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# **Presque Isle District Library Personnel Policy**

## **Introduction**

The Presque Isle District Library (hereafter; the Library) Board of Trustees believes that good personnel administration are directly related to the quality of the Library's program of community service.

The purpose of this manual is to set relations and conditions of employment for all library employees. This is done in recognition that good employer-employee relationships and good morale will result in better library service and a more harmonious place to work.

This manual does not create contractual rights for employees. The Library retains the right to interpret, modify, revoke, suspend, enforce, terminate, deviate from, add to or change, in whole or in part, any of the provisions set forth in this manual, at its sole discretion within the limits and standards of the laws governing district libraries, at any time, with or without prior notice. This manual supersedes and replaces all previously dated policy for the Presque Isle District Library.

## **I. EQUAL OPPORTUNITY EMPLOYER**

The Presque Isle District Library is an Equal Opportunity Employer. It is the Library's policy that all decisions affecting employment are made without regard to an individual's race, color, creed, sexual orientation or gender identity, religion, marital status, age, sex, height, weight, national origin, disability that does not, with or without reasonable accommodation, affect an employee's ability to perform the essential functions of the job, or status as a disabled veteran or other protected class under federal, state or local law.

## **II. EMPLOYMENT PRACTICES**

### **General Requirements**

*Intent to recruit, hire, and place applicants on the basis of their:*

- A. Work experience, including library work
- B. Special training, skills, and/or education
- C. Ability to work effectively with associates, superiors and the general public
- D. Ability and willingness to work a varied schedule including some evening and weekend hours
- E. Based solely on individual qualifications for a particular position
- F. Minimum age of 14 upon verification of enrollment in school and state-mandated work permit.

### **Recruitment**

Notice of the opening of a position will be posted. Interested staff personnel must make known to the Director any intention to apply for an opening by the established deadline for application. Additional advertisements will be sent to the appropriate media for publication.

## **III. EMPLOYEE CLASSIFICATIONS**

### **Director**

The Director of the District Library is the administrative officer of the institution. He/She acts in the advisory capacity of a professional expert to the Board of Trustees. The Director is responsible for the day-to-day operation of the District Library under policies and directives

established by the Board of Trustees. The Director is in charge of personnel policies, including assignment of duties, service standards, and staff development. The Director hires new staff. He/She has the authority to dismiss staff members, subject to procedures established for appeal.

The Director is the representative of the staff to the Board and of the Board to the staff.

The Director's terms and conditions of employment are established by the Board of Trustees and may vary from those of other employees.

The Board of Trustees will appoint a committee of 3 or more members. They will make a recommendation to the entire Board of Trustees who will select or reject a director candidate. The Board of Trustees will do the hiring of the Director at their discretion.

## **Staff**

### **New Employees:**

- For the first 90 days of employment, new employees are not eligible for any employer-provided benefit or paid leave, except holiday and sick leave as accumulated.
- The first year of a new employees' vacation will be calculated based upon the number of months worked during the fiscal year after their 90 day review.
- A new employee will be given a brief written performance evaluation at the completion of three months of employment. Performance assessment will then be completed annually on or around the employee's anniversary date. These will be kept in their personnel file.

### **Permanent Employees:**

- A regular full-time employee is one who works 30+ hours per week.
- A regular part-time employee is one who works less than 30 hours per week.
- Vacation, holidays, sick leave, personal business and bereavement leave shall be prorated in accordance with the employee's normal number of hours worked.

### **Substitutes:**

- Must follow appropriate recruitment policy and procedures.
- The definition of a substitute is an individual who fills-in during absences of a permanent full-time or permanent part-time employee. Permanent part-time employees who work as substitutes at their own branch are not considered to be substituting if the substitution occurs during their regularly scheduled hours.
- All substitutes will be paid at the substitute rate and will receive no fringe benefits other than those received from their permanent position or approved travel expenses.

### **Interns**

- Interns are unpaid, part-time, temporary employees who gain library-related work experiences while in a recognized educational program. Interns must be currently enrolled in school while in their internship. College interns must have the approval of their appropriate advisor. High school interns must work under State-mandated and local Board of Education-approved Work Study curricula.

### ***At Will***

All employees – new, permanent, or substitutes – are “at will” employees.

## **IV. WORKING CONDITIONS**

### **Work Schedule**

The normal work week for a permanent employee, professional or clerical, is 30+ hours. A normal work week is 5 days.

The Library retains the right to establish the number of hours worked each week. Employees are expected to work some weekends and evenings, on a regular basis. The number of weekends and hours may vary. Prior approval must be authorized before working more than employees scheduled number of hours.

### **Meals and Breaks**

For persons working 6 hours or more in one day, a one-half hour lunch or dinner period is allowed. Extended lunch hours may be taken at the employee’s expense with prior approval from the Director or their Supervisor.

Each employee may take a twenty-minute relief period for every three and three quarter's hours worked.

### **Dress Code**

The standard of dress shall be "business casual." This standard is relaxed on authorized casual days. Any employee appearing for work in apparel unsuitable for the workplace will receive a verbal reprimand and may be sent home to change. Continued violations of this policy may result in disciplinary action up to, and including, discharge.

## **V. EMPLOYEE CONDUCT AND WORK RULES**

### **Code of Ethics:**

Presque Isle District Library has adopted the American Library Association's Code of Ethics which states that:

1. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
2. We uphold the principles of intellectual freedom and resist all efforts to censor library resources.
3. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.
4. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.
5. We treat co-workers and other colleagues with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
6. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
7. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources.
8. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.
9. We affirm the inherent dignity and rights of every person. We work to recognize and dismantle systemic and individual biases; to confront inequity and oppression; to enhance diversity and inclusion; and to advance racial and social justice in our libraries,

communities, profession, and associations through awareness, advocacy, education, collaboration, services, and allocation of resources and spaces.

