added an extra day to the schedule to accommodate the increase in this service.
  - e. Local Organizations Using the Makerspace: This month, Head Start, BOCES, The Jamestown Community Learning Council, Jamestown High School, and Love Elementary's after school program have all used the Makerspace on multiple occasions.
  - f. Local Businesses Support Library: The library's fundraising initiative to receive sponsorships from local businesses in support of our programs has begun. To date, we have received donations from seven local businesses, totaling \$3,175. Businesses can sponsor library programs such as our Summer

Reading in the Parks and our weekly Crafting and Community programs.

g. Statistics:

Category	% Increased	March 2022	February 2022
Library Visits	31.2%	8,334	6,354
Total Library Circulation	58.8%	35,706	22,487
Total Reference Questions	6.4%	7,972	7,495
Total Database Usage	159.9%	1,463	563
Total Programs Offered	22.0%	100	82
Total Computer Logins	36.4%	1,020	1,020
Total Program Attendance	-0.6% decrease	1,009	1,015

5. Treasure's Report – Mike Corey

- a. Library continues to do well with the budget.
- b. Investments are all in normal ranges and we did have an increase in March.
- c. We will begin quarterly withdrawals from Endowment.
- d. School tax will come in November.
- e. Motion made to approve Treasurer's Report by Judy Long, second by Liz Margarito Y-8 N-0

6. Fundraising Committee Report - Chair Cassie Blakeslee

- a. Our fundraising T-shirts are now available online for purchase and inside the library. We will be selling t-shirts at the upcoming Community Block Party on May 21st. The block party is free and open to the public. Planning of the event is complete and we have over 30 local organizations participating.

7. New Business

- a. Annual Report: Our 2021 Annual Report is completed. There are significant increases in library usage and services this year as we continue to recover from the pandemic. Highlights of the report:
  - i. Item 2.1: We added over 1,000 new titles to our Adult Fiction collection
  - ii. Item 2.13: We added almost 2,000 Electronic Books to our collection
  - iii. Item 2.26: We added almost 4,000 new cataloged books to the collection

- iv. Item 3.1: Library Visits have increased steadily and continue to increase:
    - 1. 2020: 58,563; 2021: 72,343 (23.5% increase)
  - v. Item 3.57 total attendance at our Early Literacy Program attendance has increased significantly
    - 1. 2020: 614 (pandemic) 2021: 10,607
  - vi. Item 4.16 Total collection usage increased
    - 1. 2020: 105,955; 2021: 122,28 (15% increase)
  - b. Motion to approve annual report made by Judy Long, second by Mike Corey Y-8 N-0
  - c. Policies for approval:
    - i. Pest Control Prevention Policy
    - ii. Customer Service Policy
  - d. Motion made to approve policies by Judy Long, second by Frank Corapi Y-8 N-0
  - e. CCLS Lease:
    - i. 2020-2022 CCLS Lease expires. A new Lease is needed for January 2023
      - 1. Ad Hoc Lease Committee formed: Cassie Blakeslee, Mike Corey, and Abby Soffel will meet and report back to board.
  - f. Bank Account Amendments:
    - i. Effective April 30<sup>th</sup> 2022, Tracy Hewitt, Business Office Manager, is only allowed to sign checks from the James Prendergast Library Special Account.
    - ii. Effective April 30<sup>th</sup> 2022, Janet Mescall is no longer authorized to sign checks for James Prendergast Library Special Account via Northwest Savings Bank.
    - iii. Effective April 30<sup>th</sup> 2022, Tracy Hewitt is authorized to make various bank transfers through Northwest Savings Bank. This does not authorize transfers from the Library's Endowment.
    - iv. Effective April 30<sup>th</sup> 2022, Janet Mescall is no longer a manager for the Library Staff Accounts. Tracy Hewitt will assume those duties.
      - 1. The following staff members are now members of the Staff Accounts Committee and authorized signers: Tracy Hewitt, Business Office Manager, Karen Golden, Library Assistant II, and Christine Zeitler, Librarian I
  - g. Motion to approve bank account amendments made by Judy Long, second by Liz Margarito Y-8 N-0
8. Unfinished Business:
- a. Board of Trustees Student Liaison - Chair Mary Zrdojewski
    - i. We have developed a Board of Trustees Student Liaison Policy, job description, and application. The student Liaison will be a non-voting member of the Board of Trustees and the terms will run from September 1 – May 31st. Sophomores and juniors may apply. We

will begin seeking a student in the Spring of 2023 for the fall 2023 school year.

ii. A draft of the By-Laws notes we will add a clause to section II:

1. II Board of Trustees a.) Number: There shall also be one non-voting high school student liaison trustee member who will be chosen annually for a one-year term by the Library Board from applications received.

