

*The Greenwood Lake Public Library provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability or genetics. In addition to federal law requirements, the Greenwood Lake Public Library complies with applicable state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.*

## **I. HIRING PRACTICES**

### **Hiring**

- 1) New employees will be hired based upon qualifications outlined in individual job descriptions listing required skills, knowledge, abilities and educational background.
- 2) The Board of Trustees (The Board) is responsible for recruitment of a qualified Library Director and of the Treasurer/Secretary to the Board.
- 3) All other professional, non-professional and custodial recruitment is conducted by the Library Director, under the guidelines listed below and only after approval of the Board to fill a position(s).

When the Library is seeking a new employee(s), the following procedures shall be followed:

- a. Civil Service procedures will be followed for all competitive class positions.
  - b. Review records of previous applicants and interview those qualified for the open position.
  - c. If the applicant pool is insufficient, advertise position via social media, stating description of position, hours and days required, application cut-off date, application requirements, experience requirements, and the phone number of the library for contact.
  - d. Take such other recruitment steps that may be approved by the Board.
- 4) It is against Library policy to hire immediate family members of current employees and Board members when filling new positions, with the exception of Labor Class designations.
  - 5) Starting salaries, or starting salary ranges based on level of experience, will be established by the Board for each vacant position before it is filled.

## **Requirements**

- 1) Employment requirements for any position should be directly related to the tasks to be performed.
- 2) Appropriate pre-employment Civil Service examinations must be taken as required for competitive class positions.
- 3) All applicants considered for employment will receive a copy of the job description of the position for which they are applying.
- 4) Newly hired employees will also receive a copy of these Personnel Policies.

## **Application and Selection Process**

- 1) Competitive class employment applicants must respond to the Civil Service canvassing letter and adhere to all stipulations outlined therein by the specified date. All prospective employees must complete an employment application.
- 2) Interviews and/or testing of applicants will be conducted by the Library Director.
- 3) Upon completion of the interviewing process, the Library Director will submit to the Board a report recommending all qualified applicants for an open position along with an explanation of why the applicants are being recommended for Board approval.
- 4) For the positions of Library Director and Treasurer/Secretary to the Board, the Board President and Human Resources Committee Chair will interview and recommend applicants to the Board for its approval.
- 5) All applicants will be notified of the outcome of the application process.

## **II. EMPLOYMENT PRACTICES**

*\*\*NOTE: The Civil Service "Manual of Procedure in Disciplinary Actions" will govern all competitive class, permanent positions, and all non-competitive positions after five (5) years of service. (Civil Service Law, Section 75/Fair Play Policies).*

### **Probation and Performance Evaluation**

- 1) All new employees will be on probation for a period of not less than 8 weeks or more than 52 weeks, as dictated by Civil Service. At the discretion of the Library Director, and with approval by the Board, the probation period for an individual new employee can be shortened.

- 2) All employees who receive a promotion will be on probation in the new position for a period of not less than 8 nor more than 26 weeks, per Civil Service regulations. Length of probation will be set on a case-by-case basis within this 8-26 week period at the discretion of the Library Director and approval of the Board.
- 3) During probation, evaluations will take place semi-annually, unless specific circumstances arise.
- 4) The Library Director will conduct employment evaluations for the Library staff annually (unless specific circumstances arise), based on each employee's date of hire, or, if the employee has been promoted, on the date of his or her most-recent promotion. The evaluation will focus on the employee's performance, goal setting and need for training and skills improvement, if appropriate.
- 5) The Director's and Treasurer/Secretary to the Board's evaluations will be conducted by the Board annually, based on the individuals' date of hire, or, if the employee has been promoted into the position, on the date of his or her promotion. The evaluations will concentrate on performance, goal setting and need for training and skills improvement, if appropriate.
- 6) All evaluations will be conducted in a private setting with a written summary signed by both parties for placement in the employee's confidential personnel file.
- 7) Employees have the right to respond in writing within 15 days of their evaluation and have that response placed in their personnel file.

### **Grievances**

- 1) Grievances by staff members will be submitted in writing to the Library Director. Should a staff member wish to submit their grievance directly to the Board of Trustees, they may do so through the Board Secretary, or directly through the contact information listed at the end of this manual.
- 2) All written grievances will be brought to the attention of the Board at their next business meeting. An employee may submit their written grievance/response to the Board's secretary and request to appear at that meeting to address the Board on their behalf. The secretary will schedule an executive session on the next meeting's agenda for this purpose.
- 3) The Greenwood Lake Public Library will not retaliate against an employee who, in good faith, has lodged any grievance against the library. See "Whistleblower Policy".

