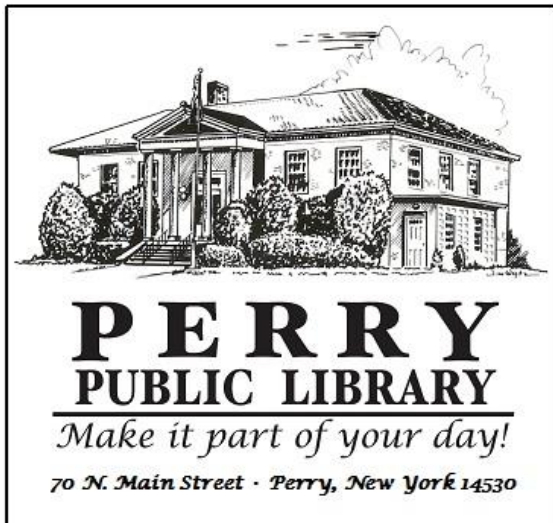


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Style Definition: TOC 2



EMPLOYEE HANDBOOK

Prepared by:



PERRY PUBLIC LIBRARY

EMPLOYEE HANDBOOK

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SECTION ONE

INTRODUCTION

WELCOME

Perry Public Library has a long and proud history dating back to 1914. As a Perry Public Library employee, you are an important part of our continued heritage.

This Handbook summarizes many of your privileges, benefits, and responsibilities as an employee of our Library. If you are a new employee, it will be helpful in acquainting you with our Library's philosophies and human resources practices. If you are already a member of the Perry Public Library team, this Handbook should prove to be a useful reference. Above all, we hope it will promote consistency, fairness and understanding throughout our Library.

In order to maintain the necessary flexibility in the administration of policies and procedures, Perry Public Library reserves the right to change, revise or terminate any of the policies and/or benefits discussed in this Handbook with or without advance notice. After you have read your Handbook, please keep it handy for future reference and updating.

Welcome to Perry Public Library! We are glad that you have joined our Library and we hope that you will find your work with us to be both challenging and rewarding.

Director & Board of Trustees

~~June 2022~~ March 2023

PREFACE

This Handbook* outlines the human resources policies and benefit plans currently in effect at **Perry Public Library**. In this **Employee Handbook**, **Perry Public Library** is also referred to as "**Perry Library**" or "**Library**." Policies are revised or added periodically and are effective as of the date issued.

The statements regarding our **Library's** policies, procedures and benefits are for information purposes only. They do not constitute a contract for employment, either expressed or implied. Our **Library** adheres to the principle of employment-at-will which preserves the right of either the employee or the employer to terminate the employment relationship at any time, with or without cause.] No Library Director or employee of **Perry Public Library** has any authority to enter into an agreement for any employment other than at will. Only the **Board of Trustees** has the authority to make any such agreement and then only if it is reduced to writing.

Important Information about Benefits

As our **Library** evolves, we will continue to review and revise these human resources policies and benefit programs. The **Library** reserves the right to alter, reduce or terminate any pay practices, policies, premium contributions, benefits and benefit plans, in whole or in part, at any time for any reason to the extent permissible by law. Any such change may affect retirees and beneficiaries, as well as active employees.

The benefit information found in this Handbook is intended to provide an overview of the benefit plans. The actual benefits are controlled by the terms of the applicable plan documents and insurance policies. Questions regarding the interpretation of these plans will be answered in accordance with the actual plan documents and insurance policies, rather than the summaries contained in this Handbook. Employees may obtain copies of these documents from the **Library Director**.

Disclaimers

This **Employee Handbook** will be interpreted to comply with all applicable federal, state, and local laws. Nothing in this **Employee Handbook** is intended to unlawfully restrict an employee's right to engage in any concerted activity protected by the National Labor Relations Act.

Note: If there is a conflict between Civil Service regulations and this Handbook, Civil Service regulations are controlling for Civil Service employees.

In this **Employee Handbook**, the "workplace" may refer to a physical worksite, including the **Library's** private offices, work performed at a **client's/customer's** worksite, any remote work location, including an employee's home or any other place outside of the traditional workplace where an employee performs work on behalf of **Perry Public Library**.

June 2022March 2023

* This Handbook and its policies are effective **March 2023** and supersedes all other personnel manuals and personnel policies previously distributed by the **Library**. To avoid confusion, please discard any copies of previously published **Employee Handbooks**.

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SECTION TWO

EMPLOYMENT PRACTICES

2.01 EQUAL EMPLOYMENT OPPORTUNITY

Perry Public Library is committed to a policy of Equal Employment Opportunity with respect to all employees, interns, and applicants for employment. Consistent with this commitment, our policy is to comply with all applicable federal, state, and local laws concerning employment discrimination. Accordingly, the Library prohibits discrimination against qualified employees, interns and applicants in all aspects of employment including, but not limited to: recruitment, interviewing, hiring (or failure or refusal to hire), evaluation, compensation, promotion, job assignment, transfer, demotion, training, leaves of absence, layoff, benefits, use of facilities, working conditions, termination and employer-sponsored activities and programs, including wellness, social and recreational programs. Employment decisions will be made without regard to an applicant's, employee's or intern's actual or perceived: race (including traits historically associated with race, such as hair texture and protective hairstyles), color, creed, religion (including wearing attire, clothing or facial hair in accordance with the tenets of religion), sex (including pregnancy, childbirth or related medical conditions and transgender status), gender identity or expression, an employee's or dependent's reproductive health decisions, familial status, national origin, physical or mental disability (including gender dysphoria and being a certified medical marijuana patient), genetic information (including predisposing genetic characteristics), age (18 and over), veteran status, military status, sexual orientation, marital status, certain arrest or conviction records, domestic violence victim status, and any other status protected by law.

MANAGEMENT RESPONSIBILITIES

All members of management are responsible for understanding the Library's commitment to this policy and ensuring this policy is carried out. Supervisors are responsible for immediately reporting and responding to a discrimination complaint, even if the reporting party does not want any action taken. It is critical that any observation of, or any formal or informal reference to discrimination is taken seriously and addressed promptly.

REASONABLE ACCOMMODATIONS

The Library will endeavor to make reasonable accommodations for a qualified applicant, intern or employee with a known disability, unless doing so would result in an undue hardship to the Library. If an employee believes they need assistance to perform their job duties because of a physical or mental limitation, the employee should contact the Director. Likewise, we will endeavor to make reasonable accommodations, upon request, arising out of an individual's sincerely held religious beliefs or practices, unless doing so would result in an undue hardship to the Library. If an employee requires a reasonable accommodation arising out of a sincerely held religious belief or practice, the employee should contact the Director.

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QUESTIONS AND COMPLAINTS

Questions regarding the administration of this policy or a complaint regarding Equal Employment Opportunity should be directed to the employee's or intern's supervisor or to the Director. The Library will promptly and thoroughly investigate all complaints. Confidentiality will be maintained to the greatest degree possible, consistent with the Library's obligation to thoroughly investigate the complaint.

Any individual at any time, even after separation of employment who feels this policy has been violated should immediately contact their supervisor or the Director.

If not satisfied with the resolution, an employee or intern may pursue an appeal. Appeals will generally follow the steps outlined in the Open Communication policy.

NO RETALIATION

It is the policy of Perry Public Library that any employee, intern, or applicant who makes or participates in the investigation of a discrimination complaint will not be retaliated against in any way. Employees, interns, or applicants who feel they have been retaliated against for such activity should immediately contact the Director.

Anyone found to be engaging in any type of inappropriate conduct under this policy may be subject to disciplinary action, up to and including termination of employment.

2.02 NON-HARASSMENT/NON-DISCRIMINATION

Perry Public Library is committed to maintaining a workplace free from all forms of unlawful harassment, including sexual harassment. Harassment based on any legally protected basis is a form of workplace discrimination. The Library prohibits unlawful harassment against anyone, for any reason, including, but not limited to an individual's actual or perceived: race (including traits historically associated with race, such as hair texture and protective hairstyles), color, creed, religion (including wearing attire, clothing or facial hair in accordance with the tenets of religion), sex (including pregnancy, childbirth or related medical conditions and transgender status), gender identity or expression, an employee's or dependent's reproductive health decisions, familial status, national origin, physical or mental disability (including gender dysphoria and being a certified medical marijuana patient), genetic information (including predisposing genetic characteristics), age (18 and over), veteran status, military status, sexual orientation, marital status, certain arrest or conviction records, domestic violence victim status, [include for NYC employers: domestic partnership status, caregiver status, relationship or association with a person in one of the protected classes,] and any other status protected by law. All employees, interns, and non-employees conducting business in our workplace must refrain from engaging in unlawful harassment.

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DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is a form of sex discrimination and is unlawful under federal, state and (where applicable) local law. Sexual harassment includes harassment based on sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject **Perry Public Library** to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including **supervisors/managers** who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

Any employee who feels harassed should report the harassment to **the Library Director** so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

NO TOLERANCE

Workplace harassment will not be tolerated at **Perry Public Library**. All applicants, employees, interns (paid or unpaid), contractors and individuals conducting business with **Perry Public Library** are required to conduct themselves in a manner that prevents sexual or other forms of harassment in the workplace. Any employee or individual covered by this policy who engages in workplace

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harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination. This policy is one component of Perry Public Library's commitment to a discrimination-free work environment where all individuals are treated with dignity and respect.

EXAMPLES OF SEXUAL HARASSMENT

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as:
 - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work; or
 - Bullying, yelling, name-calling.

DEFINITION OF OTHER UNLAWFUL HARASSMENT

The creation of an intimidating or hostile working environment, based on one or more of the above protected categories, constitutes unlawful harassment. Specific types of unlawful harassment, in addition to sexual harassment covered above, include, but are not limited to:

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- Physical harassment refers to pushing, hitting, crowding, cornering or unwanted physical touching;
- Verbal abuse refers to verbal comments, including but not limited to jokes or the use of slurs or other offensive language regarding, or made because of, an individual's actual or perceived membership in one of the protected categories listed above;
- Written harassment refers to derogatory or degrading written comments regarding, or made because of, an individual's membership in one of the categories listed above. Specific examples include, but are not limited to e-mail, text messages, memos, notes, graffiti, other visual depictions or pictures, cartoons, drawing, videos;
- Inappropriate, unwelcomed behaviors, such as offensive gestures and wearing clothes, jewelry, signage, etc. known to be offensive to particular protected classifications; and
- Any other unwelcome conduct that has the purpose or effect of creating an intimidating, hostile, or offensive working environment as defined by law, or has the purpose or effect of unreasonably interfering with an individual's work performance or otherwise adversely affecting an individual's employment opportunities.

Unlawful harassment, whether it is physical, verbal or visual in nature, is a form of employee misconduct which undermines the integrity of the employment relationship within our **Library**.

WHO CAN BE A TARGET?

Harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of workplace harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

WHERE CAN HARASSMENT OCCUR?

Unlawful harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer-sponsored events or parties. Calls, texts, emails and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

REPORTING HARASSMENT

Preventing workplace harassment is everyone's responsibility. **Perry Public Library** cannot prevent or remedy harassment unless the **Library** knows about it. Any employee, intern (paid or unpaid) or non-employee who has been subjected to behavior that may constitute unlawful harassment is encouraged to report such behavior to their **supervisor/manager** or to **the Library Director**. Anyone who witnesses or becomes aware of potential instances of workplace harassment

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should report such behavior to their **supervisor/manager** or to **the Library Director**.

Reports of workplace harassment may be made verbally or in writing. The written complaint form is located **where**. All employees are encouraged to use this complaint form. Employees who are reporting potential harassment on behalf of other employees should use the complaint form and note that the complaint is being made on behalf of another employee.

Employees, interns (paid or unpaid) or non-employees who believe they have been a victim of workplace harassment may also seek assistance in other available forums, as outlined in the Legal Protections and External Remedies section of this policy.

Any employee who feels harassed should report the harassment so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

MANAGEMENT RESPONSIBILITIES

All **supervisors/managers** who receive a complaint or information about suspected workplace harassment, observe what may be harassing behavior or for any reason suspect that harassment is occurring, are **required** to report such suspected harassment to **the Library Director**.

In addition to being subject to discipline if they engaged in harassing conduct themselves, **supervisors/managers** will be subject to discipline for failing to report suspected workplace harassment or otherwise knowingly allowing workplace harassment to continue.

Supervisors/Managers will also be subject to discipline for engaging in any retaliation.

COMPLAINT INVESTIGATION

All complaints or information about suspected workplace harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected harassment will be prompt and thorough. All persons involved, including complainants, witnesses and alleged perpetrators, will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected workplace harassment. **Perry Public Library** will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

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While the process may vary from case to case, investigations will generally be conducted in accordance with the following steps:

- Upon receipt of complaint, **the Library Director** will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If the complaint is verbal, the individual will be encouraged to complete the "Complaint Form" in writing. If the complainant chooses not to complete the Complaint Form **the Library Director** will prepare a Complaint Form based on the complainant's verbal report.
- If documents, emails or phone records are relevant to the allegations, steps will be taken to obtain and preserve them.
- **the Library Director** will request and review all relevant documents, including all electronic communications.
- **the Library Director** will interview all parties involved, including any relevant witnesses.
- **the Library Director** will prepare written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective actions action(s).
- Written documentation and associated documents will be maintained by the **Library**.
- Following the investigation, **the Library Director** will promptly notify the complainant and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- **the Library Director** will inform the complainant of their right to file a complaint or charge externally as outlined in the Legal Protections and External Remedies section of this policy.

CORRECTIVE ACTION

If a report of workplace harassment is found to be valid, immediate and appropriate corrective action will be taken. Employees or interns (paid or unpaid) who violate this policy, including the provision against retaliation, will be subject to disciplinary action, up to and including termination. This determination will be based on all the facts of the case.

NO RETALIATION

Perry Public Library will not tolerate retaliation against anyone who, in good faith, complains or provides information about suspected harassment.

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Unlawful retaliation can be any action that could discourage an employee from coming forward to make or support a workplace harassment claim including, but not limited to being discharged, disciplined, discriminated against, having their personnel file disclosed, except where such disclosure is permitted by applicable law, or otherwise being subject to adverse employment action. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Retaliation is unlawful under federal, state and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in a "protected activity." Protected activity occurs when a person has:

- Made a complaint of harassment, either internally or with any anti-discrimination agency;
- Testified or assisted in a proceeding involving harassment under the human rights law or other anti-discrimination law;
- Opposed harassment by making a verbal or informal complaint to management, or by simply informing a **supervisor/manager** of harassment;
- Reported that another employee has been harassed; or
- Encouraged a fellow employee to report potential harassment.

Even if the alleged harassment does not rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Harassment based on a protected class is against the law. All employees have a legal right to a workplace free from illegal harassment. Employees can enforce this right by filing a complaint internally with **Perry Public Library**, or with a government agency or in court under federal, state or local antidiscrimination laws.

Harassment is not only prohibited by **Perry Public Library** but is also prohibited by federal, state and (where applicable) local law. Aside from the internal process at **Perry Public Library**, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, employees may seek the legal advice of an attorney.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL) codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State regarding harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.

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Sexual harassment complaints may be filed with the DHR any time within **three years** of the harassment. All other harassment complaints may be filed with the DHR any time within **one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court.

Complaining internally to **Perry Public Library** does not extend the time to file with DHR or in court. The one to three years is counted from date of the most recent incident of harassment.

An attorney is not needed to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate the complaint and determine whether there is probable cause to believe that harassment/discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If harassment/discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

The DHR also maintains a toll-free hotline that provides counseling and accepts complaints regarding workplace sexual harassment. This hotline can be reached at 1-800-427-2773.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within **300 days** from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general,

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private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

If an employee believes that they have been discriminated against at work, they can file a "Charge of Discrimination." The EEOC has district, area and field offices where complaints can be filed. Contact the EEOC by calling (800) 669-4000 (800) 669-6820 (TTY), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they work to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade St, New York, NY 10007; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

~~Perry Public Library is committed to maintaining a workplace free from all forms of unlawful harassment, including sexual harassment. Harassment based on any legally protected basis is a form of workplace discrimination. The Library prohibits unlawful harassment against anyone, for any reason, including, but not limited to an individual's actual or perceived: race (including traits historically associated with race, such as hair texture and protective hairstyles), color, creed, religion (including wearing attire, clothing or facial~~

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DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is a form of sex discrimination and is unlawful under federal, state and (where applicable) local law. Sexual harassment includes harassment based on sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;

Such conduct is made either explicitly or implicitly a term or condition of employment; or

Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation, or physical violence which are of

~~Sexual harassment is a form of discrimination that is prohibited by state and federal laws.~~

~~Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.~~

~~Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Perry Public Library to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.~~

~~Any employee who feels harassed should report the harassment to the Director so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.~~

~~NO TOLERANCE~~

~~Workplace harassment will not be tolerated at Perry Public Library. All applicants, employees, interns (paid or unpaid), contractors and~~

~~EXAMPLES OF SEXUAL HARASSMENT~~

~~EXAMPLES OF SEXUAL HARASSMENT~~

~~The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:~~

~~Physical assaults of a sexual nature, such as:~~

~~Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employee's body;~~

~~Rape, sexual battery, molestation or attempts to commit these assaults.~~

~~Unwanted sexual advances or propositions, such as:~~

~~Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments;~~

~~Subtle or obvious pressure for unwelcome sexual activities.~~

~~Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.~~

~~Sexual or discriminatory displays or publications anywhere in the workplace, such as:~~

~~Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.~~

~~Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:~~

~~Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;~~

~~Sabotaging an individual's work; or~~

~~Bullying, yelling, name-calling.~~

~~DEFINITION OF OTHER UNLAWFUL HARASSMENT~~

~~The creation of an intimidating or hostile working environment, based on one or more of the above protected categories, constitutes unlawful harassment. Specific types of unlawful harassment, in addition to sexual~~

~~harassment covered above, include, but are not limited to:~~

~~Physical harassment refers to pushing, hitting, crowding, cornering or unwanted physical touching;~~

~~Verbal abuse refers to verbal comments, including but not limited to jokes or the use of slurs or other offensive language regarding, or made because of, an individual's actual or perceived membership in one of the protected categories listed above;~~

~~Written harassment refers to derogatory or degrading written comments regarding, or made because of, an individual's membership in one of the categories listed above. Specific examples include, but are not limited to e-mail, text messages, memos, notes, graffiti, other visual depictions or pictures, cartoons, drawing, videos;~~

~~Inappropriate, unwelcomed behaviors, such as offensive gestures and wearing clothes, jewelry, signage, etc. known to be offensive to particular protected classifications; and~~

~~Any other unwelcome conduct that has the purpose or effect of creating an intimidating, hostile, or offensive working environment as defined by law, or has the purpose or effect of unreasonably interfering with an individual's work performance or otherwise adversely~~

affecting an individual's employment opportunities.