iii. The Bylaws cannot be voted on at this meeting but will be included in May's agenda.

b. Motion made to approve the Student Liaison Policy made by Mike Corey, second by Abby Soffel  
Y-8 N-0

10. Next hybrid meeting is scheduled for May 19, 2022

11. Adjournment motion made at 5:47 pm by Mike Corey, second by Judy Long



## DIRECTOR'S REPORT/ April 2022

### PROGRAMS & SERVICES

#### *Monarch Lecture*

We are continuing with our Murray L. Bob Education initiative, and our newest lecture series is in partnership with the Audubon. They are holding a 3-part lecture on monarch butterflies and their habitats. The first event was held on April 21 and the upcoming lecture is on May 25.

#### *Teen Crafting*

Teen Crafting has been running for several months now, with 4-5 teens attending each week. Each week teens can create a different craft with instructions from librarian Christine.

#### *Sensory Play*

We are excited to be able to offer programming on Saturdays, and our Makerspace sessions on Saturday mornings has been very well attended. We had 72 attendees at Sensory Play in April.

### COLLECTION

#### *Shelving Improvements*

Our long-time shelving volunteer, Steve Seymour, has been very pleased with improvements to our collection since he has returned to volunteering since our pandemic closure. He has noted how much easier it is to shelve due to space on the shelves and our collection's accuracy, due to staff time dedicated to shelf reading.

Steve is very appreciative of our updates to items' labels, specifically the addition of authors on our Large Print spine labels, which makes that collection much easier to navigate. Previously, Large Print items only had "Large Print" on their spine labels but our staff printed and applied new labels to the entire collection, to include the author name as well.

#### *Children's Juvenile fiction updated*

Library staff have been reviewing our juvenile fiction collection and we are working on reorganizing it slightly to improve patrons' browsing experience. Books stored on the top of the bookshelves have been integrated back into the main shelving section, and we're working on doing the same with paperbacks. This makes it easier to find materials when looking for a specific author.

### OUTREACH & PARTNERSHIPS

April was a busy month of outreach with library staff attending several large events. We reached over 500 people at these three events.

#### *Southwestern STEAM Night*

Staff visited Southwestern's STEAM night with our mobile Makerspace and circulating science kits. This was a great opportunity to promote our Makerspace programming.

#### *Earth Day Festival*

We also attended Jamestown's Earth Day Festival, which was a very busy event with lots of engagement with our community. Visitors to our table could plant seeds, make their own origami pot, and play with our Makerspace activities.

### ***YMCA Healthy Kids Day***

Library staff attended the YMCA's annual fair with local resources for kids. We handed out free books and information about library programs to families in attendance.

## **LIBRARY NEWS**

### ***Staff***

We have a new staff member, Hannah Dewey. Hannah is a Library Associate I and works all the desks, as well as leading programs including Monday Morning Makerspace.

### ***CRCF Grant Funding***

The library received \$10,000 in grant funding from the Chautauqua Region Community Foundation to support our summer reading program. This funding will support programs put on by local organizations, supplies for our summer crafting program, and materials for outreach and outdoor activities at the library.

### ***Free books ready for distribution***

The library received a grant from Cummins to purchase books to give away during Summer Reading and to distribute in the community. This month, the final shipment of books was delivered and all of the books have been stamped, so readers know the book was a gift from the library.

Library Usage Report - March 2022	
<b>Library Visits</b>	
Days Open	26
Library Visits	7,576
Average Daily Library Visits	291
Year to Date Library Visits (Cumulative)	28,454
<b>Library Borrowers</b>	
New Cards Issued	63
Total Registered resident borrowers	16,165
Total Registered non-resident borrowers	11,076
<b>Materials Use</b>	
Adult Materials	4,736
Adult eBooks & eAudio	1,917
Children's Materials	3,190
Children's eBooks & eAudio	100
Video Materials	1,788
Microform Viewed	19
<b>Reference Questions &amp; Services</b>	
Single Service Point Reference Questions	6,086
Technology Questions	1,467
Faxes (# sent or received)	43
<b>Technology &amp; Virtual Services</b>	
Wi-Fi Use (# of visitors)	180
Emailed print jobs	242
Internet Use (# of sessions)	939
Internet Use (# of minutes)	92,217
Adult Computer logins	711
Teen Computer logins	176
Children's Computer logins	52
Computer Lab Sessions in PCC	130
Rosetta Stone Library Solution (# of minutes used)	151
Rosetta Stone Library Solution (cumulative # of users)	326
NY Times On-Site Sessions	1809
NY Times Off-Site Sessions	96
Wall Street Journal On-Site Sessions	11
Wall Street Journal Off-Site Sessions	198
Ancestry.com searches	279
Heritage Quest searches	225
ABC Mouse active users	19
NOVELny searches	152
Consumer Reports - Visits	26
Consumer Reports - Page Views	263
<b>Programs</b>	
Children's programs- # offered	33
Children's programs- attendance	510
Teen programs- # offered	13
Teen programs- attendance	74
Adult programs- # offered	15
Adult programs- attendance	135
Technology Classes - # offered	1
Technology Classes - attendance	1
1-On-1 Technology Device Instruction	5
Library Outreach sessions - # offered	4
Library Outreach sessions - attendance	544
HSE/GED Classes - # offered	7
HSE/GED Classes - attendance	12
Aspire Job Training - # offered	9
Aspire Job Training - attendance	27
<b>Room Use</b>	
Non-Library Sponsored Room Use - # of sessions	46
Non-Library Sponsored Room Use -attendance	259
Library Sponsored Room Use - # of sessions	98
Library Sponsored Room Use - attendance	851
<b>Social media &amp; Webpage views</b>	
Facebook - Daily Total Reach	51,070
Prendergast Library Home Page Views	8,478
Facebook Followers	3,413
Twitter Followers	1,048
Instagram Followers	1,042