## Disciplinary Procedures

- 1) The following are violations of terms of employment which require disciplinary action:
  - a. Abuse of sick leave or other contractual benefits.
  - b. Frequent tardiness.
  - c. Breaches of professional conduct. Professional conduct includes, but is not limited to, proper dress, no use of illegal drugs or alcohol, adequate notice to the Library Director when taking sick or vacation days, proper treatment of Library patrons, and similar matters.
  - d. Inadequate performance.
  - e. Unauthorized absence from work
  - f. Insubordination
  - g. Theft or other criminal activity.
  
- 2) In the case of an actionable offense, the following procedure will be followed:
  - a. A verbal notification will be issued at the time of the first offense and noted in the employee's personnel file.
  - b. Upon 2<sup>nd</sup> offense, written notification will be given to the employee and a signed copy of the notification will be placed in the employee's personnel file stating that a 3<sup>rd</sup> offense may be grounds for disciplinary action.
  - c. At the discretion of the Library Director, either immediate action will be taken, or notice will be referred to the Board for action as outlined below.
  - d. In the event of breaches of professional conduct, insubordination, theft, or other criminal activity, the Director and Board reserve the right of immediate suspension with possible dismissal in compliance with Civil Service law.
  
- 3) Board Actions

Offenses referred to the Board can result in actions such as, but not limited to:

  - a. Reprimand
  - b. Probation
  - c. Suspension with or without pay
  - d. Dismissal pending hearing

## **Personnel Records**

- 1) The following material will be maintained in employee personnel files:
  - a. Application, resume and letter(s) of reference
  - b. Copy of W-4 (state and federal) and employment eligibility form I-9.
  - c. Civil Service personnel reports
  - d. Contractual letters
  - e. Performance evaluations
  - f. Continuing education records
  - g. Request for extended leave (vacation, personal or sick) beyond the contractual period.
  - h. Documentation for illness or other extended leave periods, including worker's compensation and disability claims.
  - i. Written grievances, personnel notices and written reports on violations.
  - j. Other miscellaneous materials relating to job performance (such as commendations, awards, etc.)
  - k. The employee's salary history and current job description
  - l. Any documentation related to payroll deductions (IRA/health plan enrollment, etc.)
  
- 2) These materials will be kept in the employee's personnel record permanently, per state mandate.

## **Separation from Service**

- 1) Resignations
  - a. Staff member resignations must be submitted in writing to the Library Director.
  - b. A minimum of two (2) weeks' notice is preferred for part time staff member resignations. A thirty (30) day notice of resignation is preferred for all full time staff members due to Civil Service processing for competitive positions. A sixty (60) day notice of resignation is preferred for the Library Director.
  
- 2) Dismissal

The Library endorses the New York Library Association policy statement on due process. A copy of this statement is available from the Library Director. Any dismissal will be conducted in accordance with Civil Service Law.
  
- 3) Layoffs may occur due to lack of funds, discontinuance of activity or reorganization.

4) Retirement

The Greenwood Lake Public Library participates as an employer in a Simple Employee Penchant (SEP) Plan and offers these benefits to all full-time employees. Details are available through Human Resources. See section 5/C.

5) Exit Compensation

Employees are entitled to receive:

- a. All unpaid wages earned up to their last date of employment
- b. All earned, unused vacation and personal time up to their last date of employment
- c. All vacation time accrued as of their last date of employment

This will be calculated at the employee's current rate of pay and will be issued with the next regular payroll cycle.

In the case of immediate dismissal, as outlined in "Employment Practices; Section II-Disciplinary Procedures, 2D, the Library Director and Board reserves the right to review an employee's exit compensation prior to a check being issued.

6) Insurance Coverage

Library paid insurance benefits will terminate on the last day of the month of an employee's separation of service. For major medical plans, employees have the option of enrolling in Cobra coverage, at their expense, to insure non-interruption of health benefits. Information and application for Cobra coverage is available through Human Resources.

Supplemental insurance coverage is "portable". The carrier will be notified of an employee's separation of service and will contact the employee directly regarding continuation of coverage in the form of a personal policy at the employee's expense.

Employee paid insurance benefits will terminate with the last deduction on their final check. For major medical plans, employees have the option of enrolling in Cobra coverage, at their expense, to insure non-interruption of health benefits. Information and application for Cobra coverage is available through Human Resources.

Supplemental insurance coverage is "portable". The carrier will be notified of an employee's separation of service and will contact the employee directly regarding continuation of coverage in the form of a personal policy at the employee's expense.

7) Retirement Plans

Library paid retirement benefits (SEP) will be made according to the employee's last day of service. If the last day of service falls between the 1<sup>st</sup> and 15<sup>th</sup> of the month, benefits will be paid through the 15<sup>th</sup>. If the last day of service falls between the 15<sup>th</sup> and the 30<sup>th</sup> of the month, benefits will be paid through month end.