~~Unlawful harassment, whether it is physical, verbal, or visual in nature, is a form of employee misconduct which undermines the integrity of the employment relationship within our Library.~~

~~WHO CAN BE A TARGET?~~

~~Harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of workplace harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer, or visitor.~~

~~WHERE CAN HARASSMENT OCCUR?~~

~~Unlawful harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer-sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the~~

~~workplace premises, on personal devices or during non-work hours.~~

REPORTING HARASSMENT

~~Preventing workplace harassment is everyone's responsibility. Perry Public Library cannot prevent or remedy harassment unless the Library knows about it. Any employee, intern (paid or unpaid) or non-employee who has been subjected to behavior that may constitute unlawful harassment is encouraged to report such behavior to their supervisor or to the Director. Anyone who witnesses or becomes aware of potential instances of workplace harassment should report such behavior to their supervisor or to the Director.~~

~~Reports of workplace harassment may be made verbally or in writing. The written complaint form is located at the end of this handbook. All employees are encouraged to use this complaint form. Employees who are reporting potential harassment on behalf of other employees should use the complaint form and note that the complaint is being made on behalf of another employee.~~

~~Employees, interns (paid or unpaid) or non-employees who believe they have been a victim of workplace harassment may also seek assistance in other available forums, as~~

~~outlined in the Legal Protections and External Remedies section of this policy.~~

~~Any employee who feels harassed should report the harassment so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.~~

~~All supervisors who receive a complaint or information about suspected workplace harassment, observe what may be harassing behavior or for any reason suspect that harassment is occurring, are required to report such suspected harassment to the Director.~~

~~In addition to being subject to discipline if they engaged in harassing conduct themselves, supervisors will be subject to discipline for failing to report suspected workplace harassment or otherwise knowingly allowing workplace harassment to continue.~~

~~Supervisors will also be subject to discipline for engaging in any retaliation.~~

COMPLAINT INVESTIGATION

~~All complaints or information about suspected workplace harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.~~

~~An investigation of any complaint, information or knowledge of suspected harassment will be prompt and thorough. All persons involved, including complainants, witnesses, and~~

~~appropriate, based on the case, a follow-up interview to find out the origin~~

~~Any employee may be required to cooperate as needed in an investigation of suspected workplace harassment. Perry Public Library will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.~~

~~While the process may vary from case to case, investigations will generally be conducted in accordance with the following steps:~~

~~Upon receipt of complaint, the Director will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If the complaint is verbal, the individual will be encouraged to complete the "Complaint Form" in writing. If the complainant chooses not to complete the Complaint Form the~~

~~Director will prepare a Complaint Form based on the complainant's verbal report.~~
~~If documents, emails, or phone records are relevant to the allegations, steps will be taken to obtain and preserve them.~~
~~The Director will request and review all relevant documents, including all electronic communications.~~
~~The Director will interview all parties involved, including any relevant witnesses.~~
~~The Director will prepare written documentation of the investigation (such as a letter, memo, or email), which contains the following:~~
~~A list of all documents reviewed, along with a detailed summary of relevant documents;~~
~~A list of names of those interviewed, along with a detailed summary of their statements;~~
~~A timeline of events;~~
~~A summary of prior relevant incidents, reported or unreported; and~~
~~The basis for the decision and final resolution of the complaint, together with any corrective actions action(s).~~
~~Written documentation and associated documents will be maintained by the Library.~~
~~Following the investigation, the Director will promptly notify the complainant and the individual(s) about whom the complaint was made of the final determination and implement any~~

~~corrective actions identified in the written document. The Director will inform the complainant of their right to file a complaint or charge externally as outlined in the Legal Protections and External Remedies section of this policy.~~

~~CORRECTIVE ACTION~~

~~If a report of workplace harassment is found to be valid, immediate, and appropriate corrective action will be taken. Employees or interns (paid or unpaid) who violate this policy, including the provision against retaliation, will be subject to disciplinary action, up to and including termination. This determination will be based on all the facts of the case.~~

~~NO RETALIATION~~

~~Perry Public Library will not tolerate retaliation against anyone who, in good faith, complains or provides information about suspected harassment.~~

~~Unlawful retaliation can be any action that could discourage an employee from coming forward to make or support a workplace harassment claim including, but not limited to being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action. Adverse action need not be job-related or occur in the workplace to~~

~~constitute unlawful retaliation (e.g., threats of physical violence outside of work hours)~~

~~Retaliation is unlawful under federal, state and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in a “protected activity.” Protected activity occurs when a person has:~~

~~Made a complaint of harassment, either internally or with any anti-discrimination agency;~~

~~Testified or assisted in a proceeding involving harassment under the human rights law or other anti-discrimination law;~~

~~Opposed harassment by making a verbal or informal complaint to management, or by simply informing a supervisor of harassment;~~

~~Reported that another employee has been harassed;~~
~~or~~

~~Encouraged a fellow employee to report potential harassment.~~

~~Even if the alleged harassment does not rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is~~

~~not intended to protect persons making intentionally false charges of harassment.~~

~~LEGAL PROTECTIONS AND EXTERNAL REMEDIES~~

~~Harassment based on a protected class is against the law. All employees have a legal right to a workplace free from illegal harassment. Employees can enforce this right by filing a complaint internally with Perry Public Library, or with a government agency or in court under federal, state, or local antidiscrimination laws.~~

~~Harassment is not only prohibited by Perry Public Library but is also prohibited by federal, state and (where applicable) local law. Aside from the internal process at Perry Public Library, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, employees may seek the legal advice of an attorney.~~

~~New York State Division of Human Rights (DHR)~~

~~The Human Rights Law (HRL) codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State regarding harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law~~

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~~may be filed either with DHR or in New York State Supreme Court.~~

~~Sexual harassment complaints may be filed with the DHR any time within three years of the harassment. All other harassment complaints may be filed with the DHR any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court.~~

~~Complaining internally to Perry Public Library does not extend the time to file with DHR or in court. The one to three years is counted from date of the most recent incident of harassment.~~

~~An attorney is not needed to file a complaint with DHR, and there is no cost to file with DHR.~~

~~DHR's main office contact information is: NYS
Division of Human Rights, One Fordham
Plaza, Fourth Floor, Bronx, New York 10458,
(718) 741-8400, www.dhr.ny.gov.~~

~~Contact DHR at (888) 392-3644 or visit
dhr.ny.gov/complaint for more information
about filing a complaint. The website has a
complaint form that can be downloaded, filled
out, notarized, and mailed to DHR. The
website also contains contact information for
DHR's regional offices across New York
State.~~

~~United States Equal Employment Opportunity
Commission (EEOC)~~

~~The EEOC enforces federal anti-discrimination laws,
including Title VII of the 1964 federal Civil
Rights Act (codified as 42 U.S.C. § 2000e et
seq.). An individual can file a complaint with
the EEOC anytime within 300 days from the
harassment. There is no cost to file a
complaint with the EEOC. The EEOC will
investigate the complaint and determine
whether there is reasonable cause to believe
that discrimination has occurred, at which
point the EEOC will issue a Right to Sue letter~~

~~permitting the individual to file a complaint in federal court.~~

~~The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.~~

~~If an employee believes that they have been discriminated against at work, they can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling (800) 669-4000 (800) 669-6820 (TTY), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.~~

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~~Contact the Local Police Department
If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.~~

2.03 GENDER INCLUSION

2.03 GENDER INCLUSION

Perry Public Library is committed to creating a safe and productive workplace environment for all employees, including those who identify as transgender or gender nonconforming.

EMPLOYEE RIGHTS

Employees have the right to discuss their gender identity or expression openly, or to keep that information private. Employees also have the right to be addressed by the name and pronoun that correspond to their gender identity and use the restroom or other facilities that corresponds to their gender identity. Employees

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also have the right to comply with the **Library's Professional Attire** policy in a manner consistent with their gender identity.

NON-DISCRIMINATION/NON-HARASSMENT

As stated in the **Equal Employment Opportunity the Non-Harassment/Non-Discrimination policy, Perry Public Library** does not discriminate based on sex, sexual orientation, gender identity, or gender expression. Any incident of discrimination, harassment, or violence based on gender identity or expression will be given immediate and effective attention, including, but not limited to, investigating the incident, taking suitable corrective action, and providing employees and staff with appropriate resources.

ADDITIONAL INFORMATION

Employees who have questions about this policy, including changes to their official record or who would like to discuss their personal circumstances, may contact the **Library Director**. The needs of each employee will be assessed on a case-by-case basis and in accordance with applicable federal, state and local law.

2.04 PREGNANCY ACCOMMODATIONS

The Library will not discriminate against an employee who requests an accommodation due to pregnancy, childbirth and related conditions.

REASONABLE ACCOMMODATIONS

Employees and applicants for employment may request a reasonable accommodation for pregnancy-related conditions, including, but not limited to, lactation. For purposes of this policy, a "pregnancy-related condition" is a medical condition related to pregnancy or childbirth that inhibits the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques but does not prevent the employee from performing their job functions in a reasonable manner, with or without a reasonable accommodation. Reasonable accommodations may include but are not limited to: providing an accessible worksite; acquiring or modifying equipment; job restructuring and modifying work schedules provided, however, that such actions do not impose an undue hardship on the business.

The Library will provide a reasonable accommodation that would enable the employee or applicant to perform their job functions in a reasonable manner, unless the accommodation would impose an undue hardship on the Library's operations.

CERTIFICATION REQUIREMENTS

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Employees may be required to provide medical or other information that is necessary to verify the existence of the pregnancy-related condition or that is necessary for the Library's consideration of a reasonable accommodation. Such medical information will be kept confidential and disclosed only as permitted by law.

ADDITIONAL INFORMATION

Employees or applicants for employment who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact the Director. Employees who need reasonable break time to express breast milk for their child should consult the Library's Working Hours policy and can discuss those arrangements with the Director.

2.04 REPRODUCTIVE HEALTH DECISIONS

Perry Public Library complies with state law regarding reproductive health decisions as outlined in this policy.

NON-DISCRIMINATION/ NO RETALIATION

The Library will not discriminate or retaliate against an employee because of the employee's, or a dependent of the employee's, reproductive health decision-making, including the use of particular drugs, devices or medical services. The Library also will not, without prior informed written consent, access personal information regarding the reproductive health decision-making of employees or their dependents and will not require an employee to sign any document or waiver denying that employee the right to make their own reproductive health decisions.

Employees subjected to unlawful discrimination or retaliation on the basis of reproductive health decision-making can bring an action in court and may be entitled to certain remedies, including monetary and injunctive relief.

ADDITIONAL INFORMATION

Employees who feel they have been subjected to discrimination or retaliation on the basis of their reproductive health decision-making, or that of a dependent, or to any other violation of this policy, should contact the Director.

2.05 INDIVIDUALS WITH DISABILITIES

Perry Public Library complies with the New York State Human Rights Laws which make it unlawful to discriminate in employment against a qualified individual with a disability. The Library prohibits discrimination against employees and applicants with disabilities in all aspects of employment. Our Library's commitment to this policy includes making reasonable accommodations to otherwise qualified persons with disabilities to enable them to perform the essential functions of their jobs, unless doing so would pose an undue hardship on our business, would pose a direct threat of substantial harm to the employee or others, or is otherwise not required by applicable law.

OUR COMMITMENT

An employee or applicant in need of a reasonable accommodation should make the Library aware of their request by notifying the Director. The Library will work with each individual to define their job-related or application-related needs and to try to accommodate those needs.

QUALIFIED INDIVIDUALS WITH DISABILITIES

Qualified individuals with disabilities are defined as individuals with disabilities who can perform the essential functions of the job in question with or without reasonable accommodation. The term disability is defined by applicable law.

REASONABLE ACCOMMODATION

A reasonable accommodation is any change or adjustment to a job, the work environment or the way things usually are done that enables a qualified individual with a disability to perform the essential functions of the job and that does not pose an undue hardship for the Library or create a direct threat to health or safety.

When requesting an accommodation, employees are required to notify the Director of the need for the accommodation. The Library may ask for medical documentation supporting the need for an accommodation and all supporting documentation should be returned as quickly as possible to prevent a delay in the accommodation process.

Requests for a reasonable accommodation for a medical condition and any supporting documentation, will be treated as confidential, maintained in a file separate from an employee's other personnel documents and disclosed only as permitted by applicable law.

DETERMINING APPROPRIATE ACCOMMODATIONS

Frequently, when a qualified individual with a disability requests a reasonable accommodation, the appropriate accommodation is easily agreed upon. The individual may recommend an accommodation based on their life or work experience. The ultimate decision as to whether a particular accommodation will be made rests with the Library. When the appropriate accommodation is not obvious, the Library may assist the individual in identifying one. If more than one accommodation will enable the individual to perform the job, the Library reserves the right to choose which accommodation it will make.

Employees who feel they have been unreasonably denied an accommodation [or who have questions concerning this policy](#) should contact the [Library Director](#).

2.06 RELIGIOUS ACCOMMODATION

It is Perry Public Library's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's religion or creed.

RELIGIOUS ACCOMMODATION

Consistent with this policy against discrimination, any employee whose religious practices conflicts with the employee's job, schedule, the employer's dress code, or with other aspects of the individual's employment and who requires a religious accommodation, may submit a request orally or in writing for an accommodation to the Director. The request must include a description of the religious conflict and the employee's suggested accommodation(s). Perry Public Library may require the employee to document their religious accommodation request in writing.

Once the employee has submitted their request for an accommodation, Perry Public Library will evaluate the request, giving due consideration to whether a work conflict exists due to a sincerely held religious belief or practice and whether a reasonable accommodation exists which would not create an undue hardship on the Library.

The Director will meet with the employee to discuss the request and propose a reasonable accommodation, should one exist. If the employee accepts the Library's proposed religious accommodation, the supervisor and/or Director will implement the accommodation. If the employee rejects the proposed accommodation, the employee may lodge an appeal pursuant to Perry Public Library's Open Communication policy. Perry Public Library will provide reasonable accommodations of religion consistent with its obligations under applicable law.

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ADDITIONAL INFORMATION

Employees who [have questions concerning this policy or](#) feel they have been unreasonably denied an accommodation should contact the Director.

2.07 CODE OF ETHICS

Perry Public Library's reputation is dependent upon the good judgment, ethical standards, and personal integrity of every individual in our Library. As our Library continues to grow, it is of paramount importance that we always conduct our day-to-day activities in an ethical and responsible manner. It is our expectation that all employees of Perry Public Library will be treated with dignity and respect.

CONFLICT OF INTEREST

Employees must refrain from participating in any activity or business venture which could conflict with the interests of Perry Public Library. Specifically, employees may not accept personal payment or other benefits from any supplier or patrons of the Library, nor should they take any action as a representative of the Library for personal gain. Employees also may not accept a second job with a customer, competitor or supplier of the Library where there is an actual or perceived conflict.

PROPRIETARY INFORMATION

In working at Perry Public Library, employees will learn things about the Library and our patrons which are proprietary or confidential. Every employee of the Library has a professional and ethical responsibility to treat this information as privileged and to ensure such information is not improperly or accidentally disclosed.

New York Civil Practice Law, Sec. 4509, Library Records

Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college and university libraries and library systems of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.

Upon termination of employment, employees must return all Library property and all copies of documents, notes, flash drives and other repositories containing pricing lists, invoices, marketing methods, management information systems, financial information, employee lists and all other information that is not general public knowledge relating to Perry Public Library and not retain any duplicates.

RECEIVING AND GIVING GIFTS

Employees should avoid situations that could create an actual or perceived conflict of interest, or that could otherwise hinder an employee's ability to perform their job in an honest and ethical manner. To this end, employees may not accept or give

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substantial gifts, favors or excessive business entertainment from patrons or suppliers. A gift, favor or entertainment is considered substantial or excessive if it might influence an employee's business relationship with the donor. Generally, substantial gifts or favors are defined as having a value of \$75 or more and should be reported to the Director.

EMPLOYEE'S RESPONSIBILITY EMPLOYEE'S RESPONSIBILITY

Employees are responsible for promptly advising management of any violation or suspected violation of these guidelines on conflicts of interest, proprietary information or gift giving and receiving or any violation or suspected violation of any other Library policy. Violations of this policy are subject to disciplinary action, up to and including termination of employment and, if applicable, legal action. The Library protects those employees from retaliation who in good faith report possible inappropriate, unprofessional, illegal or unethical actions. Any employee who believes they have been retaliated against in violation of this policy should notify the Director immediately. Individuals who engage in any retaliation in contravention of this policy are subject to disciplinary action in accordance with the Library's Standards of Conduct policy.

ADDITIONAL INFORMATION

Employees should meet with their supervisor or Director if they have questions regarding the application of this policy.

2.08 WHISTLEBLOWER PROTECTION

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

If an employee has a reasonable belief that an employee or the Library has engaged in any action that violates any applicable law, or regulation, including those concerning accounting and auditing, or constitutes a fraudulent practice, the employee is expected to immediately report such information to the Director. If the employee does not feel comfortable reporting the information to the Director, he or she is expected to report the information to the President of the Board of Trustees, the Vice President, or the Chair of the Personnel Committee. All reports will be followed up promptly, and an investigation conducted.