## **Work Rules**

1. In addition, to assure orderly operations, quality service to the public, provide the best possible work environment, and to protect the interests and safety of all employees and the employer, the Library Board of Trustees may establish, adopt, publish, change, amend and enforce rules and regulations for employees to follow. Accordingly, it should be remembered that the list contained below is not an exhaustive list. While on duty and/or on library property, employees are expected to avoid the conduct listed below and to observe “common sense” and socially acceptable standards of conduct. For conduct not listed here, the Director shall decide if such behavior warrants disciplinary action or meets acceptable standards of conduct.
  - A. Absenteeism or absence without permission.
  - B. Theft or inappropriate removal or possession of library/other employee/patron property.
  - C. Providing false information on an employment application, resume, time sheet, or any other library record.
  - D. Insubordination, which includes not only refusing to carry out directions given by a supervisor, but also receiving such directions in an insolent manner.
  - E. Unexcused or excessive tardiness.
  - F. Inefficiency, negligence, or non-performance of assigned duties.
  - G. Rude or inappropriate behavior to or harassment of patrons and/or other employees.
  - H. Possessing, using or being impaired by or having one’s performance affected by intoxicating beverages, narcotics or controlled or illegal substances on Library property or during working hours or at conferences or workshops representing the Library.
  - I. Destruction of or defacing Library property.
  - J. Possession of dangerous or unauthorized materials, such as explosives, firearms, or other weapons on Library property with the intent to do harm and in accordance to state and federal laws.

- K. Acts of sabotage or other interference with Library operations.
  - L. Fraud committed by knowingly accepting pay for operations not performed or time not worked, or by accepting pay or gratuity from patrons or any other source for time paid by the Library. This shall not include items dropped-off at the Library for appreciation for the entire staff or items given individually that are not a payment for services rendered.
  - M. Violation of any policy contained in this manual.
2. Engaging in any of the above conduct can result in discipline up to and including dismissal, at the sole discretion of the Library Director.
  3. Further, the Library Director retains the right to terminate employees for failure to perform work to the satisfaction of the Library Director or reasons of business necessity including, but not limited to, elimination or consolidation of positions, reorganization, lack of work, and financial reasons, all of which is determined at his/her sole discretion.

Please see IX: Separation of Service.

## **VI. ANTI-HARASSMENT**

1. Harassment in the workplace is illegal. It violates Title VII of the Federal Civil Rights Act of 1964. This policy applies to the actions of all staff, outsiders, and any other persons who come in contact with the library's employees. The library will not tolerate harassment, nor will it tolerate reprisals against any employee who makes a harassment complaint. It is the policy of the Presque Isle District Library to provide its employees with a working environment that is free from discrimination and harassment in any form.
2. The Presque Isle District Library does not tolerate harassment of its employees based on any characteristic protected by federal, state, or local law, including race, color, religion, creed, height, weight, national origin or ancestry, marital status, disability, sex, etc.
3. The EEOC has issued the following definition of sexual harassment. Unwelcome sexual advances, requests for sexual favors, or any other verbal or physical conduct or communication of a sexual nature constitutes sexual harassment when:
  - a. Submission to the conduct or communication is made a term or condition, either explicitly or implicitly, of employment;



- b. Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting the harassed individual's employment; or,
  - c. The conduct or communication (a) has the purpose or effect of unreasonably interfering with the harassed individual's work performance or employment, (b) has the purpose or effect of creating an intimidating, hostile or offensive employment environment, (c) otherwise adversely affects an individual's employment opportunities.
4. Any employee who believes they are being harassed may take the following actions:
- a. Politely but firmly confront the harasser and ask them to stop. If practical, have a witness present. Be specific about the exact behavior you want stopped.
  - b. If this appears unrealistic, the employee may:
    - i. Document the complaint in writing
    - ii. Keep any related letters or memos, or,
    - iii. Bring the problem to the attention of their immediate supervisor, or
    - iv. If embarrassed, or dissatisfied with the response of the immediate supervisor, bring to the attention of the library Director, or
    - v. If embarrassed, or dissatisfied with the response of the library Director, bring the problem to the attention of the Board of Trustees by requesting an executive session
5. All complaints will be handled promptly and, to the extent possible, confidentially protecting both the charging party and the individual accused of the sexual harassment. Anyone who receives a complaint of sexual harassment and fails to take corrective action pursuant to this policy also is subject to disciplinary action, up to and including discharge.
6. The Presque Isle District Library will retain confidential documentation of allegations and investigations. The library will take the appropriate corrective actions, up to and including discharge from employment, when necessary, to remedy violations of this policy. Examples of possible sanctions include warning letters placed in an individual's personnel file, poor job performance evaluations, reduction in salary, and suspension or discharge.

## **VII. GRIEVANCES**

1. Employees wishing to discuss working conditions, work procedures, or interpretations of personnel policies are encouraged to discuss their concerns first with their immediate supervisor. Concerns which cannot be settled by this means should be brought to the attention of the Director, first in person, then in writing, accompanied by a request for a joint conference of the Director, the employee's immediate supervisor, and the employee.
  - A supervisory employee who wishes to file a grievance against his or her supervisor shall first address the Director in person and if the grievance cannot be settled by this means should be addressed, in writing, to the Chairman of the Presque Isle District Library Board of Trustees, a copy of which shall be sent to the Library Director. The grievance should be accompanied by a request for a joint conference of the Director, the supervisory employee who filed the grievance, and the Personnel Committee of the Board of Trustees.
2. The supervisor shall write a brief summary of the discussion and both parties shall initial the summary before placement in the employee's personnel records. Employees are welcome to attach rebutted comment to the summary, which shall be signed by both parties and placed in the employee's personnel records.
  - For supervisory employee grievances, the Director shall write a brief summary of the discussion and both parties shall initial the summary, which shall then be placed in the supervisor's personnel records. If a written grievance has gone to the Board of Trustees, the recording secretary of the Personnel Committee shall write a brief summary of the discussion and both parties shall initial the summary before it is placed in the employee's personnel records.
  - Employees are welcome to attach rebutted comment to the summary and both parties shall initial the summary before it is placed in the employee's personnel records.
3. In matters of internal operations, including dismissal, the Director's decision is final. The Director or an employee may ask the Personnel Committee of the Board of Trustees for a written clarification of personnel policy. With regard to these decisions, the Personnel Committee's decision will be final.
4. In matters concerning the Director and a supervisory employee that has been sent in writing to the Personnel Committee of the Board of Trustees, the Personnel Committee's decision will be final.

