

VI. PERSONNEL POLICY

Revised: 10/05/2020

1. RESPONSIBILITIES

The Library Director is responsible for day-to-day library operation and administration. The Director reports to and advises the Board of Trustees, and implements the Board's plans, policies, and budget.

All other staff members and all volunteers report to the Director. Specific position responsibilities are detailed in the associated job descriptions. Changes to job descriptions require Board approval.

When the Director has a planned or unplanned absence of more than three days, the Board will be notified and will assign another qualified staff member to serve as Acting Director.

2. WORK SCHEDULES

The Director is a full-time employee with a normal work week of 35 to 40 hours, including time necessary to attend events, meetings or workshops. The other staff members are part-time employees with a normal work week of less than 35 hours and as determined by the Director.

3. COMPENSATION

2.1 The Director and staff are paid bi-monthly.

2.2 The Director position is full-time salaried non-exempt, is paid a fixed salary determined by the Board, and is eligible for overtime pay of 1.5 times the equivalent hourly rate for approved hours worked over 40 in a given week.

2.3 All other staff positions are part-time hourly non-exempt. These positions are paid set hourly rates determined by the Board, and are eligible for overtime pay of 1.5 times their regular hourly rate for approved hours worked over 40 in a given week.

2.4 Overtime for the Director position requires prior approval by the Board or designee. Overtime for all other staff positions requires prior approval by the Director.

2.5 All employees must submit a signed bi-monthly time sheet showing daily hours worked, overtime hours worked, and time taken for vacation, sick leave, or other types of leave (Section 4.4). Completed time sheets shall be approved by the Director and promptly forwarded to the Board Treasurer for payroll processing.

2.6 Social Security, Medicare and NYS Disability insurance are withheld from each paycheck. Federal and State income taxes are withheld if necessary. The cost of NYS Paid Family Leave Insurance is covered by the Library.

4. BENEFITS

4.1 Holidays

Employees will receive holiday pay if normally scheduled to work on the following days: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day.

4.2 Sick Leave

In accordance with the New York State sick leave law that became effective on September 30, 2020, the Stewart B. Lang Memorial Library will provide all employees with sick leave in the following manner:

- a. Beginning on January 01, 2021 and annually thereafter, full-time employees will be entitled to forty (40) hours of paid sick leave, to be used as needed throughout the year.
- b. Beginning on September 30, 2020, existing part-time employees will accrue one (1) hour of unpaid sick leave for every 30 hours worked. Accrued unpaid sick leave will be available for use as needed beginning on January 1, 2021 and annually thereafter. For all new part-time employees, accruals will start at the time of hire.
- c. Employees may use up to, but no more than, forty (40) hours of sick leave a year or however many hours are available based on the employee's accruals.
- d. Sick Leave can be used for:
 - Employee's mental or physical illness or injury or diagnosis, care, treatment, or preventive care for employee's mental or physical illness or injury.
 - Covered family member's mental or physical illness or injury or diagnosis, care, treatment, or preventive care for a covered family member's mental or physical illness or injury.
 - Absences related to employee's status as a victim of domestic violence, family offense, sexual offense, stalking or human trafficking.
 - Absences related to a covered family member's status as a victim of domestic violence, family offense, sexual offense, stalking or human trafficking.
- e. The term "family member" as used in this section includes an employee's child (biological child, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis); spouse; domestic partner; parent (biological parent, foster parent, step parent, adoptive parent, legal guardian, or person who stood in loco parentis when the employee was a minor child); sibling; grandchild; grandparent; and the child or parent of an employee's spouse or domestic partner.
- f. Unused sick leave, up to a maximum of 40 hours, may be carried over into the following year. No more than 40 hours of sick leave may be used during any calendar year.
- g. Employees may request in writing or verbally that an employer provide a summary of the amount of sick leave accrued and used by the employee, which the Library must provide within 3 business days of the request.
- h. The Library will not pay out any unused sick time at the end of an employee's time working for the Library.

4.3 Vacation

- a. The Director shall be entitled to 80 hours of paid vacation annually. Other staff may be granted paid vacation at the discretion of the Board.
- b. Vacation must be used within the calendar year and cannot be carried over to subsequent years.
- c. Vacations will be scheduled with regard to the orderly operation of the Library.
- d. Vacations scheduled to last more than 3 days should be submitted to the Board or designee for approval two weeks prior to the first day of vacation.
- e. If a holiday falls in the vacation period, the employee is entitled to the holiday pay in addition to the vacation allowance.