In conducting its investigations, the Library will strive to keep the identity of the complaining individual as confidential as possible, while conducting an adequate review

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and investigation. The Library will not retaliate against an employee in the terms and conditions of employment because that employee: (a) reports to a supervisor, to the Director, the Board of Directors, or to a federal, state or local agency what the employee believes in good faith to be a violation of the law; or (b) participates in good faith in any resulting investigation or proceeding, or (c) exercises his or her rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect the employee's rights. The Library may take disciplinary action (up to and including termination) against an employee who in management's assessment has engaged in retaliatory conduct in violation of this policy. Supervisory staff will be trained on this policy and the Library prohibition against retaliation in accordance with this policy.

SECTION THREE

EMPLOYEE RELATIONS

3.01 EMPLOYMENT ELIGIBILITY & WORK AUTHORIZATION

Perry Public Library is committed to employing only individuals who are authorized to work in the United States and who comply with applicable immigration and employment law.

EMPLOYMENT ELIGIBILITY AND WORK AUTHORIZATION

As a condition of employment, every individual must provide satisfactory evidence of their identity and legal authority to work in the United States within three business days of commencing employment. If the employee cannot verify their right to work in the United States within three business days of employment, the Library will be required to terminate employment immediately.

3.02 CIVIL SERVICE APPOINTMENTS & PROBATIONARY PERIOD

PERSONNEL APPOINTMENTS

The Trustees of the Perry Public Library shall hire the Library Director. All other staff shall be hired by the Library Director and approved by the Board of Trustees. The staff of the Perry Public Library consists of the Library Director, Youth Services Librarian, Library Assistants, and Library Clerks, as determined by the Board.

As a school district public library, Perry Public Library's staff appointments must comply with Civil Service Requirements. Details can be found in Section 44 of Civil Service Law.

PROBATIONARY PERIOD

Except as otherwise provided in Civil Service rules, every permanent appointment from an open-competitive list and every permanent appointment to a position in the non-competitive, exempt or labor class shall be for a probationary term of between eight weeks up to fifty-two weeks.

Every permanent appointment from a promotion eligible list shall be for a probationary term of between eight up to twenty six weeks.

An appointment shall become permanent upon the retention of the probationer after his/her completion of the maximum period of probation or upon earlier written notice following complete of the minimum period of probation that his/her probationary term is successfully completed. A copy of such notice shall be sent to the Commission.

If the conduct or performance of a probationer is not satisfactory, his/her employment may be terminated at any time after the completion of the minimum

period of probation and on or before the completion of the maximum period of probation in the manner as prescribed in these rules.

For additional information, please review the Rules for Classified Service of Wyoming County available at the Wyoming County Civil Service's website.

3.03 EMPLOYMENT CLASSIFICATIONS

Employees of our Library are employed based on the classifications detailed below. Perry Public Library offers different employment classifications in order to meet staffing and business requirements and accommodate employee needs and schedule preferences.

FULL-TIME

Employees in this category are regularly scheduled to work at least 37.5 hours per week and receive benefits based on position, length of service and scheduled hours.

PART-TIME

Employees in this category are regularly scheduled to work less than 37.5 hours per week and are eligible for certain benefits as stated to them in writing based on position, length of service and may be eligible for medical insurance based on hours worked.

FLSA CLASSIFICATIONS

Under the Federal Fair Labor Standards Act (FLSA), all positions, regardless of employment classification, are classified as either exempt or non-exempt for overtime and minimum wage requirements based on the nature of the job duties and amount of wages.

Exempt Employees

The FLSA provides an exemption from both minimum wage and overtime pay for employees employed as executive, administrative, professional, outside sales and computer employees.

Non-Exempt Employees

Under the FLSA, non-exempt employees must be paid at least the federal minimum wage for all hours worked and overtime pay at one and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

3.04 WORKING HOURS

Our Library observes a 37.5 hour workweek. Time records are kept for each non-exempt employee showing the hours worked each week.

WORKWEEK

Due to the nature of our business, workdays and hours may vary with the job. Our standard workweek consists of 7.5 hours per day, 5 days per week.

MEAL BREAK

Employees working at least a six-hour workday, which extends over the noon meal break (11 a.m. to 2 p.m.), are entitled to a 30-minute meal break to be taken between 11 a.m. and 2 p.m.

An uninterrupted meal break lasting 30 minutes will be unpaid for non-exempt employees.

Employees may not take a shorter meal break or skip a meal break to leave early. All non-exempt employees must record their meal breaks.

If for any reason an employee's meal break is interrupted, the employee must notify their supervisor and the time should be recorded as worked. The employee will be paid for the time and will receive an uninterrupted meal break as soon as practicable. Employees should contact their supervisor if they have any questions regarding the meal break.

NURSING MOTHERS' PROTECTION

Nursing mothers may receive unpaid break time each day to express breast milk for up to three years after the birth of a child. Meal periods and unpaid break time may also be used for this purpose. No employee will be penalized or retaliated against for choosing to express breast milk.

For employees who work onsite, a nearby private area or room, which is not a bathroom, will be provided in which the employee may express breast milk. Employees needing a private area for expressing breast milk should see their supervisor or the Director for more details.

TIME RECORDS

Non-exempt and exempt employees are responsible for recording their hours worked and any absences in the Library's timekeeping system and approving their time on a biweekly basis by Monday following the pay period end. Employees are prohibited from engaging in off-the-clock work or unrecorded work.

~~Employees are also required to record the beginning and end of meal periods. Under no circumstances should an employee record time for another employee. Should an employee forget to record their time, the employee should notify their~~

supervisor and they will make the appropriate notations in the timekeeping system. Under no circumstances should an employee record time for another employee. Should an employee forget to record their time, the employee should notify the Director and make the correct notation in the time keeping system so the Director can correct the issue.

To ensure accurate recordkeeping of hours worked, non-exempt employees are required to enter their time into the time system as close as possible to the beginning or end of their actual working time. Non-exempt employees may not work overtime and may not work or enter their time into the time system more than **five** minutes before their authorized start time or after their authorized ending time without advance written permission from their supervisor.

If you miss a punch, please notify the Director through the timekeeping system, or if the system is down, through written notice ASAP after the event.

FLEXIBLE WORK SCHEDULES

Our Library offers a flexible work schedule to assist in balancing work and family life. Supervisors will discuss the flexible work schedule policy with employees. Once an employee has established their work schedule, it cannot be changed without the supervisor's approval.

3.05 PAY PRACTICES

Perry Public Library is committed to a policy of fair and equitable compensation for all employees.

WAGE AND SALARY PROGRAM

The Trustees of the Perry Public Library shall set the salaries of all staff. Wage rates are assigned to each job based on job requirements and the economic conditions of the Library and the marketplace, as well as each employee's qualifications, skills and abilities. The Library endeavors to comply with all federal, state and local laws with respect to the payment of wages.

PAYDAY

Employees are paid biweekly on Fridays. If payday falls on a holiday, employees will ordinarily be paid on the day before the holiday.

PAYROLL

Employees have the option of being compensated by direct deposit. The Director answers questions regarding compensation options.

GARNISHMENTS

A court may order the Library to garnish amounts directly from an employee's paycheck. The Library is required to withhold the amount indicated in the garnishment from the employee's paycheck in accordance with federal, state and local law.

COMPENSATION FOR EMERGENCY CLOSINGS

If the library has to close for an emergent situation the regularly scheduled staff will be paid. An emergent situation will be defined as any situation where the staff cannot be notified of a library closing within 24 hours of such a closing.

OVERTIME

When operating requirements cannot be met during regular work hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided.

Non-exempt employees will be paid one and one-half times their regular rate of pay for all hours worked over 40 hours in a workweek.

For purposes of calculating overtime, the Library's seven-day workweek begins on **Sunday** and ends on **Saturday**.

Paid time off, including holidays, PTO **is not** counted as hours worked when calculating overtime.

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All overtime work must receive the supervisor's prior authorization.

Failure to work assigned overtime, or working unauthorized overtime may result in disciplinary action, up to and including termination.

OUTSIDE WORK ACTIVITIES

Unless pre-approved by the Director non-exempt employees are prohibited from performing work activities during non-working hours. This includes, but is not limited to, accessing electronic communication through cell phones, text messages and emails for work-related purposes and performing preparatory work outside of regular work hours. Time spent accessing work-related electronic communication outside of regular work hours or performing any other work during non-working hours must be pre-approved by the supervisor. Any such time, regardless of whether it has been approved or not, must be recorded and reported as time worked in the Library's time system.

TRAVEL/EXPENSE REIMBURSEMENT

Employees will be reimbursed for pre-authorized expenses, such as: Library-related travel mileage, lodging expenses, airfare, meals, or other business expenses incurred on behalf of Perry Public Library. Reimbursement of non-standard expenses (including the purchase of alcoholic beverages) incurred on business trips is within the sole discretion of the Library.

Employees will be reimbursed for their mileage at the Library's current reimbursement rate, half mileage. In addition to obtaining pre-approval, the employee must complete a travel/expense reimbursement form, attach any receipts, and submit to the Director.

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Clerical staff are encouraged to attend staff development opportunities as specified by the Library Director and will be paid at their normal rate of pay for their hours of attendance. Employees should ask their supervisor or Director for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses or any other business travel issues.

Abuse of this policy, including falsifying expense reports to reflect costs not incurred by the employee, may result in disciplinary action, up to and including termination of employment.

OVERPAYMENTS

In the event an employee is overpaid due to a mathematical or clerical error, Perry Public Library will proceed to recoup the overpayment via wage deductions in accordance with the New York State Labor Law. Employees who become aware of an overpayment must notify the Director immediately. For more information, employees should contact the Director.

POLICY FOR DEDUCTIONS FROM WAGES

Employee pay stubs itemize deductions made from gross earnings. The Library is required by law to make deductions for Social Security, federal income tax and any

other appropriate taxes. These required deductions may also include any court-ordered garnishments. Pay stubs also itemize any voluntary deductions such as an employee's portion of New York State Retirement, to the extent applicable. If applicable, pay stubs will also differentiate between regular and overtime pay received. The Library also has an after-tax deduction for Paid Family Leave. Please see the Paid Family Leave Policy for details on that deduction.

It is our policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and applicable state law. In turn, supervisors are prohibited from making any improper deductions from the salaries of exempt employees or from the wages of any employee that are not consistent with federal and state wage and hour laws.

PERMITTED DEDUCTIONS FROM EXEMPT EMPLOYEE'S PAY

Employees who are classified as exempt must record absences from work for reasons such as PTO or sick leave.

Exempt employees are paid on a salary basis. This means the employee regularly receives a predetermined amount of compensation each pay period, which cannot be reduced because of variations in the quality or quantity of the employee's work. In general, an exempt employee will receive their salary for any week in which the employee performs any work, regardless of the number of days or hours worked.

Under federal and state law, an exempt employee's salary may be subject to certain deductions. For example, absent contrary state law requirements, an exempt employee's salary can be reduced as either partial-day or full-day deductions for the following reasons:

- Full-day absences for personal reasons other than sickness or disability.
- Full-day absences for sickness or disability, if the employee has exhausted or is not yet eligible for paid time off under a bona fide policy or plan that provides compensation for salary lost due to illness.
- Full-day disciplinary suspensions for infractions of written policies and procedures.
- Penalties imposed in good faith for infractions of safety rules of major significance.
- Unpaid leave taken under the Family and Medical Leave Act (if applicable).
- To offset amounts received as jury and witness fees or military pay.
- The first or last week of employment when an employee works less than a full week.
- Any full workweek in which an employee does not perform any work.

In a workweek in which an exempt employee performs any work, the employee's salary will not be reduced for any of the following reasons:

- Partial day absences.

- Absence on a scheduled workday in which the Library has decided to close the facility at which an employee is scheduled to work and has not designated an alternate work site.
- Absences for jury duty, attendance as a witness or military leave, except that the Library may offset the employee's salary based on the received as jury or witness fees or military pay.
- Any other deductions prohibited by federal or state law.

Please note: It is not an improper deduction to reduce an employee's accrued PTO/vacation, sick leave, or other forms of paid time off for full- or partial-day absences.

It is Library policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and applicable state law. The Library prohibits any deductions from pay that violate the FLSA or applicable state law.

REPORTING IMPROPER DEDUCTIONS OR OTHER ERRORS

Employees should immediately contact the Director with questions about deductions or to report improper deductions and/or errors. Employees will not be retaliated against for making a complaint.

Reports of improper deductions or other errors will be promptly investigated. If it is determined that an improper deduction or other error has occurred, the employee will be promptly reimbursed.

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable federal and state laws. To ensure accurate pay and proper deductions for all time worked, employees must correctly record all work time. Additionally, employees should promptly review their paychecks to identify and report all errors.

3.06 ATTENDANCE

Each employee's position and the work that they do at Perry Public Library is important. It is essential that employees be at work on time for us to serve our patrons and run our Library in an efficient manner.

PUNCTUALITY

Although individual schedules may vary, employees should be at their work area on time, ready to work. Punctuality is important. Consistent, unexcused tardiness, as determined by the Library, is considered a performance issue and is subject to disciplinary action, up to and including termination of employment.

EMPLOYEE'S RESPONSIBILITY

An employee who is going to be late or absent from work must contact the Director **30 minutes** before their scheduled start time or as soon as is practicable under the circumstance. Employees may contact their supervisor via call or text.

An employee that is absent for **two** consecutively scheduled days without contacting their supervisor will be considered to have voluntarily resigned from their position.

3.07 OPEN COMMUNICATION

3.07 OPEN COMMUNICATION

Our Library is committed to the principle of open communication between employees and their supervisor concerning any aspect of the employment relationship.

WORKING TOGETHER, WE CAN FIND A SOLUTION TO ANY PROBLEM

In every Library there are honest differences of opinion about working conditions, discipline, policies, and other work-related matters. Employees should not keep concerns to themselves and are encouraged to communicate their issues to management via the steps outlined below. Problems that are unknown cannot be solved. If an employee has a work-related complaint, concern, or problem of any kind, we will welcome the opportunity to discuss it with the employee and resolve it.

FIRST STEP

Employees who have a problem, complaint, question, or suggestion about any aspect of our Library are encouraged to discuss the issue with their immediate supervisor. We hope that most matters can be satisfactorily resolved by such discussions.

SECOND STEP

Employees who are not satisfied with the outcome of this first step or are not comfortable raising a particular issue with their supervisor, are welcome to discuss the situation with the Director. They will meet with the employee and/or their supervisor and attempt to reach a satisfactory solution. A written response will be given within 5 working days.

THIRD STEP

Employees who are not satisfied with the outcome of the second step or are not comfortable raising a particular issue with the Director, are encouraged to discuss the situation with the Board President. After notification of the Director of their intent, the staff member may request, in writing, a meeting with the Trustees to discuss the grievance. They will review the situation in its entirety, meet with the employee and attempt to reach a satisfactory solution. The meeting will occur within 10 business days.

If for any reason an employee does not feel comfortable speaking with their supervisor or the designated management assigned in any step of this policy, the employee should feel free to discuss their concerns with any other member of management with whom the employee feels comfortable.

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3.08 STANDARDS OF CONDUCT

The staff should always be alert and approachable. Patrons should not be allowed to feel that staff members are completely absorbed in work or conversation among themselves and, thus, too busy to assist. Prolonged visiting with friends and acquaintances, in person or on the phone (including texting) and discussion of personal business, is unprofessional and a breach of good taste. Personal use of the computer should be limited to break times.

Dress should be appropriate for the job. Staff should take care to present a neat, professional appearance.

To ensure safety and security and provide the best possible work environment, we expect employees to follow basic, common-sense rules of conduct that will protect everyone's interests and safety.

INITIAL DISCUSSIONS

Before taking corrective action, the supervisor will meet with the employee to explain why the need for corrective action is warranted.

It is not possible to list all forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions that may result in disciplinary action, including suspension, demotion, or termination of employment:

- Falsification of employment records, employment information or other records;
- Recording the work time of another employee, allowing any employee to record another employee's work time, or allowing falsification of any record;
- Theft or the deliberate or careless damage of any Library property or the property of any employee or patron;
- Use of Library materials, supplies, or tools for personal reasons without advanced permission from the Director;
- Abuse of the Library's electronic resources, including sending personal emails during working time or in a manner that interferes with the employee's work performance;
- Possessing, distributing, selling, transferring, using or being under the influence of alcohol or illegal drugs in the workplace;
- Provoking a physical fight or engaging in physical fighting during working hours or on premises owned or occupied by the Library;
- Carrying firearms, weapons or dangerous substances at any time, on premises owned or occupied by the Library, unless state law provides otherwise;
- Using abusive, violent, threatening or vulgar language at any time during working hours or while on premises owned or occupied by the Library;
- Failing to obtain permission to leave work during normal working hours;
- Failing to observe working schedules, including meal and rest breaks;
- Working overtime without authorization or refusing to work assigned hours;
- Violating any safety, health or security policy, rule or procedure of the Library; and

- Committing a fraudulent act or intentional breach of trust under any circumstances.

CORRECTIVE ACTION

Staff may be terminated or demoted for lack of library funds, failure to perform his/her assigned duties, disciplinary reasons or other just cause. The Director, for reasonable cause, may suspend a staff member for up to 5 days without pay. The staff member will receive a written statement of the reasons for the suspension. Any termination or suspension may be grieved through the grievance process.

Section 75 of the Civil Service Law provides rights for certain permanent employees with regards to removal or other disciplinary action. Section 75 must also be observed when reprimanding or disciplining a permanent appointee who has not completed the minimum period of probation.

