



Minerva Free Library
116 Miller Street
Sherman, NY 14781
Phone: 716-761-6378
Personnel Policy

Minerva Free Library Personnel Policy

Adopted:

Mission Statement

The Sherman Minerva Free Library believes it is essential to provide materials and services which will help community residents obtain information meeting their personal, educational and professional information needs. The library will serve as a center for learning and enrichment for all residents of the community, regardless of age level. The collections will reflect broad subject coverage with materials acquired in a variety of formats, with access to informational technologies. In addition, the library will serve as an entry point for other roles not emphasized. We encourage and seek community involvement and service.

Equal Opportunity Statement

The Minerva Free 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 System complies with applicable state and local laws governing nondiscrimination.

Work Week

The basic work week for the Minerva Library Director is eighteen hours per week, Assistant Director seven hours per week, and the Janitor works the minimum number of hours to get the duties done. For payroll purposes, the work week starts at 12:01 a.m. Monday and ends at 11:59 p.m. on Sunday. The library is open 25 hours per week. The Library Director will schedule employees so that the library is adequately staffed.

Payroll

Wage payment is bi-weekly on Friday. Minerva Library uses Direct Deposit for distribution of wages.

Time Sheets

(Insert Current Practice)

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

Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting employees in the private sector and in Federal, State, and local



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governments. Covered nonexempt workers are entitled to a minimum wage of not less than \$7.25 per hour effective July 24, 2009. Overtime pay at a rate not less than one and one-half times the regular rate of pay is required after 40 hours of work in a workweek.

Lunches and Breaks

Any Employee working a shift 6 hours or greater is entitled to a paid lunch break of 30 minutes, shifts shorter than 6 hours are entitled to a paid 15 min break, the time will be set by the Director.

Vacation

Director is entitled to one-week paid vacation after one year, two weeks per year after five years, three weeks after 10 years, four weeks after 20 years

Sick and Safe Leave

All employees accrue sick and safe leave (SSL) from the date of hire. Employees are not paid for unused SSL upon termination of employment. Unused SSL credits may be used at time of retirement to provide extra months of service credit for NYS Retirement. Employees must qualify for NYS Retirement prior to the inclusion of unused SSL credits.

Full-time employees shall earn SSL credits at the rate of one day per calendar month for a total of 12 days per year. Employees who are hired on or after the 15th of the month will accrue ½ day (3.75 hours) in their first partial month of employment. Unused SSL credits will be carried over to the next calendar year.

Part-time employees accrue one hour of paid SSL for every thirty hours worked up to a maximum of 40 hours of paid SSL per year. Part-time employees may use up to 40 hours of paid SSL per year. Unused SSL credits will be carried over to the next calendar year.

SSL may not be used before accrual. If SSL 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 to their supervisor; the use safe leave of in excess of three consecutive working days must be reported to their supervisor. SSL may not be taken in units of less than fifteen minutes.

After January 1, 2021, employees may use accrued SSL following a verbal or written request to their supervisor prior to use for the following reasons impacting the employee or a family member for whom they are providing care or assistance with care:



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- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care.

Safe Leave:

- For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
 - to obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
 - to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
 - to file a complaint or domestic incident report with law enforcement;
 - to meet with a district attorney's office;
 - to enroll children in a new school; or
 - to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

"Family member" is defined as an employee's child, spouse, domestic partner, parent, sibling, grandchild, or grandparent; and the child or parent of an employee's spouse or domestic partner.

"Parent" is defined as a biological, foster, step, or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child. "Child" is defined as a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

Employees may request a summary of SSL accrual and use in the current and previous calendar years at any time. Minerva Free Library will provide the information within three business days.

Minerva Free Library may take disciplinary action, up to and including termination, against an employee who uses leave for purposes other than those provided for under the law, or who lies to their employer in connection with taking such leave.



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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

In the event of death in an employee's immediate family (spouse, child, mother, father, sister, brother), or any close relative living under the same roof as the staff member, or "significant other" as designated by the employee to the Library Director by January 2nd of each year, an employee will be given a bereavement/funeral leave as follows:

Full-time employee	Up to 3 days per occurrence
Part-time employee	1 day per occurrence

Jury Duty

The Library will continue to pay its employees for the time when an employee is actually summoned for jury duty on a regularly-scheduled work day and actually appears for such jury duty in courts of competent jurisdiction.

Continuing Education

Employees have an obligation to attend classes and seminars paid for by the Minerva Library. Training and development goals and specific courses are identified in conjunction with the employee's supervisor, as part of an employee's development plan, and can include a variety of courses from an array of sources. Employee may request continuing education courses that meet up to job expectations.