- f. If the Director will be absent on vacation for more than three days, another staff member who is trained to perform the essential duties of the director position will be assigned to serve as Acting Director.

4.4 Other Leave

- a. Personal Business: Library employees are encouraged to schedule personal business outside or regular work hours. When that is not possible, vacation time can be used.
- b. Death in Immediate Family: All employees are entitled to up to three days of paid absence at full pay for each event. The three days do not have to be taken consecutively. Immediate family includes a child, stepchild, parent, stepparent, spouse or domestic partner, sibling, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law.
- c. Jury Duty: Employees will be granted leave for jury duty. The Director will continue to receive full salary; other staff may receive their regular pay at the discretion of the Board.
- d. New York Paid Family Leave: See the attached overview of this program.
- e. Leave without Pay: An employee may be entitled to leave without pay. Benefits do not accumulate during this time, but those accrued are not lost. Request for leave without pay must be endorsed by the Director and approved by the Board or designee. (The Federal FMLA does not apply to employers with fewer than 50 employees).

5. CLOSING POLICY

5.1 Holidays

The Library will be closed on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve and Christmas Day.

5.2 Emergency closures

If the Library has to be closed because of weather or some other emergency, the Director or designee will post the closing information online and (if possible) at the Library; notify the staff and the Board President or another Board Member; and notify local media outlets if necessary. All employees will be paid for their scheduled work hours.

6. PERSONNEL ACTIONS

6.1 Hiring

- a. Job offers for the Director position and other titled positions must be approved in advance by the Board before being presented to the candidate. Other vacant staff positions may be filled by the Director without prior Board approval.
- b. A copy of the applicable job description is provided to and discussed with each employee during interviews and at the time of hiring.

6.2 Probation

A probationary period of six months will be observed for new and promoted employees. Demonstration of satisfactory job performance during the initial six months will result in permanent status.

6.3 Grievances

Grievances should be submitted in writing to the Board President, Vice President, or a member of the Personnel Committee for documented review and disposition.

6.4 Resignation and Retirement

- a. To remain in good standing, a minimum of two weeks advance notice or resignation should be provided in writing to the Board President or Director.
- b. As the Library has no retirement plan, there is no mandatory retirement age or retirement process.

6.5 Dismissal for Cause

- a. Dismissal from duty is a serious action. Before a staff member is discharged, the Director and the Board must be certain that reasonable forms of counseling, advice, training and suggestions toward improvement have been offered to the employee.
- b. Among causes considered sufficient for dismissal of an employee are inefficiency, irregular attendance and misconduct.
- c. Except in cases of misconduct, the Director and the Board shall endeavor to provide the employee with appropriate written warning that states actions required for continued employment.
- d. Severance pay is granted at the discretion of the Board and depends on job performance, length of service, and the reason for separation. Unused vacation pay (but not unused sick leave) is included in the employee's final pay check.

6.6 Communicable Diseases

- a. The Library's decisions involving persons who have communicable diseases shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to an employee with a communicable disease.
- b. Communicable diseases include, but are not limited to, measles, influenza, Methicillin – Resistant Staphylococcus Aureus (MRSA), viral hepatitis-A (infectious hepatitis), viral hepatitis B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS), including the SARSCoV-2 (coronavirus) and tuberculosis.
- c. The Library may choose to broaden this definition within its best interest and in accordance with information received through the Finger Lakes Library System (FLLS) and the Centers for Disease Control and Prevention (CDC).
- d. The Library will not discriminate against any job applicant or employee based on the individual having a communicable disease. Applicants and employees shall not be denied access to the workplace solely on the grounds that they have a communicable disease.
- e. The Library reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.
- f. The Library will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the personal confidence and confidentiality about persons who have communicable diseases.

7. PERFORMANCE EVALUATION

Performance evaluation should be an on-going process of two-way communication, with the goal of surfacing and resolving mutual concerns and avoiding surprises during formal annual reviews.

The Director shall be formally evaluated annually by the Board's Personnel Committee. All other employees will be evaluated annually by the Director. Job performance, achievement of goals, and other considerations should be discussed, and goals should be established for the coming year. Records of performance evaluations are retained in each employee's personnel file.