Covered Employees

The following employees have rights under Section 75 of the Civil Service Law:

1. A person holding a position by permanent appointment in the competitive class of the classified civil service (*Library Director I, Librarian I, Library Assistant, FT Library Clerk*); or
2. A person holding a position by permanent appointment or employment in the classified service who is an honorably discharged service member of the Armed Forces of the United States having served therein as such a member in time of war as defined in Section 85 of Civil Service Law, or who is an exempt volunteer firefighter as defined in the General Municipal Law, except when a person described in this paragraph holds the position of private secretary, cashier or deputy of any official or department; or
3. A person holding a position in the non-competitive class, other than a position designated in the rules of the municipal civil service commission as confidential or requiring the performance of functions influencing policy, who since his/her last entry into service has completed at least five years of continuous service in the non-competitive class.

Disciplinary meetings with an employee should be documented with a summarizing memorandum, which should be kept on file with other evidence.

According to Section 75(2), an employee who appears to be a potential subject of disciplinary action has the right to representation by a certified or recognized organization during questioning. The employee must be notified in advance, in writing of this right.

Additional details regarding Section 75 proceedings can be found in the Civil Service Management Procedures.

AT-WILL EMPLOYMENT

Although employment may be terminated at-will by either the employee or the Library at any time, without following any formal system of discipline or warning, we may exercise discretion to utilize forms of discipline that are less severe than termination. Examples of less severe forms of discipline include verbal warnings, written warnings, performance improvement plans, demotions, and suspensions.

Although one or more of these forms of discipline may be taken, no formal order or procedures are necessary. The Library reserves the right to determine which type of disciplinary action to issue in response to any type of performance issue or rule violation.

This statement of prohibited conduct does not alter or limit the policy of at-will employment. Either the employee or the Library may terminate the employment relationship at any time for any reason, with or without cause, and with or without notice.

As previously set forth in this Employee Handbook, only the Director and Board Trustees or their authorized representative have the authority to enter into an employment agreement that alters the at-will employment relationship, and any such agreement must be in writing and signed by only the Director and Board Trustees or their authorized representative.

3.09 PERFORMANCE EVALUATIONS

3.09 PERFORMANCE EVALUATIONS

All employees will participate in a performance evaluation each calendar year. This evaluation will be based on the staff member's primary job responsibilities and upon factors universal for every staff member. Such factors may include: communication with the public, working with others, creativity, attendance, initiative, work attitude, organization and planning of work.

The instrument used in staff performance evaluations will be devised by the Library Director. Staff will have an opportunity, on an annual basis, to review the standards upon which they will be evaluated. They shall sign the performance plan at the beginning of the evaluation period acknowledging having had the opportunity to review the plan. Staff signature will not signify agreement with the proposed plan.

In the event there exists a conflict of interest, the Director will request a member of the Personnel Committee to be involved in and present during an employee evaluation.

The Trustees of the Perry Public Library are responsible for evaluating the performance of the Library Director using an instrument agreed upon by the Trustees.

Each employee has the right to attach a written statement to his/her evaluation.

All personnel evaluations will be kept in a confidential location.

3.10 New York Civil Rights Law 52-c Notice of Electronic Monitoring

The Library monitors, in its sole discretion, employees' use of its electronic resources. Any and all telephone conversations or transmissions on Library's systems, electronic mail or transmissions, or internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic, photoelectric or photo-optical systems may be subject to monitoring at any and all times and by any lawful means.

For additional information, please refer to the Social Media policy or contact the Library Director.

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SECTION FOUR

BENEFIT PROGRAMS

4.01 PAID TIME OFF

ELIGIBILITY

Full time employees will annually receive the following hours of Paid Time Off (PTO), dependent on the number of years worked at the library. At hire every employee will receive 165 hours of PTO, prorated to the quarter of hire. After five years of employment, 202.5 hours and after ten years of employment 240 hours. PTO hours are awarded every calendar year on January 1, not on the employee's date of hire anniversary. Full time employees can bank unused PTO and carry into the new calendar year, up to a maximum of 450 hours.

Part-time hourly employees will receive two weeks PTO based on their regularly scheduled hours. The Library Director will make it possible for all part-time staff to have flexible schedules, within reason, for unpaid leave for personal or family illness, and other personal needs.

Commented [PL2]: Proposed 3 weeks PTO. Also need to change cap of 40 hours if approved.

4.02 HOLIDAYS

Perry Public Library observes the following holidays each year. Time off for observance of holidays is paid for fulltime employees and unpaid for part time employees.

OBSERVED HOLIDAYS

New Year's Day	Indigenous People's Day
Martin Luther King Day	Veterans' Day
Presidents' Day	Thanksgiving Day
Memorial Day	<u>Christmas Eve (after 5 pm)</u>
Juneteenth	<u>Christmas Day</u>
Independence Day	<u>New Year's Eve (after 5 pm)</u>
Labor Day	

FLOATING HOLIDAYS

If an observed holiday falls on a Saturday when the library is normally open, Full Time staff will earn a floating holiday to be used within 12 months. The floating holiday cannot be used prior to the defined pay week of the holiday

HOLIDAY DURING VACATION/PTO

Eligible full time employees who are on PTO when a paid holiday is observed will receive pay for the holiday at their straight time rate and will not be charged for the PTO day.

WEEKEND HOLIDAYS

When a holiday falls on Sunday, it will generally be observed on the following Monday.

FLOATING HOLIDAYS UPON TERMINATION

Floating holidays are not paid upon termination of employment.

4.03 HEALTH INSURANCE

ELIGIBILITY

The Trustees of the Perry Public Library will offer full time, salaried staff health insurance, the amount of which will be determined by the Board of Trustees. Part time employees will not be offered a health insurance.

STIPEND

The employee will receive a stipend in lieu of health insurance, the amount of which shall be determined by the Board of Trustees (Personnel Committee in consultation with the Budget Committee). This stipend will be paid out through payroll and may be taxable income.

4.04 NEW YORK STATE RETIREMENT

ELIGIBILITY

The Library is a member of the New York State Local Retirement System. Full time salaried employees *are required to be enrolled* in the New York State and Local Retirement System. Part time staff may participate in the New York State Retirement System plan, if they so choose.

ADDITIONAL CREDITS

A person in good standing who retires from employment at the Perry Public Library and is already vested in the NY State Retirement System will be able to receive the benefit of claiming as additional service credit the unused, unpaid PTO hours (up to our library's maximum of 450 hours, which is 60 days). The New York State Retirement System specifies how this time is converted to service credit. For example, it may not be used to meet levels required for vesting or other milestones. It simply adds service credit to those milestones once they are reached. Specific guidelines can be found through the NY State Retirement System.

4.05 PAID SICK LEAVE

ELIGIBILITY

All employees (whether full-time or part-time) working in New York are eligible to receive paid sick leave.

ACCRUAL OF PAID SICK LEAVE

Eligible employees begin to accrue paid sick leave upon hire.

According to New York State, paid sick leave is accrued at a rate of one hour for every 30 hours worked, up to a maximum accrual of 40 hours each leave year. For purposes of this policy, the library defines sick leave as PTO and the “leave year” is January 1st through December 31st. If the employee earns more PTO through this process than was granted to them on January 1, those hours are awarded as work is completed. By law all unused PTO will roll over into the new calendar year.

Only actual hours worked count toward the employee’s accrual. Employees do not accrue time for hours not worked including use of leave under this policy as well as PTO or holidays.

USE OF PAID SICK LEAVE

Employees may use accrued leave for the following reasons impacting the employee or a member of their family for whom they are providing care or assistance with care:

Sick Leave (PTO)

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

Safe Leave

- For an absence from work when the employee or employee’s family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
 - to obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee’s family members;

- to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
- to file a complaint or domestic incident report with law enforcement;
- to meet with a district attorney's office;
- to enroll children in a new school; or
- to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

An individual is not eligible for safe leave where that individual has committed such domestic violence, family offense, sexual offense, stalking or human trafficking, regardless of any family relationship.

DEFINITION OF FAMILY MEMBER

For purposes of this policy "family member" means an employee's child, spouse, domestic partner, parent, sibling, grandchild or grandparent; and the child or parent of an employee's spouse or domestic partner.

For purposes of this policy "parent" means a biological, foster, step- or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child.

For purposes of this policy "child" shall means a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

INCREMENTS OF USE

Leave may be used in hour increments.

PAY DURING LEAVE

An employee's leave pay is based on the number of hours the employee is regularly scheduled to work at the employee's normal rate of pay or the applicable minimum wage, whichever is greater. Employees who are paid at more than one rate of pay will be paid based on the weighted average of those rates.

INTERACTION WITH OTHER LEAVES AND BENEFITS

Paid leave will run concurrently with leave taken under or any applicable federal and state law or Library policy, to the extent permitted by law.

The employee may elect to supplement their New York Paid Family Leave (PFL) benefit, or any other job protected leave with paid leave in increments of one hour.

The Library is committed to complying with all applicable laws. Employees should contact the Director for information about other federal and state medical, victim or family leave rights.

EMPLOYEE'S RESPONSIBILITY

Employees may provide verbal or written request of the need for leave to the Director.

QUESTIONS REGARDING ACCRUAL AND USE

Employees should contact the Director with any questions regarding records of individual accrual or use of paid leave.

CARRYOVER OR PAY OF UNUSED LEAVE

Unused leave will be carried over to the next leave year. The Library does not offer pay in lieu of taking paid leave.

CONFIDENTIALITY

Employees are not required to disclose confidential information relating to a mental or physical illness, injury, or health condition of such employee or such employee's family member, or information relating to absence from work due to domestic violence, a sexual offense, stalking, or human trafficking, as a condition of receiving leave.

REINSTATEMENT

Employees utilizing paid leave will be returned to the same position they held immediately prior to the use of leave with the same pay and other terms and conditions of employment.

NO RETALIATION

Employees have the right to request and use leave in a manner consistent with state law. The Library will not discriminate or retaliate, or tolerate discrimination or retaliation, against any employee who seeks or obtains leave under this policy or who otherwise exercises their rights under this policy. Employees who feel they have been retaliated against for such activity should immediately contact the Director.

MISUSE OF LEAVE

An employee who uses leave for purposes other than those provided for under this policy, or who lies in connection with taking such leave, will be subject to disciplinary action, up to and including termination.

PAID LEAVE AT SEPARATION

Unused leave is paid if sufficient notice is given. Sufficient notice is two weeks for hourly employees and 1 month for salaried employees. Unused leave is not paid upon termination from employment due to just cause.

4.06 SHORT-TERM DISABILITY INSURANCE

New York employees who are temporarily disabled by a nonwork-related injury or illness (including a disability due to pregnancy) may be eligible to receive disability benefits.

ELIGIBILITY

All employees who cannot work due to a non-job-related disability are covered under this short-term disability insurance program if they meet the eligibility requirements of the New York State Disability Benefits Law.

BENEFITS

Disability benefits are not paid during the first seven consecutive days of any period of disability. Benefits begin on the eighth consecutive day of a disability and may continue being paid for up to a maximum of 26 weeks during any one period of disability or in a 52-week period. Eligible employees will receive a weekly benefit amount equal to 50 percent of their average weekly wage for the eight weeks immediately prior to their disability, up to a maximum weekly benefit amount of \$170.00.

Employees will generally not be eligible to receive disability benefits if they are receiving workers' compensation, permanent disability or unemployment. Likewise, employees are ineligible for disability benefits if they perform any type of work for which they receive wages or profit, even if that work is performed at home.

INTERACTION WITH OTHER BENEFITS

Employees cannot collect both disability benefits and New York Paid Family Leave (PFL) benefits concurrently. An employee who is eligible for both PFL benefits and disability benefits in the same 52-week period may not receive more than 26 total weeks of combined PFL and disability benefits during that period.

Employees may use any accrued but unused PTO prior to receiving disability benefits. Employees may also choose to use accrued but unused PTO to supplement disability benefits received; if the employee chooses to do so, the Library will integrate all paid benefits so that the employee will not be paid more than their regular compensation at any time.

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COMPANY PAID SUPPLEMENTAL SHORT-TERM DISABILITY INSURANCE

The Library also provides supplemental short-term disability insurance at no additional cost to the employee. The weekly state insurance benefit is integrated with this additional supplemental benefit. Combined short-term disability benefits are 50% percent of an employee's average weekly wage, up to a maximum weekly benefit of \$340.00.

June 2022

COST

Disability benefits are funded by employee contributions made through payroll deductions. The amount of an employee's contribution depends on the employee's average weekly wage. The maximum deduction amount will be adjusted periodically by the state. The amount of any deduction taken will be reflected on an employee's pay statement. The cost of the supplemental or optional disability insurance is paid for by the **Library**.

LEAVE ENTITLEMENT

The disability benefits described in this policy are a partial wage replacement benefit, not a protected leave of absence. Employees are required to obtain approval for a leave of absence by contacting the Library Director and to comply with applicable eligibility, notice, and certification requirements when required by **Library** policy or applicable law.

When applicable, disability benefits will run concurrently with leave time available under the **Library's Disability Leave** policy and any other applicable law. [See the **Disability Leave** policy for additional information.

EMPLOYEE'S RESPONSIBILITY

Absences greater than seven days, may qualify for short-term disability insurance benefits. Employees must notify **the Library Director** immediately if they anticipate being on a medical leave beyond seven calendar days.

When filing a claim for disability benefits, employees will be required to submit a **Notice and Proof of Claim for Disability Benefits** and required certifications to **the Library** within 30 days of becoming disabled.

NO DISCRIMINATION AND NO RETALIATION

The **Library** takes its disability benefits obligations very seriously and will not interfere, restrain or deny the exercise of any right protected under the New York disability benefits law. If an employee believes that their New York disability benefits rights have been violated in any way, they should immediately report the matter to **the Library Director**.

ADDITIONAL INFORMATION

Employees may also contact **the Library Director** with questions regarding this policy.

This is intended as a brief introduction to the Short-Term Disability Insurance. A more thorough explanation of the plan is contained in the Summary Plan Description and plan documents available from the Library Director. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

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A loss of income due to disability can be destructive to an individual's or family's security. For this reason, our Library has opted to provide eligible employees with short-term disability insurance. This insurance program assists employees in replacing lost income in the event that an employee is disabled due to an off-the-job injury, illness or pregnancy.

4.07 DISABILITY LEAVE

ELIGIBILITY

All employees who cannot work due to a non-job-related disability are covered under this short-term disability insurance program if they meet the eligibility requirements of the New York State Disability Benefits Law.

BENEFITS

The benefits begin on the eighth calendar day of the disability and may continue for up to 26 weeks. Disability benefits are 50 percent of the employee's average weekly wage (based on the last eight weeks of employment) up to a maximum weekly benefit of \$170.00.

Employees are eligible to receive a combined total of 26 weeks of disability and New York Paid Family Leave benefits within a 52-week period.

COMPANY PAID SUPPLEMENTAL SHORT-TERM DISABILITY INSURANCE

Perry Public Library also provides supplemental short-term disability insurance at no additional cost to the employee. The weekly state insurance benefit is integrated with this additional supplemental benefit. This supplemental benefit continues for 26 weeks. Combined short-term disability benefits are 50 percent of an employee's average weekly wage, up to a maximum weekly benefit of \$340.00.

COST

The cost of the state-mandated short-term disability insurance is paid for by the Library. The cost of the supplemental or optional disability insurance is paid for by the Library.

LEAVE ENTITLEMENT

Employees may be eligible for a Disability Leave. See the Disability Leave policy for more information.

EMPLOYEE'S RESPONSIBILITY

Employees must notify the Director immediately if they anticipate being on a medical leave beyond seven calendar days.

This is intended as a brief introduction to the Short-Term Disability Insurance. A more thorough explanation of the plan is contained in the Summary Plan Description and plan documents available from the Director. In the event of a discrepancy between the terms of this policy and the official plan documents, the official plan documents will control.

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4.07 DISABILITY LEAVE

Our Library offers employees a leave of absence due to an injury or illness, including pregnancy-related disability, consistent with applicable law. During an unpaid disability leave, employees may be eligible to receive wage replacement benefits which will provide pay during leave.

ELIGIBILITY

All employees are eligible for this leave.

LENGTH OF LEAVE

Leave will be provided as medically necessary and consistent with the operational needs of the Library, for up to one year. The Library will comply with the requirements of state law.

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PAY DURING LEAVE

Disability leaves are unpaid except to the extent an employee is eligible to receive wage replacement benefits while on leave including workers' compensation benefits or short-term disability benefits. In addition, employees may use their PTO while on leave, to the extent permitted by law.

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Employees who receive workers' compensation or short-term disability benefits may choose to supplement their benefit with available PTO to receive up to 100 percent of their average weekly wage.

Employees should be aware workers' compensation or short-term disability insurance benefits are partial wage replacement benefits, not a job-protected leave of absence. Therefore, having applied for, or receiving these benefits, is not an automatic designation of leave under this policy, and employees are required to obtain approval for a leave of absence by contacting the Library Director and complying with the medical certification requirements of this policy.

MEDICAL CERTIFICATION

Prior to the granting of such leave, employees must provide the Director with a health care provider's certificate justifying the medical need for the disability leave and providing the expected date of return.

INTERACTION WITH OTHER LAWS AND LEAVES

Leave under this policy may be provided as a reasonable accommodation under state law.

Where applicable, this leave will run concurrent with any other leave required by law provided the employee is eligible for that leave.

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HEALTH INSURANCE DURING LEAVE

Our Library will continue to provide health insurance stipend for employees on authorized disability leave.

RETURN TO WORK

Before returning to work, employees are required to present documentation from a health care provider certifying they can return to work with or without a reasonable accommodation.

JOB REINSTATEMENT

We will make all reasonable efforts to return employees to the same or similar position as held prior to the disability leave, subject to our staffing and business requirements and applicable law. An employee's continued absence from work beyond the period of disability may be deemed a voluntary termination of employment.

4.08 NEW YORK PAID FAMILY LEAVE BENEFITS

~~This disability leave runs concurrently with any leave required by law provided the employee is eligible for that leave.~~

4.08 NEW YORK PAID FAMILY LEAVE BENEFITS

New York's Paid Family Leave (PFL) law provides job protected leave and wage replacement to eligible employees for qualifying events.