Training may occur any time, even during the probationary period. Prior written approval of supervisor is required. The organization reimburses for related expenses, listed below.

- Tuition and/or registration fees.
- Time spent attending the class.
- Books and supplies.



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- Parking.
- Travel mileage between office and seminar.

Certificates of completion will be placed in employee's personnel file.

Holidays

The Library is closed on the following legal holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas. If the holiday occurs on a day that the library is closed, equal time off should be allowed at another time.

Emergency Closing Notification Procedure

The Library Director will authorize closings on days of snow storms or other excessive weather conditions when the school is closed or no staff members can get to work.

Disability

All employees are covered by New York State disability insurance. The premium for this insurance is paid in full by the library.

Workers' Compensation Information and Procedures

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

Rules of Conduct

Most employees never violate any Library rules or give the Administration any reason to impose discipline. However, there is the probability that there will be some employees at the Library who will require discipline, up to and including dismissal, for actions that are detrimental to the Library or to other employees. The examples used are not intended to be an inclusive list of inappropriate behavior subject to disciplinary action. These examples are given only as guidelines.

The following is a list of some, but not all, of the acts which would result in disciplinary action, up to and including dismissal.

- Repeated absences or tardiness.
- Misuse of time: extended breaks or lunch hours; persistent or extended personal telephone or cell-phone calls.
- Knowingly violating any library, OSHA, or state regulations, guidelines, or rules governing workplace safety.
- Direct violation of library policy and procedures.
- Sleeping or dozing on the job.



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- Disrespectful behavior toward management, patrons, or other Employees.
- Persistent negativity or numerous petty complaints that undermine the morale of co-workers, or interfere with the normal flow of work.
- Insubordination (Refusal to do work or carry out a reasonable request).
- Any act of dishonesty, deception or fraud.
- Abandonment of job or failure to report to work without notifying a Supervisor.
- Committing deliberate damage to Library property.
- Unauthorized use of Library facilities, tools or equipment.
- Disorderly conduct, such as striking another employee, use of abusive language, etc.
- Falsifying Library records.
- Allowing unauthorized person(s) access to Library facilities.
- Possessing, using, buying, or selling alcohol or illegal drugs while at work.
- Harassment of any nature, including sexual harassment.
- Possession of firearms or other weapons on System property.
- Illegal use of e-mail or communication systems.
- Use of Library computers and property for personal work.
- Removing, sending, or furnishing Library records and information to unauthorized persons.
- Abuse or violation of State or Federal laws adversely affecting employment.
- Any conduct contrary to common decency or morality, or liable to incite, or provoke against anyone because of race, color, sex, religion, national origin, veteran status, or disability.

Evaluation:

Employees shall be evaluated by the director after one month, and six months of employment and each evaluation will be shared with the employee.

After the probationary period, employees shall be evaluated on an annual basis by the Library Director.

The Library Director shall be evaluated annually by the Board of Directors.

It is the policy of the library to have a written evaluation of employees. For a new employee, these written evaluations should be completed at the beginning of the sixth month of employment. Written evaluations for all employees should be conducted at least once annually.

Each employee should be evaluated periodically against his/her job description. The Director shall personally conduct annual evaluations of the work performance of all staff members.

The purpose of such reviews shall be to help employees make progress in their work and learn where they stand. The performance review must be accompanied by a personal conference in which the employee may examine the review and have an opportunity to ask questions or make comments.



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Disagreement with the performance rating may be expressed in writing to the Director and the Board of Trustees.

Performance evaluations will be considered as one factor in determining salary increase, promotions, or dismissals. These performance evaluations shall be made available to the Board of Trustees for annual salary review.

Evaluations, as well as any written comments that the employee should make about the evaluation, should be kept in the personnel file that is locked. All employees have access to their evaluations and may examine them at any reasonable time. On all evaluation forms, the employee is given the opportunity to write his/her comments about any all-written comments.

Progressive Discipline

Verbal warning. The Minerva Free Library Director, (or Board of Trustees if actions are taken against the Director), will give a verbal statement to an employee violating the rules or company policy on the first instance, and when, the intensity of the offense is not grave.

Written warning. After the first warning, usually the verbal warning, a written warning will be given to the employee violating the library policies/rules. This is a formal notification from the Minerva Library extended to the employee, making the employee aware of the violation he or she has committed. This is usually given, if the intensity of the offense is light to moderate.