8. PERSONNEL FILES

The Library maintains a personnel file for each employee. The file includes various documents relating to each person's employment. Employees have the right to view their own files, with the exception of confidential references. Employees may also request that certain materials be placed in their files. Personnel files are kept under lock and key in the Library and retained for the duration of each individual's employment plus five years.

Attachment: New York State Paid Family Leave Overview (2 pages)

Revision History:

Revised: 02/02/1998
Revised: 02/06/2006
Revised: 10/02/2006
Revised: 10/05/2009
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Revised: 10/05/2020

NEW YORK STATE PAID FAMILY LEAVE OVERVIEW

Source: <https://paidfamilyleave.ny.gov>

New York Paid Family Leave provides job-protected, paid time off so you can:

- Bond with a newly born, adopted or fostered child,
- Care for a close relative with a serious health condition, or
- Assist with family situations when a family member is deployed abroad on active military service.

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

BENEFITS - TIME

Paid Family Leave benefits phase in over four years, providing up to eight weeks of leave for employees who started Paid Family Leave in 2018; 10 weeks for leave starting in 2019 and 2020; and 12 weeks in 2021. Leave can be taken either all at once or intermittently, but must be taken in full-day increments. You may take the maximum time-off benefit in any given 52-week period.

BENEFITS - PAY

Paid Family Leave pay benefits also phase in over the same four year period. Benefits are a percentage of your average weekly wage, capped at that same percentage of the New York State Average Weekly Wage, as calculated annually by New York State Department of Labor. These benefits are 50% of your average weekly wage for Paid Family Leave that started in 2018, 55% in 2019, 60% in 2020, and 67% in 2021.

Example 1: An employee who earns \$1,000 a week in 2019 would receive a benefit of \$550 a week (55% of \$1,000). In 2020, that employee would receive a benefit of \$600 a week (60% of \$1000).

Example 2: An employee who earns \$2,000 a week in 2019 would receive a benefit of \$746.41. This employee's benefit is capped at 55% of New York State's Average Weekly Wage, currently \$1,357.11, which equals \$746.41.

ELIGIBILITY

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

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

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

FUNDING

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

QUALIFYING EVENTS

- New Child: You can take Paid Family Leave during the first 12 months following the birth, adoption, or fostering of a child. Expectant mothers cannot take Paid Family Leave for their own pregnancy. Paid Family Leave for the birth of a child begins after the birth. It is not available for prenatal conditions.
- Serious Illness: You can take Paid Family leave to care for a close relative with a serious health condition. These relatives can live outside of New York State and even outside the country. You cannot take Paid Family Leave for your own health condition.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves: Inpatient care in a hospital, hospice, or residential health care facility, or continuing treatment or continuing supervision by a health care provider.

A close relative includes: spouse; domestic partner; child and stepchild; parent and stepparent; parent-in-law; grandparent; and grandchild

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

EMPLOYEE RIGHTS AND PROTECTIONS

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

TAKING PAID FAMILY LEAVE

1. Notify your employer. When you want to take Paid Family Leave, you must notify your employer at least 30 days before your leave will start if it's foreseeable. Otherwise, notify your employer as soon as possible.
2. Obtain required forms. Contact your employer, employer's insurance carrier, or visit PaidFamilyLeave.ny.gov to obtain the required forms.
3. Complete and submit forms. Fill out the Request for Paid Family Leave (Form PFL-1) following the instructions on the cover sheet, and submit it to your employer. Your employer must fill out their section of the form and return it to you within three business days. If your employer fails to respond, you may proceed to the next step below and submit all materials directly to your employer's Paid Family Leave insurance carrier.
4. Obtain and attach supporting documentation. The specific documentation or additional forms required for each type of leave are described on the request for Paid Family Leave and at PaidFamilyLeave.ny.gov/Apply.
5. Submit your request forms and supporting documentation. Submit to your employer's Paid Family Leave insurance carrier. You can submit your claim before or within 30 days after the start of your leave. The insurance carrier must pay or deny your request within 18 calendar days of receiving your completed forms.

Paid Family Leave Insurance Coverage Provided by:

Shelter Point Life Insurance Company
1225 Franklin Avenue, Ste. 475
Garden City, New Jersey 11530
Phone: (800) 365-4999 Fax: (516) 504-6414
Policy #: DBL579287
Effective: 1/1/2020

For more information or help:

Visit <https://paidfamilyleave.ny.gov>
or call (844) 337-6303