ELIGIBILITY

To be eligible, employees must: regularly work 20 or more hours per week and have been employed for at least 26 consecutive workweeks preceding the first full day family leave is taken; or regularly work less than 20 hours per week and have worked for at least 175 days preceding the first full day family leave is taken. Paid time off can be counted toward an employee's eligibility determination. Employees are eligible for PFL regardless of citizenship and/or immigration status.

PFL is granted to eligible employees who request time off for the following qualifying events:

- To participate in providing care, including physical or psychological care for a "covered family member" with a "serious health condition";
- To bond with a child during the first 12 months after the child's birth, adoption or foster care placement with the employee; or
- Due to a qualifying exigency for the employee's spouse, domestic partner, child, or parent who is on active military duty or has been notified of an impending call to active duty.

"COVERED FAMILY MEMBER" WITH A "SERIOUS HEALTH CONDITION"

Covered "family members" include:

- Spouse;
- Domestic partner (including same and different gender couples; legal registration not required);
- Child/stepchild and anyone for whom the employee has legal custody;
- Parent/stepparent;
- Parent-in-law;
- Grandparent;
- Grandchild; or
- Sibling.

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

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LENGTH OF LEAVE AND BENEFITS

Eligible employees may receive up to 12 weeks of job protected, paid time off for a PFL-qualifying reason within a 52-week period. Employees taking PFL will receive 67% of their average weekly wage, or 67% percent of the state average weekly wage, whichever is less.

PFL may be taken on a continuous or intermittent basis. Employees who take PFL on a continuous basis (e.g., in weekly increments) are eligible for the maximum number of weeks of leave, as indicated above.

Employees who take PFL in daily increments (intermittent leave) are eligible for paid leave based on the average number of days worked per week during a base period.

INTERMITTENT USE

Eligible employees may take leave under the PFL on an intermittent basis, in full-day increments. Employees may not take partial day leave under PFL.

When an employee takes intermittent PFL, the employee must provide notice to **the Library Director** as soon as is practicable before each day of intermittent leave.

More than one employee of **Perry Public Library** cannot use the same period of PFL to bond with the same child or to care for the same qualifying family member.]

EMPLOYEE NOTICE REQUIREMENTS

In the case of a foreseeable leave, a covered employee must provide **the Library Director** with advance notice 30 days before the date on which the leave would begin. If the employee is unable to provide 30 days' notice, they must provide notice as soon as it is practicable under the circumstances. Usually, this means giving notice the same day the employee receives notice or the next business day. If an employee does not give **the director** timely notice, the employee's PFL leave may be delayed or denied.

In giving notice, an employee must provide sufficient information for **the PFL Insurance carrier** to determine if the leave qualifies for PFL and the anticipated timing and duration of the leave.

PROCEDURE FOR REQUESTING LEAVE

Employees must complete and submit a Request for Paid Family Leave Form (PFL-1) with supporting documentation as follows to **the PFL insurance carrier**:

- (1) Bonding Certification: PFL-2 Form plus documentation;
- (2) Health Care Provider Certification: PFL-4 Form plus Personal Health Information (PHI) Release (PFL-3 Form); or
- (3) Military Qualifying Event: PFL-5 Form plus documentation.

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The Forms can be obtained from **the Library Director** or **the PFL insurance carrier**.

To submit a request for PFL, employees must:

- Complete the employee's portion of the PFL-1 Form.
- Submit the PFL-1 Form to **the Director**.
- The **Library** will complete its portion of the PFL-1 Form and return it to the employee within three business days.
- If the **Library** fails to respond, the employee may submit all materials directly to **the PFL insurance carrier**.
- Depending on the type of PFL leave the employee is seeking, the employee will be required to complete additional PFL forms as described in the letter from **the PFL insurance carrier**. Employees must submit the completed PFL forms to **the PFL insurance carrier** before or within 30 days after the start of their leave. **The PFL insurance carrier** must pay or deny leave requests within 18 calendar days of receiving an employee's completed forms.

CONTINUATION OF BENEFITS DURING LEAVE

An employee's use of PFL will not result in the loss of any employment benefits that accrued prior to the start of PFL.

Employees who choose to supplement PFL with accrued **PTO** will receive benefits, including seniority under the same terms and conditions that were in effect prior to the start of PFL.

All other employee-paid benefits will be retained as long as the employee continues to make premium payments.

PTO for part-time employees will still be based on the number of hours worked the previous calendar year.

CONCURRENCE WITH OTHER LEAVES/BENEFITS

Employees may choose to supplement PFL benefits with applicable **PTO**.

Short-Term Disability

Employees cannot use PFL and short-term disability benefits at the same time, but can use them consecutively, up to a maximum of 26 weeks of disability and PFL benefits combined in a rolling 52-week period. If an employee is unable to work and qualifies for workers' compensation benefits, the employee may not use PFL benefits at the same time the employee is receiving workers' compensation benefits. An employee receiving reduced earnings may be eligible for PFL.

COST

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PFL premiums are paid for by the employee and are deducted from the employee's paycheck on an after-tax basis. The deduction amount is set annually by the Department of Financial Services.

WAIVER OPTION

Employees have the option of filing a waiver for PFL benefits if:

- The employee's regular employment schedule is 20 hours or more per week, however the employee will not work 26 consecutive weeks; or
- The employee's regular employment schedule is less than 20 hours per week and the employee will not work 175 days in a 52-consecutive-week period.

Employees who are eligible to waive PFL benefits and wish to do so must complete and submit a waiver form to **the Library Director**. Employees who submit a waiver form will not make any contributions for PFL benefits and will not be eligible to receive PFL benefits. If the employee voluntarily revokes the waiver, or the employee's schedule changes such that it is anticipated that the employee will become eligible to receive PFL benefits, the waiver will be revoked, the employee must start making contributions on a going forward basis and must pay retroactive contributions to the employee's date of hire.

PERIODIC STATUS REPORTS AND RETURN FROM LEAVE

The **Library** may require an employee on PFL leave to report periodically on the employee's status and intent to return to work to the extent permitted by law.

Any employee who exercises their right to PFL will receive job protection. This means that upon the expiration of that leave, the employee will be entitled to return to the same position the employee held when leave began, or to an equivalent position with equivalent pay and other terms and conditions of employment.

QUESTIONS AND ADDITIONAL INFORMATION

Employees who have questions regarding this policy should contact the Library Director. For additional information concerning leave entitlements and obligations that might arise when PFL is either not available or exhausted, employees should consult the **Library's** other leave policies or contact **the Library Director**. The **Library** is committed to complying with PFL and shall interpret and apply this policy in a manner consistent with the PFL law and regulations. Employees who disagree with a denial of their claim for PFL may submit their dispute to arbitration. Employees will be provided with information about how to request arbitration with their PFL denial.

Employees are protected from discrimination and retaliation for requesting or taking PFL. If an employee believes their rights have been violated and/or job restoration has been denied as a result of requesting and/or taking PFL, the employee must send **the Library Director** a formal request for job reinstatement using the Formal Request for Reinstatement Regarding Paid Family Leave (Form

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PFL-DC-19), which can be found in the forms section of the New York Paid Family Leave website (<https://www.ny.gov/PaidFamilyLeave>). Employees must file the completed form with the **Library** and send a copy to: Paid Family Leave, P.O. Box 9030, Endicott, NY 13761-9030. If the **Library** does not comply with an employee's request for reinstatement within 30 days, the employee may file a PFL discrimination complaint with the Workers' Compensation Board using the Paid Family Leave Discrimination Complaint (Form PFL-DC-120), which is also available on the New York Paid Family Leave website. Once an employee's complaint is received, the Board will assemble the employee's case and schedule a preliminary hearing in front of a Workers' Compensation Law Judge.

New York's Paid Family Leave (PFL) law provides job-protected leave and wage replacement to eligible employees for qualifying events.

ELIGIBILITY

To be eligible, employees must: regularly work 20 or more hours per week and have been employed for at least 26 consecutive workweeks preceding the first full day family leave is taken; or regularly work less than 20 hours per week and have worked for at least 175 days preceding the first full day family leave is taken. Paid time off can be counted toward an employee's eligibility determination. Employees are eligible for PFL regardless of citizenship and/or immigration status.

PFL is granted to eligible employees who request time off for the following qualifying events:

- To participate in providing care, including physical or psychological care, for an employee's spouse, child, stepchild, parent, parent-in-law, stepparent, grandchild, grandparent, or domestic partner with a serious health condition;
- To bond with a child during the first 12 months after the child's birth, adoption, or foster care placement with the employee; or
- Due to a qualifying exigency for the employee's spouse, domestic partner, child, or parent who is on active military duty or has been notified of an impending call to active duty.

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

LENGTH OF LEAVE AND BENEFITS

Eligible employees may receive up to 12 weeks of job-protected, paid time off for a PFL-qualifying reason within a 52-week period. Employees taking PFL will receive 67% of their average weekly wage, or 67% percent of the state average weekly wage, whichever is less.

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PFL may be taken on a continuous or intermittent basis. Employees who take PFL on a continuous basis (e.g., in weekly increments) are eligible for the maximum number of weeks of leave, as indicated above.

Employees who take PFL in daily increments (intermittent leave) are eligible for paid leave based on the average number of days worked per week during a base period.

INTERMITTENT USE

Eligible employees may take leave under the PFL on an intermittent basis, in full-day increments. Employees may not take partial day leave under PFL.

When an employee takes intermittent PFL, the employee must provide notice to the Director as soon as is practicable before each day of intermittent leave.

MULTIPLE EMPLOYEES REQUESTING LEAVE

More than one employee of Perry Public Library cannot use the same period of PFL to bond with the same child or to care for the same qualifying family member.

In the case of a foreseeable leave, a covered employee must provide the Director with advance notice 30 days before the date on which the leave would begin. If the employee is unable to provide 30 days' notice, they must provide notice as soon as it is practicable under the circumstances. Usually, this means giving notice the same day the employee receives notice or the next business day. If an employee does not give the Director timely notice, the employee's PFL leave may be delayed or denied.

In giving notice, an employee must provide sufficient information for the PFL insurance carrier to determine if the leave qualifies for PFL and the anticipated timing and duration of the leave.

PROCEDURE FOR REQUESTING LEAVE

Employees must complete and submit a Request for Paid Family Leave Form (PFL-1) with supporting documentation as follows to the PFL insurance carrier:

- (1) Bonding Certification: PFL-2 Form plus documentation;
- (2) Health Care Provider Certification: PFL-4 Form plus Personal Health Information (PHI) Release (PFL-3 Form); or
- (3) Military Qualifying Event: PFL-5 Form plus documentation.

The Forms can be obtained from the Director or PFL insurance carrier.

To submit a request for PFL, employees must:

- Complete the employee's portion of the PFL-1 Form.

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- ~~The Library will complete its portion of the PFL-1 Form and return it to the employee within three business days.~~
- ~~If the Library fails to respond, the employee may submit all materials directly to the PFL insurance carrier.~~
- ~~Depending on the type of PFL leave the employee is seeking, the employee will be required to complete additional PFL forms as described in the letter from the PFL insurance carrier. Employees must submit the completed PFL forms to the PFL insurance carrier before or within 30 days after the start of their leave. The PFL insurance carrier must pay or deny leave requests within 18 calendar days of receiving an employee's completed forms.~~

CONTINUATION OF BENEFITS DURING LEAVE

~~An employee's use of PFL will not result in the loss of any employment benefits that accrued prior to the start of PFL.~~

~~Employees who choose to supplement PFL with accrued PTO will receive benefits, including seniority under the same terms and conditions that were in effect prior to the start of PFL.~~

~~All other employee-paid benefits will be retained as long as the employee continues to make premium payments.~~

~~PTO for part time employees will still be based on the number of hours **worked** the previous calendar year.~~

CONCURRENCE WITH OTHER LEAVES/BENEFITS

~~Employees may choose to supplement PFL benefits with applicable PTO.~~

Short-Term Disability

~~Employees cannot use PFL and short-term disability benefits at the same time, but can use them consecutively, up to a maximum of 26 weeks of disability and PFL benefits combined in a rolling 52-week period. If an employee is unable to work and qualifies for workers' compensation benefits, the employee may not use PFL benefits at the same time the employee is receiving workers' compensation benefits. An employee receiving reduced earnings may be eligible for PFL.~~

COST

~~PFL premiums are paid for by the employee and are deducted from the employee's paycheck on an after-tax basis. The deduction amount is set annually by the NYS Department of Financial Services.~~

WAIVER OPTION

~~Employees have the option of filing a waiver for PFL benefits if:~~

- ~~The employee's regular employment schedule is 20 hours or more per week, however the employee will not work 26 consecutive weeks; or~~

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Employees who are eligible to waive PFL benefits and wish to do so must complete and submit a waiver form to the Director. Employees who submit a waiver form will not make any contributions for PFL benefits and will not be eligible to receive PFL benefits. If the employee voluntarily revokes the waiver, or the employee's schedule changes such that it is anticipated that the employee will become eligible to receive PFL benefits, the waiver will be revoked, the employee must start making contributions on a going forward basis and must pay retroactive contributions to the employee's date of hire.

PERIODIC STATUS REPORTS AND RETURN FROM LEAVE

The Library may require an employee on PFL leave to report periodically on the employee's status and intent to return to work to the extent permitted by law.

Any employee who exercises their right to PFL will receive job protection. This means that upon the expiration of that leave, the employee will be entitled to return to the same position the employee held when leave began, or to an equivalent position with equivalent pay and other terms and conditions of employment.

QUESTIONS AND ADDITIONAL INFORMATION

Employees who have questions regarding this policy should contact the Director. For additional information concerning leave entitlements and obligations that might arise when PFL is either not available or exhausted, employees should consult the Library's other leave policies or contact the Director. The Library is committed to complying with PFL and shall interpret and apply this policy in a manner consistent with the PFL law and regulations. Employees who disagree with a denial of their claim for PFL may submit their dispute to arbitration. Employees will be provided with information about how to request arbitration with their PFL denial.

Employees are protected from discrimination and retaliation for requesting or taking PFL. If an employee believes their rights have been violated and/or job restoration has been denied as a result of requesting and/or taking PFL, the employee must send the Director a formal request for job reinstatement using the Formal Request for Reinstatement Regarding Paid Family Leave (Form PFL-DC-19), which can be found in the forms section of the New York Paid Family Leave website (<https://www.ny.gov/PaidFamilyLeave>). Employees must file the completed form with the Library and send a copy to: Paid Family Leave, P.O. Box 9030, Endicott, NY 13761-9030. If the Library does not comply with an employee's request for reinstatement within 30 days, the employee may file a PFL discrimination complaint with the Workers' Compensation Board using the Paid Family Leave Discrimination Complaint (Form PFL-DC-120), which is also available on the New York Paid Family Leave website. Once an employee's complaint is received, the Board will assemble the employee's case and schedule a preliminary hearing in front of a Workers' Compensation Law Judge.

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4.09 BEREAVEMENT LEAVE

When a death occurs in the immediate family, the Library will provide time off with pay, up to a maximum of five days, commensurate with the employee's regular work schedule/work hours. Members of the immediate family are considered to be: parents, spouse, children, siblings, parents-in-law, sons/daughters-in-law, stepchildren, stepparents, foster children.

In the case of other close relatives who are not considered members of the employee's immediate family (as defined above), the use of Bereavement Leave will be determined by the Director of the Perry Public Library.

4.10 TIME OFF FOR CANCER SCREENING

In accordance with Civil Service Law Sections 159-b, the Library provides paid time off for employees to be screened for cancer. Employees are eligible to receive up to four hours of paid time off for cancer screening, per calendar year.

ELIGIBILITY

Upon hire, all employees are eligible to receive paid time off to be screened for cancer. Employees must complete a "Time-Off for Cancer Screenings Form" and return it to the Director.

The form may be obtained from the Director.

EMPLOYEE'S RESPONSIBILITY

Once the employee has attended the screening appointment, the employee must return the "Verification of Time-Off for Cancer Screenings Form" to the Director to receive compensation for the time off.

ADDITIONAL INFORMATION

Any questions regarding this policy should be directed to the Director.

4.11 JURY DUTY & COURT ATTENDANCE

44.11 JURY DUTY & COURT ATTENDANCE

Our Library considers service on a jury to be an important civic duty.

JURY DUTY PAY

Full-time employees who are called to serve on jury duty will be paid their regular salary, less any compensation received for such service. Part-time staff will receive the same benefit on a pro-rated basis.

DOCUMENTATION

Employees must submit a copy of the Jury Duty Attendance Certificate to their supervisor indicating the dates served. Employees must ask the court to provide a copy of the attendance certificate when their jury duty is complete.

TIME AWAY FROM WORK

In fairness to the Library, employees are expected to return to work if they are excused from jury duty during their regular working hours.

COURT ATTENDANCE

Employees who are subpoenaed to appear in court as a witness in a criminal proceeding will be granted unpaid time off for their attendance.

4.12 CRIME VICTIM LEAVE

Our Library provides employees with time away from work if they are a victim of a crime or to participate as a witness of a crime.

ELIGIBILITY

Eligible employees who are the victim of a crime or subpoenaed to attend a criminal proceeding as a witness, may take time off from work to (1) testify in a criminal proceeding (including time off to consult with the district attorney); (2) give a statement at a sentencing proceeding; (3) give a victim impact statement at a pre-sentencing proceeding; or (4) give a statement at a parole board hearing.

Employees are eligible for time off under this policy if they are:

- The victim of the crime at issue in the proceedings;
- The victim's next of kin, if the victim is deceased as a result of the offense;
- The victim's representative (a person who represents or stands in the place of another person, including an agent, attorney, guardian, conservator, executor, heir, or parent of a minor);
- A good Samaritan (someone who acts in good faith to: (1) apprehend a person who has committed a crime in their presence; (2) prevent a crime or an attempted crime from occurring; or (3) aid a law enforcement officer in effecting an arrest); or
- Pursuing an application or the enforcement of an order of protection as provided under relevant law.

CRIME VICTIM LEAVE PAY

Time off under this policy is unpaid except that exempt employees will not incur any reduction in pay for a partial week's absence for leave under this policy. However, the employee may supplement time off with paid **PTO**.

