

2023-2024

SOUTH HUNTINGTON PUBLIC LIBRARY
PERSONNEL POLICY MANUAL

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If there is any discrepancy between the contents of this manual and any applicable County, State or Federal laws, the applicable law will take precedence.

2023-2024

PERSONNEL POLICY

SOUTH HUNTINGTON PUBLIC LIBRARY

I. EMPLOYMENT/COMPENSATION

A. Appointments

All appointments will be made according to the rules of the Suffolk County Department of Civil Service.

The library adheres to all federal and state laws that guarantee equal employment opportunity to all persons based on individual qualifications and abilities without regard to race, color, national origin, gender, age, sexual orientation, disability, marital status, genetic predisposition, or carrier status, or other protected classification.

B. Hiring Restrictions

Members of the board and families of the trustees and the director are prohibited from being employed by the library.

C. Salary Information

Pay rates may be reviewed annually. Employees will be notified by the board prior to the start of a new fiscal year if/when there is a resolution to change the pay rates. (See attached salary schedules.) Staff members are paid every other Thursday. The payroll period begins on Sunday and ends on the Saturday prior to payday. Employees can elect to have direct deposit of their payroll check. Please see the Business Office for further information. (The minimum requirements for step advancement may be found in the appendix.)

D. Sundays

1. Full-time employees will be paid up to two times their normal pay rate when working on a Sunday. A cap on the hourly Sunday rate is set each year by the board of trustees. In no case will an employee earn less than 1 1/2 times their normal hourly rate when working on a Sunday.

2. Part-time employees will be paid up to two times their normal pay rate when working on a Sunday. A cap on the hourly Sunday rate is set each year by the board of trustees. In no case will an employee earn less than 1 1/2 times their normal hourly rate when

working on a Sunday. If you are unable to work Sundays as part of your regular schedule, please see your supervisor.

Mother's Day and Father's Day – Staffing on these two Sundays will be done on a voluntary basis. These Sundays should not be staffed on a rotational basis.

Whenever possible, the departments will be staffed with fewer personnel. In the event that there are insufficient numbers of staff members who wish to volunteer to achieve minimum coverage, staff members with the least seniority will be assigned to work on Mother's Day and/or Father's Day.

II. LINE OF AUTHORITY

The director, or in the director's absence, the assistant director, is in charge of all operations in the library. In the absence of the director or the assistant director:

A. Each department supervisor is responsible for decisions (immediate in nature) relating exclusively to that department.

B. For matters affecting the library, generally – and not a specific department as per II(A) above – in the absence of the director or assistant director, such matters should be referred to the librarian-in-charge. The name of the librarian-in-charge is listed on the library's staff page.

III. WORK SCHEDULE

Since the library is open evenings and weekends, most employees are required to work evening and weekend hours.

All employees must work their regularly scheduled hours. When a staff member takes approved time off, that time must be charged to paid leave, or where applicable, unpaid sick leave or unpaid vacation leave.

Shifts may be switched, with the permission of the supervisor and within the same pay period. Non-certified employees may not exceed 17.5 hours in a single week, including Saturdays, Sundays and meetings. Each employee must fulfill their scheduled number of hours for the pay period.

An unexcused absence from work for three consecutive days may result in termination.

A. Work Week - Full-Time

1. Normally, full-time certified employees work 35 hours per week, 7 hours per day.
2. Non-Competitive- full- time employees are regularly scheduled to work 35 hours per week.

B. Work Week - Part-Time

1. Competitive - Certified Positions:

Employees work a minimum of 17.50 hours per week on a regular basis, including Saturday, Sunday and work-related meeting hours.

2. Competitive - Non-Certified Part-time:

Employees may not exceed 17.50 hours on a regularly scheduled basis, including Saturday, Sunday and work-related meeting hours.

3. Non-Competitive - Part-Time (Pages):

Employees may work up to 34 hours a week.

An employee's actual hours are determined by administration and approved by the board of trustees.

