

# **Hampton Bays Public Library**

**Hampton Bays Public Library**

**October 29, 2018**

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# Core Policies

## 1.0 Welcome

### 1.1 *A Welcome Policy*

Welcome! You have just joined a dedicated organization. We hope that your employment with Hampton Bays Public Library will be rewarding and challenging. We take pride in our employees as well as in the services we provide.

Please take the time now to read this handbook carefully. Sign the acknowledgment at the end to show that you have read, understood, and agree to the contents of this handbook, which sets out the basic rules and guidelines concerning your employment. This handbook supersedes any previously issued handbooks or policy statements dealing with the subjects discussed herein. The Library reserves the right to interpret, modify, or supplement the provisions of this handbook at any time. Neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. Please understand that no employee handbook can address every situation in the work place.

If you have questions about your employment or any provisions in this handbook, contact Library Director.

We wish you success in your employment here at Hampton Bays Public Library!

All the best,

Susan LaVista, Library Director Hampton Bays Public Library

## **2.0 Introductory Language and Policies**

### **2.1 *About the Library***

The Hampton Bays Public Library is an Association Library. A Provisional Charter was granted in 1960, and on March 20, 1970, the Library received its Absolute Charter from the New York State Board of Regents for and on behalf of the State Education Department.

The Library is governed by an appointed Board of Trustees dedicated to the mission of providing high quality Library services at a reasonable cost to the community. In addition to providing full Library services to the residents of the Hampton Bays School District, the Library serves the residents of the East Quogue School District with all of their Library needs on a contractual basis.

The Hampton Bays Public Library offers a broad selection of materials including books, magazines, music, audio books, and DVDs, as well as electronic databases and a vast collection of free downloads of eBooks, audio books, music and videos. The Library has more than 30 computers for public use and wireless access. The Library offers a wide variety of programs for community members of all ages. Visiting the Hampton Bays Public Library or the Library's web site provides visitors with a world of information. We are proud to serve the residents of Hampton Bays.

#### **MISSION STATEMENT**

The Hampton Bays Library serves our community by providing educational, cultural and recreational resources for lifelong learning.

### **2.2 *Ethics Code***

The Hampton Bays Public Library Board of Trustees recognizes that sound, ethical standards of conduct serve to increase the effectiveness and accountability of the Library Board of Trustees, Library staff and volunteers. Actions based on an ethical code of conduct promote public confidence and the attainment of Library goals. The Board of Trustees also recognizes its discretion under the provisions of the New York General Municipal Law and the Non-profit Revitalization Act (Not-for-Profit Corporation Law Section 715-A), to adopt a code of ethics setting forth the standards of conduct required of all Library Trustees, officers, employees and volunteers.

The Hampton Bays Public Library Board of Trustees is also committed to avoiding any circumstance in which the existence of conflicting interests of any Library Trustee, officer or employee may call into question the integrity of the management or operation of the Library. The Board affirms its commitment to adhere scrupulously to all applicable provisions of law regarding material conflicts of interest.

Definitions: Unless the context clearly provides otherwise, the terms set forth below shall have the following meanings:

(a) "Interest" means a direct or indirect pecuniary or material benefit accruing to a Trustee, officer or employee, or his or her relative ("related party") whether as a result of a contract with the Library District or otherwise. For the purpose of this policy, a Library Trustee, officer or employee shall be deemed to have an interest in the contract of:

(I) A relative (related party) except as to a contract of employment with the Library District

(II) A firm, partnership or association of which such officer or employee is a member or employee;

(III) A corporation of which such Trustee, officer or employee is an officer, director or employee;

(IV) A corporation of which more than five percent of the outstanding stock is owned by any such Trustee, officer, employee, or his or her relative(related party).

(b) "Trustee", "Officer" or "Employee" means an elected or appointed officer or employee of the Library District, whether paid or unpaid.

(d) "Relative" means spouse, a child, stepchild, parent, stepparent, brother, sister, stepbrother, step-sister, **or other person defined under law as a "related party"**.

1. Gifts: No officer or employee of the Hampton Bays Public Library shall directly or indirectly solicit, accept, or receive any money or gift having a value of \$75 or more, whether in the form of cash, check, loan, credit, services, travel, entertainment, hospitality, thing or promise, or any other form. However, the Board welcomes and encourages the writing of letters or notes expressing gratitude to or the appreciation of staff members.
2. Confidential Information: No Trustee, officer or employee of the Hampton Bays Public Library shall disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. In addition, he or she shall not disclose information regarding any matters discussed in an executive session of the Board of Trustees.
3. Representation Before the Board: A Trustee, officer or employee of the Hampton Bays Public Library shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter involving Library Board of Trustees' action.
4. Representation Before the Board for a Contingent Fee: A Trustee, officer or employee of the Hampton Bays Public Library shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the Library Board, whereby the compensation is to be dependent or contingent upon any action by the Board with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the

reasonable value of the services rendered if otherwise authorized under law.

5. Disclosure of Interest in Matters before the Board: A member of the Board of Trustees and any officer or employee of the Hampton Bays Public Library, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such matter. The term "interest" means a pecuniary or material benefit accruing to an officer or employee or a "related party".
6. Disclosure of Interests in Contracts and Procedures Addressing a Conflict of Interest: To the extent known, any Trustee, officer or employee of the Hampton Bays Public Library who has, or will have, or subsequently acquires any interest in any contract with the Hampton Bays Public Library shall publicly disclose the nature and extent of such interest in writing to the Library Board of Trustees as well as to the Library Director as soon as he or she has knowledge of such actual or prospective interest. The Board President shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement, and the Board of Trustees shall determine if it can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest. If a more advantageous transaction or arrangement is not reasonably possible under circumstances of not producing a conflict of interest, a majority of Trustees disinterested in the transaction or arrangement must determine that the transaction or arrangement is in the Library's best interest, for its own benefit, and is fair and reasonable. Minutes of the majority vote are to be recorded.
- 7.

Investments in Conflict with Official Duties: No Trustee, officer or employee of the Hampton Bays Public Library shall invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties.

8.

Certain Real Property Interests Prohibited: No Trustee, officer or employee of the Hampton Bays Public Library who has an interest in any real property, either individually or as an officer or employee of a corporation or partnership, shall participate in the acquisition or plan for acquisition of said property or any property adjacent to said property by the Library. Any such person shall not be present at or participate in Board or committee deliberations or vote on any matter giving rise to such conflict. The term "participate" shall include the promotion of the site as well as the negotiation of the terms of the acquisition.

9. Conflicts of Interest: Defined: A Conflict of Interest shall arise under circumstances where a Library Trustee, officer or employee of the Hampton Bays Public Library shall have an interest in any contract between the Library and any entity with which the Library has a relationship in which he or she is an officer, employee, director, trustee,

member or owner when such Library Trustee, officer or employee has the power to negotiate, prepare, authorize or approve the contract or authorize or approve payment thereunder, audit bills or claims under the contract, or appoint an officer or employee who has any of the powers or duties set forth above, or the chief fiscal officer, treasurer or his or her deputy or employee shall have an interest in a bank or trust Library designated as a depository paying agent, registration agent or for investment of Library funds of which he or she is an officer, employee, director, trustee, member or owner.

10.

Prohibited Conflicts of Interest: No Library Trustee, officer or employee of the Hampton Bays Public Library shall have an interest in any contract between the Library and a corporation or partnership of which he or she is an officer or employee when such Library Trustee, officer or employee has the power to negotiate, prepare, authorize or approve the contract or authorize or approve payment there under, audit bills or claims under the contract, or appoint an officer or employee who has any of the powers or duties set forth above, and no chief fiscal officer, treasurer or his or her deputy or employee shall have an interest in a bank or trust Library designated as a depository paying agent, registration agent or for investment of Library funds of which he or she is an officer or employee. Any such person shall not be present at or participate in Board or committee deliberations or vote on any matter giving rise to such conflict. The provisions of this action shall in no event be construed to preclude the payment of lawful compensation and necessary expenses of any Library officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.

11.

Certain Prohibited Actions: No Trustee, officer or employee of the Hampton Bays Public Library shall hire, supervise, evaluate, promote, review or discipline any employee who is a member of his/her family. In the event that marriage, promotion, or reorganization results in a situation not in compliance with this policy, reassignment or transfer will be effected in accordance with the applicable provisions of any collective bargaining agreement to correct the circumstance.

12. Private Employment: No Trustee, officer or employee of the Hampton Bays Public Library shall engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

13.

Future Employment: No Trustee, officer or employee of the Hampton Bays Public Library shall, after the termination of service or employment with the Library Board, appear before the Board or any panel or committee of the Board, in relation to any case, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration. This shall not bar or prevent the timely

filing by a present or former Library officer or employee of any claim, account, demand or suit against the Library on his or her own behalf or on behalf of any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

14.

Use of Library Property: No Library Trustee, officer or employee of the Hampton Bays Public Library shall use or permit the use of property, owned or leased to the Library, for anything other than official purposes or for activities not otherwise officially approved by the Library Board of Trustees.

15.

Disclosure of "Related Party" Transactions: A Trustee, officer or employee of the Hampton Bays Public Library shall disclose to the Board of Trustees the existence of a "related party transaction" as defined under Section 715 of the Non-profit Revitalization Act upon becoming aware of such circumstances.

16.

Duty to Disqualify: It is incumbent upon any Library Trustee, officer or employee of the Hampton Bays Public Library, whether paid or unpaid, to disqualify himself or herself immediately whenever the "appearance" of a conflict of interest exists.

17. Duty to Report Conflicts of Interest: In the event that any Library Trustee, officer or employee of the Hampton Bays Public Library knows of or perceives a direct or indirect conflict of interest, he or she shall report it to the Library Board of Trustees.

18.

Duty to Report Violations of this Policy: Any Library Trustee, officer or employee of the Hampton Bays Public Library or any member of the public noting or suspecting a violation of this policy shall report the matter to the Library Board of Trustees.

19.

Prohibition Against Improperly Attempting to Influence: No Trustee, officer or employee of the Hampton Bays Public Library with a conflict of interest shall attempt to influence improperly the deliberations and voting by the Board of Trustees on the matter giving rise to the conflict of interest. Any such person shall not be present at or participate in Board or committee deliberations or vote on any matter giving rise to such conflict

20.

Documenting Conflict of Interest and Resolution: In the event that a Trustee, officer or employee of the Hampton Bays Public Library discloses the existence of a Conflict of Interest, the Library Board of Trustees shall document and set forth in the official Minutes of the Board meeting the resolution of the conflict of

interest, including the vote of the Trustees. Any resolution of such conflict by the Board shall hold the Library's interest paramount, as well as maintain the Board's integrity in its governing role.

21. Written Statement Prior to Initial Election and Annually Thereafter: Prior to the initial election of a Trustee or officer, and annually thereafter, Trustees and officers of the Hampton Bays Public Library shall complete, sign and submit to the Secretary or President of the Board of Trustees a written statement identifying, to the best of the Trustee's or officer's knowledge, any entity of which such Trustee, officer or employee has a relationship, and any transaction in which the Library is a participant and in which the Trustee or officer might have a conflicting interest. The Secretary to the Board of Trustees shall provide a copy of all completed Statements to the Board President.