Exempt employees will not incur any reduction in pay for a partial week's absence for leave under this policy.

DOCUMENTATION

Employees must notify the Director of the need to take a leave under this policy no later than the day before the absence. In addition, employees must provide the Director with verification of their service upon request.

TIME AWAY FROM WORK

In fairness to the Library, employees are expected to return to work if they are excused from proceedings during their regular working hours.

NO RETALIATION

The Library will not retaliate or tolerate retaliation against any employee who seeks or obtains leave under this policy.

4.13 DOMESTIC VIOLENCE VICTIM LEAVE

The Library will reasonably accommodate employees who are the victim of domestic violence with time off in compliance with the New York State Human Rights Law. Employees should also refer the Library's Paid Sick Leave policy for additional benefits that may be available.

REASONABLE ACCOMMODATIONS

The Library will reasonably accommodate employees who are the victim of domestic violence and who need a reasonable amount of time off for the following reasons, unless providing such accommodation would result in an undue hardship:

- Seek medical attention for injuries caused by domestic violence, including for a child who is a victim of domestic violence, provided that the employee is not the perpetrator of the domestic violence against the child;
- Obtain services from a domestic violence shelter, program or rape crises center;
- Obtain psychological counseling related to domestic violence incidents, including for a child who is a victim of domestic violence, provided that the employee is not the perpetrator of the domestic violence against the child;
- Participate in safety planning or other actions to increase safety from future incidents of domestic violence, including temporary or permanent relocation; or
- Obtain legal services, assist in the prosecution of an offense, or appear in court in relation to an incident of domestic violence.

EMPLOYEE'S RESPONSIBILITY

Employees must give the Library reasonable advance notice of their intention to take leave for this purpose unless such advance notice is not feasible. An employee who cannot give reasonable advance notice must provide certification supporting the need for leave within a reasonable time after the absence.

Acceptable forms of certification include:

- A police report indicating the employee or the employee's child is a victim of domestic violence;
- A court order protecting or separating the employee or their child from the perpetrator of domestic violence;
- Other evidence from the court or prosecuting attorney that the employee appeared in court; or

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- Documentation from a medical professional, domestic violence advocate, health care provider or counselor that the employee or their child was undergoing counseling or treatment for physical or mental injuries or abuse resulting from an act of domestic violence.

When taking leave under this policy, an employee **may** use any available paid leave, including Library-provided paid time off, **such as PTO**. Otherwise, leave will be unpaid. During the leave, the Library will maintain any health insurance coverage being provided in the same manner as if the employee had not taken leave.

CONFIDENTIALITY

Except as otherwise required by law, the Library will maintain the confidentiality of any information regarding an employee's status as a victim of domestic violence.

NO RETALIATION

The Library will not discriminate or retaliate against an employee because the employee is a victim of domestic violence or requests leave in accordance with this policy.

4.14 MILITARY LEAVE

The Library recognizes the obligation of those employees serving in any branch of the military or other uniformed services of the United States. Employment status within the Library is protected by the provisions of Sections 242 and 243 of the New York State Military Law and the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA") and state military leave provisions.

ELIGIBILITY

Employees who need to be absent on military duty as members of the organized militia, reserve forces or reserve components of the armed forces of the United States.

Under state military leave law eligible employees do not include those holding a position in the exempt class of the civil service whose appointment is terminated or whose position is filled by someone other than a substitute appointee.

LEAVE AND REEMPLOYMENT

Employees who serve on active or reserve duty will be granted a leave of absence up to the maximum time required by law. The Library is committed to preserving the job rights of employees absent on military leave in accordance with law.

Eligible employees may take leave for uniformed service as defined under USERRA or ordered military duty as defined under state law.

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PAY DURING LEAVE

The Library will grant leave with pay not exceeding a total of thirty days or twenty-two working days, *whichever is greater*, in any one calendar year and not exceeding thirty days or twenty-two working days, *whichever is greater*, in any one continuous period of such absence.

Military leave beyond the 22 workdays or 30 calendar days in a calendar year will be unpaid, however employees may choose to apply **PTO** benefits to their absence at any time during the leave.

In accordance with applicable state law, employees may keep all pay received for military service.

EMPLOYEE'S RESPONSIBILITY

Employees are expected to inform the Director of their need for military leave as far in advance as possible and submit a copy of the military orders to the Director.

BENEFITS CONTINUATION

While on leave, employees will be treated as continuously employed and will not directly or indirectly suffer any loss or reduction of service time, seniority, **PTO**, holiday privileges or any other right or privilege. However, during leave **PTO** does not accrue during the period of military service.

Retirement Plan

Employees may continue to have deductions made from their salary or other compensation toward any pension or retirement system. If the amount to be contributed exceeds the amount of compensation the employee is entitled to during their absence, the employee may elect to pay the additional amount.

Any premium related benefits will be retained if employees continue to make premium payments.

VETERANS BENEFITS

Employees who are veterans are eligible for up to five days of paid leave per calendar year for any healthcare related services that are the result of their prior military service.

Veterans must provide a copy of their DD-214, certificate of release or discharge from active duty or other applicable department of defense documentation to the Director.

CONCURRENCE WITH OTHER LEAVES

Where applicable, this leave may run concurrently with any available Family and Medical Leave, or any other leave benefit that may be required by state law.

NO RETALIATION

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Employees who request military leave will not be retaliated against or penalized in any manner. Any employee who believes they have been retaliated against in violation of this policy should notify the Director immediately.

4.15 VOTING LEAVE

4.15 VOTING LEAVE

Our Library believes that all employees should have the opportunity to exercise their right to vote in elections.

TIME AWAY FROM WORK

Employees who do not have sufficient time to vote outside their working hours will be allowed the necessary time off to vote at the beginning or the end of their shift. Up to two hours will be paid time off. No time off will be allowed in any election where the polls are open at least four consecutive hours before or after the employee's shift.

Employees must return to work immediately after voting if their shift has not ended.

ADVANCE NOTICE

Employees intending to take leave to vote must inform the Director not more than ten but at least two working days prior to Election Day. The employee's supervisor will designate when the leave should be taken (e.g., at the beginning or end of the shift).

4.16 VOLUNTEER FIREFIGHTER & AMBULANCE PERSONNEL LEAVE

4.16 VOLUNTEER FIREFIGHTER & AMBULANCE PERSONNEL LEAVE

Our Library recognizes the obligations that our employees who serve as volunteer firefighters and ambulance personnel may have in times of emergency.

ELIGIBILITY

Employees who are volunteer firefighters or ambulance personnel are permitted unpaid time off (unless payment is required by law) in the event that a State or local state of emergency has been declared by the Governor or a local government executive (such as a city mayor) and the employee's duties as a volunteer are related to handling/resolving the declared emergency.

NOTIFICATION

Employees who request time off under the policy must notify the Director immediately after the need for the leave becomes known. If the Library grants an employee time off pursuant to this law, the employer may request the employee provide appropriate documentation from the head of the volunteer fire department or ambulance service certifying the period(s) of time that the employee spent responding to the declared emergency.

4.17 UNPAID LEAVE

4.17 UNPAID LEAVE

Every employee will have the option of requesting a leave of absence without pay, **of up to one year**. The request for this leave shall be directed to the Library Director who will render a decision on the request within 5 days. In the case of the Library Director requesting a lengthy leave, the Board of Trustees shall approve the request. If a library employee feels they cannot come into the library due to safety concerns they will be excused without prejudice. They can elect to use their PTO hours, or to take any such day without pay.

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For salaried employees, extended unpaid leaves may be granted at the discretion of the Library Director, with approval of the Trustees of the Perry Public Library if needed. For part-time hourly employees only the approval of the Library Director is necessary.

4.18 SOCIAL SECURITY

All employees are covered by this federal program, which is funded through payroll taxes known officially as the Federal Insurance Contributions Act (FICA) taxes.

BENEFITS

Social Security is an important benefit for employees and their families as it provides death, disability, and retirement benefits.

COST

The cost of this coverage is determined by law. The rates are subject to change in accordance with legislated amendments by Congress. The required amount of an employee's contribution will be deducted automatically from their paycheck.

ADDITIONAL INFORMATION

Questions regarding the Social Security program should be directed to the Social Security Administration, which has answers to many common questions on its website at www.ssa.gov. Questions regarding an individual's FICA or other payroll tax deductions should be directed to the Director.

4.19 WORKERS' COMPENSATION

Our Library carries a workers' compensation insurance policy which covers all employees in the event that they are injured or become disabled due to occupational illness or injury while on the job.

BENEFITS

For employees who are injured while on the job or who develop an occupational illness, medical expenses, and loss of earnings up to the specified maximum normally will be covered by our workers' compensation insurance policy. Compensation under this plan is based on a formula using the employee's average weekly wages.

ELIGIBILITY

Benefits for lost earnings begin after the seventh day of disability. If disability continues beyond two weeks, the benefits will also be paid for the first week of disability. Payment of medical expenses begins on the first day of disability.

LEAVE ENTITLEMENT

Employees are eligible for a Disability Leave. This leave runs concurrently with any leave benefit that may be required by state law. See the Disability Leave policy for more information.

COST

The Library pays the entire premium for this insurance policy.

REPORTING ACCIDENTS

Reports of accidents or injuries, even if minor, must be filed within 24 hours with the supervisor or Director. Failure to receive medical treatment in a timely manner may result in serious complications and may jeopardize eligibility for medical benefits.

4.20 EMPLOYEE ASSISTANCE PROGRAM

On occasion, everyone has personal problems. Usually, these problems are resolved with the support of relatives and close friends. But sometimes, employees or members of their family may find that they would benefit from the assistance of a trained counselor. It is for this reason that **Perry Public Library** provides an Employee Assistance Program (EAP) to employees and family members who may need help with personal or behavioral problems.

ELIGIBILITY

Our EAP is available to all employees and their family members.

BENEFITS

Through this program, confidential advice and short-term counseling are provided for any employee or member of an employee's family who requests it or for an employee who is referred by the Director. Common problems addressed through counseling include alcoholism, drug abuse, financial difficulties, family tensions and conflicts with co-workers.

The privacy of employees and their family members is always protected. The Library is not informed when anyone seeks assistance, unless the individual so requests or the Library refers the employee to the program as a requirement of continued employment.

COST

Perry Public Library pays the full cost of the Employee Assistance Program. Employees are responsible for the cost of outside referrals.

ADDITIONAL INFORMATION

Employees can find information regarding our EAP on the [Library](#) bulletin boards. If it is a crisis situation, employees should call 911. If it is not a crisis situation, employees may contact 2-1-1 /LIFE LINE at 1-877-356-9211, by dialing 211 or by visiting <http://211lifeline.org/>. The 2-1-1 /LIFE LINE offers referrals for emergency food, shelter, clothing, crisis counseling, substance abuse issues, employment, financial and legal issues and physical and mental health needs.

SECTION FIVE

SAFETY POLICIES

5.01 ACCIDENT REPORTING AND INVESTIGATION

Properly reporting accidents and/or unsafe conditions is the key to creating a safe workplace. Employees have both a right and responsibility to report work-related injuries and illnesses and unsafe working conditions.

Employees should also refer the Workers' Compensation policy for additional information.

PURPOSE

The purpose of accident reporting and investigation is to discover the cause(s) so proper action may be taken to prevent a recurrence. Every accident indicates that proper preventive action must be taken. Employees have both a right and responsibility to report accidents and work-related injuries and illnesses.

NO RETALIATION

Employees have the right to report unsafe conditions, accidents, and work-related injuries or illnesses without fear of reprisal. It is the policy of Perry Public Library that any employee or intern who makes a complaint regarding safety and/or reports a work-related injury will not be retaliated against in any way. Employees or interns who feel that they have been retaliated against for such activity should immediately contact the Director.

RESPONSIBILITIES

The Director is responsible for promptly investigating unsafe working conditions and accidents as soon as they are reported.

A good accident investigation will:

- Assist in determining the principal or underlying cause.
- Determine how to initiate significant corrective action.

The supervisor is required to fill out accident/injury investigation reports and report all accidents to the Director. The Director will fill out and distribute workers' compensation reports and disability paperwork as needed. The Director is responsible for reviewing each accident/injury investigation report, and with the supervisor, determining the proper corrective action to take.

The Director is responsible for implementing identified corrective action(s).

PROCEDURE

The following procedure should be adhered to in the event that there is an accident and/or injury in the workplace:

- When an accident occurs, the supervisor will immediately take action to prevent further injury or damage.

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- The Director will interview employee(s) and witnesses as soon after the accident as possible. A fact-finding approach will be maintained.
- The Director will determine causes of the injury, illness, or property damage.
- The Director will establish corrective action(s) for managing and rectifying the cause of the accident.
- The Director will ensure compliance with any reporting obligations (i.e., OSHA, Workers' Compensation).
- The Director will ensure that all reports are recorded and retained. Accurate information must be available regarding the accident, the injury or damage which occurred, the corrective action identified and when the corrective action was implemented.
- The Director will conduct a periodic review of the accident investigation reports to identify the need for retraining, problem areas, operations that need attention or trends in frequency which indicate a need for added prevention activities and/or training.

GENERAL INVESTIGATION GUIDELINES

The investigative process will:

- Analyze the working conditions and/or incident to determine the cause or causes.
- Inspect the location and equipment involved.
- Inquire about similar incidents which have occurred.
- Review records.
- Interview those involved and witnesses.
- Create a plan of corrective actions to eliminate the causes.
- Assign responsibility for the corrective actions.
- Ensure the plan is carried out.
- Monitor effectiveness of the corrective action.

5.02 ALCOHOL & DRUG-FREE WORKPLACE

The Library strives to provide a safe environment for employees and others and to minimize the risk of accidents and injuries. Accordingly, each employee has a responsibility to co-workers and patrons to deliver services in a safe and conscientious manner. As a condition of employment with our Library, all employees are required to fully comply with the provisions of this policy.

DEFINITION OF CONTROLLED SUBSTANCES

"Controlled substances" are defined as those drugs listed in Schedules I through V of Section 202 of the Federal Controlled Substances Act, 21 U.S.C. 812 and include, but are not limited to: marijuana, cocaine (including "crack" and other cocaine derivatives), morphine, codeine, phenobarbital, heroin, amphetamines and many barbiturates.

UNAUTHORIZED PRESENCE OF CONTROLLED SUBSTANCES AND/OR ALCOHOL IN THE WORKPLACE

The unauthorized or illegal use, sale, purchase, possession, distribution, dispensation, formulation, manufacture or transfer of controlled substances or alcohol on Library property or any location at which Library business is conducted, including Library vehicles and any private vehicle parked on Library premises or work sites, is strictly prohibited.

PRESCRIPTION AND OVER-THE-COUNTER DRUGS

This policy does not prohibit the possession and proper use of lawfully prescribed or over-the-counter drugs. However, an employee taking medication should consult with a health care professional or review dosing directions for information about the medication's effect on the employee's ability to work safely, and promptly disclose any work restrictions to the Library Director. Employees are not required to reveal the name of the medication or the underlying medical condition. The Library will evaluate and respond to this information on a case-by-case basis and consistent with its reasonable accommodation process. Consistent with applicable policies, the Library will maintain the confidentiality of the information provided.

The Library reserves the right to transfer, reassign, place on leave of absence or take other appropriate action regarding any employee during the time the employee uses medication that may affect their ability to perform safely. The Library will comply with all requirements pertaining to providing reasonable accommodations to the extent required by applicable law.

Any employee who cannot work safely and who does not advise the Library about warnings accompanying lawfully prescribed or obtained medications will be subject to disciplinary action up to and including possible termination of employment. An employee's lack of knowledge concerning such warnings will not

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excuse a violation of this rule where an employee has failed to make the inquiries required by this policy.

REMOTE WORK

Remote work employees are also required to adhere to this policy while working remotely. Remote employees are prohibited from using controlled substances during working hours. Any employee deemed to be in violation of the **Library's** policy will be subject to an investigation which may result in termination of the employee's ability to work remotely and will also result in disciplinary action, up to and including termination of employment.

COUNSELING AND REHABILITATION

Employees who voluntarily seek help for substance abuse (self-referral) by contacting the **Library** will be provided an opportunity to pursue counseling and rehabilitation. The **Library** will make available information about counseling and rehabilitation services. An employee who is receiving counseling and/or treatment for substance abuse may use available **PTO**.

Health insurance may cover the costs of such services, but costs not covered must be paid by the employee. Employees cannot return to work until released by a treatment provider, and upon successfully passing a drug and/or alcohol test (as appropriate for that individual). In addition, the employee may be asked to submit to follow-up testing for a period following the return to work.

An employee's decision to seek help voluntarily will not be used as a basis for disciplinary action, although the individual may be transferred, given work restrictions or placed on leave, as appropriate. A request for help is considered voluntary only if it is made before the employee is asked to submit to any drug or alcohol test or is discovered to have otherwise violated this policy.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

Perry Public Library provides an EAP for employees and their family members. Employees are encouraged to use the EAP whenever they feel the need to discuss personal issues. For employees who have difficulty handling drugs or alcohol, the EAP can provide information on treatment. The EAP is a confidential service.

VIOLATION OF POLICY

Violations of this policy will lead to disciplinary action, up to and including termination.

~~The Library strives to provide a safe environment for employees and others and to minimize the risk of accidents and injuries. Accordingly, each employee has a responsibility to co-workers and patrons to deliver services in a safe and conscientious manner. As a condition of employment with our Library, all employees are required to fully comply with the provisions of this policy.~~

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The Library reserves the right to transfer, reassign, place on leave of absence or take other appropriate action regarding any employee during the time the employee uses medication that may affect their ability to perform safely. The Library will comply with all requirements pertaining to providing reasonable accommodations to the extent required by applicable law.

Any employee who cannot work safely and who does not advise the Library about warnings accompanying lawfully prescribed or obtained medications will be subject to disciplinary action up to and including possible termination of employment. An employee's lack of knowledge concerning such warnings will not excuse a violation of this rule where an employee has failed to make the inquiries required by this policy.