Employee paid retirement/savings plan payments will be made according to the accumulated amount deducted from the employees pay for that month.

The library's financial investment vendor will be notified of an employee's separation of service. The employee will be provided contact information for that vendor and encouraged to contact them regarding their accounts.

- 8) Human Resources will provide Civil Service with an employee's last date of employment so that their position will be listed as vacant and the Library will be able to fill it accordingly. The employee will be provided with the name and phone number of the library's Civil Service Technician so that they can obtain their "status" within the system.
- 9) Employees must turn in their keys no later than their last shift, or immediately upon their notification of separation of service at the Director's discretion. Their security code will be removed from the alarm system and their employee status will be changed within the library's borrowing system.

### **III. SALARY ADMINISTRATION**

#### **Payroll Cycle**

The schedule of salary payments shall be bi-weekly with checks being issued on Friday(s).

Each check will include the two-weeks ending the Sunday prior to the payday.

New employees will be placed on the payroll immediately. Their first check will reflect any hours worked prior to the first payday of their employment.

## Raises

Salary increases are granted in accordance with the salary schedule adopted by the Board and based on merit. Salaries will not exceed the following range caps:

<u>Hourly Positions</u>	<u>Entry Wage</u>
Part-Time Custodian	Minimum Wage - \$3 above
Part Time Page	-Minimum Wage-
P/T Library Clerks	Min.Wage to \$1 above
F/T Library Clerks	Min.Wage to \$2 above
Sr. Library Clerk	\$1 above Min.Wage-\$3 above
<i>*in-house promotional wage @ Director's recommendation</i>	
Principal Library Clerk	\$2 above Min. Wage-\$4 above
<i>*in-house promotional wage @ Director's recommendation</i>	
Part Time Account Clerk	Min.Wage to \$5 above
Property Super.	\$20-\$23 per hour
Library Assistant	\$35,000 (\$19.23/hr.)
Library Assistant (Kids)	\$35,000 (\$19.23/hr.)
Treasurer /Board Scty.	\$45,000 (\$24.73/hr.)
Library Director	\$55,000 (\$30.22/hr.)

## IV. EMPLOYEE BENEFITS

### Insurance and Credit Plans

- 1) All employees are covered by unemployment insurance as required by the New York State Unemployment Insurance Law.
- 2) All employees are covered by Worker's Compensation
- 3) All employees are covered by Disability Insurance and NYS Paid Family Leave.
- 4) The Library will contribute to the cost of medical coverage, including Dental and Vision, for employees working 35 hours or more per week, as follows:

<u>Length of Employment</u>	<u>Library's Contribution</u>
90 days – 3 years	50% of the single coverage rate
3-5 years	70% of the single coverage rate
5-10 years	80% of the single coverage rate
10+ years	100% of the single coverage rate

The position of Library Manager (Director) will be eligible for the highest benefit tier after the 90 day waiting period.



Any full time employee may add family coverage to their policy at their own expense. Part time employees may participate in the Library's health plan at their own expense. There is a ninety-day (90) waiting period from date of employment to enroll, or employees may enroll once a year upon the anniversary date of the policy (December 1<sup>st</sup>). All payments will be made through pre-tax payroll deductions.

- 5) The Library will contribute up to \$2,500 annually to the cost of supplemental plans offered to full time employees eligible to receive, but declining, paid medical benefits. Any employee may participate in these supplemental plans, including spouse and family coverage, at their own expense, *provided* they are currently insured through a major medical plan. There is a 90-day waiting period from date of employment to enroll, or employees may enroll once a year upon the anniversary date of the policy (December 1<sup>st</sup>). Employee's contributions will be made through payroll deductions.

The Board of Trustees and their dependents are eligible to participate in these supplemental plans at their own expense, *provided* they are currently insured through a major medical plan. Premiums must be pre-paid by the participant.

## **Retirement & Investment Plans**

- 1) SEP (Simple Employee Pension)

Full-time employees are eligible after one (1) year of employment to participate in the library's SEP plan. Time worked as a part-time employee counts toward the one year required before eligibility. For the position of Library Manager/Director and employees hired prior to 2/1/00, the Library will contribute 6% of the employee's estimated annual income vested at inception. For employees hired after 2/1/00, the Library will contribute 5% of the employee's estimated annual income vested at inception. Details will be provided to all eligible employees.

- 2) Savings and investment

All employees are eligible to purchase a variety of products from the library's financial investment vendor via pre-tax or post-tax payroll deductions. This option is exclusively funded by employee contributions; the Library's role is non-contributory. Details are available through Human Resources.