*Distribution of the Library Officer and Employee Code of Ethics and Conflict of Interest Policy*

The Library Board of Trustees shall cause a copy of this Code of Ethics and Conflict of Interest Policy to be distributed to every Trustee, officer and employee of the Hampton Bays Public Library. Each Trustee, officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment. In addition, the Board shall ensure that a copy of Article 18 of the General Municipal Law and this Policy shall be kept posted in the Library in a place conspicuous to the Library's Trustees, officers and employees.

*Penalties*

In addition to any penalty contained in any other provision of law, a Library Trustee, officer or employee of the Hampton Bays Public Library who shall knowingly and intentionally violate any of the provisions of this Code of Ethics and Conflict of Interest Policy may be subject to disciplinary action up to and including dismissal, in the manner provided by law.

## **3.0 Hiring and Orientation Policies**

### **3.1 *Employment of Relatives and Friends***

We will not employ friends or relatives in circumstances where actual or potential conflicts may arise that could compromise supervision, safety, confidentiality, security, and morale at Hampton Bays Public Library. It is your obligation to inform the Library of any such potential conflict so the Library can determine how best to respond to the particular situation.

### **3.2 *Job Descriptions***

Hampton Bays Public Library attempts to maintain a job description for each position. If you do not have a current copy of your job description, you should request one from the Library Director.

Job descriptions prepared by the Library serve as an outline only. Due to business needs, you may be required to perform job duties that are not within your written job description. Furthermore, the Library may have to revise, add to, or delete from your job duties per business needs. On occasion, the Library may need to revise job descriptions with or without advance notice to employees.

If you have any questions regarding your job description or the scope of your duties, please speak with the Library Director or your department supervisor.

### **3.3 *New Hires and Introductory Periods***

The first 3 months of your employment is considered an introductory period. During this period, you will become familiar with Hampton Bays Public Library and your job responsibilities, and we will have the opportunity to monitor the quality and value of your performance and make any necessary adjustments in your job description or responsibilities. Your introductory period with the Library can be shortened or lengthened as deemed appropriate by management and Human Resources. Completion of this introductory period does not imply guaranteed or continued employment. Nothing that occurs during or after this period should be construed to change the nature of the at will employment relationship.

### **3.4 *Posting of Openings***

Hampton Bays Public Library desires to promote qualified employees from within where it believes that is possible, consistent with the need to assure that all positions are staffed by highly competent individuals. New job openings will be posted on the bulletin board, on the listservs and other websites.

### **3.5 *Employment Authorization Verification***

New hires will be required to complete Section 1 of federal Form I-9 on the first day of paid employment and must present acceptable documents authorized by the U.S. Citizenship and Immigration Services proving identity and employment authorization no later than the third business day following the start of employment with Hampton Bays Public Library. If you are currently employed and have not complied with this requirement or if your status has changed, inform your supervisor or the Library Director

If you are authorized to work in this country for a limited period of time, you will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the Library.

## **4.0 Wage and Hour Policies**

### **4.1 Attendance Policy**

If you know ahead of time that you will be absent or late, provide reasonable advance notice to your supervisor or the Library Director. You may be required to provide documentation of any medical or other excuse for being absent or late where permitted by applicable law.

Hampton Bays Public Library reserves the right to apply unused vacation, sick time, or other paid time off to unauthorized absences. Absences resulting from approved leave, vacation, or legal requirements are exceptions to the policy.

### **4.2 Business Expenses Policy**

If you have approved business related expenses, submit the a reimbursement form along with the receipts or copies of the receipts to the business office.

### **4.3 Direct Deposit**

Hampton Bays Public Library encourages all employees to enroll in direct deposit. If you would like to take advantage of direct deposit, ask the business office for an application form. Typically, the bank will begin the direct deposit of your payroll with the first payroll after you submit your completed application.

If you have selected the direct deposit payroll service, a written explanation of your deductions will be given to you on paydays described in the preceding sections in lieu of a check.

### **4.4 Introduction to Wage and Hour Policies**

If you have any questions about your compensation, including matters such as paid time off, benefits, or paycheck deductions, speak with the business office or Library Director.

### **4.5 Job Abandonment**

If you fail to show up for work or call in with an acceptable reason for the absence for a period of three consecutive days, you will be considered to have abandoned your job and voluntarily resigned from Hampton Bays Public Library.

### **4.6 Posting of Work Schedules**

The normal work schedule for full-time employees is 35 hours a week. Part-time employees work less than full-time employees. The Library Director or the department head will advise employees of the times their schedules will normally begin and end. Part-time schedules vary based on department needs. Staffing needs and operational demands may necessitate variations in starting

and ending times, as well as variations in the total hours that may be scheduled each day and week.

## **5.0 Performance, Discipline, Layoff, and Termination**

### **5.1 Exit Interview**

You may be asked to participate in an exit interview when you leave Hampton Bays Public Library. The purpose of the exit interview is to provide management with greater insight into your decision to leave employment; identify any trends requiring attention or opportunities for improvement; and to assist the Library in developing effective recruitment and retention strategies. Your cooperation in the exit interview process is appreciated.

### **5.2 Outside Employment**

Outside employment that creates a conflict of interest or that affects the quality or value of your work performance or availability at Hampton Bays Public Library is prohibited. The Library recognizes that you may seek additional employment during off hours, but in all cases expects that any outside employment will not affect job performance, work hours, or scheduling, or otherwise adversely affect your ability to effectively perform your duties. Any conflicts should be reported to your supervisor or the Library Director. Failure to adhere to this policy may result in discipline up to and including termination.

### **5.3 Pay Raises**

Depending on financial health and other Library factors, efforts will be made to give pay raises consistent with the budget. The Library may also make individual pay raises based on merit or due to a change of job position.

### **5.4 Performance Review**

Hampton Bays Public Library will make efforts to periodically review your work performance. The performance review process will take place annually. You may specifically request that your manager or supervisor assist you in developing a performance review plan at any time.

The performance review process is a means for increasing the quality and value of your work performance. Your initiative, effort, attitude, job knowledge, and other factors will be addressed. A positive job performance review does not guarantee a pay raise or continued employment. Pay raises and promotions are based on numerous factors, only one of which is job performance.

### **5.5 Problem Solving Procedures**

Hampton Bays Public Library strives to provide a comfortable, productive, legal, and ethical work environment. To this end, we want you to bring any problems, concerns, or grievances you have about the work place to the attention of your supervisor or the Library Director. To help manage conflict resolution we have instituted the following problem solving procedure:

If you believe there is inappropriate conduct or activity on the part of the Library, management, its employees, vendors, patrons, or any other persons or entities related to the Library, bring your concerns to the attention of your supervisor or the Library Director at a time and place that will allow the person to properly listen to your concern. Most problems can be resolved informally through dialogue between you and your supervisor or the Library Director. If you have already brought this matter to the attention of your supervisor or the Library Director before and do not believe you have received a sufficient response, or if you believe that person is the source of the problem, present your concerns to library board of trustees. Describe the problem, those persons involved in the problem, efforts you have made to resolve the problem, and any suggested solution you may have.

## **5.6 Standards of Conduct**

Hampton Bays Public Library wishes to create a work environment that promotes job satisfaction, respect, responsibility, integrity, and value for all our employees, clients, patrons, and other stakeholders. We all share in the responsibility of improving the quality of our work environment. By deciding to work here, you agree to follow our rules.

While it is impossible to list everything that could be considered misconduct in the workplace, what is outlined here is a list of common-sense infractions that could result in discipline, up to and including immediate termination of employment. This policy is not intended to limit our right to discipline or discharge employees for any reason permitted by law.

Examples of inappropriate conduct include:

- Violation of the policies and procedures set forth in this handbook.
- Possessing, using, distributing, selling, or negotiating the sale of illegal drugs or other controlled substances.
- Being under the influence of alcohol during working hours on Library property, or on Library business.
- Inaccurate reporting of the hours worked by you or any other employees.
- Providing knowingly inaccurate, incomplete, or misleading information when speaking on behalf of the Library or in the preparation of any employment related documents including, but not limited to, job applications, personnel files, employment review documents, intra-Library communications, or expense records.
- Taking or destroying Library property.
- Possession of potentially hazardous or dangerous property (where not permitted) such as firearms, weapons, chemicals, etc., without prior authorization.
- Fighting with, or harassment of (as defined in our Equal Employment Opportunity policies), any fellow employee, vendor, or patron.
- Disclosure of Library proprietary and confidential information.

- Refusal or failure to follow directions or to perform a requested or required job task.
- Refusal or failure to follow safety rules and procedures.
- Excessive tardiness or absences.
- Smoking in the library or on library property.
- Working unauthorized overtime.
- Solicitation of fellow employees on Library premises during working time (refer to policy on nonsolicitation).
- Failure to dress according to Library policy.
- Use of obscene or harassing (as defined by our EEO policies) language in the workplace.
- Engaging in outside employment that interferes with your ability to perform your job at this Library.
- Gambling on Library premises.
- Lending keys, keycards or access codes to Library property to unauthorized persons.

Nothing in this policy is intended to limit your rights under the National Labor Relations Act (NLRA).

### **5.7 Workforce Reductions (Layoffs)**

If necessary based upon business needs, Hampton Bays Public Library management may decide to implement a reduction in force (RIF). We acknowledge that RIFs can be a trying experience for all involved, and the Library will make its best effort to make sound business decisions while acknowledging the needs of its workforce.

## **6.0 General Policies**

### **6.1 Use of Personal Vehicle**

If you use your personal vehicle in the course and scope of employment, such as to attend a meeting or for community outreach, you may not operate such vehicle while:

1. Under the influence of drugs, alcohol, or any other substance that might impair your judgment or ability to drive; or
2. Texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

### **6.2 Computer Security and Copying of Software**

Library hardware, software, and networking systems purchased and provided by Hampton Bays Public Library are to be used only for creating, researching, and processing materials for Library use, or as appropriate in your scope of work. By using Library hardware, software, and networking systems you assume personal responsibility for their use and agree to comply with this policy and other applicable Library policies, as well as city, state, and federal laws and regulations.

All software acquired for or on behalf of the Library, or developed by Library employees or contract personnel on behalf of the Library, is and will be deemed Library property. It is the policy of the Library to respect all computer software rights and to adhere to the terms of all software licenses to which the Library is a party. The Library Director is responsible for enforcing these guidelines.

You may not illegally duplicate any licensed software or related documentation. Unauthorized duplication of software may subject you and/or the Library to both civil and criminal penalties under the United States Copyright Act. To purchase software, obtain your manager's approval. All software acquired by the Library must be purchased through the Library Director.

You may not duplicate, copy, or give software to any outsiders including clients, contractors, patrons, and others. You may use software on local area networks or on multiple machines only in accordance with applicable license agreements entered into by the Library.

### **6.3 Employer Sponsored Social Events**

Hampton Bays Public Library holds periodic social events for employees. Be advised that your attendance at these events is encouraged but voluntary and does not constitute part of your work-related duties.

Alcoholic beverages may be available at these events. If you choose to drink alcoholic beverages, you must do so in a responsible manner. Do not drink and drive. Instead, please call a taxi or appoint a designated driver.

#### **6.4 Mail Use Policy**

The Hampton Bays Public Library mail and postage meter is for business purposes only. You may not use the Library address to receive personal mail. Do not use the Library postage meter for your personal mail. Report any suspicious packages or envelopes to the Library Director immediately.