May XX, 2022

Dear ,

Do you remember the first time you visited the library? Do you recall getting your first library card? Over the last 130 years, the Prendergast Library's doors have welcomed tens of thousands of people. Yet even though the scenery has changed, the message remains the same; public libraries are for everyone; they bring people together.



**This spirit fuels our commitment to ensure library programs and services reach all community members; therefore, 2022 is about creating new growth opportunities.**

*We are expanding beyond our walls.* Every Thursday this summer, we'll visit the city's parks with Pop-up Library programming, including crafts, storytimes, games, Mobile Makerspace activities, and books. As a result of new outreach efforts, we connected with St. Susan's Center staff to create a new program that reaches neighborhoods further away from the library. Starting in June, staff will visit St. Susan's Center monthly for storytimes and craft programs.

*We are reaching new audiences.* The new Murray L. Bob Community Education Initiative brings community organizations such as Infinity Performing Arts and the Audubon to the library to conduct classes and run programs. In addition, inspired by Jamestown High School English class students who use the library monthly to check out books, we developed new teen-focused programs. This summer, teens can participate in book clubs, trivia contests, and crafting classes. We will also add a student ambassador to the library's Board of Directors in the fall!

**The library staff are inspired by the community's support and we work hard to create an environment that positively impacts all library users.** This summer, we invite you to visit the library and follow us online to stay updated on programs, services, and events. With your continued help, we will be able to expand our programs and services and create more opportunities to adapt and evolve to meet the educational needs of our community. Thank you for your generous support!

You may use the enclosed postage-paid envelope to make a tax-deductible contribution or visit our website at [www.prendergastlibrary.org/support](http://www.prendergastlibrary.org/support) to donate using your credit card or PayPal account. Thank you.

Sincerely,

Danny Hickman  
President, Board of Trustees

Anne Greene  
Executive Director





## Introduction

The James Prendergast 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 James Prendergast Library's commitment to a discrimination-free work environment. Sexual harassment is against the law<sup>1</sup> 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 Library Director of the James Prendergast Library. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

### Policy:

1. James Prendergast 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 James Prendergast 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. James Prendergast Library will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of James Prendergast 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<sup>2</sup> working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the Library Director. 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.

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<sup>1</sup> While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

<sup>2</sup> A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject James Prendergast 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 James Prendergast 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 James Prendergast 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 James Prendergast Library will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Executive 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:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - 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;
  - 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:
  - 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:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;

- 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 James Prendergast Library cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager, Library Director or Board of Trustees President. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, Library Director or Board of Trustees President.

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. 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:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - 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 James Prendergast Library but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the James Prendergast 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 a HRL complaint in state court.

Complaining internally to the James Prendergast 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 anti-discrimination 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.

JAMES PRENDERGAST LIBRARY ASSOCIATION  
BY-LAWS  
AS AMENDED

**I. Adoption and Amendments**

These by-laws, adopted by the Board of Trustees September 10, 1952, are in accordance with the Charter of the James Prendergast Library Association. They may be amended or changed only by a 2/3rds vote of all of the members of the Board. The proposed changes will be presented and reviewed at one meeting and voted on at the next scheduled or special meeting. All amendments or changes of such by-laws must be in accordance with the charter, as amended, of said Association.