## **V. CONDITIONS OF WORK**

### **Work Hours**

#### **Overtime**

- 1) The Greenwood Lake Public Library's workweek runs from Monday through Sunday. Any employee working a minimum of 21 hours or more in a seven (7) day workweek is classified as full time, as per Civil Service guidelines. However, an employee must work 35+ hours in a seven day workweek to receive paid medical and SEP benefits.
- 2) Work hours for employees will be set by the Library Director. Requests for schedule changes must be approved (preferably in advance, barring emergencies) by the Library Director. Employees of the Library may not work more than their regularly scheduled hours without pre-authorization by the Library Director. They are to be paid at their regular hourly rate so long as they work less than 40 hours in a week. No one will be approved to work in excess of 40 hours in a week's time.
- 3) Actual hours and days worked by all staff shall be recorded weekly by the bookkeeper, as recorded by the library's time clock. Employees may not punch in earlier than their scheduled shift, and must punch out at the conclusion of their scheduled shift. Unscheduled hours worked prior to or after a shift will not be honored, unless authorized by the Library Director for a specific purpose.
- 4) Employees scheduled to close the Library will be granted up to ¼ hour after their scheduled shift, with pay, in order to complete closing procedures when necessary (as determined by the Director).
- 5) Break schedules shall be in compliance with New York State Employment Laws.

#### **Appearance and Professional Conduct**

- 1) Appropriate dress, good grooming and neat personal appearance consistent with a responsible position are required at all times.
- 2) Business-like conduct is required at all times.
- 3) Co-workers, patrons and visitors to the Library are to be treated with courteous, efficient and friendly service at all times.

- 4) Employees are expected to:
  - a. Be at work on-time for the full duration of their scheduled workday.
  - b. Refrain from conducting personal business during work hours.
  - c. Keep incoming or outgoing personal telephone calls, when necessary, brief and infrequent.
  - d. Refrain from inappropriate conversations/comments with other staff members or patrons.
- 5) No employee shall report to work or work impaired by any illegal or legal substance. See “Drug Free Workplace Policy”.

6) **Social Media Policy**

Employee Postings: Library employees are not prohibited from posting on Library’s social media sites during their personal time outside of work. The Library recognizes that public employees do not surrender all their First Amendment rights by reason of their employment and that the First Amendment protects a public employee’s right, in certain circumstances, to speak as a citizen addressing matters of public concern.

However, when a public employee makes statements pursuant to their official duties, the employee is not speaking as a citizen for First Amendment purposes, and the constitution does not insulate his or her communications from potential discipline by the Library. Employees must be aware that information they display or comments they make on Library social media sites may be viewed by other users as representing official Library sponsored information or comments. Therefore, in utilizing Library Social Media Websites, employees must follow the guidelines set for the in the Library’s social media policy and guidelines (Policies section II, computer policies).

Additionally, employees are to follow these guidelines when responding to professional issues on social media sites beyond the Library’s sites. An on-line pseudonym may be used when interacting on professional social media sites. Comments may be offered on library related topics with which the employee has professional knowledge. Advocacy is appropriate when contacting legislators on behalf of the Library, but staff must state that the views expressed are those of the author, not those of the Library. Comments are to be topically related to the purpose of the blog or other social media site.

Lastly, the Library recognizes that employees may participate in social media sites *beyond* the Library’s sites and professional forums. It is permissible to indicate that you are an employee of the Library in an incidental way, but be clear that any opinions expressed are yours alone and do not represent the official views of the Library. Because of your employee status, you are required to respect the Library’s policy on privacy and confidentiality and infractions may result in potential discipline by the Library. Do not use Library logos, address, telephone number, fax number or e-mail addresses on social media sites *other than those sponsored by the Library*. Do not use the Library’s name in your logon ID or user

name. Library employees' personal postings on issues of public concern are protected by the First Amendment.

## **Sexual Harassment Policy**

### **Introduction**

The Greenwood Lake Public Library is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of the Greenwood Lake Public Library's commitment to a discrimination-free work environment. Sexual harassment is against the law<sup>1</sup> and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with the Greenwood Lake Public Library. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

### Policy:

- 1) The Greenwood Lake Public Library policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business regardless of immigration status, with the Greenwood Lake Public Library. In the remainder of this document, the term "employees" refers to this collective group.
- 2) Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
- 3) Retaliation Prohibition: No person covered by this policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The Greenwood Lake Public Library will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of the Greenwood Lake Public Library who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action up to and including termination. All employees, paid or unpaid interns, or non-employees<sup>2</sup> working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, 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 in the section on Legal Protections.
- 4) Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject the Greenwood Lake Public Library to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage

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<sup>1</sup> While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

<sup>2</sup> A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. 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 provided pursuant to a contract with the employer.

in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

- 5) The Greenwood Lake Public Library will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. The Greenwood Lake Public Library will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
- 6) All employees are encouraged to report any harassment or behaviors that violate this policy. The Greenwood Lake Public Library will provide all employees a complaint form for employees to report harassment and file complaints.
- 7) Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Library Director and/or a member of the Board of Trustees.
- 8) This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

### **What is “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 includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting 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 includes, but is not limited to words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment. Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of sexual harassment**

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

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

### **Who can be a target of sexual harassment?**

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

### **Where can sexual harassment occur?**

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, on personal devices or during non-work hours.

### **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 (e.g., threats of physical violence outside of work hours). Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity". Protected activity occurs when a person has:

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

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

## **Reporting Sexual Harassment**

**Preventing sexual harassment is everyone’s responsibility.** The Greenwood Lake Public Library cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Library Director and/or a member of the Board of Trustees. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or the Library Director and/or a member of the Board of Trustees.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee’s behalf. Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

## **Supervisory Responsibilities**

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

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

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

## **Complaint and Investigation of Sexual Harassment**

**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, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent 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 employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The Greenwood Lake Public Library will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigation should be done in accordance with the following steps:

- Upon receipt of complaint, the Library Director and/or member of the Board of Trustees will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses.
- Create a written documentation of the investigation (such as a letter, memo or email), which contains 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
- The basis for the decision and final resolution of the complaint, together with any corrective action(s)
- Keep the written documentation and associated documents in a secure and confidential location.
- 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.
- 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 Greenwood Lake Public Library, but is also prohibited by state, federal and, where applicable, local law.



Aside from the internal process at the Greenwood Lake Public Library, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

### **State Human Rights Law (HRL)**

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

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

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

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused including pay of monetary damage, attorney's fees and civil fines.

DHR's main office contact information is:

NYS Division of Human Rights  
One Fordham Plaza; 4<sup>th</sup> Floor  
Bronx, NY 10458  
(718) 741-8400  
[www.dhr.ny.gov](http://www.dhr.ny.gov)

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

## **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 194 federal Civil Rights Act (codified as 42 U.S.C. §2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

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

An employee alleging discrimination at work can file a “Charge of Discrimination”. The EEOC has district, area and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-400 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

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

## **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. Employees who work in Orange County, NY may file complaints of sexual harassment with the Orange County Human Rights Commission:

Orange County Human Rights Commission  
18 Seward Ave. #100  
Middletown, NY 10940  
(845) 291-2191  
[www.orangecountygov.com/1108/Human-Rights](http://www.orangecountygov.com/1108/Human-Rights)

## **Contact the local Police Department at (845) 477-9211**

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.

## **Anti-Harassment/Discrimination Policy**

The Greenwood Lake Public Library affirms its commitment to a policy of protecting and safeguarding the rights and opportunities of all people who seek, obtain and hold employment without subjugation to harassment or discrimination in the workplace. It is the Library’s policy to provide an employment environment free from discrimination and harassment based on race, color, creed, religion, national origin, disability, political affiliation, age, arrest record and veteran or marital status.

This policy applies to all Library employees and all personnel in a contractual or other business relationship with the Library, including independent contractors, vendors, consultants, volunteers and visitors. It may also be applied to the conduct of non-employees with respect to unlawful harassment and/or discrimination of Library employees in the workplace. The policy applies with equal force on all Library premises, Library sponsored events, programs and activities that take place off the Library premises.

“Prohibited Discrimination” of employees can take the form of any negative treatment of an employee, by either a Library official, co-worker or patron, which negatively impacts an employee’s employment opportunity and/or employment benefits, and is based upon the employee’s race, color, creed, religion, national origin, disability, political affiliation, age, arrest record and veteran or marital status. Prohibited discrimination of employees can also take the form of harassment even when there is no tangible impact upon the employee’s employment opportunities and/or employment benefits.

“Prohibited Harassment” can constitute a form of prohibited discrimination under this Policy if it is unwelcome and has the purpose or effect of unreasonably interfering with an individual’s work performance, or creating an intimidating, hostile or offensive working environment. Such harassment of employees is prohibited by this Policy if it is based upon race, color, creed, religion, national origin, disability, age, sexual orientation, arrest record, and veteran or marital status. In this regard, individuals subject to this Policy should be mindful that conduct or behavior that is acceptable amusing or inoffensive to some, may be viewed as unwelcome, abusive or offensive to others.