#### **6.5 Nonsolicitation/Nondistribution Policy**

To avoid disruption of business operations or disturbance of employees, visitors, and others, Hampton Bays Public Library has implemented a Nonsolicitation/Nondistribution Policy. For purposes of this policy, "solicitation" includes, but is not limited to, selling items or services, requesting contributions, and soliciting or seeking to obtain membership in or support for any organization. Solicitation performed through verbal, written, or electronic means is covered by the Nonsolicitation/Nondistribution Policy.

You are prohibited from soliciting other employees during your assigned working time. For this purpose, working time means time during which either you or the employees who are the object of the solicitation are expected to be actively engaged with assigned work. You may conduct solicitations during your lunch period, coffee breaks, or other authorized nonworking time, so long as you do so when the other employees are also on nonworking time.

To avoid inappropriate litter, clutter, and safety risks, you may not distribute literature or other items that are not work related in working areas at any time. Working areas do not include break/rest areas, lunch rooms, or parking lots. Electronic distribution of materials is prohibited during work time. Literature that violates the Library's equal employment opportunity (EEO) and nonharassment policies (including threats of violence), or is knowingly and recklessly false, is never permitted. Non-employees are not permitted to distribute materials on Library premises at any time.

This policy is not intended to restrict the statutory rights of employees, including the right to discuss terms and conditions of employment.

Violations of this policy should be reported to your supervisor or the Library Director.

#### **6.6 Off-Duty Use of Library Property or Premises**

You may not use Hampton Bays Public Library property for personal use during working time. You are responsible for returning Library property in good condition and repairing or replacing any property damaged as the result of personal use or as the result of negligence. This includes use of copy machines, computers, Library products, or office supplies for personal use without prior authorization.

It is Library policy to control off duty and nonworking hour use of Library facilities either for business or personal reasons. You are prohibited from using

Library facilities during off duty or nonworking hours without the written consent of the Library Director. If you use Library facilities during your off-duty hours or Library off-hours, you may be required to sign a log-in and log-out sheet maintained by the Library or building manager.

### **6.7 *Open Door Policy***

At Hampton Bays Public Library, we welcome suggestions for continued improvement and welcome your ideas for better ways to do your job, promote the services of our Library, or meet patron needs. Discuss your ideas with your supervisor or the Library Director.

We also encourage you to offer any suggestions derived from seminars, professional journals, or other outside sources of information you believe would add value to the Library.

Understand that any suggestions, innovations, or other matter created by you on work time or with Library tools or property are considered to be the property of the Library.

### **6.8 *Personal Appearance***

Your personal appearance reflects on the reputation, integrity, and public image of Hampton Bays Public Library. All employees are required to report to work neatly groomed and dressed. You are expected to maintain personal hygiene habits that are generally accepted in the community, including clean clothing, good grooming and personal hygiene, and appropriate attire for the workplace and the work being performed. This may include wearing uniforms or protective safety clothing and equipment, depending upon the job. Use common sense and good judgment in determining what to wear to work.

Fragrant products, including but not limited to perfumes, colognes, and scented body lotions or hair products, should be used in moderation out of concern for others with sensitivities or allergies.

The Library will make every effort to reasonably accommodate employees with disabilities or with religious beliefs that make it difficult for them to comply fully with the personal appearance policy. Contact the Library Director to request a reasonable accommodation.

Failure to comply with the personal appearance standards may result in being sent home to groom or change clothes. Frequent violations may result in disciplinary action, up to and including termination of employment.

### **6.9 *Personal Cell Phone/Mobile Device Use***

While Hampton Bays Public Library permits employees to bring personal cell phones and other mobile devices (i.e. smart phones, PDAs, tablets, laptops) into the workplace, you must not allow the use of such devices to interfere with

your job duties or impact workplace safety and health.

Use of personal cell phones and mobile devices at work can be distracting and disruptive and cause a loss of productivity. Thus, you should primarily use such personal devices during nonworking time, such as breaks and meal periods. During this time, use devices in a manner that is courteous to those around you. Outside of nonworking time, use of such devices should be minimal and limited to emergency use only. If you have a device that has a camera and/or audio/video recording capability, you are restricted from using those functions on Library property unless authorized in advance by management or when they are used in a manner consistent with your right to engage in concerted activity under section 7 of the National Labor Relations Act (NLRA).

You are expected to comply with Library policies regarding the protection of confidential and proprietary information when using personal devices.

You may connect your personal device to the Library network or to Library equipment (computers, printers, etc.) as appropriate to your job description.

You may have the opportunity to use your personal devices for work purposes. The use of personal devices may be limited to certain employees and limited based on compatibility of technology.

Nothing in this policy is intended to prevent employees from engaging in protected concerted activity under the NLRA.

You will be subject to disciplinary action up to and including termination of employment for violation of this policy.

### **6.10 *Personal Data Changes***

It is your obligation to provide Hampton Bays Public Library with your current contact information, including current mailing address and telephone number. Inform the Library of any changes to your marital or tax withholding status. Failure to do so may result in loss of benefits or delayed receipt of W-2 and other mailings. To make changes to this information, contact the business office or the Library Director.

### **6.11 *Security***

All employees are responsible for helping to make Hampton Bays Public Library a secure work environment. Upon leaving work, lock all desks, lockers, and doors protecting valuable or sensitive material in your work area and report any lost or stolen keys, passes, or similar devices to the Library Director immediately. Refrain from discussing specifics regarding Library security systems, alarms, passwords, etc. with those outside of the Library.

Immediately advise your supervisor or the Library Director of any known or potential security risks and/or suspicious conduct of employees, patrons, or

guests of the Library. Safety and security is the responsibility of all employees and we rely on you to help us keep our premises secure.

## **6.12 Social Media Policy**

At Hampton Bays Public Library, we recognize the Internet provides unique opportunities to participate in interactive discussions and share information using a wide variety of social media. However, use of social media also presents certain risks and carries with it certain responsibilities. To minimize risks to the Library, you are expected to follow our guidelines for appropriate use of social media.

This policy applies to all employees who work for the Library.

### **Guidelines**

For purposes of this policy, **social media** includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether associated or affiliated with the Library, as well as any other form of electronic communication.

Library principles, guidelines, and policies apply to online activities just as they apply to other areas of work. Ultimately, you are solely responsible for what you communicate in social media. You may be personally responsible for any litigation that may arise should you make unlawful defamatory, slanderous, or libelous statements against any patron, employees, or trustee of the Library.

### **Know and Follow the Rules**

Ensure your postings are consistent with these guidelines. Postings that include unlawful discriminatory remarks, harassment, and threats of violence or other unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### **Be Respectful**

The Library cannot force or mandate respectful and courteous activity by employees on social media during nonworking time. If you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as unlawful, slanderous, threatening, or that might constitute unlawful harassment. Examples of such conduct might include defamatory or slanderous posts meant to harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, age, national origin, religion, veteran status, or any other status or class protected by law or Library policy. Your personal posts and social media activity should not reflect upon or refer to the Library.

### **Maintain Accuracy and Confidentiality**

When posting information:

- Maintain the confidentiality of intellectual property, and confidential sensitive information (i.e. patron lists or employee personal information).
- Do not create a link from your personal blog, website, or other social networking site to a Library website that identifies you as speaking on behalf of the Library.
- Never represent yourself as a spokesperson for the Library. If the Library is a subject of the content you are creating, do not represent yourself as speaking on behalf of the Library. Make it clear in your social media activity that you are speaking on your own behalf.
- Respect copyright, trademark, third-party rights, and similar laws and use such protected information in compliance with applicable legal standards.

### **Using Social Media at Work**

Do not use social media while on your work time, unless it is work related as authorized by your supervisor or the Library Director or consistent with policies that cover equipment owned by the Library.

### **Media Contacts**

If you are not authorized to speak on behalf of the Library, do not speak to the media on behalf of the Library. Direct all media inquiries for official Library responses to the Library Director.

### **Retaliation and Your Rights**

Retaliation or any other negative action is prohibited against anyone who, based on a reasonable belief, reports a possible deviation from this policy or cooperates in an investigation. Those who retaliate against others for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Nothing in this policy is designed to interfere with, restrain, or prevent employees from communications regarding wages, hours, or other terms and conditions of employment, or to restrain employees in exercising any other right protected by law. All employees have the right to engage in or refrain from such activities.

### **6.13 Telephone Use**

Hampton Bays Public Library phones are principally for work-related communications. Unless there is an emergency, limit telephone calls to business purposes only. Limit personal use of Library telephones to brief communications during rest periods where possible. Casual conversation with friends and relatives during working hours is strongly discouraged. Telephone use is subject to the Voicemail/Email/Internet Usage Policy.

#### **6.14 *Third Party Disclosures***

From time to time, Hampton Bays Public Library may become involved in news stories or potential or actual legal proceedings of various kinds. When that happens, lawyers, former employees, newspapers, law enforcement agencies, and other outside persons may contact our employees to obtain information about the incident or the actual or potential lawsuit.

If you receive such a contact, you should not speak on behalf of the Library and should refer any call requesting the position of the Library to the Library Director. If you have any questions about this policy or are not certain what to do when such a contact is made, contact the Library Director.

#### **6.15 *Workplace Privacy and Right to Inspect***

Hampton Bays Public Library property, including but not limited to phones, computers, tablets, desks, work place areas, vehicles, or equipment, remains under the control of the Library and is subject to inspection at any time, without notice to any employees, and without their presence.

You should have no expectation of privacy in any of these areas. We assume no responsibility for the loss of, or damage to, your property maintained on Library premises including that kept in storage areas and desks.

## **7.0 Benefits**

### **7.1 Bereavement Leave**

Hampton Bays Public Library recognizes the importance of taking leave when there is a death in the family. Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

Regular full-time employees and Regular part-time employees are entitled to take up to 5 days of paid bereavement leave for the funeral of an immediate relative. Hampton Bays Public Library defines "immediate family" as the employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents, grandchildren or domestic partner.

Pay is based on the employee's regular rate of pay. Authorized leave without pay may be available for extended funeral matters or relations outside of the approved list or for employees not included in the above categories. Other paid leave time may also be taken when necessary. The Library may request documentation to support absences for bereavement leave.

### **7.2 Continuing Education and Meeting Attendance Policy**

The Hampton Bays Public Library believes in supporting the continuing education of our employees. Furthermore, the New York State Education Department requires all certified librarians to participate in professional development in order to maintain their Librarian Certificate. All eligible employees must submit Professional Development Request form in advance of any meeting or class. Management reserves the right to limit the number of staff attending a single conference if attendance negatively impacts the workflow.

## **Travel Expenses**

### **Professional Meeting Request Form**

Staff requesting travel support for a meeting or conference must complete a "Professional Meeting Request Form," in advance of the meeting to allow for adjustments in schedules. Staff must ensure that all fields of information are completed. Staff must submit the form to their supervisor or the Library Director for review. If overnight travel is required, the Library Director will then request approval by the Library Board at the next scheduled Board meeting. All submissions should be at the earliest time possible to ensure enough time for presentation to the board.

### **Allowable Expenses**

Reimbursement will be made for actual and reasonable expenses incurred for registration, transportation, meals, lodging, and other necessary business expenses. Expenses must be reported on an actual cost basis (substantiated with original receipts or facsimile approved by the Library Director).

## **Lodging**

Travelers should use recommended conference hotels, when appropriate. Since hotel reservations are typically guaranteed to assure lodging for late arrivals, travelers are required to cancel these reservations in a timely manner to prevent no show charges or the individual will be held responsible for these charges.