Grievance - Any employee who believes they have been discriminated against should immediately notify the Library Director. Any complaint will be investigated and followed by a written report. It shall be signed by both parties and kept on file for the duration of employment.

1. If the employee believes the Library Director has discriminated against them, they should first attempt to communicate this to the Library Director. If the employee does not feel comfortable approaching the Director or feels the situation has not been resolved following the investigation and written report, regular grievance procedures should be followed and a written grievance shall be sent to the Personnel Committee of the Board of Trustees, accompanied by a request for a joint conference of the Director, the employee, and the Personnel Committee of the Board of Trustees.
  - The Personnel Committee of the Board of Trustees will provide a written report following their investigation, which will be signed by all parties. Both the Director and the employee are welcome to attach any rebutted comment to the report, which shall also be signed by all parties and placed in the personnel file of the party making a rebuttal.

## **VIII. PERFORMANCE EVALUATIONS & RECORDS**

### **Evaluations**

1. Performance evaluations are used to:
  - A. Evaluate employee performance and encourage self-improvement.
  - B. Give employees an opportunity to discuss their satisfaction or difficulties with their job.
  - C. Improve the operations and services of the Library by improving employee contentment and performance.
2. The Director and/or employee's supervisor will conduct performance evaluations for each employee annually on or around the anniversary date of hire for that employee.
3. Space will be provided on the written evaluation for the employee's comments and/or rebuttal of the evaluation or any portion thereof. The evaluation and the rebuttal shall be signed by all parties involved in the evaluation and will then become a part of the employee's permanent record according to Retention laws of the State of Michigan. The current Director may reevaluate the employee at his/her discretion and attach a subsequent evaluation.

### **Personnel Records**

1. **Materials that comprise an employee's personnel record may include:**

- A. Forms related to hiring, reassignment and promotion.
  - B. Performance evaluations.
  - C. Reports of disciplinary actions.
  - D. Written grievances.
  - E. Commendations, letters and memoranda relating to performance.
  - F. Necessary paperwork related to sick leave/time-off
  - G. Records of attendance or participation in workshops, conferences and courses that are job related.
  - H. Compensation authorization.
  - I. Voluntary information from the employee.
- 2. Access to an employee's record shall be limited to:**
- A. The Board of Trustees as a whole to verify or nullify complaints made against the Library or Library Director.
  - B. Library Director.
  - C. Employee.
  - D. Library's Legal Counsel.
  - E. Employee's legal counsel, agent, or representative with written release of information from employee.
- 3. All personnel records will be kept in the Director's office and access to those records will be through the Director.**
- 4. Personnel records will be retained according to Retention laws of the State of Michigan, or any overriding Federal Laws.**

## **IX. SEPARATION FROM SERVICE**

Notwithstanding the above, Library employees are "employees-at-will" and can be terminated with or without cause, with or without notice.

## **1. Resignation/Termination**

- A. Employees must give, at a minimum, a two-week notice prior to termination of the employment relationship in order to receive all or any benefits due them at discharge. Exceptions include death; and unexpected illnesses, which will be evaluated individually by the Director.
- B. Any employee absent without prior approval for three consecutive working days on which the employee was scheduled to work is considered a voluntary resignation without notice. Consideration will be made in the case of absences due to illness or other circumstances beyond the employee's control.
- C. Any employee absent from their position with approval for a period of one year will be considered terminated, except for a "Board approved leave of absence" or absence according to the Family Medical Leave Act.
- D. To ensure the consistent and equitable treatment of terminating employees, the Library will provide exit interviews arranged by the Director, which will cover the following:
  - i. Review of pertinent employee benefit matters, if applicable;
  - ii. Reclaiming of any keys or library property, and
  - iii. Arranging for distribution of final paychecks. Final paychecks shall include payment for work performed through the last hour worked and any accrued vacation.

## **2. Retirement**

### Procedures:

- The employee shall give written notice 4 weeks in advance of the retirement date.
- The employee shall provide a report on uncompleted or ongoing projects.
- The retiree shall give a written assessment of the position and give recommendations on the future direction of the position.

### Benefits:

- The retiree shall receive compensation for 50% of accumulated sick leave, which may be paid over a 5-month period.

- Accumulated vacation time shall be paid to the retiree as of the date of retirement and may be paid over a 5-month period.

### **3. Layoff**

- A. Circumstances may exist when, in the discretion of the Library Director and Library Board, it is necessary to lay off an employee for a definite or indefinite period of time. In the event that a reduction in the working force becomes necessary, the Library Director shall initiate the layoff/recall plan. The Library Director shall determine the balance of staff levels necessary to meet the operational needs of the Library.
- B. Employees shall be laid off or recalled according to the operational needs of the Library.
- C. At the discretion of the Director, employees may be transferred to other positions.
- D. Employees laid off will have the option of taking their earned vacation days, which will be prorated according to hours worked. No laid off employee will accrue any benefits during the layoff period.
- E. An employee shall be terminated if they are laid off for one year or the length of their service whichever is less.
- F. Whenever practicable, the Library shall give affected employees two weeks or more advance notification of a layoff.

### **4. Recall**

- A. Employees will be recalled in the order most advantageous to the Library as determined by the Library Director.
- B. Notice of recall shall be sent to the employee at the last address registered with the Director.
- C. If the employee fails to respond to the recall notice within ten working days, the employee shall be considered terminated.
- D. The employee may or may not be recalled to the position held previous to layoff, at the discretion of the Library Director.