IV. STAFF MEETINGS

Since communication and education are vital to providing quality library services, staff members must attend a minimum number of meetings and continuing education workshops. Staff members who are not normally scheduled to work when general staff or department meetings are held, will be compensated for twice the time spent at such meetings, up to one hour. Part-time employees will be paid at their regular hourly rate, and full-timers will receive up to two hours of comp time, which is to be taken in the same payroll period that the comp time is earned.

Full-timers are to attend a minimum of 75 percent of general staff meetings, departmental meetings and in-house continuing education workshops designed for their job category.

Part-timers working 12 to 24 hours a week are encouraged to attend general staff meetings and must attend a minimum of 75 percent of departmental staff meetings and in-house continuing education workshops that are offered for their job category. Such departmental meetings and continuing education workshops will be scheduled either in the day or evening hours depending upon the normal work hours for that group.

Part-timers working less than 12 hours a week are encouraged to attend general staff meetings, departmental staff meetings and in-house continuing education workshops designated for their job category whenever possible.

V. EMAIL

All employees should check their email regularly as this is how library news and information will be conveyed. Employees are responsible for keeping up to date.

Employees should refrain from using their library email (@shpl.info) to conduct personal business. Employees should have no expectation of privacy.

VI. STAFF EVALUATION POLICY

The library will utilize a performance evaluation program to:

- Provide each employee with regular feedback as to their job performance.
- Assist the employee in becoming more effective in their position.
- Support the employee in meeting strategic objectives of the library.
- Provide an opportunity for the employee to communicate to his/her supervisor any issues regarding employment at the library.

A performance evaluation will establish future goals on an annual basis, provide feedback of the employee's work during the evaluation period and evaluate results of work relative to any previous stated goals. Completed evaluations will be retained in the employee's personnel file. The performance evaluation will be discussed and signed by both the employee and the supervisor to provide evidence that all strengths, areas for improvement and job goals for the next review period have been clearly communicated. Employees may rebut or comment on, in writing, all or any part of the evaluations. The responses will be included with the evaluation in the employee's personnel file.

VII. PROGRESSIVE DISCIPLINE POLICY

Any employee conduct that, in the opinion of their supervisor or the library director, interferes with or adversely affects the library's business, is sufficient grounds for disciplinary action, up to and including termination.

Disciplinary action can range from oral warnings to immediate discharge. The library's general policy is to take disciplinary steps in the following order:

1. Verbal warning(s)
2. Written reprimand(s)
3. Loss of step advancement
4. Termination

However, the library reserves the right to alter the order described above, to skip disciplinary steps, to eliminate disciplinary steps, or to create new and/or additional disciplinary steps.

In choosing the appropriate disciplinary action, the library may consider any or all of the following things:

- The seriousness of the conduct
- The employee's history of misconduct
- Employment records
- Length of employment with the library
- The strength of the evidence against the employee
- The employee's ability to correct the conduct
- The employee's attitude about the conduct
- Actions the library has taken for similar conduct by other employees
- How the conduct affects the library, its customers and staff
- Any other circumstances related to the nature of the misconduct, the employees work history with the library, and the effect of the misconduct on library business.

The library will give those considerations whatever weight it deems appropriate. Depending on the circumstances, the library may give some considerations more weight than other considerations – or no weight at all. Some conduct may result in immediate termination.

Here are some examples:

- Theft of library property
- Threatening the physical safety of anyone
- Physically or verbally assaulting another person
- Bringing a weapon to work
- Any illegal conduct at work

VIII. LATENESS

Staff members are expected to be at their respective work stations ready for the day's business at the start of their shift, regardless of whether an employee's job duty requires direct interaction with the public. If a consistent pattern of lateness is observed in an employee, it will result in disciplinary action. Employees must inform their supervisor or librarian-in-charge if they foresee arriving at their work station late. All employees are required to clock in and out to record work hours. Should an employee choose to appear before check-in time, they may do so but will not be compensated for any additional time unless the employee is authorized for overtime compensation.