When requesting reimbursement, the original itemized hotel bill and the original receipt showing proof of payment should be submitted with the Request for Payment form. Only lodging charges and related fees will be paid.

## **Sales Tax Exemptions**

HBPL is a sales tax exempt organization. Prior to traveling, you should contact the business office or the Library Director to obtain a Tax Exemption certificate if you are planning to stay at a hotel in New York State only. HBPL Tax Exemption Certificates are not valid outside of New York State.

## **Meals**

HBPL will reimburse travelers for the reasonable cost of their own meals and tips while on business. The New York State meal allowance for receipted charges are \$64 per day and un-receipted per diem rates are \$50 per day. Hampton Bays Public Library adopts these guidelines for all employees. Original receipts for meals must be submitted with the "Request for Reimbursement" form.

## **Alcohol**

There will be no reimbursement for alcoholic beverages.

## **Miscellaneous**

Miscellaneous expenses must be itemized and documented.

## **Planes, Trains & Automobiles**

### **Air Travel & Related Expenses**

Air travel will be reimbursed for coach airfare only. Air travel is restricted to regularly scheduled commercial airlines. All travel arrangements should be made in advance, as airfare booked early can often be obtained at a much lower rate. Before committing to a deeply discounted ticket carrying a substantial penalty for cancellation, individuals should make certain that they can adhere to the planned itinerary.

### **Lost Items**

Lost baggage, clothing, or other personal items are the responsibility of the traveler. Recovery for such personal losses should be worked out with the Library handling the luggage.

### **Ground Transportation And Parking**

Travelers using their personal vehicles to drive to the airport will be reimbursed at the standard mileage rate. Parking at the airport will be reimbursed, but travelers must use long-term or another parking lot that is lower in cost from long term. Once at the destination, the traveler is reminded that hotel shuttles may be available free of charge or for a nominal fee.

### **Traveling With Equipment**

HBPL will not assume responsibility if damage to personal equipment occurs during conference travel.

### **Personal Automobiles/Mileage Reimbursement**

All conference travel for individuals using their personal vehicles must be pre-approved by the HBPL Director. Reimbursement for use of personal vehicles will be at the IRS mileage rate, effective January 1 of each year. Please note that no reimbursement will be made for the cost of repairs to personal vehicles, regardless of whether the costs result from business travel or whether they result from acts of the traveler or another individual. It is the obligation of the owner of a personal vehicle being used for HBPL business to carry adequate insurance for his or her protection and for the protection of any passengers. In the event of an accident, the employee is responsible for his/her own auto insurance deductible.

### **Taxis, Shuttles And Car Service**

Other transportation expenses include the cost of taxis, airport vans and public transportation while on business. HBPL will reimburse the traveler for these expenses, including reasonable tips. Receipts are required for reimbursement of these expenses.

### **Rail Travel**

Coach accommodations should be used for all trips.

### **Non-Reimbursable Expenses**

HBPL will not reimburse travelers for expenses, which are inherently personal in nature. HBPL will not provide reimbursements for the travel expenses of spouses or others who accompany Library employees on HBPL business. The following is a partial list of personal expenses (in addition to those that have been identified in other sections of the policy), which are not eligible for reimbursement as business expenses:

Amenities such as movies or in-room bars. Childcare, baby-sitting, house sitting, or pet sitting costs. Any personal clothing or accessories. Grooming expenses such as haircuts and toiletries. Prescriptions, over-the-counter medication or other medical expenses. Magazines, books or other personal reading materials. Expenses related to non-work activities or personal time off taken before, during or after a business trip. Airline club membership dues. Airline travel insurance costs. Fines for automobile or parking violations.

### **Time Off**

All Travelers will be credited for a 7-hour work day for each day spent at conference and for travel days to and from the conference. Over-time will not be granted for extended conference and travel days.

### **7.3 Supplemental Insurance**

All full-time and part-time employees who work a regular schedule of at least 18 hours per week and who have completed 3 months of employment at Hampton Bays Public Library are eligible to enroll in the library's supplemental insurance plans during the enrollment period at their own expense. The library currently offers life insurance, dental insurance and a supplemental health insurance. Plan benefits for each plan are described in detail in the summary plan description.

### **7.4 Disability Insurance**

Hampton Bays Public Library provides employees with disability income protection when they miss work due to nonwork related disabilities. The terms and conditions for the disability insurance program are outlined in the Summary of Plan Benefits. Contact the Library Director for a copy of the plan provisions and for any questions about the benefit.

### **7.5 Exempt Personnel**

If you are classified as exempt at the time of your hiring, you are not eligible for overtime pay as otherwise required by federal, state, or local laws. If you have a question regarding whether you are exempt or nonexempt, contact the business office or the Library Director for clarification.

### **7.6 HBPL Has Four Classes of Employees:**

- Regular full-time employees work a regular schedule of 35 hours per week and are eligible for all benefits, which include health insurance, paid vacation, sick and personal time, holiday pay, and all state and federally mandated benefits. See Addendum.
- Regular part-time employees are those who work more than part-time staff but less than 30 hours per week, and are eligible for some benefits on a prorated basis and all state, and federally mandated benefits. See Addendum.
- Part-time employees work up to 18 regularly scheduled hours per week and are eligible for all state, and federally mandated benefits.
- Temporary employees work for a defined period and are eligible for all state, and federally mandated benefits.

### **7.7 Unemployment Compensation Insurance Policy**

Unemployment compensation insurance is paid for by Hampton Bays Public Library and provides temporary income for employees who have lost their job under certain circumstances. Your eligibility for unemployment compensation will, in part, be determined by the reasons for your separation from the Library.

## **7.8 Workers' Compensation Insurance Policy**

Workers' compensation is a no-fault system designed to provide benefits to all employees for work-related injuries. Workers' compensation insurance coverage is paid for by employers and governed by state law. The workers' compensation system provides for coverage of medical treatment and expenses, occupational disability leave, and rehabilitation services, as well as payment for lost wages due to work related injuries. If you are injured on the job while working at Hampton Bays Public Library, no matter how slightly, you are to report the incident immediately to your supervisor or the Library Director. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim for benefits.

To receive workers' compensation benefits, notify the Library Director immediately of your claim. If your injury is the result of an on-the-job accident, you must fill out an accident report. You will be required to submit a medical release before you can return to work.

## **7.9 COBRA**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides the opportunity for eligible Hampton Bays Public Library employees and their beneficiaries to continue health insurance coverage under the Library health plan when a "qualifying event" could result in the loss of eligibility. Qualifying events include resignation, termination of employment, death of an employee, reduction in hours, a leave of absence, divorce or legal separation, entitlement to Medicare, or where a dependent child no longer meets eligibility requirements.

Contact the Library Director to learn more about your COBRA rights.

## **7.10 Military Leave (USERRA)**

Hampton Bays Public Library complies with applicable federal and state law regarding military leave and re-employment rights. Unpaid military leave of absence will be granted to members of the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA; with amendments) and all applicable state law. You must submit documentation of the need for leave to the Library Director. When returning from military leave of absence, you will be reinstated to your previous position or a similar position, in accordance with state and federal law. You must notify the Library Director of your intent to return to employment based on requirements of the law. For more information regarding status, compensation, benefits, and reinstatement upon return from military leave, contact the Library Director.

## **8.0 Safety and Loss Prevention**

### **8.1 Policy Against Workplace Violence**

As the safety and security of our employees, vendors, contractors, and the general public is in the best interests of Hampton Bays Public Library, we are committed to working with our employees to provide a work environment free from violence, intimidation, and other disruptive behavior.

#### **Zero Tolerance Policy**

The Library has a zero tolerance policy regarding workplace violence and will not tolerate acts or threats of violence, harassment, intimidation, and other disruptive behavior, either physical or verbal, that occurs in the workplace or other areas. This applies to management, co-workers, employees, and non-employees such as contractors, patrons, and visitors.

Workplace violence can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm, damage to property, or any intentional behavior that may cause a person to feel threatened.

#### **Prohibited Conduct**

Prohibited conduct includes, but is not limited to:

- Physically injuring another person.
- Threatening to injure a person or damage property by any means, including verbal, written, direct, indirect, or electronic means.
- Taking any action to place a person in reasonable fear of imminent harm or offensive contact.
- Possessing, brandishing, or using a firearm on Library property or while performing Library business except as permitted by state law.
- Violating a restraining order, order of protection, injunction against harassment, or other court order.

#### **Reporting Incidents of Violence**

Report to your supervisor or the Library Director, in accordance with this policy, any behavior that compromises our ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. You are expected to cooperate in any investigation of workplace violence.

#### **Violations**

Violating this policy may subject you to criminal charges as well as discipline up to and including immediate termination of employment.

#### **Retaliation**

Victims and witnesses of workplace violence will not be retaliated against in any manner. In addition, you will not be subject to discipline for, based on a reasonable belief, reporting a threat or for cooperating in an investigation.

If you initiate, participate, are involved in retaliation, or obstruct an investigation into conduct prohibited by this policy, you will be subject to discipline up to and including termination.

If you believe you have been wrongfully retaliated against, immediately report the matter to the Library Director.

## **9.0 Confidentiality and Nondisclosure**

### **9.1 Confidentiality and Nondisclosure**

As a condition of employment, Hampton Bays Public Library employees are required to protect the confidentiality of Library proprietary information, and confidential information (i.e. financial and or personnel records/reports, patron lists, passwords or usernames, etc.) related to the Library. Access to this information should be limited to a "need to know" basis and should not be used for personal benefit, disclosed, or released without prior authorization from management. If you have information that leads you to suspect that employees are obtaining such information, you are required to inform your supervisor or the Library Director.

Violation of this policy may result in discipline or termination, and may subject the violator to civil liability.

## **10.0 Patron Relations**

### ***10.1 Patron, Client, and Visitor Relations***

Hampton Bays Public Library strives to provide the best services possible to our patrons. You are expected to treat every patron or visitor with the utmost respect and courtesy during your working time. You should never argue or act in a disrespectful manner towards a visitor or patron during your working time. If you are having problems with a patron or visitor, notify your supervisor or the Library Director immediately. If a patron or visitor voices a suggestion, complaint, or concern regarding our services, inform your supervisor or the Library Director or provide the patron with a suggestion form.

### ***10.2 Programs and Services Knowledge***

As a representative of Hampton Bays Public Library, you are expected to be familiar with the programs and services we offer. Take every opportunity to learn the interrelationship between your department and the others of the Library. We consider our employees to be the best reflection of our library success.

# New York Policies

## 11.0 Welcome

### 11.1 *At-Will Employment*

Your employment with Hampton Bays Public Library is on an "at-will" basis. This means your employment may be terminated at any time, with or without notice and with or without cause. Likewise, we respect your right to leave the Library at any time, with or without notice and with or without cause.

Nothing in this handbook or any other Library document should be understood as creating a contract, guaranteed or continued employment, a right to termination only "for cause," or any other guarantee of continued benefits or employment. Only the Library Director has the authority to make promises or negotiate with regard to guaranteed or continued employment, and any such promises are only effective if placed in writing and signed by the Library Director.