TELECOMMUTING

Telecommuting employees are also required to adhere to this policy while working remotely. Telecommuting employees are prohibited from using controlled substances during working hours. Any employee deemed to be in violation of the Library's policy will be subject to an investigation which may result in termination

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~~of the employee's ability to telecommute and will also result in disciplinary action, up to and including termination of employment.~~

~~COUNSELING AND REHABILITATION~~

~~Employees who voluntarily seek help for substance abuse (self-referral) by contacting the Library will be provided an opportunity to pursue counseling and rehabilitation. The Library will make available information about counseling and rehabilitation services. An employee who is receiving counseling and/or treatment for substance abuse may use available **PTO**.~~

~~Health insurance may cover the costs of such services, but costs not covered must be paid by the employee. Employees cannot return to work until released by a treatment provider, and upon successfully passing a drug and/or alcohol test (as appropriate for that individual). In addition, the employee may be asked to submit to follow-up testing for a period following the return to work.~~

~~An employee's decision to seek help voluntarily will not be used as a basis for disciplinary action, although the individual may be transferred, given work restrictions, or placed on leave, as appropriate. A request for help is considered voluntary only if it is made before the employee is asked to submit to any drug or alcohol test or is discovered to have otherwise violated this policy.~~

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~~Perry Public Library provides an EAP for employees and their family members. Employees are encouraged to use the EAP whenever they feel the need to discuss personal issues. For employees who have difficulty handling drugs or alcohol, the EAP can provide information on treatment. The EAP is a confidential service.~~

~~VIOLATION OF POLICY~~

~~Violations of this policy will lead to disciplinary action, up to and including termination.~~

5.03 EMERGENCY EVACUATION

Perry Public Library is committed to ensuring employees understand their roles and responsibilities in the event of an emergency.

IN AN EMERGENCY

In the event of a fire or hazardous material emergency, the emergency fire alarm system should be activated by pulling one of the fire alarms. The source of a potential fire or hazardous material emergency should not be investigated. Any employee who suspects an emergency should report it immediately. In any emergency, reporting is the first essential step to protecting oneself and others.

When the emergency fire alarm system is activated, all employees and visitors are expected to evacuate the building by exiting in an orderly manner through the nearest exit.

When exiting, employees should not use elevators and should descend stairwells in an orderly manner. After exiting, employees should report to the area away from the building exits designated as the meeting location. Once employees arrive at the designated area, they should immediately report to the Director and remain at that location until accounted for and authorized to leave.

No reentry to the building will be permitted until an official all-clear notification is given.

EMPLOYEE'S RESPONSIBILITY

Employees should review this policy and the evacuation procedures and notify the Director if they believe they might require an accommodation or assistance in order to comply with these procedures in the event of an emergency.

ADDITIONAL INFORMATION

For additional information regarding the Library's evacuation procedures employees should refer to the **Emergency Preparedness Policy**.

5.04 VIOLENCE IN THE WORKPLACE

Perry Public Library is committed to providing a safe environment for employees, patrons, and visitors. The Library has a zero-tolerance policy concerning workplace violence. Employees who display any violence or threaten violence including talk of committing violence or joking about committing violence in the workplace are subject to disciplinary action, up to and including termination.

DEFINITION

Violence in the workplace includes but is not limited to physically harming another or one's self, shoving, pushing, brandishing weapons and explicit or implicit threats or talk of committing violence.

WEAPONS

All employees are prohibited from carrying a weapon while in the course and scope of performing their job for Perry Public Library, whether they are on Library property at the time or not and whether they are licensed to carry a handgun or not. This policy also prohibits weapons at any Library-sponsored functions such as parties or picnics.

Unless this prohibition is contrary to state or local law, the workplace specifically includes Library parking areas and Library vehicles. Employees are not permitted to transport or store weapons in vehicles owned or leased by the Library and used by the employee for work purposes, unless the employee is required to transport or store a weapon as part of their duties, and they have written permission from the Library Director.

This prohibition specifically includes guns, rifles and firearms of any type, including those for which the holder has a legal permit. Other examples of prohibited weapons include, but are not limited to knives, ammunition, bombs, bows and arrows, clubs, slingshots, blackjacks, metal knuckles and similar devices that by their design or intended use are capable of inflicting serious bodily injury or lethal force. Products such as mace, pepper spray and other defense devices including stun guns and tasers are also prohibited.

Failure to abide by this policy may result in disciplinary action, up to and including termination. Further, carrying a weapon onto Library property in violation of this policy will be grounds for immediate removal from Library property and may result in prosecution. This policy shall not be construed to create any duty or obligation on the part of the Library to take any actions beyond those required of an employer by existing law.

REPORTING VIOLENCE

It is everyone's responsibility to prevent violence in the workplace. Employees must immediately report what they see or hear in the workplace that could indicate

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that a co-worker may be a threat to the safety of the workplace. Employees should report any incident that may involve a violation of the **Library's** policies that are designed to provide a safe workplace environment. Concerns may be presented to the employee's **supervisor/manager** or any other member of management.

REPORTING DOMESTIC VIOLENCE

Domestic violence perpetrated by or against an employee of the **Library** is considered a workplace issue as these situations may create safety concerns within the workplace. Employees are encouraged to report if they are the victim of domestic violence or if they suspect that a co-worker may be the target of or the perpetrator of domestic violence to **the Library Director. Managers/Supervisors** made aware of employee-related domestic issues are encouraged to immediately notify **the Library Director.**

Employees who obtain or are the subject of a restraining order are encouraged to immediately notify **the Library Director**, so **the Library** may assist in preventing an individual who may display or carry out an act of violence from obtaining access to **Library** premises.

Employees who have questions or concerns related to domestic violence may contact **the Library Director**. Employees experiencing issues with domestic violence may also contact the National Domestic Violence Hotline at 1-800-799-7233.

REPORTING SUICIDAL THOUGHTS AND BEHAVIOR

Self-harm may be considered a form of violence. Employees who are having thoughts of suicide or become aware of a co-worker having suicidal thoughts and/or displaying suicidal behavior should immediately notify **the Library Director. Managers/Supervisors** made aware of suicidal ideation by an employee must immediately notify **the Library Director.**

Employees who have questions or need assistance with the topic of suicide may contact **the Library Director**. Employees who need assistance may also contact the National Suicide Prevention Lifeline at 988.

If there is a concern of imminent harm employees should contact the local police department by dialing 911.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

Perry Public Library provides an EAP for employees and their family members. Employees are encouraged to use the EAP whenever they feel the need for guidance with personal problems, including difficulty handling drugs or alcohol. The EAP is a confidential service that can provide information on counseling or treatment.

CONFIDENTIALITY AND RETALIATION

It is the policy of Perry Public Library that any employee making a report or participating in the investigation of workplace violence will not be retaliated against in any way. Reports will be investigated promptly, and confidentiality will be maintained to the greatest degree possible, consistent with our obligation to thoroughly investigate the allegation and consistent with applicable law and the need to facilitate an investigation and/or a solution to the problem. Employees who feel that they have been retaliated against for reporting workplace violence, domestic violence or suicidal behaviors, or for participating in the investigation of an alleged incident, should contact the Library Director.

CORRECTIVE ACTION

If a report of workplace violence is found to be valid, immediate and appropriate corrective action will be taken. Employees who violate this policy, including the provision against retaliation, will be subject to disciplinary action up to and including termination. This determination will be based on all the facts of the case.

DEFINITION

~~Violence in the workplace includes but is not limited to physically harming another or one's self, shoving, pushing, brandishing weapons and explicit or implicit threats or talk of committing violence.~~

WEAPONS

~~All employees are prohibited from carrying a weapon while in the course and scope of performing their job for Perry Public Library, whether they are on Library property at the time or not and whether they are licensed to carry a handgun or not. This policy also prohibits weapons at any Library-sponsored functions such as parties or picnics.~~

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~~This prohibition specifically includes guns, rifles, and firearms of any type, including those for which the holder has a legal permit. Other examples of prohibited weapons include, but are not limited to knives, ammunition, bombs, bows and arrows, clubs, slingshots, blackjacks, metal knuckles and similar devices that by their design or intended use are capable of inflicting serious bodily injury or lethal force. Products such as mace, pepper spray and other defense devices including stun guns and tasers are also prohibited.~~

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REPORTING VIOLENCE

It is everyone's responsibility to prevent violence in the workplace. Employees must immediately report what they see or hear in the workplace that could indicate that a co-worker may be a threat to the safety of the workplace. Employees should report any incident that may involve a violation of the Library's policies that are designed to provide a safe workplace environment. Concerns may be presented to the employee's supervisor or any other member of management.

REPORTING DOMESTIC VIOLENCE

Domestic violence perpetrated by or against an employee of the Library is considered a workplace issue as these situations may create safety concerns within the workplace. Employees are encouraged to report if they are the victim of domestic violence or if they suspect that a co-worker may be the target of or the perpetrator of domestic violence to the Director. Supervisors made aware of employee-related domestic issues are encouraged to immediately notify the Director.

Employees who obtain or are the subject of a restraining order are encouraged to immediately notify the Director, so the Library may assist in preventing an individual who may display or carry out an act of violence from obtaining access to Library premises.

Employees who have questions or concerns related to domestic violence may contact the Director. Employees experiencing issues with domestic violence may also contact the National Domestic Violence Hotline at 1-800-799-7233.

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Self-harm may be considered a form of violence. Employees who are having thoughts of suicide or become aware of a co-worker having suicidal thoughts and/or displaying suicidal behavior should immediately notify the Director. Supervisors made aware of suicidal ideation by an employee must immediately notify the Director.

Employees who have questions or need assistance with the topic of suicide may contact the Director. Employees who need assistance may also contact the National Suicide Prevention Lifeline at 1-800-273-8255.

If there is a concern of imminent harm employees should contact the local police department by dialing 911.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

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The EAP is a confidential service that can provide information on counseling or treatment.

CONFIDENTIALITY AND RETALIATION

It is the policy of Perry Public Library that any employee making a report or participating in the investigation of workplace violence will not be retaliated against in any way. Reports will be investigated promptly, and confidentiality will be maintained to the greatest degree possible, consistent with our obligation to thoroughly investigate the allegation and consistent with applicable law and the need to facilitate an investigation and/or a solution to the problem. Employees who feel that they have been retaliated against for reporting workplace violence, domestic violence, or suicidal behaviors, or for participating in the investigation of an alleged incident, should contact the Director.

CORRECTIVE ACTION

If a report of workplace violence is found to be valid, immediate, and appropriate corrective action will be taken. Employees who violate this policy, including the provision against retaliation, will be subject to disciplinary action up to and including termination. This determination will be based on all the facts of the case.

SECTION SIX

**EMPLOYEE PROGRAMS
&
PROCEDURES**

6.01 MEDIA RELATIONS

Communication with news reporters and other journalists is, at times, sensitive in nature. Therefore, media requests for official statements from the Library may be handled only by designated senior managers.

MEDIA REQUESTS FOR OFFICIAL STATEMENT

Any telephone calls, electronic communications or visits from members of the media requesting the Library's official statement should be directed to the Director.

6.02 CHANGES IN PERSONAL INFORMATION

Employees are responsible for notifying the Library when there is a change in their personal data. This information needs to be kept up to date, so benefit plans and payroll withholdings are properly administered. Timely notification of these changes will also enable Perry Public Library to assist employees and their family in matters of personal emergency.

NOTIFICATION

Notify the Director in writing if any of the following change:

- Name
- Address
- Telephone numbers
- Number of dependents
- Change in familial status and/or beneficiaries
- Emergency contact

6.03 PROTECTION OF EMPLOYEE PERSONAL INFORMATION

Perry Public Library recognizes and respects the privacy of applicants, employees, and others with regard to personal information it obtains through the hiring process and the employment relationship.

PERSONAL IDENTIFIABLE INFORMATION (PII)

As evidence of our commitment in this regard, this policy provides information regarding the processing of personal information about employees and describes the Library's general practices regarding employee privacy. Since privacy laws and business practices vary from state to state, implementation of these practices may also vary to accommodate local rules. This may involve adopting different standards as required by local law or diverging from the principles set out in this policy where Perry Public Library is not required to follow particular practices either by local law or by contractual commitments. Perry Public Library will only engage in variation from these principles if Perry Public Library has a legitimate, business, or legal reason to do so and not in an arbitrary or capricious manner.

This policy regulates collection and use of information about Perry Public Library's prospective, current, and former employees and the limited amount of personal information that Perry Public Library may collect about employee family members (together, all deemed employee personal information). References in this policy to employees should be interpreted accordingly. The policy is not limited to information held by the Director. The policy regulates all employee personal information held by Perry Public Library.

Where Perry Public Library collects employee personal information, it will take steps to inform the employees concerned of the purposes for which the information will be used and provide them with any further information that is necessary to ensure that the employee personal information is used fairly. For example, where employees are asked to provide personal information about themselves, Perry Public Library will explain whether provision of the information is mandatory or voluntary and any consequences of not providing the requested information.

Notification to employees need not be provided, however, where:

- The employees concerned already have sufficient information (for example, through this policy or other Perry Public Library policies or general notices); or
- Employee personal information is not collected directly from the individual concerned and to contact that individual directly would be disproportionate (for example, where an employee provides information about their family member, Perry Public Library will not usually contact the family member).

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The following paragraphs set out general information about the Library's collection and use of employee personal information. This information is not intended to be comprehensive:

Purposes

The Director collects and uses employee personal information to process payroll payments, to determine benefits eligibility and process benefit payments, to analyze compensation costs and training needs and to determine employee eligibility for different responsibilities. Depending on which business unit an employee works for, additional information may be collected for purposes of complying with regulatory requirements. Information may also be collected to meet legally mandated obligations (such as tax and U.S. Equal Employment Opportunity requirements), to ensure compliance with Perry Public Library policies, and to protect the Library, the workforce and the public against injury, theft, legal liability, fraud or abuse. Information (such as emergency contact information) is also collected from employees for use in connection with disaster recovery and business continuity efforts.

Disclosures and International Transfers

Employee personal information may be shared between the Library and its service providers. Without intending to provide an exhaustive list of examples, it may be disclosed in connection with legal proceedings, investigations, or as required by law, regulation, or relevant authority. It may also be disclosed to prospective buyers, business partners or other transferees of the business unit in which an employee works in the event of a potential sale, transfer or joint venture involving the unit or the investigation/negotiations which precede the transaction. This sharing, and these other disclosures, may involve transfers of personal information to any country in the world, including to countries which do not have strong data privacy laws. The Library will, nevertheless, use all reasonable commercial efforts to protect employee personal information in accordance with this policy.

Fair Processing Principles

The Library will only collect and use employee personal information fairly and lawfully. The Library will take reasonable steps to ensure that it does not collect or use irrelevant, excessive or inadequate employee personal information and that the employee personal information it holds is accurate and, where relevant, up to date.

In particular, the Library will only collect and use employee personal information:

- As necessary for the purposes of its legitimate interests which are not overridden by the rights, freedoms or legitimate interests of the employees concerned; or
- With the consent of the employees concerned; or
- Where the collection or use has been approved by the Library's **Legal Counsel** as justified under applicable data privacy law.

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Security

The Library will use commercially reasonable efforts to ensure that it has in place appropriate technical and organizational security measures to protect employee personal information against accidental or unlawful destruction, accidental loss, alteration, unauthorized disclosure or access and all other unlawful forms of processing.

In particular, where the Library contracts with third party service providers to collect and/or process employee personal information on its behalf, it will ensure that the service providers are bound by written agreements requiring them to process the information only on the instructions of the Library and to have appropriate technical and organizational security measures in place to protect the information.

Retention and Destruction

The Library will follow data retention and destruction policies and processes designed to ensure that employee personal information is deleted when it is no longer needed for the purposes for which it is collected and used.

Direct Marketing

The Library will not share employee personal information for direct marketing purposes outside of the Library.

MORE INFORMATION

Employees who have a reason to believe that their PII and/or the Library's proprietary data has been breached should notify the Director. Employees should also notify the Director if they have knowledge of any Library representative not adhering to this policy.

Violations of this policy may result in disciplinary action, up to and including termination of employment.

6.04 SOCIAL MEDIA

The mission of the Perry Public Library is to provide recreational and educational library services to the people of the Perry Public School District. The library strives to provide a friendly, courteous and approachable environment for all. The use of social media can further that mission. Therefore, Perry Public Library has adopted this Social Media Policy to establish guidelines, procedures, and best practices for the Perry Public Library staff use of social media websites, platforms, and resources.

The primary goals of Perry Public Library's use of social media is to:

- Promote the library's programs, materials, and services
- Call for library advocacy
- Share relevant community resources

When necessary, social media will also be used by the Perry Public Library to share emergency communications, public service announcements, and other service-related information.

The primary audience is the Perry Public Library's service area of the Perry Central School District.

For the purposes of this policy, "social media" refers to any social media site, blog, network, and communication tools that exist now and in the future that allows public engagement and sharing on the internet. Examples include, but are not limited to, *Facebook, Instagram, YouTube, and Twitter.*

GENERAL GUIDELINES

All other library policies apply equally to use of social media.

New social media accounts representing Perry Public Library may be established with Director's prior approval.

All Perry Public Library social media login information including, but not limited to, usernames and passwords must be shared with the Director and included on the library's master list. This will ensure that the library maintains institutional access to accounts if staffing changes but also in the event that emergency communications must be quickly broadcast to the public.

Social media accounts should have more than one staff member named as an Administrator.

Posts and comments should adhere to copyright laws.

Posts represent the library and the content created and shared is a reflection of the organization, therefore posts should not:

- include the expression of personal, political, or religious views;

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- provide medical, legal, financial, investment, or other similar matters advice to library patrons or community members; or
- be used to collect information about library patrons or community members.

If content is removed, the original post is to be documented with a printed screenshot and filed for one year.

Comments and messages should be replied to in a timely manner when necessary.