Emergency situations and public service area requirements will be regarded as exceptions.

Employees are considered “late” if they are not ready to begin working at the start of their shift. The library allows a grace period of up to six minutes before deducting time for emergencies only. After a six-minute grace period, a quarterly interval is deducted. This procedure is repeated for each quarter hour. Deductions will be taken from employee’s paid leave. Employees may not clock out before the end of their shift unless authorized.

IX. DRESS CODE

Employees are expected to dress appropriately for the area in which they work and the type of work assigned. Ultra-casual or beachwear is never acceptable attire, nor are such items as torn jeans, beach flip-flops, and shirts with jargon, logos or sayings.

X. PERSONAL PHONE CALLS/CELL PHONE USE

Outgoing: Employees are not expected to conduct their personal business and/or conversations while at work. Personal phone calls should be kept to a minimum to ensure that normal business communications are not compromised. Emergency conditions, however, can be accommodated.

Incoming: Calls will be routed to appropriate personnel whenever possible. Otherwise a message will be taken. Employees should discourage non-emergency personal calls.

Cell phones: While at work, employees are expected to refrain from excessive personal use of cellular phones and other personal electronic devices. Personal calls, personal text messaging or tweeting during work hours interferes with employee productivity and is distracting. Employees are expected to limit personal interactions during work time and to use personal cellphones or electronic devices during breaks. Employees should inform friends and family members of this library policy. The library is not liable for the loss of personal cell phones or other devices brought into the workplace.

XI. LEAVING THE BUILDING

Any employee leaving the library premises for any reason must clock in and out.

XII. MEAL TIMES AND REST BREAKS

A. Meal Times (Employees are not compensated for meal times)

Employees working over six continuous hours must take a minimum of 1/2 hour lunch/dinner period and will not be paid for this time. With the permission of their

supervisor, employees may request an hour for meal times on a regular basis. Employees may be required by their supervisor to take either 1/2 or one-hour mealtime on a regular basis, based on the library's scheduling needs. Employees who leave the premises for meals must clock in and out.

B. Rest Breaks (Employees are compensated for breaks)

Employees who are scheduled to work six hours or more are entitled to two 15-minute periods. Employees working less than six, but more than three hours, are entitled to one 15-minute break. Employees may not leave the premises during breaks without authorization. Breaks may not be taken within an hour of the end of a shift or closing unless employee is directed otherwise by his or her supervisor or librarian-in-charge.

Breaks may not be used to compensate for late arrival or early departure, or to add on to meal times.

XIII. OVERTIME / COMPENSATION TIME / FLEX TIME

A. Overtime/Compensation Time

No employee will be required to work overtime except in emergencies.

All full-time employees working over 35 hours must have completed and approved a "Comp-time/Overtime" leave request, obtained from the staff home page. If a full-time employee is requested by their supervisor to work additional hours, they will have the choice of cash payment or compensation time for hours worked. Additional compensation hours must be used within the pay period earned and not "banked." Employees must use comp time before using paid leave. It is the responsibility of the supervisor to verify that no part-timers were available to work prior to authorizing a full-timer to work over 35 hours.

B. Flextime

Full timers who have used all their personal time may adjust their normal work schedule by up to seven hours per month to take care of personal matters. The time used and the change in schedule must be approved in advance and in writing by the supervisor and made up within two weeks. An employee working with the public must be sure of coverage before taking time off. Coverage must come from existing staff normally scheduled to work at that time. Additional part-timers may not be called in to cover for flextime. Flextime may not be taken during night and weekend hours.

Part-timers are not eligible for flextime.

XIV. EMERGENCY LIBRARY CLOSING

If the library has a delayed opening or early closing, employees will be compensated as stated below, provided that the employee reports for work at the designated delayed opening time or leaves at the designated time of an early closing.

- A.** Full-time employees will be paid their regular scheduled hours.
- B.** Part-time employees will be paid for their scheduled work hours in case of an unscheduled library closing.