## **12.0 Introductory Language and Policies**

### ***12.1 Revisions to Handbook***

This handbook is our attempt to keep you informed of the terms and conditions of your employment, including Hampton Bays Public Library policies and procedures. The handbook is not a contract. The Library reserves the right to revise, add, or delete from this handbook as we determine to be in our best interest, except the policy concerning at-will employment. When changes are made to the policies and guidelines contained herein, we will endeavor to communicate them in a timely fashion, typically in a written supplement to the handbook and in a posting on Library bulletin boards.

## **13.0 Hiring and Orientation Policies**

### **13.1 Disability Accommodation**

Hampton Bays Public Library complies with the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act, and all applicable state and local fair employment practices laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities, including disabilities related to pregnancy, childbirth, and related conditions. Consistent with this commitment, the Library will provide reasonable accommodation to otherwise qualified individuals where appropriate to allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the business.

If you require an accommodation because of your disability, it is your responsibility to notify your supervisor or the Library Director. You may be asked to include relevant information such as:

- A description of the proposed accommodation.
- The reason you need an accommodation.
- How the accommodation will help you perform the essential functions of your job.

After receiving your request, the Library will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. Where appropriate, we may need your permission to obtain additional information from your medical provider. All medical information received by the Library in connection with a request for accommodation will be treated as confidential.

The Library encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the Library is not required to make the specific accommodation requested by you and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Library.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

The Library will not discriminate or retaliate against employees for requesting an accommodation.

### **13.2 EEO Statement and Nonharassment Policy**

#### **Equal Employment Opportunity Policy**

Hampton Bays Public Library is committed to complying with all federal, state, and local equal employment laws. To that end, the Library is dedicated to maintaining a work environment that is free from harassment and discrimination on the basis of age, race, creed, color, national origin (including ancestry), religion, gender or sex, sexual orientation, pregnancy (including childbirth and related medical conditions), alienage or citizenship status (unless required by law), disability, marital status, partnership status, caregiver status, domestic violence victim status, familial status, military status, unemployment status, genetic information (including genetic characteristics), or any other protected status under federal, state, or local laws. The Library is dedicated to the fulfillment of this policy with respect to all aspects of employment, including, but not limited to, recruiting, hiring, placement, transfer, training, promotion, compensation, termination, and all other terms, conditions, and privileges of employment.

The Library will conduct a prompt and thorough investigation of all allegations of discrimination, harassment, or retaliation, or any violation of the Equal Employment Opportunity Policy in a confidential manner. The Library will take appropriate corrective action, if and where warranted. The Library prohibits retaliation against employees who provide information about, complain about, or assist in the investigation of any complaint of discrimination or violation of the Equal Employment Opportunity Policy.

We are all responsible for upholding this policy. You may discuss questions regarding equal employment opportunity with your supervisor or the Library Director or any other designated member of management.

### **Policy Against Workplace Harassment**

Hampton Bays Public Library has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's age, race, creed, color, national origin (including ancestry), religion, gender or sex, sexual orientation, pregnancy (including childbirth and related medical conditions), alienage or citizenship status (unless required by law), disability, marital status, partnership status, caregiver status, domestic violence victim status, familial status, military status, unemployment status, genetic information (including genetic characteristics), or any other protected status under federal, state, or local laws. All forms of harassment of, or by, employees, vendors, visitors, patrons, and clients are strictly prohibited and will not be tolerated.

### **Sexual Harassment**

The Library is committed to maintaining a workplace free from sexual harassment, which is unlawful and subjects the Library to liability. The Library prohibits any form of sexual harassment and all employees are required to work in a manner that prevents sexual harassment.

For additional information on sexual harassment, including how to file a claim, see the Sexual Harassment Policy.

## **Other Harassment**

Other workplace harassment is verbal or physical conduct that insults or shows hostility or aversion toward an individual because of the individual's age, race, creed, color, national origin (including ancestry), religion, gender or sex, sexual orientation, pregnancy (including childbirth and related medical conditions), alienage or citizenship status (unless required by law), disability, marital status, partnership status, caregiver status, domestic violence victim status, familial status, military status, unemployment status, genetic information (including genetic characteristics), or any other protected status under federal, state, or local laws.

Again, while it is not possible to list all the circumstances that may constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment:

- The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above protected categories;
- Written or graphic material that insults, stereotypes, or shows aversion or hostility toward an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail, or elsewhere on our premises, or circulated in the workplace; and
- A display of symbols, slogans, or items that are associated with hate or intolerance toward any select group.

## **Reporting Discrimination and Harassment**

If you feel that you have witnessed or have been subjected to any form of discrimination or harassment, immediately notify your supervisor or the Library Director or any member of management.

The Library prohibits retaliation against employees who provide information about, complain, or assist in the investigation of any complaint of harassment or discrimination.

We will promptly and thoroughly investigate any claim and take appropriate action where we find a claim has merit. To the extent possible, we will retain the confidentiality of those who report suspected or alleged violations of the harassment policy.

Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the Library determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the Library may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped.

### **13.3 Religious Accommodation**

Hampton Bays Public Library is dedicated to treating its employees equally and with respect and recognizes the diversity of their religious beliefs. All employees may request an accommodation when their religious beliefs cause a deviation from the Library dress code or the individual's schedule, basic job duties, or other aspects of employment. The Library will consider the request, but reserves the right to offer its own accommodation to the extent permitted by law. Some, but not all, of the factors that will be considered are cost, the effect that an accommodation will have on current established policies, and the burden on operations — including other employees — when determining a reasonable accommodation. At no time will the Library question the validity of a person's belief.

Religious accommodation request forms are available from the Library Director.

### **13.4 Sexual Harassment Policy**

#### **Introduction**

Hampton Bays Public Library is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. Sexual harassment is unlawful and subjects the Library to liability. The Library prohibits any form of sexual harassment and all employees are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of our commitment to a harassment-free and discrimination-free work environment.

You have the right to a workplace free from sexual harassment and can enforce this right by filing a complaint internally with the Library, with an administrative agency, or in a federal, state, or local court (if applicable).

#### **Policy**

- **Application.** This policy applies to all employees, applicants for employment, interns (paid or unpaid), and "non-employees," regardless of immigration status. A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services pursuant to a contract with the Library. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services pursuant to a contract with the employer.
- **Sexual Harassment Prohibited.** Sexual harassment is prohibited. Sexual harassment is a form of misconduct and will not be tolerated. All employees or other individuals covered under this policy who engage in sexual harassment will be subject to disciplinary action up to and including termination.
- **Retaliation Prohibited.** The Library will not take an adverse employment action against any person covered by this policy who in good faith

reports an incident of sexual harassment, provides information about an incident of sexual harassment, or otherwise assists in an investigation of a sexual harassment complaint. The Library will not tolerate retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Anyone who retaliates against another individual involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, interns, or non-employees in the workplace who believe they have been subjected to such retaliation should inform their supervisor or the Library Director. All employees, paid or unpaid interns, or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below.

- **Liability for Sexual Harassment.** Sexual harassment is offensive, is a violation of Library policy, is unlawful, and subjects the Library to liability to victims of sexual harassment. Sexual harassers may also be individually subject to liability. Any individual, including management, who engages in sexual harassment or who allows such behavior to continue, will be penalized for such misconduct.
- **Investigation of Sexual Harassment Claims.** The Library will conduct a timely investigation when management receives a complaint about possible sexual harassment or otherwise knows of possible sexual harassment occurring. The Library will keep the investigation confidential to the extent possible. The Library will take corrective action when sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any investigation of sexual harassment.
- **Reporting Sexual Harassment.** All employees and any other individuals covered by this policy are encouraged to report any behavior or conduct that violates the Library sexual harassment policy. A complaint form is provided below.
- **Reporting for Managers and Supervisors.** Managers and supervisors are required to report any sexual harassment complaint that they receive and any sexual harassment that they observe to the Library Director{.

## 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 on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

Sexual harassment means unwelcome conduct that is either of a sexual nature or that 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 that are of a sexual nature. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone that are offensive or objectionable to the recipient, that cause the recipient discomfort or humiliation, or that interfere with the recipient's job performance.

Unlawful sexual 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 or not during work hours.

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 called "quid pro quo" harassment.

Sexual harassment can occur between any individuals, regardless of their sex or gender.

Although it is not possible to identify every act that constitutes sexual harassment, the following are some examples:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' body; or
  - Rape, sexual battery, molestation, or attempts to commit these assaults.
- Unwanted sexual advances, requests, or propositions, such as:
  - Requests for dates after being informed that interest is unwelcome;
  - Offers of employment benefits such as promotions, favorable evaluations, favorable duties, or shifts in exchange for sexual favors;
  - 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; or
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality, sexual experience, sexual behavior, or physical appearance, 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 look or act.

- Sexual or discriminatory displays or publications anywhere in the workplace, such as displaying emails, pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic (this includes sexual displays on workplace computers or cell phones and sharing these 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, or name-calling.

## **Retaliation**

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (for example, threats of physical violence outside of work hours).

The Library prohibits retaliation against an employee who engages in "protected activity," which occurs when an employee has:

- Filed a formal complaint of sexual harassment either internally with the Library or externally with an administrative agency or a court of law;
- Testified or assisted in an administrative or court proceeding involving sexual harassment;
- Opposed sexual harassment by making a verbal or informal complaint to management or by informing a supervisor or manager of harassment;
- Complained that another employee has been sexually harassed; or
- Encouraged a fellow employee to report harassment.

The Library anti-retaliation provision is not intended to protect persons making intentionally false charges of sexual harassment.

## **Reporting Sexual Harassment**

Preventing sexual harassment is everyone's responsibility. The Library cannot prevent or remedy sexual harassment unless we know about it. Reports of sexual harassment may be made verbally or in writing. If you believe you have been subjected to sexual harassment, or if you witness or become aware of potential instances of sexual harassment, complete a complaint form (at the end of this policy) and submit it to the Library Director. If you are reporting sexual harassment on behalf of other employees, use the complaint form in this policy and note you are reporting on another's behalf.

## **Supervisory Responsibilities**

Supervisors and managers who receive a sexual harassment complaint or who observe sexual harassment are required to report that complaint or observation to the Library Director. Supervisors and managers who knowingly allow sexual harassment to occur and fail to report the sexual harassment will be subject to disciplinary action up to and including termination.

Supervisors and managers will also be subject to discipline for engaging in retaliation against anyone who reports sexual harassment.

### **Investigation of Sexual Harassment Complaints**

All complaints or information about sexual 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 sexual harassment will be prompt and thorough, will commence immediately, and will be completed as quickly as possible. All persons involved, including complainants, witnesses, and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any individual may be required to cooperate as needed in an investigation of suspected sexual harassment. The 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 include the following steps:

- Upon receipt of complaint, the Library Director will conduct an immediate review of the allegations and take any interim actions (such as instructing the respondent to refrain from communications with the complainant), as appropriate. If the complaint is verbal, you will be encouraged to complete the Complaint Form in writing. If you refuse, the Library may prepare a Complaint Form based on the verbal reporting.
- If documents, emails, or phone records are relevant to the investigation, the Library will take steps to obtain and preserve them.
- The Library will request and review all relevant documents, including all electronic communications.
- The Library will interview all parties involved, including any relevant witnesses.
- The Library will create a written documentation of the investigation (such as a letter, memo, or email) containing 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 action(s).
- The Library will keep the written documentation and associated documents in a secure and confidential location.
- The Library will promptly notify the individual who reported 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 will inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

## **Legal Protections and External Remedies**

Sexual harassment is not only prohibited by the Library but also by federal, state, and local law. In addition to our internal process, employees may choose to pursue legal remedies with the administrative agencies listed next.