## **X. WAGE AND SALARY ADMINISTRATION**

1. **Employees are paid by Thursday every other week for the previous two weeks ending on the Saturday prior to that payday.** Should a payday fall on a holiday, employees shall be paid on the preceding day.
2. **Compensation**
  - a. The Board of Trustees establishes and authorizes the wage schedule, which shall be maintained by the Director in a file entitled “wage schedule.” The Director is responsible for seeing that the schedule is reviewed annually and for making recommendations to the Board of Trustees for any changes made to the schedule.
  - b. The Library’s wage schedule establishes suggested hourly rates for all non-salaried and salaried positions other than the Director’s, which is established by the Board of Trustees.
3. **Time Sheets**
  - a. An employee’s time sheet is the official record of hours worked, sick leave, and vacation taken.
  - b. Records of time worked will be recorded in no less than ½ hour blocks. Periods of less than ½ hour will not be recorded.
  - c. All employees are responsible for submitting completed time sheets by the last day of the pay period, or upon request if the time sheet is needed prior to the last day of the pay period.
  - d. Any employee that does not meet the deadline or fails to complete the timesheet correctly may have their paycheck delayed until the time sheet is submitted or corrected.

## **XI. OVERTIME**

1. The Director must approve all overtime hours in advance. Failure of the employee to request overtime prior to it being taken may result in non-payment for those overtime hours worked.
2. In the event that the need for overtime arises, employees will be compensated, according to the Fair Labor Standards Act, in one of the following manners, as determined by the Director and employee involved.
  - a. Given compensatory time at the rate of time-and-one-half, this may be taken with prior approval by the Director after completing a Leave Request form.

- b. Paid at the rate of time-and-one-half the regular rate of pay for all hours worked in excess of forty hours in a seven-day period upon prior approval. Hours worked up to and including forty will be paid at the regular rate.
- c. Sick, vacation and holiday time, etc. shall not be considered hours worked for purposes of determining overtime or compensatory time.
- d. No overtime shall be approved during official Holidays.

## **XII. HOLIDAYS**

### **All Branch Libraries:**

1. **The Library will be closed on the following days:**
  - Good Friday and the Saturday immediately following
  - Fourth of July
  - Memorial Day and the Saturday immediately preceding
  - Labor Day and the Saturday immediately preceding
  - Thanksgiving Day, and the Friday and Saturday immediately following
  - Christmas Eve Day and Christmas Day and the Saturday preceding if landing on a Monday and Tuesday or the Saturday following if landing on a Thursday and Friday
  - New Year's Eve and New Year's Day and Saturday preceding if landing on a Monday and Tuesday or the Saturday following if landing on a Thursday and Friday
  - Other days may be closed as determined by the Director with Board approval
2. Regular part time and full time employees shall receive holiday pay only if the holiday falls on a regularly scheduled workday and not if it falls on a day that the employee is regularly scheduled to be off.
3. The Board of Trustees will treat holidays, falling on a Sunday, individually.
4. Holidays falling during the employee's vacation are not charged against that employee's vacation leave. This principle also applies when an employee is on sick leave or bereavement leave.



5. Employees shall not receive holiday pay while on approved extended or medical leave other than as has been set out in number four (4) above.

### **Rogers City Theater**

1. **The Rogers City Theater will be closed on the following days:**
  - Easter Day
  - Fourth of July
  - Memorial Day
  - Labor Day
  - Thanksgiving Day
  - Christmas Eve and Christmas Day if they land on a normal film running weekend
2. The Theater Manager and/or theater employees will receive normal wages for those days that the Rogers City Theater may be closed due to holidays and not if it falls on a day that the employee is regularly scheduled to be off.
3. If the holiday falls on a Sunday, when a film would regularly be scheduled, theater employees will receive holiday pay.
4. Holidays falling during the employee's vacation are not charged against that employee's vacation leave. This principle also applies when an employee is on sick leave or bereavement leave.
5. Theater employees shall not receive holiday pay while on approved extended or medical leave other than as has been set out in number four (4) above.

### **XIII. VACATIONS**

1. Regular full and part time employees shall be granted vacation leave in accordance with their length of service. The amount of leave shall be accrued based upon the hours regularly worked by the employee.
2. The Library Director is:
  - a. Eligible to two weeks' vacation annually from the first through the end of the second year of employment, unless otherwise negotiated.
  - b. Eligible to three weeks' vacation annually from the third through the end of the fifth year of employment.

- c. Eligible to four weeks' vacation annually from the beginning of the sixth year.
- 3. Regular full time employees (30+ hours per week), after working at least one full year are:
  - a. Eligible for two weeks of paid vacation annually after their first year of employment.
  - b. Eligible for three weeks paid vacation annually after the end of seven years of employment.
  - c. Eligible for four weeks paid vacation annually after the end of fourteen years of employment.
- 4. Regular part-time employees (29 hours per week and less), after working a full year are:
  - a. Eligible to one week of vacation annually, based upon the number of regular hours worked per week, to be credited to them on their one-year anniversary date. For example, an employee working 10 hours per week on a regular basis will receive 10 hours of vacation at the end of their first year of employment; 20 hours per week will receive 20 hours of vacation, etc.
  - b. Eligible to two weeks' vacation annually, based upon the number of regular hours worked per week, to be credited to them at the completion of their second year through the end of the eighth year of employment on the employee's anniversary date.
  - c. Eligible to three weeks' vacation annually, based upon the number of regular hours worked per week, to be credited to them at the completion of their eighth year and beyond on their anniversary date as in "a" and "b" above.
- 5. Vacation Records
  - a. Vacation leave is credited annually on the employee's anniversary date.
  - b. There is no pro-ration of accrued vacation for any portion of a year worked. If the employee leaves the employment of the Presque Isle District Library before having reached another employment anniversary date, there is no vacation leave due or payable that employee for any portion of the year in which the employee terminates employment.
  - c. Part-time employees may accumulate up to thirty days of vacation based upon his or her usual number of hours worked per day. When the total number of vacation days available exceeds the thirty-day limit, the employee must use the excess vacation time within a one-month period from the anniversary date or forfeit that vacation.

