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PERSONNEL POLICY

This personnel policy and any other policies or procedures of the Newark Public Library, whether oral or written, are not contracts of employment and should not be relied on as such by any employee, as they may be changed at any time.

1. Civil Service

The employees of the Newark Public Library are public employees and as such are subject to Civil Service. The Wayne County Department of Human Resources administers Civil Service for the library, including reviewing job applications, scheduling and conducting civil service exams for competitive positions, and establishing and certifying candidate eligibility lists. The library complies with New York State Civil Service Law and if a conflict occurs between this policy and the law, the law shall take precedence.

2. Organizational Structure

The Newark Public Library is a school district public library, governed by a seven-member Board of Trustees. The Trustees are responsible for hiring the Executive Director. Within the guidelines of these policies and civil service regulations, the Executive Director shall determine the recruitment, hiring, supervision, and termination procedures for all other staff.

2.1 Job Titles

Job titles for personnel are as follows:

- Library Director
- Youth Services Librarian
- Adult Services Librarian
- Part-Time Librarian
- Library Assistant
- Administrative Library Clerk
- Senior Library Clerk; Library Clerk
- Account Clerk
- Library Page; Cleaner

While official job titles are assigned by Wayne County Civil Service, the tasks performed internally may not equal other staff with the same title. For the purpose of this policy, special circumstance of tasks and responsibility for a specific position will be outlined in additional job descriptions that are position-specific and beyond those titles assigned by Wayne County Civil Service.

3. Equal Employment Opportunity

The Newark Public Library provides equal employment opportunity to all persons in personnel matters. The Newark Public Library shall recruit, hire, train, and promote in all job titles without regard to age, race, creed, color, national origin, sex, sexual preference, gender expression, disability, genetic disposition or carrier status, or marital status of any individual. Compensation

and terms, conditions and privileges of employment shall be administered without regard to age, race, creed, color, national origin, sex, disability, genetic disposition or carrier status, or marital status of any individual.

Newark Public Library complies with the Americans with Disabilities Act (ADA) of 1990 by taking steps to make its facilities barrier-free and accessible and making other adjustments to reasonably accommodate staff with disabilities.

4. Working Environment

4.1 Discrimination/Harassment

The Newark Public Library provides a work environment that is free of illegal discrimination and harassment. Any employee who believes that he or she has encountered discrimination because of age, race, creed, color, national origin, sex, sexual preference, gender expression, disability, genetic disposition or carrier status, or marital status in connection with his/her employment should discuss the problem with the Executive Director.

A written complaint may be filed with the Executive Director. If the complaint is against the Executive Director, the complainant(s) may file a complaint with a member of the Library's Personnel Committee directly.

The Executive Director or Personnel Committee shall make every effort to resolve the problem informally. If the problem is not resolved satisfactorily, the complainant may file a written complaint with the Board of Trustees, which shall hold a hearing within 30 days of receipt of the complaint and render a written decision within 20 days of the hearing. If the complainant is unsatisfied with the decision of the Board of Trustees, the complainant may file a formal complaint with the New York State or federal Human Rights Commission.

The Newark Public Library will not tolerate sexual harassment of its staff. Such behavior as unwelcome sexual advances, requests for sexual favors, insulting or degrading sexual remarks, or other unwelcome statements or actions based on sex that create an intimidating, hostile or offensive working environment is unacceptable. Complaints of sexual harassment will be handled confidentially and investigated as promptly as possible by the Executive Director.

4.2 Reporting Unethical Improper, or Unlawful Behavior

The Newark Public Library maintains a Whistleblower Policy that 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.

4.3 Tobacco/Smoke Free

The Newark Public Library is a smoke-free work area. No smoking (including e-cigarettes) is permitted in the building or on library grounds.

4.4 Alcohol/Substance Abuse

No employee shall use, possess, be under the influence of, or sell alcoholic beverages or illegal drugs on the library grounds or during the course of employment. The Newark Public Library encourages employees with substance-abuse problems to seek treatment. Seeking treatment for dependency will not, however, avoid disciplinary action. This section does not apply to legal beverages served at library sponsored events.

4.5 Personal Appearance

The personal appearance of employees shall be one that emanates pride and professionalism to correspond with the position held. Extremes of any sort should be avoided. During business hours, staff is expected to present a clean, neat appearance. Clothing should be clean and cared-for. Nothing should be worn that has sexual innuendos, political messages, obscene language, etc. It is impossible to cover all contingencies of dress in a manual, so questionable attire should be cleared in advance with the director

4.6 Social Media

Employees using social media for personal use may only do so during breaks, meal periods, and before or after scheduled work hours. Employees who choose to identify themselves as Library employees on their individual social media accounts are expected to, as best as possible, make it clear that their posted content does not reflect the views of the Library.