Delayed opening: Employees whose shift is scheduled to end within an hour or less of the delayed opening time may opt not to report to work and use benefit time to make up the difference. Employees reporting to work later than the designated opening time or who do not report to work at all, will be required to submit benefit time as dictated by the library's lateness policy for the difference between the opening of the library and the time the employee arrives for work.

Early closing: Employees whose shift is scheduled to start within an hour or less of the early closing time may opt to not report to work and use benefit time to make up the difference between the start of the employees scheduled shift and the early closing of the library.

If the library is closed on a Sunday that the library is normally open, staff members scheduled for that day will be compensated at their regular hourly rate, not the Sunday rate, for the number of hours they were scheduled to work. If the library opens later or closes earlier than normal on a Sunday, staff members will be paid the Sunday rate only for those hours that are actually worked.

Staff members should not remain in the building or come to work if they feel unsafe during periods of inclement weather. If a staff member would like to leave early, they should advise their supervisor or the librarian-in-charge on nights and weekends that they would like to go home. Benefit time must be submitted.

In the event of an emergency library closing or delayed opening, employees will be notified by our automated notification system to the number designated by the employee.

Staff members who have requested leave time for day(s) off prior to an emergency closing may not withdraw their leave request.

If the library is closed during normal operating hours due to loss of power, climate control or other emergency, staff members will be compensated for scheduled hours for that day. If the emergency situation is remedied in a timely manner, and a decision is made to reopen the library, scheduled staff will be required to return to work to complete their scheduled shift. Staff who are unable to return to work to complete their scheduled shift must charge the hours not worked to vacation or personal time.

XV. BENEFITS

All benefits are accrued on a monthly basis. Employees must have worked or been paid for vacation or sick leave for more than 50 percent of their regular schedule in the month to accrue benefits.

1. HOLIDAYS

Independence Day*
Labor Day*
Columbus Day (open)
Veterans Day*
Thanksgiving Day*
Christmas Eve*
Christmas Day*
New Year's Eve (open 9 am-1 pm)
New Year's Day*
Martin Luther King Jr. Day*
Lincoln's Birthday (open)
President's Day*
Memorial Day*
Juneteenth*

*Library Closed

A. Full-Time Employees will be paid for the above 13.5 holidays. On holidays that the library is open, employees will receive a comp day, which is to be used in the same fiscal year (July 1 – June 30) in which it is earned.

New Year's Eve

- When a full-time employee is regularly scheduled to begin their shift after closing on New Year's Eve, he or she has the option to request, instead, that their supervisor schedule him or her for a 3.5- hour shift that morning.
- If a full-time employee works the half-day, they will be compensated for their afternoon shift (3.5 hours).
- Those full-time employees who choose to take New Year's Eve off must submit benefit time of 3.5 hours to cover the remaining shift.

B. Part-Time Employees - Regularly scheduled to work 17.5 hours or more a week will be paid for the eleven holidays the library is closed, on a pro-rated basis.

C. Part-Time Employees - Regularly scheduled to work at more than 12 and less than 17.5 hours a week will be paid, on a pro-rated basis, for Martin Luther King Day, Juneteenth, Independence Day, Veteran's Day, Christmas Eve, Christmas and New Year's Day.

D. Part-time Employees scheduled up to 12 hours per week will be paid on a pro-rated basis for Juneteenth, Independence Day, Christmas Day and New Year's Day.

In addition, the library will be closed on Easter Sunday and the Sunday of Memorial Day weekend (not paid holidays).

2. PERSONAL DAYS

A. Full-time

Employees will be entitled to three personal leave days each year. This allowance will start each year as of July 1 and cannot be transferred into the next fiscal year. Personal time can be used in 15-minute increments.

3. ANNUAL LEAVE

Annual leave is based on the fiscal year (July 1 – June 30) and is accrued from the commencement of employment. Accrual advancements are earned at the start of the fiscal year. New employees must be employed prior to January 1 to earn their annual accrual advancement in the following year.