- d. Full-time non-salaried employees may accumulate 4 weeks of vacation prior to the application of rules *b* and *c* above.
  - e. While employees are encouraged to use all of their vacation time, they may carry over a maximum of 2 work weeks into the next year.
  - f. Employees cannot take vacation pay in lieu of vacation time.
6. If a holiday falls during an employee's vacation, that day is not charged against that employee's vacation time.
  7. If an employee reaches his or her anniversary date while on a leave of absence, vacation is not credited while he or she remains on that leave of absence. Upon return to his or her regular work schedule from leave of absence, vacation leave will be credited based upon the amount that was due to be credited as of the most recent employment anniversary date. Vacation for any extended leave of absence beyond one year must be negotiated with the Board of Trustees on an individual basis prior to the employee leaving or additional accumulation beyond one year is not payable nor can it be accumulated.
  8. Payment in lieu of vacation
    - a. Employees who are laid off under provisions of the Library's *Separation From Service Policy* may elect to receive payment for any accumulated (beyond anniversary date) vacation time due them in lieu of banking this time until recall.
    - b. Upon termination of employment, employees shall be paid for their accumulated (beyond anniversary date) vacation time at their regular rate of pay. In other words, there shall be no pro-ration of vacation leave for any portion of a year worked. All rules under section 5 of this policy shall apply to any payment made.
  9. Vacations will be scheduled considering both the wishes of the employees and the workload requirements at the Library. A Leave request must be submitted and approved by the schedule manager and/or Director prior to the vacation being approved. When a conflict in scheduling exists, the employee with the earliest dated request will be considered first, except for emergency or medical reasons that cannot be taken at another time.

#### **XIV. SICK LEAVE**

1. Sick leave is a means of insuring that an employee will not suffer loss of income in the event of personal illness or illness in the immediate family.
  - a. It should be used only as needed and not abused.

- b. It may be used for doctor, vision, and dental appointments only if such appointments cannot be scheduled at another time.
  - c. Sick leave may be used to supplement disability payments up to 100% of base salary.
  - d. To receive compensation while absent on sick leave, the employee must notify the Library within one hour before the scheduled report time or present an acceptable excuse for not doing so.
  - e. The Library may require medical proof of illness from the employee's physician whenever sick leave exceeds three consecutive days' absence or ten days absence in aggregate in any one year, or when it is suspected that sick leave is being abused.
2. Regular full-time employees (30 hours per week) are credited for sick leave each month at the rate of 1.5 days per month or no more than 144 hours per year.
  3. Regular part-time employees are credited for paid sick leave based upon the number of hours worked per week. Sick leave is credited to their records at the end of each pay period. The rates of accumulation for regular part time employees are as follows:
    - a. Employees who work 0 to 10 hours per week will accumulate .024 hours of sick leave for each hour worked or a maximum of 12.48 hours per year.
    - b. Employees who work 11 to 20 hours per week will accumulate .035 hours of sick leave for each hour worked or a maximum of 36.4 hours per year.
    - c. Employees who work 21 to 30 hours per week will accumulate .0462 hours of sick leave for each hour worked or a maximum of 63 hours per year.
    - d. Employees who work 31 to 39 hours per week will accumulate .060 hours sick leave for each hour worked or a maximum of 93.69 hours per year.
  4. Salaried employees are credited for sick leave each month at the rate of 2 days per month.

Hours Worked Per Week	Maximum Sick Leave Accrual
0 to 10	50 hours
11 to 20	120 hours
21 to 30	210 hours
31 to 39	350 hours
40+	400 hours

5. If staff member has an increase/decrease in their number of average hours, then sick rate will be adjusted to new sick leave rate and accrual.
6. A permanent record of each employee's sick leave will be kept by the bookkeeper.

## **XV. PERSONAL BUSINESS LEAVE**

1. Regular full-time (30 hours) employees will be allowed a leave of four (4) days per calendar year, with pay, for personal business for the purpose of conducting business, which cannot be conducted at any time other than during the working day. This time will not be charged against sick leave.
2. Regular part-time employees working at least 20 hours per week are eligible for two (2) personal business days per calendar year, with pay, for personal business. Those working 15-19 hours per week will be eligible for one (1) personal business day per calendar year. This time will not be charged against sick leave and must be taken only when business cannot be conducted at any time other than during the working day.
3. Regular part-time employees with less than 15 hours per week, and/or temporary employees, are not eligible for personal business leave.
4. Prior arrangements for such leave must be made with the bookkeeper or Director.
5. No payment to a regular full-time, regular part-time or temporary employee is made at termination or layoff for unused personal business leave.
6. These personal business days cannot be carried into the next year.
7. Salaried employees will be allowed six (6) personal business days per calendar year, with pay, unless otherwise negotiated by a contract. This time will not be charged against sick leave and cannot be carried to the next calendar year.
  - The Director will be allowed (8) personal business days per calendar year, with pay.

## **XVI. BEREAVEMENT LEAVE**

1. All employees shall be allowed five working days, with pay, per calendar year for absence upon death of immediate family.
2. Employees may be allowed two paid bereavement days per calendar year upon death of other relatives upon approval of the Director.
3. Upon request, additional unpaid days may be granted by the Director to accommodate unusual situations in connection with the above bereavement.

4. Employees may make up time missed in lieu of requesting additional unpaid leave, upon the approval of the Director.

Immediate Family is defined as consisting of domestic partner, parents, children, siblings, sons-in-law, daughters-in-law, grandparents, grandchildren, domestic partners' comparable relatives, or other relatives living in the household.

## **XVII. DONATED LEAVE**

Employees have the opportunity to assist another employee who is facing a personal serious illness or injury, or caring for an immediate family member who has a serious illness or injury. This policy allows multiple employees to donate a combined maximum of 26 weeks of accrued sick, vacation and personal leave to an employee when the receiving employee needs time off that is not otherwise covered by any existing time off benefits. Persons wishing to donate time to another employee should contact the Library Director for guidelines and form.

## **XVIII. JURY DUTY/CIVIL APPEARANCE**

All employees will be given time off with pay if called for jury duty or when serving as a non-party witness under subpoena.