When using social media, employees are expected to abide by all applicable Library policies, including, but not limited to, policies concerning harassment, confidentiality, and use of technology. Employees may not post or display comments about patrons, coworkers, supervisors, or the Library which are obscene, vulgar, threatening, intimidating, harassing, discriminatory, or personal attacks.

Only authorized administrators can prepare and modify content for the Library's social media pages. No users shall use the Library social media accounts for commercial promotions, spamming, or political activity.

4.7 Phone Use

- Personal calls should be placed during break times.
- Incoming personal calls should be avoided unless there is an immediate family concern, and should be kept as short as possible (3 minutes or less).
- Personal calls are to be taken away from the public's view.
- Use of personal cell phone must be kept to a minimum. These devices should not be used when working behind the desk, dealing with a patron and only when necessary.

4.8 Computer/Software Use and Security

Library equipment including computer hardware and software are valuable assets. They should generally be used for library business only, with the exceptions noted below. Employees may not copy or use library purchased/leased software contrary to the provisions of any license agreement. Employees should follow computer maintenance, software updating procedures, and caution in opening email in order to avoid computer viruses which have the potential to cause damage to library and system computer networks.

The library provides Internet access to its employees to assist and facilitate business communications and work-related research. These services are for legitimate business use only in the course of an employee's assigned duties, with the exception that employees may access the Internet for non-business use on personal time, so long as all other provisions of this policy are followed. All materials, information and software created, transmitted, downloaded or stored on the library's computer system are the property of the library and may be accessed by authorized personnel.

Inappropriate computer use includes: transmitting obscene, harassing, offensive or unprofessional messages; accessing any site that is sexually or racially offensive or discriminatory; displaying, downloading or distributing any sexually explicit material; transmitting any confidential or proprietary library information.

The library reserves the right to monitor employee use of the e-mail system or the Internet at any time. Employees should not consider their Internet usage or e-mail communications to be private when using staff computers, software or email accounts. Personal passwords are not an assurance of confidentiality, and the Internet itself is not secure.

Any software or other material downloaded into the library's computers may be used only in ways consistent with the licenses and copyrights of the vendors, authors or owners of the material. Prior written authorization from the Executive Director is required before introducing any unauthorized software into the library's computer system.

4.9 Compliance and Confidentiality

The Library expects all employees to comply with all laws, policies and regulations applicable to the Library and to maintain confidentiality of Library records and transactions.

4.10 Political Activity

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. Employees are prohibited from engaging in political activities while performing their public duties and from using library time, supplies or equipment in any political activity. Any violation of this policy must be reported to the supervisor, Director or the Library's attorney.

4.11 Outside/Dual Employment

All staff have the right to employment with entities other than the Newark Public Library as long as it does not interfere with their work at the library. Employees are prohibited from engaging in activities for other employers while performing their library duties.

5. Performance

All employees will have a personnel file maintained by the director. While general access is restricted, employees do have access to their own file and should contact the director. All employee applications are relied upon for accuracy any misinformation may lead to termination. Applications will be kept in the personnel file of those hired. Applicants not hired will have their applications held for six months.

New employees are given an 8-week probationary period which is designed as an opportunity to demonstrate ability to achieve satisfactory performance levels on the job, and to determine if the position meets expectations.

5.1 Performance Evaluation

The library director will review library employees annually. Each employee will be given a copy of his/her evaluation report. The Personnel Committee will review the library director annually. See also *Annual Evaluation of the Library Director and Determination of Director's Compensation Policy*.

5.2 Discipline and Grievance

Procedures for grievances, discipline and termination are provided in NYS Civil Service Law sections 75 and 76.

5.3 Employment Termination

Resignation

An employee resignation (voluntary termination of employment initiated by the employee) may be submitted in writing to the Director two weeks prior to the final working date for non -exempt staff and four weeks for exempt staff. The Executive Director must submit a letter of resignation to the President of the Board of Directors four weeks in advance. Earned but unused vacation time will be compensated for employees who voluntarily resign from employment. Employees with ten or more years of service will be paid for 10% of unused sick leave.