### **Equal Employment Opportunity Commission (EEOC)**

The EEOC enforces federal antidiscrimination laws. Complaints can be filed with the EEOC within 300 days of 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 and will issue a "right to sue" letter permitting you to file a complaint in federal court. Federal courts may award you remedies if discrimination is found to have occurred, including back pay, front pay, and compensatory and punitive damages. The EEOC does not award relief but may take other action including pursuing cases in federal court on behalf of complaining parties.

If you believe you have been discriminated against, file a "charge of discrimination" with the EEOC. The EEOC has an office at 33 Whitehall Street, 5th Floor, New York, NY 10004. You can also contact the EEOC by phone (1-800-669-4000) or email ([info@eeoc.gov](mailto:info@eeoc.gov)). The EEOC's website is [www.eeoc.gov](http://www.eeoc.gov).

### **New York State Division of Human Rights (NYSDHR)**

The New York State Human Rights Law (NYSHRL) prohibits sexual harassment against employees, interns (paid or unpaid), and "non-employees," a category that includes contractors, subcontractors, vendors, consultants, and any other person who provides services under a contract. You can file a sexual harassment complaint under the NYSHRL with the NYSDHR or in New York State court.

Complaints with the NYSDHR may be filed within one year of the sexual harassment. If you did not file at the NYSDHR, you can sue directly in state court under the NYSHRL within three years of the alleged harassment.

You may not file with the NYSDHR if you have already filed a NYSHRL complaint in state court. If you filed an administrative complaint with the NYSDHR, the NYSDHR will file the complaint with the EEOC to preserve the

right to proceed in federal court.

Complaining internally to the Library does not extend your time to file with the NYSDHR or in state court. The one year or three years is counted from the date of the most recent sexual harassment incident.

You do not need an attorney to file a complaint with the NYSDHR and there is no cost to file a complaint.

The NYSDHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are sent to a public hearing before an administrative law judge. If discrimination is found after a hearing, the NYSDHR has the power to award relief. Under the NYSHRL, courts may award back pay, front pay, compensatory damages, a civil monetary penalty, and attorney's fees.

The NYSDHR's main office is at One Fordham Plaza, Fourth Floor, Bronx, NY 10458. You can also contact the NYSDHR by phone (1-888-392-3644) or email ([info@dhr.ny.gov](mailto:info@dhr.ny.gov)). The NYSDHR's website is [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint). The website has a complaint form that can be downloaded, filled out, notarized, and mailed to the NYSDHR. The website also contains contact information for the NYSDHR's regional offices.

### **New York City Commission on Human Rights (NYCCHR)**

The New York City Human Rights Law (NYCHRL) prohibits sexual harassment against employees in New York City. You can file a complaint of sexual harassment under the NYCHRL with the New York City Commission on Human Rights (NYCCHR) or in New York State court. You must file your complaint with the NYCCHR or in state court within three years of the alleged harassment. Under the NYCHRL, courts may award back pay, front pay, compensatory and punitive damages, and attorney's fees, expert fees, and costs.

The NYCCHR's main office is at 40 Rector Street, 10th Floor, New York, NY 10006. Contact the NYCCHR by phone (718-722-3131), or by website: [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Other Localities**

Other localities may have their own laws protecting individuals from sexual harassment. Contact the county, city, or town in which you live to find out if such a law exists. If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

### **Complaint Form for Reporting Sexual Harassment**

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 harassment, you are encouraged to complete this form and submit it to your supervisor or the Library Director. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy, and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

### **Complainant Information**

Name:

Work Address:

Work Phone:

Job Title:

Email:

Select Preferred Communication Method: (Email, Phone, In person)

### **Supervisor Information**

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

### **Complaint Information**

1.

Your complaint of sexual harassment is made against:

Name:

Title:

Work Address:

Work Phone:

Relationship to you: (supervisor; subordinate; co-worker; other)

2.

Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3.

Date(s) sexual harassment occurred:

Is the sexual harassment continuing? (Yes/No)

4.

Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

*The last question is optional, but may help facilitate the investigation.*

5. Have you previously complained or provided information (verbal or written) about sexual harassment at Hampton Bays Public Library? If yes, when and to whom did you complain or provide information?

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

Signature:

Date:

## **14.0 Wage and Hour Policies**

### **14.1 Overtime**

If you are nonexempt, you may qualify for overtime pay. All overtime must be approved in advance, in writing, by the Library Director. You must request an overtime authorization form prior to working overtime.

Overtime is generally not permitted but the library may ask you to work overtime. We will attempt to give as much notice as possible in this instance. However, advance notice may not always be possible.

Overtime pay of one and one-half times your regular rate of pay or average pay rate (if you perform work at different pay rates during the relevant week) is paid for any hours worked in excess of 40 hours in a workweek. Holidays, vacation days, and sick leave days do not count as time worked for computing overtime.

### **14.2 Pay Period**

At Hampton Bays Public Library, the standard pay period is biweekly for all employees. Pay dates are Fridays. If a pay period falls on a holiday, you will be paid on the preceding workday. Special provisions may be required from time to time if holidays fall on pay dates. Check with the business office or the Library Director if this type of date arises.

### **14.3 Paycheck Deductions**

Hampton Bays Public Library is required by federal, state, and local laws to withhold certain deductions from your paycheck. This includes income and unemployment taxes, Federal Insurance Contributions Act (FICA) contributions (Social Security and Medicare), and any other deductions required under law or by court order for wage garnishments. The amount of your tax deductions will depend on your earnings and the number of exemptions you list on your federal Form W-4 and applicable state withholding form. You may also authorize voluntary deductions from your paycheck, including contributions for insurance premiums, retirement plans, spending accounts, or other services. Your deductions will be reflected in your wage statement.

Contact the Library Director with any questions about your paycheck.

## **15.0 Performance, Discipline, Layoff, and Termination**

### **15.1 *Disciplinary Process***

Violation of Hampton Bays Public Library policies or procedures may result in disciplinary action including demotion, leave without pay, or termination of employment. The Library encourages a system of progressive discipline depending on the type of prohibited conduct. However, the Library is not required to engage in progressive discipline and may discipline or terminate employees who violate the rules of conduct, or where the quality or value of their work fails to meet expectations at any time. Again, any attempt at progressive discipline does not imply that your employment is anything other than on an "at-will" basis.

In appropriate circumstances, management will first provide you with a verbal warning, then with one or more written warnings, and if the conduct is not sufficiently altered, eventual demotion, forced leave, or termination of employment. The Library Director will make every effort possible to allow you to respond to any disciplinary action taken. Understand that while the Library is concerned with consistent enforcement of our policies, we are not obligated to follow any disciplinary or grievance procedure and that depending on the circumstances, you may be disciplined or terminated without any prior warning or procedure.

### **15.2 *Post-Employment Reference Policy***

Hampton Bays Public Library policy is to confirm dates of employment and job title only. With written authorization, the Library will confirm compensation. Forward any requests for employment verification to the Library Director.

## **16.0 General Policies**

### **16.1 Payroll Advances and Loans**

The Hampton Bays Public Library does not make payroll advances or loans.

### **16.2 Personnel and Medical Records**

Hampton Bays Public Library maintains a personnel and medical file for all employees. Medical records will be kept in a separate folder. Every effort will be made to keep your personnel and medical records confidential. Access is on a "need-to-know" basis only. This includes, but is not limited to, supervisors and others in management reviewing the file for possible promotion, or layoff.

If you wish to review your personnel or medical file, you must give the Library reasonable notice. Inspection must occur in the presence of a Library representative. All requests by an outside party for information contained in your personnel file will be directed to the Library Director or the Human Resources department, which is the only department authorized to give out such information.

### **16.3 Voicemail, Email, and Internet Policy**

This Voicemail/Email/Internet Policy is intended to provide Hampton Bays Public Library employees with the guidelines associated with the use of the voicemail/email/Internet system (the system). This policy applies to all employees.

#### **General Provisions**

- The system is to be used for business purposes only.
- The system, and all data transmitted or received through the system, is the exclusive property of the Library. You should not have any expectation of privacy in any communication over this system. If you are permitted to have access to the system, you will be given a voicemail, email, and/or Internet address and/or access code and will have use of the system consistent with this policy.
- The Library reserves the right to monitor, intercept, and/or review all data transmitted, received, or downloaded over the system. Any individual who is given access to the system is hereby given notice that the Library will exercise this right periodically, without prior notice and without the prior consent.
- The interests of the Library in monitoring and intercepting data include, but are not limited to: protection of Library proprietary and confidential information (i.e. financial or personnel records/reports, patron lists, etc.); managing the use of the computer system; and/or assisting employees in the management of electronic data.
- You should not interpret the use of password protection as creating a right or expectation of privacy. To protect everyone involved, no one can

have a right or expectation of privacy regarding the receipt, transmission, or storage of data on the Library voicemail/email/Internet system.

Any employees who violate this policy will be subject to corrective action, up to and including termination of employment. If necessary, the Library will also advise law enforcement officials of any illegal conduct.

## 17.0 Benefits

### 17.1 *Blood and Bone Marrow Donation Leave Policy*

Hampton Bays Public Library provides those employees who work an average of 20 or more hours per week:

- Up to three hours of unpaid leave in any calendar year to donate blood. You must give reasonable notice of at least three working days of your intent to take leave to give blood. Provide documentation to the Library Director immediately after such leave is taken.
- Unpaid time off, as determined by your physician, not to exceed 24 hours without Library approval to undergo a medical procedure to donate bone marrow. If you seek leave to donate bone marrow, you must provide verification from a physician setting forth the purpose and length of each leave required.

The Library will not retaliate against employees who request or take leave in accordance with this policy.

### 17.2 *Crime Victim and Witness Leave*

Hampton Bays Public Library will provide eligible employees with time off from work, without pay (eligible employees may use paid time off), for any of the following reasons:

- To comply with a subpoena to testify in a criminal proceeding (including time off to consult with the district attorney);
- To give a victim impact statement at a pre-sentencing proceeding;
- To give a statement at a sentencing proceeding; or
- To give a statement at a parole board hearing.

You are eligible for time off under this policy if you are:

- The victim of the crime at issue in the proceedings;
- The victim's next of kin;
- The victim's representative if the victim is deceased as a result of the offense;
- A "Good Samaritan"; or
- Pursuing an application or the enforcement of an order of protection as provided under relevant law.

For purpose of this policy:

- **Good Samaritan** means someone who acts in good faith to apprehend a person who has committed a crime in his or her presence, to prevent a crime or an attempted crime from occurring, or to aid a law enforcement officer in effecting an arrest.

- ***Victim's representative*** means a person who represents or stands in the place of another person, including but not limited to, an agent, attorney, guardian, conservator, executor, heir, or parent of a minor.

If you are required to attend a criminal proceeding either as a witness or as a crime victim (or a close family member of a crime victim), you must notify the Library Director as soon as possible and at least one day before taking leave to make scheduling arrangements. The Library reserves the right to require employees to provide proof of the need to attend the criminal proceedings to the extent authorized by law.

The Library will not retaliate against employees who request or take leave in accordance with this policy.