Suspension. If the sanction of the employee for a violation committed is suspension, it is because either he or she has committed a serious violation or has committed repeating violations of the library policies/rules. Notice of suspension is given to an employee in writing. Suspension may be for a week or two or even a month, depending on the severity of the violation committed.

Dismissal. If an employee has committed a violation over again or if he or she has committed a grave offense against library policy/rules, at that time the worst disciplinary action that an employee might receive is dismissal.

Employees may be terminated for misconduct or repeated insubordination with just cause.

All discipline needs to be documented and added to employees file.

Separation of Employment

Resignation: Resignation of the Library Director shall be given in writing at least one month before its effective date. Resignations of other staff members will be given a minimum period of two weeks before their effective dates. The employee's written and signed resignation should be dated when received and retained in the personnel file.



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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 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. Misconduct warranting immediate termination shall include breach of confidentiality, theft of the Library's money or property, any activity which would jeopardize or increase bond or insurance premiums for the Library and any activity which would violate the New York State law applicable to the Library.

Staff Grievances

Dissatisfaction with alleged unfair treatment, work schedules and assignments, library policies and procedures, or working conditions should be brought to the attention of proper levels of authority within the Library. Many can be settled informally and verbally by the Library Director. However, if a matter is deemed important, the following steps may be taken.

Within two weeks after the occurrence of the event, an employee shall first orally discuss the same with the Library Director. Within three working days, the Library Director shall communicate his/her decision to the employee.

Whistle Blower Policy

Minerva Free Library is committed to operating in furtherance of its tax-exempt purposes and in compliance with all applicable laws, rules and regulations, including those concerning accounting and auditing, and prohibits fraudulent practices by any of its board members, officers, employees, or volunteers. This policy outlines a procedure for employees to report actions that an employee reasonably believes violates a law, or regulation or that constitutes fraudulent accounting or other practices. This policy applies to any matter which is related to Minerva Free Library's business and does not relate to private acts of an individual not connected to the business of Minerva Free Library.

If an employee has a reasonable belief that an employee or Minerva Free Library has engaged in any action that violates any applicable law, or regulation, including those concerning accounting and auditing, or constitutes a fraudulent practice, the employee is expected to immediately report such information to the library's manager/director. If the employee does not feel comfortable reporting the information to the Executive Director, he or she is expected to report the information to the Board President.

All reports will be followed up promptly, and an investigation conducted. In conducting its investigations, Minerva Free Library will strive to keep the identity of the complaining individual as confidential as possible, while conducting an adequate review and investigation.



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Minerva Free Library will not retaliate against an employee in the terms and conditions of employment because that employee: (a) reports to a supervisor, to the manager/director, the Board of Trustees or to a federal, state or local agency what the employee believes in good faith to be a violation of the law; or (b) participates in good faith in any resulting investigation or proceeding, or (c) exercises his or her rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect the employee's rights.

Minerva Free Library may take disciplinary action (up to and including termination) against an employee who in management's assessment has engaged in retaliatory conduct in violation of this policy.

In addition, Minerva Free Library will not, with the intent to retaliate, take any action harmful to any employee who has provided to law enforcement personnel or a court truthful information relating to the commission or possible commission by Minerva Free Library for any of its employees of a violation of any applicable law or regulation.

Supervisors will be trained on this policy and Minerva Free Library's prohibition against retaliation in accordance with this policy.

Smoke Free Property

Effective June 19, 2019, Public Health Law §13999-o(6) prohibits smoking within one hundred feet of the entrances, exits or outdoor areas of any public or association library as defined in subdivision two of section two hundred fifty-three of the education law; provided, however, that the provisions of this subdivision shall not apply to smoking in a residence, or within the real property boundary lines of such residential real property..

Personnel records

Each employee shall have his/her own personnel file which shall include the employee's job application, references, 1-9 Form, job evaluations, medical and other leave information, retirement information, disciplinary notice and any other matter pertaining to said employee's service to the Minerva Free Library.

Employee evaluations will be discussed with the employee by the Library Director within two weeks of the evaluation. The employee will have the opportunity to respond to his/her evaluation within two weeks of the evaluation. All evaluations and responses will be reduced to writing and will be placed in the employee's personnel file.

Employment

Board members, family of board members, and family of current employees will not be considered for employment.



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Personnel Policy Acknowledgement and Receipt

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 Minerva Free Library is employment at will, which may be terminated at the will of either Library or myself. Furthermore, I acknowledge that this document 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 Minerva Free Library or me.

I have received the Minerva Free Library Personnel Policy, and I understand that it is my responsibility to read and comply with the policies contained within as well as any revisions made to it.