Dismissal/Involuntary Termination

An employee whose performance, attitude, or personal philosophy of library service does not meet the standards, requirements, and philosophy of the library will be warned of the inadequacies of his or her performance verbally and in written form by his/her supervisor or the director. The library will follow Wayne County Civil Service procedures when dismissing personnel. No unused vacation or sick time will be compensated for upon employee dismissal/involuntary termination.

6. Schedule and Conditions of Operation

6.1 Minimum Staffing Level

To be open, the Library must have three people on staff. In the event that staffing is below that level, the Executive Director or a Department Head should be notified. If additional staff cannot report to work, the building will be closed.

6.2 Schedules

All employees work a variety of schedules and are expected to work some evenings and/or weekends.

The Executive Director or his or her designee shall create a weekly work schedule. Occasionally, it may be necessary for employees to work hours different than his/her normal schedule.

6.3 Comp Time

Full-time employees can accrue and use comp time, provided an employee works no more than 40 hours in a given work week. Comp time must be used in the same pay period it is accrued unless otherwise permitted by the director.

6.4 Breaks

One 15-minute break is allowed for each 4-hour work period, as staffing levels allow.

As required by New York State labor law, an employee is required to take at least a 30-minute meal break when working more than 6 hours. Meal breaks will not be compensated.

Breaks may not be used to come in late or leave work early.

6.5 Holidays

The Board of Trustees approves up to 11 paid holidays per calendar year, based on when federal holidays fall on the annual calendar and at the discretion of the director and the board.

All employees scheduled to work on any day designated as a holiday closing will be paid for his/her regularly scheduled hours.

6.6 Weather and Other Emergency Closings

The library will close due to weather at the discretion of the Executive Director. If the Executive Director is unavailable, the Library Board President will make the decision to close. If the Library

closes because of extreme weather conditions or emergency conditions, employees scheduled to work will be credited with time as if worked.

With the Director's or Department Head's permission, personal leave or vacation time may be used to cover times when the library is open but an employee believes traveling to or from work would endanger his or her safety.

6.7 Staff Training

Staff training days and staff meeting will be held periodically and will be determined by the Executive Director and the Board.

Attendance at workshops and trainings offered by the Pioneer Library System or Rochester Regional Library Council and like agencies is encouraged for all staff members, dependent on budget and staffing availability for the library. Requests for attendance at trainings outside the library should be submitted to the director. While funding may be available for mileage and conference expenses, all expenses must be approved by the Director in advance of registration.

6.8 Reduction in Force

Staff may be laid off if there is a significant reduction of funds or changes in the structure or organization of the library.

All employees to be laid off will be given at least two weeks' notice before the effective termination date.

As conditions permit, staff that has been laid off because of funding or changes in structure may have the opportunity to reapply for a position.

7. Compensation

Employees are paid every other week. Non-exempt employees will be paid for hours worked. Hours worked over 40 per week will be paid at a rate of time and a half.

8. Benefits

To receive full-time benefits as a designated full-time employee, an employee must work an average of 70 hours over each two week pay period. The average includes all approved vacations, personal time, sick time, offsite meetings, and unpaid leave.

The Executive Director maintains the right to monitor the average hours worked per pay period for each staff member. In the case that a staff member has worked significantly over or under their approved scheduled hours for three pay periods in a calendar year, the Director may bring disciplinary notice against the employee subject to the provisions of Section 75 of New York State Civil Service Law.

8.1 Sick Leave

Benefit-eligible employees accrue one day of paid sick leave per month. Monthly sick leave accrual for full-time employees is 7 hours per month. Sick leave is pro-rated for part time employees.

Sick leave is to be used for personal and immediate family illness (including pregnancy) or personal and immediate family medical appointments. Immediate family, for the purpose of sick leave, is defined as children, spouse or domestic partner, parents, grandparents or other member of the household.

A doctor's note may be required for use of over five days of sick leave or when doubt exists about an employee's ability to work.

Sick leave may be accrued up to 1155 hours. Upon termination, except in case of dismissal, an employee with ten or more years of service will be paid for 10% of the unused sick leave.

8.2 Families First Coronavirus Response Act Leave

The Library will adhere to the provisions of The Families First Coronavirus Response Act (FFCRA). FFCRA requires certain employers to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. In accordance with FFCRA, the Library may require an employee to submit a certification from a health care provider to support the employee's need for FFCRA leave to care for a covered family member with a serious health condition or for the employee's own serious health condition. Information regarding FFCRA is available via this link: <https://www.dol.gov/agencies/whd/pandemic>

8.3 Vacation Leave

Exempt employees earn four (4) weeks of vacation leave each year for the first five years of employment, after which five (5) weeks are earned each year. Non-exempt full time employees earn two (2) weeks per year; after three years, they earn three (3) weeks; after 6 years, they earn four (4) weeks.