**II Board of Trustees**

a. Number

The number of trustees shall not be less than seven nor more than fifteen. The trustee's term of office shall be for three years. At the expiration of his/her term of office a trustee shall be eligible for re-election. No trustee may serve more than nine successive years. The board shall maintain two thirds or more of its members to be residents of the Jamestown School District. If the number of board members is not divisible by three then the board shall maintain over two thirds of its members be residents of the Jamestown City School District. There shall also be one non-voting high school student liaison trustee member who will be chosen annually for a one-year term by the Library Board from applications received.

b. Nomination and Election

The Board Governance Committee shall present a slate of trustee members for election to the Board at the annual meeting. The newly elected trustees shall take office at the first meeting following the annual meeting. The Board Governance Committee shall review the two thirds residential requirement when replacing board members or board vacancies to ensure the two thirds residency requirement is in compliance.

c. Vacancies

Any vacancy occurring in the Board of Trustees and any position to be filled by reason of an increase in the number of Trustees may be filled upon recommendation of a qualified candidate by the Board Governance Committee by the affirmative vote of the majority of the Board. A Trustee elected to fill the vacancy shall be elected for the unexpired term of his/her predecessor in office.

d. Resignations

A Trustee may resign at any time by filing a written resignation with the President of the

Board.

e. **Removal**

Any Trustee may be removed from office with (or without cause) by a two-thirds (2/3) vote of all Trustees then in office (or present at meeting), at any regular or special meeting of the Board, if the meeting notice includes such purpose. The Trustee shall be given an opportunity to be heard and the matter considered by the Board at the time and place mentioned in the notice.

### **III. Annual Meeting**

The annual meeting of the trustees shall be held in December of each year, at which time trustees and officers shall be elected or appointed according to these by-laws and the Charter of the Association. At least five days written notice shall be given to all trustees as to the time and place of the annual meeting.

### **IV. Officers**

The officers of the Association shall be a President, a Vice-President, a Secretary a Treasurer and an Assistant Secretary-Treasurer elected or appointed according to the requirements of the Charter. All officers shall be elected from the membership of the Board of Trustees. The term of office of said officers shall be established by resolution of the trustees, and said trustees holding such offices shall not receive any compensation for their services,

### **V. Duties of Officers**

The President shall preside at all meetings of the Board of Trustees and act as the chief executive officer in the governance of the library. The Vice-President shall act in the absence or disability of the President. The Secretary shall keep an accurate record of the proceedings of the Association, shall be the custodian of its seal and all legal and other papers. Such records may be placed in the library building for permanent record. The Treasurer, or his or her designee, shall oversee receipt of all funds of the Association and deposit them in such banks as shall be designated by the trustees. The Secretary and the Treasurer shall, at stated intervals, make such reports to the President and Trustees, as they request or require. The Assistant Secretary-Treasurer, shall aid the Secretary and Treasurer and perform such other duties as prescribed by the trustees.

All checks and vouchers shall be signed by two of the officers or one officer of the Association and a staff member as designated by the Board of Trustees.

### **VI. Meetings**

There shall be no less than ten meetings a year of the trustees on such date as the trustees may establish. A quorum shall consist of a simple majority of the elected trustees. If a quorum is not present, a less number can adjourn the meeting to a date named, or without date.

Special meetings may be called by the President, or by a majority of the Trustees.

#### **VII. Disbursements**

Before payment, all bills approved by the trustees, except that salaries established by the trustees may be paid, and except that bills for regular utility services may be paid to save discounts.

#### **VIII. Committees**

The President may at any time appoint committees or task forces to perform such duties as he/she may assign.

#### **IX. Director**

The Director of the Library shall be considered the executive officer of the Library and shall have sole charge of the administration of the Library under the direction and review of the Board. The Director shall be held responsible for the care of the building, grounds, and equipment; for the employment and direction of the staff; for the efficiency of the Library's services to the public; for the operation of the Library under the financial conditions set forth in the annual budget.

The Director shall be considered an ex-officio officer of the Board and shall take part in their deliberations but shall have no vote. The Director shall attend all board meetings (except those at which his/her appointment or salary is to be discussed). Should the Director be unable to attend a board meeting, his/her designee shall attend and take part in board deliberations.

#### **X. Indemnification**

Each trustee and officer of the Association shall be indemnified by the Association against any and all claims and liabilities to which he may become subject to, or for acts alleged to have been committed, omitted, or neglected by him in his capacity as a trustee or officer; and the Association shall reimburse each trustee or officer for all legal expenses reasonably incurred in connection with the defense of claims or liabilities, provided, that no trustee or officer shall be indemnified against, nor reimbursed for, expenses incurred in connection with claims or liabilities arising out of willful misconduct or gross negligence.

This right of indemnification shall not be exclusive of any rights to which a trustee or officer of the Association may otherwise be entitled by law.

Compiled: December, 1969

Amended: November 20, 1986  
December 15, 1994  
October 22, 1998  
January 19, 2012  
June 21, 2012  
October 15, 2020  
December 17, 2020  
May 19, 2022