“Prohibited Behavior” - It is impossible to list all possible forms of unlawful harassment, the following are examples of conduct that may constitute harassment based on race, color, creed, religion, national origin, disability, political affiliation, age, arrest record and veteran or marital status:

- Using slurs or derogatory terms
- Telling derogatory jokes or stories
- Displaying graffiti or other derogatory or insulting writings
- Making degrading comments about a person and/or their appearance
- Demeaning or criticizing an individual
- Sabotaging, damaging or interfering with an individual’s work
- Threatening or intimidating an individual

While a single incident of these types of behavior may not create a hostile working environment, if such behavior is severe, persistent or pervasive, or if submission to such conduct is made either explicitly or implicitly a term or condition of employment or receipt of employment benefits, such conduct constitutes prohibited discrimination and/or harassment.

The Library will not tolerate any form of unlawful discrimination or harassment and will take all steps necessary to prevent and stop such occurrences in the workplace. All employees, including supervisory personnel and Board of Trustees are responsible for ensuring a work environment free from prohibited discrimination and harassment. Employees are directed to report violations to the Library Director, Board Secretary, or directly to The Board. They, in turn, must take immediate and appropriate corrective action when instances of prohibited discrimination and/or harassment come to their attention to assure compliance with this Policy.

### **Procedure for Complaints:**

Reporting of all incidents is essential, regardless of the offender's identity or position. An employee or other individual shall contact the Library Director, Board Secretary or member of The Board either orally or in writing as soon as possible, preferably immediately after the incident occurs. A complaint form can be obtained through the administrative office.

All employees should be aware that appropriate resolution of discrimination complaints and effective remedial action oftentimes is possible only when complaints are promptly filed. Complaining parties should be aware that statutes of limitations may constrain the time period for instituting legal actions outside of this Policy.

The Library will investigate all allegations of discrimination and harassment as promptly as possible. Complainants are expected to cooperate with the Library's investigation procedures by providing all relevant information relating to the complaint, as are all other parties having relevant or related knowledge or information regarding the incident in question. The Library shall keep complaints as confidential as the investigation allows, recognizing the personal nature and emotional impact of discrimination/harassment allegations.

Retaliation is strictly prohibited by the Policy and by law against anyone who in good faith reports a suspected violation of this Policy, who assists in making such a complaint, or who cooperates in a harassment or discrimination investigation. Complaints of retaliation should be brought directly to the Library Director, Board Secretary or member of The Board.

If retaliation is found, the person retaliating will be subject to corrective action up to and including termination from employment, or in the case of a non-employee, an appropriate remedy up to and including suspension of their Library privileges.

## **Travel Expenses**

- 1) Travel by employees within Greenwood Lake is not reimbursed. Automobile travel by employees to locations outside the Greenwood Lake School District for the purpose of conducting business on behalf of the Library will be reimbursed at the current government recommended rate per mile with Library Director's approval. Commercial travel, lodging, and meals will be reimbursed at actual cost with prior Board approval.
- 2) The library carries excess liability coverage for staff, directors and officers utilizing their own vehicles to conduct library business; however, each individual's own automobile insurance policy is the primary insurance in the event of an accident or traffic violation. The library **does not insure** employees for collision or property damages resulting from a motor vehicle accident while utilizing their vehicles for library business.

## **Attendance at Conferences, Meetings and Workshops**

- 1) Staff members are encouraged to attend meetings and workshops that enhance their job performance.
- 2) Requests to attend meetings, workshops, courses or conferences will be submitted to the Library Director in writing and may be subject to Board approval.
- 3) Expenses within the budgeted allocation will be provided for attendance at meetings, workshops or conferences (such as those held by RCLS), including one \$10.00 meal allowance per day.
- 4) The library will absorb the cost of any employee who is receiving accolades for their library related work; however, should the employee wish to have a guest(s) attend, the cost of the guest(s) will be paid by the employee.

## **VI. NATIONAL HEALTH CRISIS/EMERGENCY RESPONSE POLICY**

- 1) All employees, regardless of existing benefits, will receive one additional week of paid sick time (as it relates to individual set schedules) for medical testing, care and/or recovery. At the time that a vaccine/remedy becomes available, this additional benefit may be rescinded.
- 2) Employees will be provided and wear PPE, including face masks when social distancing is difficult, and gloves when handling any library materials.
- 3) Employees may be tested for body temperature before or during every shift and may be required to go home and not return without written approval from a physician.