Part time benefit-eligible employees, earn the equivalent of one (1) week per year for the first 3 years. The equivalent of one week is equal to the number of hours in their average work week. After 3 years, they earn the equivalent of two (2) weeks. After 6 years they earn the equivalent of three (3) weeks.

Up to two (2) weeks (or its equivalent for part-time employees) of vacation time may be carried over each calendar year.

Vacation leave requires prior approval of at least one week by the Executive Director and a staff member's supervisor and is granted at the Library's convenience.

Newly hired hourly employees may not take paid vacation within the first six (6) months of employment, except with the approval of the Director or the Board of Trustees.

8.4 Personal Leave

All full-time employees shall be granted an annual maximum of three days of non-cumulative personal leave with pay. If a full time staff person changes to part-time, they will keep some personal time proportional to the amount of time they were full-time during the year. For example, if someone moves to part-time halfway through the year, they will receive 10 ½ hours (half 3-days or 21 hours). The time they already used will be subtracted from the balance.

8.5 Payout for Vacation Leave

Upon resignation, except in the case of dismissal, an employee will be paid at their wage rate on the date of resignation, for any remaining unused vacation time awarded in the current calendar year prorated by the number of months worked during that calendar year.

8.5 Jury Duty

Employees will be compensated for hours missed from work when they are required by a court to be present for jury duty. The library will pay the difference between jury pay and the employee's pay for time missed. The employee should report to work during regularly scheduled hours when not occupied with court obligations. Employees should notify their supervisor or the Executive Director upon receipt of a jury summons.

8.6 Voting Leave

The Library requests that, whenever possible, employees vote before or after work hours to avoid interference with business operations. However, if an employee does not have sufficient time outside of work hours to cast their ballot, the employee may be eligible for time off to vote. The Library may specify the hours during which the employee may take leave to vote. If there are fewer than four consecutive hours between the opening of the polls and the beginning of an employee's workday or between the end of an employee's workday and the closing of the polls, an employee may take up to three hours of paid leave to vote on Election Day. Employees must notify their employers of their need for time off to vote at least two working days before Election

8.7 Bereavement Leave

In the event of the death of an employee's spouse, domestic partner, parents and children (including foster and step), siblings, grandparents, grandchildren, mother-in-law, father-in-law, daughter-in-law, son-in-law, or other member of his/her household, benefit-eligible employees shall be excused from work at his/her request for a total not to exceed five working days, with pay. In the event of the death of the employee's uncle, aunt, cousin, brother-in-law, sister-in-law, or spouse's grandparent, the benefit-eligible employee shall be excused from work at his/her request for one day with pay.

8.8 Military Duty

Employees will be compensated for leave due to ordered military duty annually to a maximum of 30 calendar days or 22 working days, whichever is greater.

8.9 Unpaid Leave

Leave without pay is granted for maternity/paternity conditions within New York State law, service in the armed services, illness when sick leave and annual leave are exhausted, under the Family Leave and Medical Act (FMLA). Unpaid leave requests for reasons beyond those listed above, such as for educational sabbaticals, must be approved by the Executive Director. The Executive Director may request that staff exhaust all available personal, sick, and vacation time before being permitted the use of unpaid leave. Accrual of sick and vacation time cease while an employee is on unpaid leave.

8.10 Additional New York State and Federal Leave Laws

The Library complies with all applicable New York State and Federal leave laws including those not expressly covered in this policy. Additional information regarding those leaves, as well as the leaves covered in this policy, is available via the NYS Department of Labor website.

8.11 Health Insurance and Dental Benefits

Any full-time personnel will be offered a minimum of \$352.00 per month toward enrollment in the single or family plan. Part-time employees are eligible to enroll in the health insurance plan offered to full time employees if they work a minimum of 20 hours each week. These employees will pay 100% of the costs of enrollment and premiums. Using a base date of July 2012 the board will conduct a review of health costs at least every three (3) years and this benefit may be amended at the discretion of the Board of Trustees.