## **XIX. LEAVES OF ABSENCE**

### **1. Leaves Under the Family and Medical Leave Act**

#### **A. Eligibility**

The Family and Medical Leave Act of 1993 (FMLA) took effect on August 5, 1993. Under the Act and this policy, employees are eligible for family and medical leave if:

- Employee works for a covered employer;
- Has worked for the employer for at least 12 months;
- Has at least 1,250 hours of service for the employer during the 12 month period immediately preceding the leave
- Works at a location where the employer has at least 50 employees within 75 miles.

#### **B. Reasons for Leave**

Subject to the specific provisions of the Family and Medical Leave Act, and related regulations, eligible employees may take a total of 12 work weeks of family and medical leave during any 12-month period for the following purposes.

- The birth of the employee's child, and the care for the newborn child
  - The placement of a child with the employee for adoption or foster care
  - To care for the spouse, or a child or parent, of the employee, if the spouse, child or parent has a serious health condition
  - A serious health condition that makes the employee unable to perform the functions of his/her job
- An employee's entitlement to leave for the birth of a child or the placement of a child for adoption or foster care will expire at the end of the 12-month period, beginning on the date of such birth or placement.
  - For purposes of leave eligibility, a "serious health condition" is defined as an illness, injury, impairment or physical or medical condition that involves inpatient-care in a hospital, hospice or residential medical care facility; or requires continuing treatment by a health care provider.

#### C. Determination of 12-month period

- The 12-month period for taking a family and medical leave will be a rolling 12-month period measured backward from the date leave is used.

#### D. Notice of Leave

- An employee must notify the Director at least 30 days before the leave is to begin, when the need for family and medical leave is foreseeable, as for the birth or placement of a child, or for planned medical treatment. If leave is to begin within 30 days, the employee must give notice as soon as the need for the leave arises. When the leave is not foreseeable, the employee must provide such notice as soon as possible.

#### E. Medical Certification Requirements

- When family and medical leave is needed, based upon the serious health condition of an employee or the employee's spouse, child, or parent, a timely medical certification must be provided by the health care provider of the employee or family member, which includes the following information:
  - Date the serious health condition began

- Probable duration
  - Appropriate medical facts regarding the condition
  - If applicable, a statement that the employee is needed to care for the family member, and an estimate of the time needed for such care
  - Certification must be provided within 15 calendar days unless that is not practical under the circumstances
- In the event of the employee's own illness, the certification must state that the employee is unable to perform the functions of his/her position. In cases of certification for intermittent or reduced leave, the certification must include the following information:
    - Dates on which treatment is expected to be given
    - The duration of such treatment
    - A statement of medical necessity
  - In any case in which the library has reason to doubt the validity of the certification, the library (at its expense) may require the employee to obtain the opinion of a second health care provider and, in the event of a conflict, the opinion of a third health care provider whose decision is final and binding.
  - The library may also require the employee to obtain subsequent re-certifications on a reasonable basis.

#### F. Intermittent Leave or Leave on a Reduced Leave Schedule

- In certain situations, family and medical leave may be taken intermittently or on a reduced leave schedule basis. For the birth or placement of a child, intermittent or reduced schedule leave may only be taken with the library's approval. Intermittent or reduced schedule leave to care for a seriously ill spouse, child, or parent, or because of an employee's own serious health condition may be taken when medically necessary.
- If the need for intermittent or reduced schedule leave is foreseeable, based on planned medical treatment, including recovery from a serious health condition, the employee must attempt to schedule the leave so as not to unduly disrupt the library's operations. The library may also require the employee to temporarily transfer to an available alternative position with equivalent pay and benefits that better accommodates recurring periods of leave.



#### G. Pay and Benefit Coverage During Leave

- Unless an employee uses paid time off (sick leave or vacation, or both) for all or part of the leave, all family and medical leaves will be unpaid, unless otherwise negotiated with the Board of Trustees.
- If the employee fails to return to work after expiration of the leave, he/she will be required to reimburse the library for any premiums paid to maintain coverage under the library's group health plan during the leave, unless the reason the employee fails to return to work is the continuation, recurrence or onset of a serious health condition that would entitle the employee to family and medical leave, or other circumstances beyond the employee's control.

#### H. Restoration to Employment

- At the end of any family and medical leave the employee will be restored to the position held when the leave commenced, or to an equivalent position with equivalent pay and benefits.
- The taking of family and medical leave will not result in the loss of any employment benefits accrued prior to the date on which the leave commenced. However, no benefits will accrue during any period of unpaid family and medical leave.

#### I. Return From Leave

- The library may require periodic reports from an employee on family and medical leave regarding the employee's status and intent to return to work. If the employee gives unequivocal notice of intent not to return to work, the library's obligations to provide benefits, under its group health plan (except under COBRA), and to restore the employee to the same or an equivalent position.
- In accordance with the established policy, if an employee takes a family and medical leave due to his/her own serious health condition, the employee must provide medical certification that he/she is able to resume duty before returning to work.
- The failure of an employee to return to work upon the expiration of a family and medical leave will subject the employee to immediate termination unless

an extension is granted or unless the employee has other available leave time. In addition, when an employee exhausts his/her FMLA leave and entitlement, all the library's obligations under this policy end.

J. Relationship to Other Laws, Policies and Agreements

- The policy set forth above is intended to provide an overview of the general rights, obligations, and conditions applicable to family and medical leaves under the Family and Medical Leave Act of 1993. This policy does not in any way alter or modify any of the library's rights and obligations under practices that are not governed by FMLA. In addition, this policy does not alter or modify any of the library's rights or obligations under any other state or federal laws, or any of the library's rights or obligations under any contracts or agreements to which it is a party.
- The library reserves the right to modify or amend this policy and the procedures stated herein, as well as any other policies or practices which could affect the rights and obligations of the library and employees under FMLA, at any time.