- 4) Any employee directly exposed to a person(s) testing positive for the medical issue/viral infection/etc. causing said health crisis, must begin health department quarantine practices immediately, and get tested for the virus, etc. That employee may not return to work until they test negative, at which time printed proof of test results must be provided.
- 5) Extended care for recovery will be covered by disability for longer-term illness.
- 6) Paid Family Leave is available for care of a family member according to the rules set forth by NY State in the Paid Family Leave Act.
- 7) If a staff member tests positive, all staff will be notified as soon as the Director is notified. Any staff member directly exposed to that person within the last 7 days must begin quarantine immediately and get tested for the virus, etc. That employee may not return to work until they test negative at which time printed proof of test results must be provided.
- 8) At the notification to the Director of a single staff infection, the Director will immediately notify the Board of Trustees. Contact tracing will be done according to our patron logs and those people also notified. A notice will be posted on our website, Facebook and Instagram to notify the general public.
- 9) In the event that 2 or more staff members test positive, all of the above will be enacted and the library will shut down for 6 days for infection eradication.
- 10) During that 6 day period, all staff must quarantine and be tested and provide negative test results before returning to work.
- 11) At the point that endemic status is achieved, the Emergency Response Policy will be suspended.

## VII. LEAVES OF ABSENCE

### **Bereavement Leave**

- 1) Employees shall receive up to three (3) paid bereavement days in the event of the death of a member of the employee's immediate family. Immediate family shall include spouse, parent, child, sister, brother, grandparent, grandchild and immediate in-laws.
- 2) Bereavement days, if not taken, shall not be subject to accumulation.

### **Disability**

The Library pays for Disability Insurance Coverage (DBI) for any employee's *non-work related injury or illness* (including disability due to pregnancy), beginning with the 8<sup>th</sup> consecutive day of disability. Benefits are payable for up to 26 weeks, based on your average weekly wages for the eight weeks immediately preceding your disability, and are subject to the maximum allowable by the law in effect on the initial day of disability.

Written notice and proof of disability should be filed within 30 days from the first day of your disability. Please see Human Resources for policy details and assistance in filing a claim.

### **Paid Family Leave**

The Library pays for Paid Family Leave (PFL) coverage for an employee assisting his/her immediate family member with a serious illness, for bonding with a new baby (including adoptions and foster care) or for military exigencies. Per New York State, benefits are being phased in, beginning January 1, 2018.

When being used in conjunction with the arrival of a baby, PFL cannot be taken at the same time as Disability; they must be taken in sequence with a maximum benefit length of 26 weeks. A 30-day notice of intent for “foreseeable” events (birth, scheduled treatments/therapy, military deployment, etc.) is preferred. For “sudden” events (stroke, emergency delivery or short-notice deployment, etc.) notify your employer as soon as possible, preferably within 2 days.

Please see Human Resources for policy details and assistance in filing a claim.

### **Jury Duty Leave**

- 1) All employees called to serve on jury duty will:
  1. Submit, in advance, to the Library Director a copy of the notice to appear for jury duty.
  2. Submit upon termination of leave, a signed, written statement indicating the actual time spent on jury duty (i.e.: proof of service)
  3. Receive their regular Greenwood Lake Public Library salary, without loss of benefits for the first five (5) shifts of jury duty. For shifts 6 to 20, the employee will receive the difference between the state’s compensation for jury duty and their regular Greenwood Lake Public Library salary, without loss of benefits.
  4. Take advantage of the one (1) hour response system when possible.

### **Military Leave**

A military leave of absence shall be granted pursuant to the provisions of the United States Code. Please see “Paid Family Leave” for additional details.

## VIII SICK LEAVE, PAID TIME OFF (PTO) AND HOLIDAYS

The library does not grant unpaid time off unless the employee has a medical necessity or family emergency. Verification of these circumstances may be required for, or after approval.

### Sick Leave

The library provides employees with paid sick leave for:

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

Upon their date of hire, employees are immediately eligible for sick leave. Each employee will receive the equivalent of their two week schedule to use by their employment anniversary. For example: a full time employee hired on January 1<sup>st</sup> and working 35 hours a week will have 70 hours of sick leave available until the following December 31<sup>st</sup>. A part time employee working a 20 hour week will have 40 hours available within their anniversary year.

Unused sick leave will be carried over to the employee's next anniversary year; however, the total sick leave available to an employee in any one year will not exceed the equivalent of 2 weeks and three days.

Employees are required to notify the Director prior to their shift if they need to utilize their sick leave. If the Director is unavailable, they should contact Human Resources.

Any employee provisionally or permanently appointed to a full time position from a part time position will accrue, and may use, PTO and sick leave at the rate earned under their part time appointment during the one year transitional period. At their one (1) year anniversary as a full-time employee, full-time PTO and sick leave benefits will begin. When a paid holiday falls within an employee's selected PTO period, the employee will be granted an extra day of PTO time consistent with the above provisions.