Full-time employees are eligible for dental benefits. Full-time employees will be given an annual reimbursement (based on the library's fiscal year) for dental expenses. Family policy holders will be reimbursed up to \$600.00 upon submission of receipts; single policy holders will be reimbursed up to \$350.00 upon submission of receipts. Dental reimbursement rates will be reviewed at least every three (3) years and may be amended at that time at the discretion of the Board of Trustees.

Full-time employees with at least 10 years of service who reduce their hours to become part-time remain eligible for health insurance and dental benefits, provided they work an average of at least 17.5 hours per week.

8.12 Social Security

As required by law, the library pays the employer's portion of Social Security.

8.13 Worker's Compensation

All employees are eligible for worker's compensation benefits for on the job injuries. Employees are required to immediately inform their supervisor or the Executive Director of any injury occurring on the job and fill out an incident report.

8.14 Disability Benefits

All employees (except high school students working fewer than 35 hours a week) are covered by disability benefits insurance as required by law for non-work related disability. An employee may elect to use sick leave credits and the library will request reimbursement provided by law when such credits are used for non-work related disability. The library will credit the employee's sick bank for any reimbursement received from the disability insurance carrier.

8.15 New York State Retirement

All employees have the option of membership in the New York State Employees Retirement System. Enrolled employees will be covered by the provisions of the Retirement and Social Security Law. Full-time employees are required to participate.

The Newark Public Library provides additional service credit toward retirement for employees who have accumulated sick leave in accordance with Subdivision (j) of Section 41 and Subdivision (j) of Section 341 of the Retirement and Social Security Law.

The benefits determined by New York State Retirement System are based on date of entry, tier, earnings, age and other matters.

8.16 Deferred Compensation Plan

All employees are eligible to enroll in the New York State Deferred Compensation Plan. Once enrolled, employees may set aside a portion of their wages, up to certain limits in accordance with State and Federal statutes. Participation in the plan is voluntary and the Library will work to provide training for employees interested in enrolling.

9. Volunteers

The Library welcomes volunteers of any age but accepts no liability for the health or safety for actions that are the volunteer's own doing.

Volunteers help perform routine tasks and special projects tailored to talents the volunteer may possess. They may be asked to assist a staff member in his/her duties or to help supervise at library programs. There are not always tasks waiting for volunteers but every attempt will be made to find a task when there is a person willing to give of his or her time and knowledge to help the library.

9.1 Community Service Volunteers

The library attempts to provide duties for community service workers whenever there are persons who need to work such hours, but also reserves the right to turn away such workers when there is no suitable work, or if there is any question as to the suitability of the worker for the library.

In order to be allowed to work at the library such workers must gain approval in advance, show up on time, carry out the work assigned in an efficient and courteous manner, and let the library know how many hours they are required to work.

The director is responsible for proper reporting to agencies assigning workers. All staff can sign time sheets verifying time spent in service for approved community service persons.

10. Safety and Health

Each employee is expected to exercise caution in all work activities. Employees who notice a dangerous, or potentially dangerous, situation should report it to the director or the person in charge that day. The library will look into and correct safety problems whenever possible. Steps will be taken to eliminate the danger as soon as possible. If a patron is engaging in unsafe behavior, they are to be asked to cease immediately, and to be asked to leave if necessary. Safety of patrons & staff is of utmost priority.

10.1 Accident/Injury/Incident Reporting

If an accident or injury occurs on library property, it should be reported using the Incident Report Form. It is important that this be done no matter how insignificant the injury may seem, to comply with worker's compensation laws.

The Incident Report Form is to be used by staff to report any unusual or disturbing event, incident, or accident. The purpose of the form is to record important information for the filing of insurance claims, accident reports, and for the maintenance of historical records concerning problem patrons and or unusual events or activity. The form is also to be used if a library employee or patron is injured or directly involved in an incident or accident. All incidents (including all accidents) are to be reported. Completed incident report forms should be forwarded immediately to library director.

10.2 Weapons

No guns are allowed on the premises other than those carried by police officers. Knives or other weapons with blades are not appropriate in the library. Other types of weapons not specified here but capable of harming others should be brought to the director's attention. This policy includes patrons as well as staff.

11. Annual Policy Review

The President of the Board of Trustees will recommend, on an annual basis, a review of this policy. Revisions will be approved by majority vote of the Board of Trustees.

Approved 3/2011

Amended 10/2012, 11/13/2014, 1/8/2015, 6/11/2015, 7/24/2015, 6/9/2016, 10/13/2016, 12/8/2016, 11/16/2017, 3/8/2018, 10/10/2019, 10/8/2020