### **17.3 Disability Benefits**

If you are unable to work for more than seven consecutive days due to a non-work-related illness or injury, or pregnancy-related disability, you may be eligible for disability benefits. Disability benefits provide up to 26 weeks of partial wage replacement benefits during any 52-consecutive-week period. Benefits are payable beginning on the eighth consecutive day of disability.

The cost of your disability insurance coverage is shared between you and the library through payroll deductions.

If you have been disabled for more than seven days, the Library will provide you with a Form DB-271S, *Statement of Rights*, within five days of learning that you are disabled. The *Statement of Rights* provides information on how to file a claim for benefits. You must file a claim within the first 30 days of your disability or all or part of your claim may be rejected. You must be under the care of a physician, chiropractor, podiatrist, psychologist, dentist, or certified nurse midwife to qualify for disability benefits.

Disability benefits are a wage replacement benefit, not a protected leave benefit. If you are temporarily disabled, you may be eligible for job-protected leave under the federal Family and Medical Leave Act or other state or local law.

To learn more about the New York Disability Benefits law, including eligibility requirements and benefits, or to obtain a claim form (Form DB-450), contact the New York State Workers' Compensation Board ([www.wcb.ny.gov](http://www.wcb.ny.gov)).

### **17.4 Family and Medical Leave of Absence Policy**

#### **General**

We recognize that there are times when you may need to be absent from work due to qualifying events under the Family and Medical Leave Act (FMLA). Accordingly, Hampton Bays Public Library will provide eligible employees up to

a combined total of 12 weeks of unpaid FMLA leave per leave year for the following reasons and any others authorized by the FMLA:

- **Parental Leave:** For the birth or placement of an adopted or foster child;
- **Personal Medical Leave:** When you are unable to work due to your own serious health condition;
- **Family Care Leave:** To care for a spouse, child, or parent with a serious health condition;
- **Military Exigency Leave:** When your spouse, parent, son, or daughter (of any age) experiences a qualifying exigency resulting from military service (applies to active service members deployed to a foreign country, National Guard and Reservists); and
- **Military Care Leave:** To care for your spouse, parent, son, daughter (of any age), or next of kin who requires care due to an injury or illness incurred while on active duty or that was exacerbated while on active duty. **Note:** Up to 26 weeks of leave per 12-month period may be taken to care for the injured/ill service member.

### Key Policy Definitions

- **Eligible employees** under this policy are those who have been employed by the Library for at least 12 months (these need not be consecutive months and under certain circumstances hours missed from work due to military call-up will also be counted) and have performed at least 1,250 hours of service in the 12-month period immediately preceding the date leave is to begin. Where the Library has small locations with fewer than 50 employees within 75 miles, employees are not eligible for leave. However, you may contact Human Resources or the Library Director to discuss other types of leave that might be available for the reasons listed in this policy.
- **Leave year** for the purposes of this policy is a rolling 12-month period measured backward from the date FMLA leave begins.
- A **spouse** means a husband or wife as recognized under state law for the purposes of marriage in the state or other territory or country where the marriage arose.
- A **son or daughter** for the purposes of parental or family leave is defined as a biological, adopted, foster, step-child, legal ward, or a child for whom you stood in loco parentis to, who is either under 18 years of age, or is 18 years of age or older and incapable of self-care because of physical or mental disability. A son or daughter for the purposes of military exigency or military care leave can be of any age.
- A **parent** means a biological, adoptive, step, or foster parent or any other individual who stood in loco parentis to you when you were a son or daughter.
- **Next of kin** for the purposes of military care leave is a blood relative other than a spouse, parent, or child in the following order: brothers and sisters, grandparents, aunts and uncles, and first cousins. If a military service member designates in writing another blood relative as his or her caregiver, that individual will be the only next of kin. In appropriate

circumstances, you may be required to provide documentation of next of kin status.

- A **serious health condition** is an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. Ordinarily, unless complications arise, cosmetic treatments and minor conditions such as the cold, flu, ear aches, upset stomach, minor ulcers, headaches (other than migraines), and routine dental problems are examples of conditions that are not serious health conditions under this policy. If you have any questions about the types of conditions that may qualify, contact Human Resources.
- A **health care provider** is a medical doctor or doctor of osteopathy, physician assistant, podiatrist, dentist, clinical psychologist, optometrist, nurse practitioner, nurse-midwife, clinical social worker, or Christian Science practitioner licensed by the First Church of Christ. Under limited circumstances, a chiropractor or other provider recognized by our group health plan for the purposes of certifying a claim for benefits may also be considered a health care provider.
- **Qualifying exigencies** for military exigency leave include:
  - Short-notice call-ups/deployments of seven days or less (**Note:** Leave for this exigency is available for up to seven days beginning the date of call-up notice);
  - Attending official ceremonies, programs, or military events;
  - Special child care needs created by a military call-up including making alternative child care arrangements, handling urgent and nonroutine child care situations, arranging for school transfers, or attending school or daycare meetings;
  - Making financial and legal arrangements;
  - Attending counseling sessions for yourself, the military service member, or the military service members' son or daughter who is under 18 years of age or is 18 or older but incapable of self-care because of a mental or physical disability;
  - Rest and recuperation (**Note:** Fifteen days of leave is available for this exigency per event);
  - Post-deployment activities such as arrival ceremonies, re-integration briefings, and other official ceremonies sponsored by the military (**Note:** Leave for these events is available during a period of 90 days following the termination of active duty status). This type of leave may also be taken to address circumstances arising from the death of a covered military member while on active duty;
  - Parental care when the military family member is needed to care for a parent who is incapable of self-care (e.g. arranging for alternative care or transfer to a care facility); and
  - Other exigencies that arise that are agreed to by both the Library and you.
- A **serious injury/illness** incurred by a service member in the line of active duty or that is exacerbated by active duty is any injury or illness that renders the service member unfit to perform the duties of his or her office, grade, rank, or rating.

## **Notice and Leave Request Process**

### **Foreseeable Need for Leave**

If the need for leave is foreseeable because of an expected birth/adoption or planned medical treatment, you must give at least 30 days' notice. If 30 days' notice is not practicable, give notice as soon as possible. You are expected to complete and return a leave request form prior to the beginning of leave.

***Failure to provide appropriate notice and/or complete and return the necessary paperwork will result in the delay or denial of leave.***

### **Unforeseeable Need for Leave**

If the need for leave is unforeseeable, provide notice as soon as practicable and possible under the facts of the particular case. Normal call-in procedures apply to all absences from work including those for which leave under this policy may be requested. You are expected to complete and return the necessary leave request form as soon as possible to obtain the leave. ***Failure to provide appropriate notice and/or complete and return the necessary paperwork on a timely basis will result in the delay or denial of leave.***

### **Leave Request Process**

To request leave under this policy, obtain a leave request form from the Library Director and return the completed form to the Library Director. If the need for leave is unforeseeable and you will be absent more than three days, contact the Library Director by telephone or email and request that a leave form be mailed to your home. If the need for leave will be fewer than three days, complete and return the leave request form upon returning to work.

### **Call-In Procedures**

In all instances of absence, the call-in procedures and standards established for giving notice of absence from work must be followed.

### **Leave Increments**

#### **Parental Leave**

Leave for the birth or placement of a child must be taken in a single block and cannot be taken on an intermittent or reduced schedule basis. Parental leave must be completed within 12 months of the birth or placement of the child; however, you may use parental leave before the placement of an adopted or foster child to consult with attorneys, appear in court, attend counseling sessions, etc.

#### **Family Care, Personal Medical, Military Exigency, and Military Care Leave**

Leave taken for these reasons may be taken in a block or blocks of time. In addition, if a health care provider deems it necessary or if the nature of a qualifying exigency requires, leave for these reasons can be taken on an intermittent or reduced-schedule basis.

## **Paid Leave Utilization During FMLA Leave**

If you are taking parental, family care, military exigency, and/or military care leave, you must utilize available vacation, personal days, and sick during this leave. If you are taking personal medical leave, you must utilize available sick, personal, and vacation/PTO days during this leave. If you are receiving short- or long-term disability or workers' compensation benefits during a personal medical leave, you will not be required to utilize these benefits. However, you may elect to utilize accrued benefits to supplement these benefits.

## **Certification and Fitness for Duty Requirements**

Provide certification from a health care provider when requesting family care, personal medical, or military care leave. Such certification must be provided within 15 days of the request for leave unless it is not practicable under the circumstances despite your diligent efforts. Failure to timely provide certification may result in leave being delayed, denied, or revoked. In our discretion, you may also be required to obtain a second and third certification from another health care provider at Library expense (except for military care leave). Recertification of the continuance of a serious health condition or an injury/illness of a military service member will also be required at appropriate intervals.

When requesting a military exigency leave, you may also be required to provide appropriate active duty orders and subsequent information concerning particular qualifying exigencies involved.

When requesting personal medical leave, you will also be required to provide a fitness for duty certification from your health care provider prior to returning to work.

## **Scheduling Leave and Temporary Transfers**

Where possible, attempt to schedule leave so as not to unduly disrupt operations. If you are requesting leave on an intermittent or reduced schedule basis that is foreseeable based on planned medical treatment, you may be temporarily transferred to another job with equivalent pay and benefits that better accommodates recurring periods of leave.

## **Health Insurance**

Your health insurance coverage will be maintained by the Library during leave on the same basis as if you were still working. You must continue to make timely payments of your share of the premiums for such coverage. Failure to pay premiums within 30 days of when they are due may result in a lapse of coverage. If this occurs, you will be notified 15 days before the date coverage will lapse that coverage will terminate unless payments are promptly made. Alternatively, at our option, the Library may pay your share of the premiums during the leave and recover the costs of this insurance upon your return to work. Coverage that lapses due to nonpayment of premiums will be reinstated immediately upon return to work without a waiting period. Under most

circumstances, if you do not return to work at the end of leave, the Library may require reimbursement for the health insurance premiums paid during the leave.

### **Return to Work**

Upon returning to work at the end of leave, you will be placed in your original job or an equivalent job with equivalent pay and benefits. You will not lose any benefits that accrued before leave was taken. You may not, however, be entitled to raises, promotions, or other benefits that become available during the period of leave.

### **Spouse Aggregation**

In the unlikely case where you and your spouse are both employed by the Library, the total number of weeks to which you are both are entitled in the aggregate because of the birth or placement of a child or to care for a parent with a serious health condition will be limited to 12 weeks per leave year. Similarly, spouses employed by the Library will be limited to a combined total of 26 weeks of leave to care for a military service member. This 26-week leave period will be reduced, however, by the amount of leave taken for other qualifying FMLA events. This type of leave aggregation does not apply to leave needed because of for your own serious health condition, to care for a spouse or child with a serious health condition, or because of a qualifying exigency.

### **General Provisions**

#### **Failure to Return**

If you fail to return to work or fail to make a request for an extension of leave prior to the expiration of the leave, you will be deemed to have voluntarily terminated your employment. The Library is not required to grant requests for open ended leaves with no reasonable return date under these policies or as disability accommodations.

#### **Alternative Employment**

While on leave of absence, you may not work or be gainfully employed either for yourself or others unless express, written permission to perform such outside work has been granted by the Library. If you are on a leave of absence and are found to be working elsewhere without permission, you will be automatically terminated.

#### **False Reason for Leave**

You will be terminated if you provide a false reason for a leave.