### **Paid Time Off (PTO)**

- 1) Full time employees will receive PTO according to the following schedule:

**At the completion of:**

1 year of full-time service	2 weeks
5 years of full-time service	3 weeks
10 years of full-time service	4 weeks
20 years of full-time service	5 weeks



- 2) PTO time will be accounted for on an hourly basis, at a rate equivalent to that employee's daily schedule. For example, a 3 year employee working a total of 35 hours per week is entitled to 2 weeks PTO, or 70 hours.
- 3) PTO is to be allotted on the basis of each employee's original date of hire, or date of promotion to full time status. For example, an employee first hired on April 1st will have a personal PTO year from April 1st of one year to March 31st of the next year. Days cannot be saved into a new PTO year. Exceptions may be granted at the option of the Director.
- 4) The Library Director will try to accommodate all requested PTO schedules; however, has the authority to deny any requests if it will adversely affect the operation of the library. PTO plans should be presented to the Library Director at least six (6) weeks in advance, with changes presented as soon as they are known. The Library Director will try to accommodate all requested changes, as well as last-minute requests for PTO time; however, the Library Director has the authority to deny any unscheduled PTO time if it will adversely affect the operation of the Library.
- 5) Part-time employees are entitled to one (1) week PTO based on their weekly scheduled hours after the completion of one (1) year of service. After the completion of five (5) years of service, part-time employees are entitled to two (2) weeks PTO based on their weekly scheduled hours.

### Holidays

- 1) Full-time employees shall receive seven (7) paid holidays, effective the date of their employment, with the possibility of an additional four (4) more depending on their work schedule and how the holidays fall (e.g. Easter Sunday, the Sunday *preceding* Memorial Day and Labor Day, and the Sunday or Monday *following* Independence Day) . Holidays on which the Library is closed are:

New Year's Day	Thanksgiving Eve –close at 5:00 PM
Memorial Day	Thanksgiving Day
Independence Day	Christmas Eve
Labor Day	Christmas Day
	New Year's Eve –close at 2:00 PM

- a. Easter Sunday and the Sundays *preceding* Memorial Day and Labor Day will be a paid holiday *only for all those normally scheduled to work*.
- b. When Independence Day falls on a Saturday or Sunday, the Sunday or Monday *following* Independence Day will be a paid holiday *only for all those normally scheduled to work*. When it falls on a weekday, *only that day will be a paid holiday*.
- c. When a paid holiday falls on a full time employee's scheduled day off, the employee is entitled to a compensating day off with pay. This does not apply to the holidays outlined in section a) and b). Compensating days off must be coordinated with the Library Director.

The Board may approve additional paid closings upon recommendation of the Library Director.

- 2) Full-time employees also shall receive two (2) paid personal days, effective on their date of employment, which may be used to observe religious holidays or for other purposes.

As the Library is an Equal Opportunity Employer, personnel observing religious or cultural holidays not listed above should discuss their obligations with the Director so that arrangements can be made.

Part time employees will be paid for holidays that fall on a day they are normally scheduled to work.

## **IX LIBRARY CLOSINGS**

If the Library closes because of extreme weather or other emergency conditions, employees scheduled to work will be credited with time as if worked. Previous time off requests supercede any credited time.

## **X TRANSITION OF CURRENT EMPLOYEES TO CIVIL SERVICE STATUS**

When current employees make the transition from full-time provisional status to full-time permanent appointment, each will be on probation for a period of not less than eight (8) weeks, nor greater than twenty-six (26) weeks from the date of his or her appointment by Civil Service.

## **GRANDFATHER CLAUSE**

For all employees hired before June 1, 1996, no salary, vacation, retirement or benefits, (excluding the SEP benefit) will be reduced as a result of revisions to these policies.

The Greenwood Lake Public Library Board of Trustees has no authority to waive policies mandated or promulgated by a higher authority (i.e. The Board of Regents, Civil Service and New York State Department of Labor). However, the Board may make and adopt its own set of policies with the inclusion of some statutory provisions, and can waiver same for the overall benefit of the institution, not including such statutory provisions.

Revised: 2/20/97; 3/19/98; 1/21/99, 2/1/00; 4/24/01; 1/21/03; 3/23/04; 5/19/05; 1/19/06; 9/28/06; 9/27/07; 4/17/08; 9/23/08; 1/28/10; 5/19/11; 9/22/11; 3/21/13; 5/15/14; 2/26/15; 4/23/15; 9/24/15; 11/17/15; 7/1/16; 11/17/15;9/15/16; 3/23/17 ; 10/26/17; 1/25/18; 7/1/18. 10/25/18; 4/25/19; 1/23/20; 2/26/20; 3/19/20; 11/19/20; 4/21/22; 10/20/22

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