All requests for paid and unpaid leave must be submitted to and approved by the department head in advance of the leave.

A. Full-time Employees

Full-time employees earn a total of 18 vacation days per year. An additional day is added after each full year of employment until a total of 24 days is reached. No more than 30 vacation days can be carried over from year to year. Vacation time can be taken in 30-minute increments.

B. Part-time Employees

Vacation time is pro-rated on the basis of the average regularly scheduled hours worked per month in the current fiscal year. Non-scheduled employees do not generate vacation time. Part-time employees may carry forward up to 1 1/4 year's accrual.

- Professional and support staff and Pages:
 - After one full year of employment, employees are entitled to one pro-rated week plus one pro-rated day.
 - After two full years of employment, employees are entitled to two pro-rated weeks plus one pro-rated day.
 - An additional day is added after each full year of employment until a total of three pro-rated weeks, plus one pro-rated day, is reached.

Part timers can take their time in 15-minute increments.

Unpaid pro-rated vacation time will accrue for additional hours worked at the request of the supervisor, above the average regularly scheduled hours. This time will be

calculated at the end of the fiscal year in which it was earned and added as a block of time at the beginning of the next fiscal year. Up to one week of unpaid vacation can be carried over to the following fiscal year based on the employee's average regularly scheduled hours.

In the event of the death of a staff member, all remaining accrued vacation days will be paid to his/her estate.

4. SICK LEAVE

Sick leave may be used for personal illness or injury. Sick leave may also be used up to the current year's allocation for medical and dental appointments that cannot be scheduled during non-working hours and for care related to illness, injury or medical and dental appointments of parents, step-parents, or in-laws; a spouse, domestic partner or same-sex partner; siblings, children or step-children regardless of residence. Eligible employees may take sick time in 15-minute increments. The Business Office may request a doctor's note from employees using excessive sick time. Sick leave is accrued from the commencement of employment. Sick time may be carried forward from year-to-year.

Calling in Sick:

Employees calling in sick are urged to do so as early in the day as possible. Staff members should speak directly to their department head/supervisor. If the department head/supervisor is not present, the message should be given to the librarian-in-charge. Messages are to be relayed promptly.

A. Full-time Employees

Employees are entitled to one day for each month worked for a total of 12 days per year. Sick leave is cumulative. There is no cap on the number of days that can be accrued.

At retirement or upon resignation, full-time employees will be paid for unused sick leave at the following rates:

After five full years of employment, employees will be paid for up to 100 accumulated unused sick days, with the first 60 days paid at the employee's full rate of pay, and the remaining days (up to 40 more days) paid at 50 percent of the employee's normal rate of pay.

B. Part-time Employees

Employees accrue paid sick leave at the rate of one day (pro-rated) for each month based on their regularly scheduled hours. Sick leave is cumulative. There is no cap on the number of days that can be accrued.

At retirement or upon resignation, part-time employees will be paid for unused sick leave at the following rates:

- After five full years of employment, employees will be paid for unused sick leave at their current wage for 50 percent of accumulated pro-rated days, but not to exceed a total of 30 pro-rated days.
- After ten full years of employment, employees will be paid for unused sick leave at their current wage, for 75 percent of the accumulated pro-rated days, but not to exceed a total of 60 pro-rated days.

In the event of an illness, employees who have earned unpaid sick time in the past must first use paid sick time to cover time out, after which any remaining unpaid sick time can be used.

Unused Sick Leave (41-j)

In lieu of the cash payouts for unused sick days, described above, all employees in the New York State Retirement System have the option of adding a maximum of 165 days (100 days for Tier 6) of unused sick leave to their service credit, pursuant to Section 41-j of the Retirement and Social Security Law.

-OR-

Employees may choose to divide the number of days with the library's payout as specified in A and B above, and the remainder, if any, may be included in the final service credit to the retirement system. Please see the Business Office for further assistance.