### **17.5 Health Insurance**

Hampton Bays Public Library provides its regular full-time employees who have completed 90 days of employment with individual health insurance. You have the option to add family coverage at your own expense. Medical plan benefits

for eligible employees and their dependents if the family coverage is elected are described in detail in the Summary Plan Description (SPD) that is available to all eligible employees. These benefits may be canceled or changed at the discretion of the Library, unless otherwise required by law.

[[FMLA Subpolicy: Health benefits during Family and Medical Leave Act (FMLA) leave are maintained by the Library on the same terms as if you continued to work. You must make arrangements to pay your share of the health insurance premium on a monthly basis to maintain insurance coverage. Contact the Payroll Department to determine your contribution amount. The obligation of Library to maintain health benefits stops when:

- You inform the Library of your intent not to return to work at the end of the leave period; or
- You fail to return to work when the FMLA entitlement is exhausted; or
- You fail to timely make your premium payments.

The Library will be entitled to recover premiums paid to maintain health insurance coverage for you if you fail to return to work from leave.

Plan eligibility does not necessarily mean coverage for all medical treatments or procedures. Under changed circumstances, you may be responsible for contributing to the cost of increased premiums. This benefit, as well as other benefits, may be canceled or changed at the discretion of the Library, unless otherwise required by law.]]

COBRA Subpolicy: If you or a dependent, if family coverage is elected, become ineligible for benefits due to a change in work hours or through a life event, or you leave employment with us, you may have the right to continue your medical benefits under the Consolidated Omnibus Budget Reconciliation Act (COBRA). The Library will mail you information about your COBRA rights.

### **17.6 Jury Duty Leave (11 or More Total EE)**

Hampton Bays Public Library encourages employees to fulfill their civic duties related to jury duty. If you are summoned for jury duty, notify the Library Director as soon as possible to make scheduling arrangements.

You will be paid a minimum of \$40 per day for the first three days of juror service or any part thereof. If the employee's wage for time missed from work is lower than the jury fee, the state pays the difference between the wage and the jury fee. For any additional days, time spent on jury duty will be unpaid. You may opt to use vacation or personal time in place of unpaid leave.

The Library reserves the right to require employees to provide proof of jury duty service to the extent authorized by law.

The Library will not retaliate against employees who request or take leave in accordance with this policy.

## **17.7 Paid Family Leave**

### **General**

New York's Paid Family Leave program provides wage replacement to employees to help them bond with a child, care for a close relative with a serious health condition, or help relieve family pressures when someone is called to active military service.

### **Eligibility**

You are eligible for paid family leave if you have been employed full time for 26 weeks or part time for 175 days.

### **Amount of Benefit**

Leave benefits are as follows:

- Effective January 1, 2018, you will be provided eight weeks of leave at 50 percent of your weekly pay (capped at 50 percent of statewide average pay).
- Effective January 1, 2019, you will be provided 10 weeks of leave at 55 percent of your weekly pay (capped at 55 percent of statewide average pay).
- Effective January 1, 2020, you will be provided 10 weeks of leave at 60 percent of your weekly pay (capped at 60 percent of statewide average pay).
- Effective January 1, 2021, you will be provided 12 weeks of leave at 67 percent of your weekly pay (capped at 67 percent of statewide average pay).

### **Funding**

Paid family leave benefits are funded by a payroll tax on employees, which became effective on July 1, 2017.

### **Types of Paid Family Leave**

If you are eligible for leave, you may obtain family leave benefits for the following types of leaves:

- To provide care for a close relative who has a serious health condition; or
- To bond with a child during the first 12 months after the child's birth provided you, your spouse, or domestic partner is a biological parent of the child, or the first 12 months after the placement of the child for adoption with you; or
- Time off under the military provisions in the federal Family and Medical Leave Act when your spouse, child, domestic partner, or parent is on active duty or has been notified of an impending call or order of active duty.

### **Key Definitions**

**Care** includes physical care, emotional support, visitation, assistance in treatment, transportation, arranging for changes in care, assistance with essential daily living matters, and personal attendant services.

**Family members** include spouse, domestic partner, child, parent, parent in-law, grandparent, or grandchild.

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

## **Use of Leave**

With proper documentation, you may be eligible for up to eight weeks of employee-funded paid family leave. Paid family leave only begins after birth and is not available for prenatal conditions. A parent may take paid family leave during the first 12 months following the birth, adoption, or fostering of a child.

Paid family leave cannot be used for your own disability or qualifying military event.

## **Notice**

Notify Human Resources if you intend to claim entitlement to paid family leave. If your family leave is foreseeable, you must give 30 days' advance notice so the Library can plan for your absence. If the event was not foreseeable, you must notify Human Resources as quickly as possible. If you fail to do so without unusual circumstances justifying the failure, paid family leave can be delayed or partially denied.

## **Required Documentation**

The Library requires you to provide documentation in support of your paid family leave request.

### **Birth**

To take leave after the birth of a child, the birth mother will need the following documentation from the health care provider treating her or the child:

- Birth certificate; or
- Documentation of pregnancy or birth from a health care provider (includes mother's name and due/birth date).

A second parent will need the following documentation:

- Birth certificate, or documentation of pregnancy or birth from a health care provider (includes mother's name and due/birth dates). If the second parent is not named on the birth certificate, the second parent must provide an acknowledgement of paternity, order of filiation, or other

evidence of relationship with parent named by medical provider or birth certificate; and

- Voluntary acknowledgement of paternity; or
- Court order of filiation; or
- Copy of documentation for birth mother (above) plus second document verifying relationship to the mother such as a marriage certificate or evidence of a domestic partnership.

### **Foster Care**

To take leave after a foster child has been placed with you, you will need to present the following documentation:

- Letter of placement issued by the county or city department of social services or local voluntary agency.
- If second parent is not named in documentation, a copy of that document plus a second document verifying relationship to the parent named in the foster care placement.

### **Adoption**

To take leave when adopting a child, you will need to present legal evidence of the adoption process. If the second parent is not named on the birth certificate, the second parent must provide:

- Voluntary acknowledgement of paternity; or
- Court order of filiation; or
- Second document verifying relationship to the mother or the child.

### **Serious Medical Condition**

To take leave for a family member's serious medical condition, you will need to provide certification from the care recipient's health care provider.

### **Military**

To take leave due to military duty, you will need to provide the following:

- U.S. Department of Labor Military Family Leave Certification (federal military leave form).
- Copy of military duty papers.
- Other documentation supporting the reason for the leave (copy of meeting notice, ceremony details, rest and recuperation orders, etc.).

### **Retaliation**

The Library will not retaliate against employees who request or take leave in accordance with this policy.

### **17.8 Personal Days Policy**

Hampton Bays Public Library allows its regular full-time employees who have completed their introductory period, 3 personal days per calendar year. See Addendum.

### **17.9 Vacation Policy**

Vacation is paid to regular full-time and regular part-time Hampton Bays Public Library employees as follows after completing their 3 month probationary period, see addendum:

You must give at least 2 weeks notice to your supervisor or the Library Director of your vacation plans. You will not be eligible to receive pay instead of vacation time, except upon termination. Any conflict in vacation requests will be decided based on seniority and Library needs. You will not accrue vacation during periods when you are not working and taking time off from the Library.

If you are sick during your vacation you may not count that day towards sick pay. Eligible staff are required to take at least one full week of vacation during the year.

#### **Maximum Accrual**

Eligible employees may carry over up to 10 days (seventy hours) of unused vacation time but it is not cumulative from year to year.

The amount of vacation accrued, used, and available will appear on your paycheck stub.

#### **Minimum Increments of Vacation**

You may not take less than one half day off at a time.

### **17.10 Sick Pay**

Hampton Bays Public Library allows its regular full-time employees who have completed their introductory period 12 sick days per calendar year.

Regular part-time employees are eligible for a pro-rated amount of sick time. See addendum. Notify your supervisor or the Library Director as far in advance as possible if you are going to take sick time off. There may be occasions, such as sudden illness, when you cannot notify your supervisor or the Library Director in advance. In those situations, provide notification of your circumstances as soon as possible. You may also be requested to provide a certificate of illness to your supervisor or the Library Director.

You may use sick leave benefits for dental or doctor visits or to care for immediate family members who are sick. You may be required to use available sick leave during family and medical leave, disability leave, or other leave.

Sick time accumulation will be capped at a total of 75 days per year.

### **NY Paid Sick Leave Policy**

All full time and regular part-time employees are provided with paid sick leave that exceeds the NYS Paid Sick Leave Law requirements. These employees are NOT eligible for additional sick leave under the NY paid sick leave law.

All other part-time employees will accrue sick leave, up to 40 hours per year, through payroll based on hours worked. The amount of hours accrued will be reflected on your payroll stub.

As stated in the law, employees may begin to use this benefit beginning January 2021. NY Paid Sick Leave must be used in increments of no less than one hour. Time off should be requested in advance in writing whenever possible. Otherwise, employees must notify their supervisor as soon as possible of the intent to take sick leave and the duration of it if known. Please see the Business Office to request forms.

Once an employee has exhausted the Paid Sick Leave, they may be eligible for other types of leave such as NY Paid Family Leave.

### **17.11 Voting Leave**

Hampton Bays Public Library encourages all employees to fulfill their civic responsibilities and to vote in public elections. Most work schedules provide sufficient time to vote either before or after working hours. If the polls are open for at least four consecutive hours before or after the work shift, you will be deemed to have sufficient time outside of work hours to vote.

If you do not have sufficient time before or after work to vote, you may take enough time off at the beginning or end of your work shift to vote. Up to two hours' time off for this purpose will be provided without loss of pay.

You must request time off to vote from the Library Director at least two working days prior to Election Day so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to normal business operations.

The Library will not retaliate or tolerate retaliation against employees who request or take leave under this policy.

### **17.12 Holidays**

Hampton Bays Public Library closes for the following holidays:

## **18.0 Safety and Loss Prevention**

### **18.1 *Nonsmoking Policy***

Smoking cigarettes or any other substance including electronic cigarettes is strictly prohibited in the library or on library property.

## **Closing Statement**

Thank you for reading our handbook. We hope it has provided you with an understanding of our mission, history, and structure as well as our current policies and guidelines. We look forward to working with you to create a successful Library and a safe, productive, and pleasant workplace.

Susan LaVista, library director

Hampton Bays Public Library

## Acknowledgement of Receipt and Review

By signing below, I acknowledge that I have received a copy of the Hampton Bays Public Library Employee Handbook (handbook) and that I have read it, understand it, and agree to comply with it. I understand that the Library has the maximum discretion permitted by law to interpret, administer, change, modify, or delete the rules, regulations, procedures, and benefits contained in the handbook at any time with or without notice. No statement or representation by a supervisor, or any other employee, whether oral or written, can supplement or modify this handbook. Changes can only be made if approved in writing by the Library Director. I also understand that any delay or failure by the Library to enforce any rule, regulation, or procedure contained in the handbook does not constitute a waiver on behalf of the Library or effect the right of the Library to enforce such rule, regulation, or procedure in the future.

I understand that neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. I further understand that, I am employed "at-will" (to the extent permitted by law) and this handbook does not modify my "at-will" employment status.

This handbook is not intended to preclude or dissuade employees from engaging in legally protected activities under the National Labor Relations Act (NLRA).

This handbook supersedes any previous handbook or policy statements, whether written or oral, issued by Hampton Bays Public Library.

If I have any questions about the content or interpretation of this handbook, I will contact Library Director.

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Date

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Signature

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Print Name