**2. Other Leaves**

- A. Special leaves of absence not covered by the Family and Medical Leave Act of 1993 must be requested in writing and approved by the Board of Trustees. The request must state the reasons and duration of the leave.
- B. While the taking of leave shall not result in the loss of any employment benefits accrued before the date on which the leave commenced, the restored employee is not entitled to the accrual of benefits during any period of leave.
- C. Military leave will be given in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). A fact sheet, which points out the highlights of this law, is included at the end of the Leave of Absence section of the Personnel Policy. Further information can be found at the web site listed on the fact sheet.
- D. When a leave ends, the employee will be returned to the same position if the position has not been filled or eliminated. If the employee is not returned to the same position, the employee may be placed in another position with equal pay and benefits at the employer's discretion.

## **XX. MEDICAL INSURANCE**

The Presque Isle District Library does not maintain medical insurance.

## **XXI. STAFF DEVELOPMENT**

1. The Board of Trustees encourages the staff to become involved in professional activities. The staff's professional growth will be reflected in added contributions to the library.
2. Staff members are encouraged to become members of community, educational and professional organizations to add to their personal growth and to promote the benefits of the library.
3. As determined by the Director, staff growth and development shall be promoted through in-service training, availability and use of professional materials, and other recognized methods for aiding the growth of staff members in their professional abilities and their use of these to benefit the library.
4. The library pays for institutional membership in the Michigan Library Association.
5. The library pays for the Library Director's expenses and registration at the American Library Association and the Michigan Library Association annual conferences, upon prior approval by the Board of Trustees.
6. Professional leave for attendance at workshops and conferences for staff may be granted by the Director if request for such is made in advance.
  - a. Attendance, fees and expenses may be paid considering budget limitations, relationship of subject to job responsibilities, membership in the organization sponsoring the event, and work schedules.
  - b. Employees attending approved workshops and conferences will be paid at their regular rate for hours normally scheduled that day. Thus a person normally working 5 hours per day would receive 5 hours pay per day while attending workshops or conferences. Compensational time may be given at the Director's discretion, but must be discussed and agreed upon prior to the employee attending the workshop or conference. A travel expense voucher, complete with receipts must be filed with the bookkeeper to get reimbursed for mileage and meals, if such expenses were incurred.

## **XII. EMERGENCY CLOSING**

### **Tornados**

Notice of tornado watches or warnings are received over local radio and television stations. In the case of tornado watches, business will proceed as usual. If a tornado warning is issued, the library will be closed until the danger has passed. Library patrons in the building will be allowed to remain in the library's front unisex bathroom, or if necessary and inside room and/or the back office until notification is received that the danger has passed. Adults will be allowed to leave if they so desire, but must follow instructions of person in charge if they choose to remain. Unattended minors will be asked to stay in the building until a guardian picks them up or notification is received that the danger has passed.

### **Adverse Weather/Equipment Failure**

A library is a public service institution, and every effort is made to maintain regular hours for the public. The library will be closed only when weather conditions deteriorate to the point where emergency situations prevail, when vital equipment in the building fails (e.g. furnace malfunction, no water in the building, no electricity, etc.) or when there is a general emergency within the city. The decision to close any branch of the library will be based upon:

- General conditions of roads in Presque Isle County or Forest and Waverly Townships of Cheboygan County
- Condition of the library's parking lot and walkways
- Availability of staff to open and operate the library. The library can operate with a reduced staff when the number of patrons is expected to be abnormally low
- Condition of the building's equipment
- Requests for closure by local, county or state law enforcement agencies

The library will not automatically close or delay opening based on any other institution's actions alone. The decision to close will be made by the library Director or in the absence of the Director, the person next in charge. Because of the distances between the libraries and the probability that the weather conditions may vary drastically even within Presque Isle County, the decision to close will be made on the conditions at each individual building. Given the variations in the weather, it will be the responsibility of branch personnel to notify the library Director of any concern regarding severe weather conditions in their area.

If the library Director is unavailable, the Head Clerk or person put in charge by the Director in their absence will make the decision after conferring with one or more board members if time allows. Once the decision to close or to open late is made, the Director, or person in charge, will

immediately notify those scheduled to work that day. They will also immediately notify the local radio stations as to which building(s) will be closed and as to the duration of the closure.

### **National and State Emergencies**

If there is a National or State Emergency (which includes pandemic or other disaster), the Library will follow first the State of Michigan and then the National guidelines/procedures for limited openings and/or closures for all the library branches and the theater. Staff and Board will be notified of such closures and a notice will be posted on the front doors of each location informing the public of the emergency closure.

### **Compensation**

If the library is closed due to emergency conditions, or inclement weather, employees regularly scheduled to work will be paid for their scheduled hours up to six days annually. After six days, employees may use one of the following options:

1. Use vacation time
2. Make up the time with the approval of the Director, or
3. Take time without pay
4. Work regardless of closing, if employee is able to do so without putting themselves or other employees in danger.

Employees who are absent due to scheduled annual leave, illness, or other leave will not be charged for the time the library is closed.

Employees at the library when it is closed will be paid for the remainder of their scheduled workday.

If the library is closed two or more days due to fire, tornado, or other unplanned lengthy closings, employees regularly scheduled to work will continue to receive pay for three weeks and/or up to the discretion of the Director. An improvised interim work schedule may be developed to handle existent work needs. Job descriptions or duties may be temporarily altered or reassigned, based upon unusual needs created by the situation. The Director will make a reasonable effort to maintain a useful work schedule and provide continuous employment opportunities.

### **XXIII. SERIOUS DISEASES**

1. It is the library's policy that employees with infectious, long term, life threatening, or other serious diseases may work as long as they can physically and mentally perform the essential function of their job, with or without reasonable accommodation, without undue risk to their own health or that of other employees or customers.