5. BEREAVEMENT LEAVE

Paid bereavement leave is available to all staff members in the event of the death of the following members of the employee's immediate family: spouse, domestic partner, same sex committed partner, son, daughter, parent, sister, brother, grandparent, parent-in-law, grandchildren, step-children and step-parents.

A. All employees will be excused and compensated for up to five regularly scheduled days within ten calendar days, commencing upon the death of a member of the immediate family. Time missed on a scheduled Sunday will be paid at the employee's straight rate of pay. If you are scheduled to work on a Sunday, you will be excused and it will not affect your bereavement time.

B. For any non-immediate family members, staff members will be excused for one day within ten calendar days, commencing upon the death of the family member.

Employees who have lost a close relative or friend and feel they need more time (for bereavement and/or taking care of necessary business) than provided by this library

policy may take personal or vacation days, in addition to the bereavement days provided.

If your individual circumstances don't match the policy parameters, please see the director.

6. JURY DUTY

A. All full time and part-time employees who are called for Jury Duty will be paid regular pay for time spent on jury duty that occurs during an employee's regularly scheduled hours.

B. Payments made by the courts to an employee who will be paid by the library while serving jury duty must be turned over to the library. Employees keep their travel expenses.

7. CHILD CARE

Employees may request an unpaid leave of absence, up to one year, for the birth or adoption of a child. The employee must notify the director not less than 60 days before the anticipated birth or adoption that they will be requesting a child care leave. Before a child care leave can begin, all paid vacation and comp time must be used. Accumulated sick leave may be used concurrently with an unpaid child care leave. The employee must inform the director, in writing, of their intent to return to work at least 60 days prior to the termination of the child care leave. There will be no accrual of benefits of any kind during the period of childcare leave, nor will the time be included in determining salary placement. The board of trustees must approve all such leaves.

8. EMERGENCY LEAVE- Short Term

The director is granted discretionary authority to permit emergency leave, without pay, for a period of up to five days, without penalty, provided the employee has exhausted all paid leave.

9. LEAVE OF ABSENCE- Long Term

All non-emergency leaves must be planned in consultation with the employee's immediate supervisor and the business office, at least one month in advance of the requested time off.

Personal Leave of Absence

Personal leaves of absence may be granted for educational purposes, family illness or another compelling reason for up to three months. A leave of absence for a personal or family illness requires a letter from a physician specifying the duration of the requested leave. All accumulated sick time, paid or unpaid, must be used concurrently when taking a personal leave for a personal or family illness. All paid and unpaid time must be used concurrently when taking a personal leave of absence for educational purposes or

another compelling reason. This is an unpaid leave and there will be no accrual of benefits during the period of the personal leave of absence, nor will the time be included in determining salary.

Permission to take a personal leave of absence is subject to the approval of the board of trustees and must be requested in writing. In determining whether to grant a leave, the library may take into account such matters as, but not limited to, the impact such a leave might have on service to the public and the history of such requests by an employee. An employee's position will be held vacant for up to three months, after which, if the employee does not return, the employee may be terminated at the discretion of the library.

Disability Leave

All employees are covered by the library's disability insurance. Disability coverage will begin only after all paid sick leave is exhausted. The maximum unpaid leave is for 26 weeks. No benefits are earned when out on disability. Please see the Business Office for the requirements and the limits of compensation of the disability coverage.

Civil Service and ADA Requirements

If you have an occupational injury or disease or suffer from certain disabilities, please check with the Business Office to see if your leave is governed by Civil Service law or the Americans with Disabilities Act.

Family and Medical Leave Act

This policy is intended to meet the requirements of the Family and Medical Leave Act of 1993.

Employees are eligible to take up to 12 weeks of unpaid family/medical leave within any 12-month period and be restored to the same or an equivalent position upon their return from leave provided they have worked for the library for at least 12 months, and for at least 1,250 hours in the last 12 months. The library uses the "rolling" 12-month period measured from the date an employee begins their Family and Medical Leave Act leave to compute the 12-month eligibility period.