Moderation/ Maintenance of Social Media Accounts and Content

Social media accounts will be monitored for content that may violate Perry Public Library's policies including:

- Selling, solicitation, commercial interests, and spam
- Copyright violations
- Obscenity
- Child pornography
- Defamatory and libelous comments
- Imminent or true threats against the library, its staff, its Board of Trustees, or community members
- Other speech or content not protected by the First Amendment

Content cannot be removed on the basis of disagreement with a viewpoint.

Repeat violations of acceptable behavior may result in temporary or permanent removal from the system's social media page(s).

Persons wishing to appeal a post, removed post or a temporary or permanent ban can file an appeal with the Director to review with the Board of Trustees.

The Director and Board of Trustees will periodically evaluate all social media accounts in relation to the mission of the PPL. PPL social media accounts may be changed or terminated at any time at the discretion of the Director as authorized by the Board of Trustees. Questions or concerns regarding Perry Public Library social media accounts or this policy should be directed to the Director.

Personal Social Media Use

Perry Public Library does not intend to limit or restrict an employee's right to utilize social media for personal reasons. However, if an employee identifies as a Perry Public Library employee, the following statement must be included in the employee's account profile: "Opinions are my own and do not reflect that of my employer." Additionally, staff should not represent themselves as speaking on behalf of the Perry Public Library unless granted express and specific permission to do so by the Director.

All rules regarding patron confidentiality and confidential and proprietary library information apply in full to use of social media. As a rule of thumb, any information that cannot be disclosed through a conversation, a note, or an email also cannot be disclosed through social media.

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Social Media Best Practices

- All accounts should incorporate library branding.
- The tone should be consistent with the communication and marketing strategy of the library.
- Content should be written from the point of view of the “We,” which represents the library as a whole.
- Content should be current, accurate, and relevant to the intended audience.
- Content and images should represent library patrons.
- Content should be easy to read and understand.
- Posting to social media should be done regularly.
- Graphics and images should be high resolution and include image descriptions.
- Posts should include links and tags when appropriate.
- Video content should contain open or closed captioning.
- Posts and comments should be friendly yet professional.
- Write hashtags in camelcase. i.e. #LikeThis instead of #LIKETHIS.
- Use emojis sparingly.

6.05 SHOULD YOU LEAVE US

Employees of Perry Public Library are employed on an at-will basis, unless covered under Civil Service Law Section 75. This means that employment may be terminated by either party at any time, with or without cause or notice. Nothing in this policy is intended to limit or alter the at-will nature of your employment. To ensure fairness and consistency throughout our Library, terminations are handled in accordance with applicable federal and state laws and the following provisions.

TYPES OF TERMINATIONS

Termination refers to either voluntary resignations initiated by the employee or involuntary terminations initiated by the Library.

INVOLUNTARY TERMINATION

An involuntary termination occurs when the Library decides to end the working relationship with an employee. Involuntary terminations may occur for cause or for reasons other than cause.

Involuntary terminations for cause include, but are not limited to, terminations for violating Library policy, misuse or theft of resources, the falsification of information, excessive absence/tardiness, or unsatisfactory work performance.

Involuntary terminations for reasons other than cause include, but are not limited to, a reduction in workforce. Please see the Rules for the Classified Service of Wyoming County for details on layoffs of competitive employees.

Please see Standards of Conduct above for more on Civil Service requirements and procedures regarding terminations.

VOLUNTARY TERMINATION

A voluntary termination means an employee has made the decision to end the working relationship with the Library. Voluntary terminations include, but are not limited to, written resignation, retirement, and job abandonment.

RESIGNATIONS

Employees resigning voluntarily are expected to give a minimum of two weeks for hourly employees and 1 month for salaried employees advance notice **in writing** to the Director so that the proper replacement can be found. An employee's consideration in this situation will be viewed favorably by management should the employee reapply for employment with the Library.

FINAL WAGES

Final wages will be paid in accordance with applicable state law.

UNUSED VACATION/PTO

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Employees who resign voluntarily giving the required advance notice will be paid for earned but unused PTO. Employees who resign with less than the required advance notice or to employees who are terminated by the Library will not be paid for earned but unused PTO.

TERMINATION OF BENEFITS

Employees should see the Director for information regarding termination of benefits upon separation.

REQUESTS FOR REFERENCE CHECKS

So that the Library can handle requests for job references in a consistent, fair and lawful manner, all requests for official job references on behalf of the Library must be forwarded to the Director. No other person or department is authorized to release references for current or former employees. In response to job reference requests, Perry Public Library will only confirm current or former employees' dates of employment and job title.

LIBRARY PROPERTY

Upon termination of employment, resignation, retirement or layoff or immediately upon request, employees are expected to return all Library-issued items, including, but not limited to: keys, key fobs, tools, uniforms, Employee Handbooks, manuals, computers, cell phones, flash drives and patron information and may not retain any copies of Library information in any form. The Library may also take all action deemed appropriate to recover or protect Library property.

EMPLOYEE HANDBOOK RECEIPT 2023 POLICY UPDATES

The following policies have been revised or updated:

- Preface — Alcohol & Drug-Free Workplace
- Non-Harassment/Non-Discrimination — Violence in the Workplace
- Individuals with Disabilities — Should You Leave Us
- Religious Accommodations — Should You Leave Us
- Working Hours — Should You Leave Us
- Short Term Disability Insurance — Should You Leave Us
- Disability Leave — Grievance

The following policies have been added to the Employee Handbook:

- Gender Inclusion
- Civil Rights Law 52c- Electronic Monitoring

I acknowledge receipt of the updated **Perry Public Library** Employee Handbook. I understand that these policies, as well as the policies contained in the **Library's** Employee Handbook, are not intended to create a contract of employment nor is any other communication by a management representative, either expressed or implied, intended to be a contract, unless explicitly stated otherwise in a written agreement signed by the **Library**.

I understand that neither these policies nor other Employee Handbook policies are a guarantee of employment for any set period and that either the **Library** or I may terminate my employment at any time, with or without cause. Furthermore, I understand that the policies and benefits described in the Employee Handbook may be added to, revised or deleted at any time.

I further understand that the benefit information found in this **Handbook** is intended to provide an overview of the benefit plans. The actual benefits may be controlled by the terms of the applicable plan documents and insurance policies. Questions regarding the interpretation of those plans will be answered in accordance with the actual plan documents and insurance policies, rather than the summaries contained in this **Handbook**. Employees may obtain copies of these documents from the Library Director.

I have read, understand and agree to comply with these policies.

If I have any questions about the information contained in this Handbook, I will discuss them with the Library Director.

Employee's Name (Printed)

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Employee's Signature & Date

EMPLOYEE HANDBOOK RECEIPT ACKNOWLEDGEMENT

~~I acknowledge receipt of Perry Public Library's Employee Handbook which describes Library policies, an overview of current employee benefits and my obligations.~~

~~I understand that the policies contained in this Handbook are not intended to create a contract of employment nor is any other communication by a management representative, either express or implied, intended to be a contract, unless explicitly stated otherwise in a written agreement signed by the Director and Board of Trustees of our Library.~~

~~I understand that this Handbook is not a guarantee of employment for any set period and that either the Library or I may terminate my employment at any time, with or without cause. Furthermore, I understand that the policies and benefits described in this Handbook may be added to, revised, or deleted at any time.~~

~~I further understand that the benefit information found in this Handbook is intended to provide an overview of the benefit plans. The actual benefits may be controlled by the terms of the applicable plan documents and insurance policies. Questions regarding the interpretation of those plans will be answered in accordance with the actual plan documents and insurance policies, rather than the summaries contained in this Handbook. Employees may obtain copies of these documents from the Director.~~

~~I have read, understand, and agree to comply with the contents of this Handbook. It is understood that Perry Public Library retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the Library.~~

~~If I have any questions about the information contained in this Handbook, I will discuss them with my supervisor and/or the Director.~~

~~Employee's Name (Printed)~~

~~Employee's Signature~~

~~Date~~

Acknowledgement of Receipt of New York Civil Rights Law 52-c Notice of Electronic Monitoring

I acknowledge that I have received and read **Perry Public Library's** Notice to New York Employees of Electronic Monitoring. I understand that any and all of my telephone conversations or transmissions on **Library's** systems, electronic mail or transmissions, or internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic, photoelectric or photo-optical systems may be subject to monitoring by the **Library** at any and all times and by any lawful means.

Signature and Date

Print Name

ADDITIONAL INFORMATION

HANDBOOK ADDENDUM

Perry Public Library

PANDEMIC RESPONSE PLAN

PURPOSE

The Perry Public Library has adopted this Pandemic Response Plan in compliance with New York State Labor Law §27-c to implement operational plans in the event of certain declared public health emergencies including, but not limited to, novel coronavirus (COVID-19) or other communicable disease or pandemic illness.

The primary goals of the Perry Public Library's Pandemic Response Plan are to establish:

- The roles and responsibilities during all phases of a public health emergency
- Preparedness activities and response protocols
- Coordination and decision making for the continuation of operations

The Pandemic Response Plan is designed to ensure precautionary, response, and recovery measures to a public health emergency involving a communicable disease threatening to impact or immediately impacting the library's staff, trustees, volunteers, and/or community members.

ADMINISTRATION

The library Director as authorized by the Board of Trustees administers the Pandemic Response Plan. This includes activating the plan, establishing an internal communications network, and coordinating all response and recovery activities. If, for any reason, the Director is unable or unavailable to administer the plan, administrative authority shall be passed to the Youth Services Librarian.

DEFINITIONS

The following terms are hereby defined for the purposes of this policy:

- **Personal Protective Equipment (PPE):** Equipment worn to minimize exposure to communicable disease or pandemic illness as mandated by local, state, or federal law and/or any Executive Orders related to the public health emergency or mandates issued by federal agencies including the Center for Disease Control (CDC) and the Occupational Safety and Health Administration (OSHA).
- **Employee:** Any person employed by the Perry Public Library regardless of job classification or title.
- **Contractor:** Any individual performing paid services for the library but not an employee of the Perry Public Library.
- **Essential:** Designation made to an employee or contractor whose duties require them to be physically present at the Perry Public Library to perform their job, OR tasks that are vital or necessary to the safety or operational needs of the library.
- **Non-essential:** Designation made to an employee whose duties do not require them to be physically present at the Perry Public Library, OR tasks that are not vital or necessary to the safety or operational needs of the library.

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- **Communicable disease:** Illness caused by an infectious agent that occurs through the direct or indirect transmission of the infectious agent or its byproducts or via inanimate environment or object to a susceptible person or persons.
- **Retaliatory Action:** The discharge, suspension, demotion, penalization, discrimination, or other adverse employment action taken against any employee.

ESSENTIAL EMPLOYEES OR DUTIES

In the event of a state-ordered reduction of in-person workforce, the library Director shall be designated as an Essential Employee and is permitted to be physically present at the Perry Public Library to perform tasks essential to their job or the operations of the library including, but not limited to, maintenance to the facilities that could otherwise threaten or pose a risk to the library's facilities if not performed; bookkeeping such as accounts payable, accounts receiving, and processing payroll; and/or accepting, sorting, and opening postal mail or packages.

These essential tasks may be delegated to a specific employee or contractor at the discretion of the Director. This employee or contractor is permitted to be physically present at the Perry Public Library to perform only the designated essential tasks as assigned.

TELECOMMUTE/WORK FROM HOME

In the event of a state-ordered reduction of in-person workforce, the Perry Public Library's Working Remotely Policy will be implemented.

All employees whose duties and routine tasks require the use of a computer and/or internet access, will be provided library-issued equipment necessary to perform those duties and tasks.

The Director will provide instructions for downloading/installing any software for employees to perform their duties remotely. The Director will also provide instructions for transferring office phone lines to personal cell phones as applicable to the employee's job description.

IN-PERSON REPORTING

The Director will coordinate the schedule for employees and contractors reporting to the library in-person to perform essential tasks so that the Perry Public Library remains in compliance with the state-ordered reduction of in-person workforce. No employee or contractor is permitted to report to the Perry Public Library without authorization from the Director.

PERSONAL PROTECTIVE EQUIPMENT

PPE as required by local, state or federal laws or Executive Orders will be provided by the Perry Public Library. As per OSHA guidelines, employees are not financially responsible for mandated PPE. Employees may provide their own PPE if they desire and if it is in compliance with all local, state, or federal laws or Executive Orders and CDC and OSHA regulations.

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The Perry Public Library will provide any necessary training for mandated PPE including proper use and disposal.

The Perry Public Library will keep a supply of PPE in storage in the event a public health emergency is immediately declared. All employees will be aware of the storage location of PPE. The Director will monitor PPE supply levels and replenish the supply as needed in accordance with the library's Procurement Policy.

Failure to comply with PPE mandates may result in disciplinary action.

EXPOSURE TO COMMUNICABLE DISEASE

If required by local, state or federal laws or Executive Orders, mandatory, continuous health screening practices will be implemented for all employees.

In the event an employee is exposed to a known case of the communicable disease that is the subject of the public health emergency, exhibits symptoms of such disease, or tests positive for such disease, the following procedures will be immediately implemented:

- The employee must not report to the library or they must leave the premises immediately, if already at work, and notify the Director.
- The Director will notify both local and state health departments and will follow guidance specific to workplaces with a suspected or positive case.
- The Director and the employee will determine which other staff members were in close contact and possibly exposed to the communicable disease.
- The Director and the employee will determine which areas of the library are now considered "contaminated" and need to be immediately closed.

Cleaning Contaminated Areas

- The library will immediately close off contaminated area(s).
- The area(s) will be quarantined for a length of time determined by local or state health departments.
- The air conditioning will be temporarily turned off the area so that particles will not circulate throughout the facility.
- After the determined length of time, the area(s) used by the employee will be cleaned, vacuumed, and disinfected including bathrooms, common areas, shared electronic equipment like computers, tablets, keyboards, and other office supplies.
- Once the areas have been appropriately disinfected, they can be opened for use.
- The library will continue routine cleaning and disinfecting and logging these activities as recommended.

Contact Tracing

The Director will adhere to local and state guidance regarding Contact Tracing which may include reporting or contacting other employees, contractors, visitors, and patrons who voluntarily supplied their information for the purpose of Contact Tracing who may have been in close contact with the employee suspected or confirmed to have the communicable disease.

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The Director will keep the health status of employees confidential.

Compensation

The Perry Public Library will adhere to all local, state, or federal laws or Executive Orders regarding sick leave or expanded family and medical leave for specified reasons related to this communicable disease.

Returning to Work

- If an employee is exposed to the communicable disease or exhibits symptoms of the communicable disease, they must follow all local and state health department directives which may include being tested for that communicable disease and/or quarantining for a specified amount of time at home.
- If an employee has a suspected or confirmed case they must not report back to work until they have met all of the following criteria in consultation with a healthcare provider and in accordance with local, state, and/or federal criteria specific to the communicable disease.
- All other employees will be provided instructions for returning to work dependent on the determination of risk of exposure by the local or state health department during Contact Tracing.

Mitigating Risk

Reporting to work following a known-exposure to the communicable disease, having symptoms consistent with the communicable disease, or following a positive test without being medically cleared to return to work as defined above will be considered a violation of library policy and may result in disciplinary action.

The Perry Public Library will not take any retaliatory action for employees not reporting to work due to a suspected or confirmed case of the communicable disease. Employees must follow the established protocols outlined in the Personnel Policy for reporting an absence.

CONTINUATION OF OPERATIONS

In the event of a declared public health emergency involving a communicable disease, the Director will address operations according to the following outline. Some circumstances will require deviation from this sequence in order to best serve the safety and health of the library staff and community.

- Assess the emergency declaration as it relates to the library's facilities, materials, staff, or community.
- Notify the appropriate persons including employees and the Board of Trustees.
- Determine the next steps, with the information available, regarding:
 - Services or service points
 - Hours of operation
 - Personnel
- Draft a press release or statement to the public

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- Document in detail the sequence or timeline of events before, during, and after the declared public health emergency.
- Prepare for recovery.

COMMUNICATION

Once approved by the Board of Trustees, this Pandemic Response Plan will be published in a clear and conspicuous location at the Perry Public Library and on the library's website. A copy will be provided to all employees.

ONGOING USE EVALUATION

This Pandemic Response Plan was as required by law with the health and safety of the library's employees and community as the top priority.

The Pandemic Response Plan will be evaluated annually by the Director and Board of Trustees and updated as needed.

Questions or concerns regarding Perry Public Library's Pandemic Response Plan should be directed to the Director.

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Harassment Complaint Form

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form for employees to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual or other forms of workplace harassment, you are encouraged to complete this form and submit it to **[insert contact information for individual(s) responsible for complaints (name and/or job title, phone number, email address and/or physical company/Library address)]**. Once you submit this form, **Perry Public Library** will follow its Non-Harassment/Non-Discrimination policy and investigate any claims, as outlined in the Library's policy. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting orally or in another manner, the Library will still follow its Non-Harassment/Non-Discrimination policy and investigate the claim.

Complainant Information

Name: _____ Date: _____

Position/Department: _____ Manager Name: _____

Phone Number _____ Email Address _____

Name of Accused: _____ Accused's Position/Department: _____

Accused's Relationship to you: Supervisor Subordinate Co-Worker Other

Complaint Information

1. Please describe what happened and how it is affecting your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

2. Date(s) incident(s) occurred: _____

3. Is the conduct still continuing? Yes No

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4. Please list the name(s) and contact information of any witness(es) or individual(s) that may have information related to your complaint.

The next question is optional but may help the investigation.

5. Have you previously complained or provided information (verbal or written) about harassment at **Perry Public Library**? If yes, when and to whom did you file the complaint or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information below.

Attorney's Name: _____

Attorney's Phone Number: _____

Attorney's Email Address: _____

I acknowledge that all information provided above is true, complete, and accurate to the best of my knowledge.

Completed By: _____
Employee Name (printed)

Employee Signature

Date

Library Representative Receiving Complaint

Date

Title