2. Serious diseases for the purposes of this policy include, but are not limited to, cancer, heart disease, multiple sclerosis, hepatitis, tuberculosis, human immunodeficiency virus (HIV), and acquired immune deficiency syndrome (AIDS).
3. Employees afflicted with serious diseases are to be treated no differently than any other employee. If, however, the serious disease affects their ability to perform assigned duties, such employees are to be treated like other employees who have disabilities that limit their job performance. Every effort will be made to accommodate such employees as long as is feasibly possible to do so.
4. Employees who are diagnosed as having a serious disease and who want an accommodation should inform the library Director of their condition as soon as possible.
5. Said employees should also provide the library Director with any pertinent medical records needed to make decisions regarding job assignments, ability to continue working, or ability to return to work. The library also may require a doctor's certification of an employee's ability or inability to perform job duties safely. Additionally, the library may request that an employee submit to a medical examination, at the library's expense, if it is believed the employee is a health or safety threat to himself/herself or others.
6. The library will maintain the confidentiality of the diagnosis and medical records of employees with serious diseases, unless otherwise required by the law. Information relating to an employee's serious disease will not be disclosed to other employees unless the information is, in the opinion of the library Director, necessary to protect the health or safety of the employee, co-workers, or others. Every attempt will be made to maintain the employees' anonymity.
7. Employees concerned about being infected with a serious disease by a co-worker, customer, or other person, should convey this concern to the library Director. Employees who refuse to work with or perform services for a person known or suspected to have a serious disease, without first discussing their concern with the Director, will be subject to discipline, up to and including termination. In addition, where there is little or no evidence of risk of infection to the concerned employee that employee may be assigned to work in another position within the library system at the discretion of the library Director.

## **XXIV. EMPLOYEE COMPUTER USAGE**

- The Library expects all staff to use electronic communications in a responsible manner. This includes computers not assigned to an individual but to a work or public area.
- The Library reserves the right to view any files stored on its network, server, floppy disks, CD's, or the hard drives of its individual computers.
- Personal use of computers is permitted during breaks and mealtimes only, as long as it does not interfere with Library business.
- Playing of games on computers is only allowed during breaks and mealtimes and not on computers within public view.
- Use of another staff member's computer, must be approved by that staff member or the Director.
- Library computers may not be used for any unlawful or criminal activity, including, but not limited to:
  - Harassment
  - Libel
  - Copyright infringement
  - Discrimination on the basis of age, race, creed, color, gender, religion, disability, or other reason
  - Sending, receiving, displaying, or printing any material in violation of federal or state regulation or material which is threatening or which may reasonably be construed as obscene
  - Unauthorized access or invasion of privacy
- Library computers also may not be used for:
  - Staff involvement in personal financial transactions for patrons or for private financial gain, or commercial, advertising, or solicitation purposes.
  - Non-library fundraising, unless it is related to a community service organization (On other-than-library time and at a non-public desk)
  - Political activity
  - Display of sexually explicit graphics or any use involving material that are obscene, pornographic, profane, fraudulent, defamatory or otherwise unlawful
  - Opening or forwarding executable files from unknown sources or that may contain viruses
  - Sending mass e-mails or spam without permission from proper authorities (Director, etc. as previously mentioned)

- Any activity which violates license agreements or copyright
- Activity which compromises the confidentiality of personal and library logins or passwords
- Misuse of Library computers, equipment, networks, or the Internet will result in disciplinary action, which may result in dismissal. Illegal acts involving Library computers may also be subject to prosecution by local, state, or federal law enforcement authorities.
- Staff may not install, run, or download software applications that have not been installed by the Director, or a designated authority without prior permission from the Director.
- Passwords may be used but must be disclosed to Technology Services personnel as well as the Director.
- The rights and work obligations of coworkers must not be infringed upon during personal use of computers.
- Any employee using library computers for personal use shall be responsible for any losses, costs or damages incurred by the Library as a result of their use of computers for this purpose.
- The Library assumes no responsibility for any unauthorized or unlawful use of its computers by staff members.
- Finally, when you use a library computer for personal reasons such as email, etc., you should be aware that some recipients might mistakenly believe you are communicating on behalf of the Library. Please take steps to make clear within any messages, etc. that you are speaking on your own behalf and not on the behalf of the Library.

**Revision Adopted August 6<sup>th</sup>, 2008**

**Revision Adopted September 7<sup>th</sup>, 2016**

**Amendment Adopted May 9<sup>th</sup>, 2018**

**Amendment Adopted February 10<sup>th</sup>, 2021**

**Amendment Adopted November 10<sup>th</sup>, 2021**

**Amendment Adopted August 10<sup>th</sup>, 2022**

## **XXVI. REMOTE WORK POLICY**

Employees are permitted to work from home (WFH) occasionally or regularly, depending on a number of factors and the arrangements they've made with their manager. Working from home



is a privilege that may be revoked at any time. The District may request that an employee be present in the office at any time (regardless of schedule WFH time) or deny a request to work from home based on business needs, employee performance, or viability of doing the work from home. To be eligible to WFH, an employee must have access to reliable internet and a space that is free from excessive noise or distraction.

Employees must submit their remote work request to the Director and notify appropriate team members. Requests for recurring or extended WFH arrangements will be considered after 3 months of employment, or in the case of a public health emergency. The remote work arrangement will not be construed as a contract of employment and the District may legally modify or terminate this arrangement at any time for any reason.

Employees wishing to request additional remote workdays in any given workweek are required to speak with the Director in advance for approval. If approved, the employee must submit their request to the Director on either Request Leave/Sick Form and notify appropriate team members.

When working from home employees must:

- Work their full, typical schedule as agreed upon with the Director
- Working from home is not to be used in place of vacation, sick, or personal leave time
- Attend all meetings in a virtual capacity
- Achieve the same level of production as in the office
- Maintain equivalent availability for colleague and patron communication and questions, etc.
- Be available online and by phone for the duration of their designated hours, minus breaks and rest periods
- Respond promptly to communication via decided upon communication
- Take all required break and rest periods, as if they were in the office
- Communicate consistently regarding their workload and status (break, lunch, working on a project, etc.)
- Follow all District procedures and policies

If an employee has District property at the employees' remote work site, upon completion of the remote work assignment, the employees must return all District property to the Presque Isle District Library. The District will provide technical support only for computer equipment and software that it provides and accepts nor responsibility for damage or repairs to any equipment that employee owns. Support is available by phone or email a technician will not be dispatched to employee's home.

**ADOPTED: February 12, 2022**