Reasons for Leave: Employees may take family medical leave for any of the following reasons: **(1)** the birth of son or daughter and in order to care for such son or daughter; **(2)** the placement of a son or daughter with you for adoption or foster care; **(3)** to care for a spouse' son, daughter, or parent ("covered relation") with a serious health condition; or **(4)** because of their own serious health condition which renders them unable to perform the functions of their position. Leave because of reasons "1" or "2" must be completed within the 12-month period beginning on the date of birth or placement. In addition, employees who request leave because of reasons "1" or "2" or to care for an ill parent may only take a combined total of 12 weeks leave during any 12-

month period. The library provides an enhanced "Child Care Leave" Policy. See the "Child Care Leave" Policy for further details.

Notice of Leave: If an employee's need for family/medical leave is foreseeable, the employee should give the library at least 30 days prior written notice. If this is not possible, the employee must at least give written notice as soon as practicable (within two business days of learning of the employee's need for leave). Failure to provide such notice may be grounds for delay of leave. The library has a Request for Family/Medical Leave forms available from the Business Office. Employees should use these forms when requesting this type of leave.

Medical Certification: If the employee is requesting leave because of their own or a covered relation's serious health condition, the employee and the relevant health care provider must supply appropriate medical certification. The employee may obtain Medical Certification Forms from the Business Office. When an employee requests leave, the library will notify them of the requirement for medical certification and when it is due (no more than 15 days after the leave request). Failure to provide requested medical certification in a timely manner may result in the denial of leave until it is provided. The library, at its expense, may require an examination by a second health care provider designated by the library, if it reasonably doubts the medical certification that the employees initially provides. If the second health care provider's opinion conflicts with the original medical certification, the library, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion. The library may require subsequent medical re-certification on a reasonable basis.

Definitions: For the purposes of this policy the following definitions apply:

"Spouse" is defined in accordance with applicable state law.

"Parent" includes biological parents and individuals who acted as your parents, but does not include parents-in-law.

"Son" or "daughter" includes biological, adopted, foster children, stepchildren, legal wards and other persons for whom you act in the capacity of a parent and who are under 18 years of age or over 18 years of age but incapable of caring for themselves.

"Serious health condition" means any illness, injury, impairment or physical or mental condition that involves (1) any incapacity or treatment in connection with inpatient care; (2) an incapacity requiring absence of more than three calendar days and continuing treatment by a health care provider, (3) continuing treatment by a health care provider of a chronic or long-term condition that is incurable or will likely result in incapacity of more than three days if not treated.

"Continuing treatment" means (1) two or more treatments by a health care provider, (2) two or more treatments by a provider of health care services (e.g. physical therapist) on

a referral by or under orders of a health care provider, (3) at least one treatment by health care provider which results in a regimen of continuing treatment under the supervision of the health care provider (e.g. a program of medication or therapy) or (4) under the supervision of, although not actively treated by, a health care provider for a serious long-term or chronic condition or disability which cannot be cured.

"Health Care Provider" includes licensed MDs or ODs, podiatrists, dentists, clinical psychologists, optometrists, chiropractors authorized to practice in the state, nurse practitioners and nurse-midwives authorized under state law and Christian Science practitioners.

"Needed to care for" a family member encompasses: (1) physical and psychological care; and (2) where the employee is needed to fill in for others providing care or to arrange for a third-party care of the family member.

The phrase "unable to perform the functions of his/her job" means an employee is: (1) unable to work at all; or (2) unable to perform any of the essential functions of his/her position. The term "essential functions" is borrowed from the Americans with Disabilities ACT ("ADA") to mean "the fundamental job duties of the employment position," but does not include the marginal functions of the position.

Leave is Unpaid: Family/medical leave is unpaid leave (although the employee may be eligible for long- term disability and/or worker's compensation benefits under those insurance plans.) If the employee requests a leave under FMLA, any accrued paid vacation, personal and/or sick days will first be deducted concurrently with unpaid FMLA leave.

Medical and Other Benefits: During an approved family/medical leave, the library will maintain the employee's health benefits, as if he or she continued to be actively employed. While your accrued vacation, personal and/or sick time leave is being used, the library will deduct the employee's portion of the health plan premium as a regular payroll deduction. After the accrued leave time has run out, the employee must pay their portion of the premium by delivering a check or money order to the library before the date each month when the premium is due to the insurance carrier. The employee's health care coverage will cease if the premium payment is more than 30 days late. If the employee elects not to return to work at the end of the leave period, they will be required to reimburse the library for the cost of the premiums paid by the library for maintaining coverage during the leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond their control. No other benefits will accrue during family/medical leave.

Intermittent and Reduced Schedule Leave: Leave because of a serious health condition may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours the employee works per workweek or workday) if medically necessary. If the accrued paid

vacation, personal and/or sick days run out, the library will reduce the employee's salary based on the amount of time actually worked. In addition, while they are on an intermittent or reduced schedule leave, the library may temporarily transfer the employee to an available alternative position that better accommodates their recurring leave and which has equivalent pay and benefits.

Returning from Leave: If an employee takes leave because of their own serious health condition, they are required to provide medical certification that they are fit to resume work. Return to Work Medical Certification Forms are available from the Business Office.

Employees failing to provide the Return to Work Medical Certification Form will not be permitted to resume work until it is provided.

State and Local Family and Medical Leave Laws: Where state or local family and medical leave laws offer more protections or benefits to employees, the protections or benefits provided by such laws apply.

Other Leaves:

Blood Donations (NYS)

New York State law allows all employees who are scheduled to work an average of 20 hours or more each week, to be given up to three hours of paid leave in any 12-month period for the purpose of donating blood. Medical documentation is required.

Cancer Screenings (NYS)

All employees will be given up to four hours of paid leave on an annual basis to undertake screening for all cancers. Medical documentation is required.

Nursing Mothers (NYS)

All nursing mothers will be allowed to use a reasonable amount of unpaid break time or paid break time or meal time each day to express breast milk for her nursing child for up to three years following childbirth. Reasonable efforts will be made to provide a room or other location, in close proximity to the work area, where an employee can express milk in privacy.

Military Leave

Employees who serve in the United States military will be granted a protected leave of absence in accordance with federal law. The employee must promptly inform their supervisor as soon as they know the scheduled dates of military service.

10. HEALTH INSURANCE

A. Full-time Employees

The library will pay 90 percent of the cost of the premium for individual coverage in the New York State Health Insurance Program and 65 percent of the premium for family coverage. Health Insurance coverage is not mandatory for employees who choose not to participate.

Employee contributions to health insurance premiums will not be subject to payroll taxes.

Family health insurance coverage is limited to one per family in cases where both spouses work for the library. (NYSHIP)

B. Retirees

Full-time employees who have worked for the library for ten or more years may continue health insurance coverage in retirement. The library will pay 75 percent of the premium for individual coverage and 35 percent of the cost of family coverage. The library will also reimburse the employee for the cost of Part B of Medicare Coverage.

Retirees who have continued their Health Care Insurance with the library will be eligible for a library-funded Healthcare Flexible Spending Account in the amount of \$500 per year.

Vested employees who leave the library within five years of retirement will be eligible for health insurance coverage in retirement if NYSHIP coverage is maintained until retirement.

C. Domestic Partners – Same Sex Marriages (NYSHIP)

The library provides family health insurance coverage for domestic partners and same-sex marriages where the marriage is legal in the jurisdiction where it was performed. For specific requirements regarding family coverage for domestic partners and same-sex marriages, please see the Business Office.

D. Coverage for Dependents of Deceased/Vested Employees (NYSHIP)

The unmarried spouse and dependents of a deceased/vested enrollee who were covered by NYSHIP at the time of the enrollee's death may continue health insurance coverage by paying the full cost of the premium.

E. AFLAC Supplemental Health Insurance

AFLAC (American Family Life Assurance Company of Columbus), a supplemental health insurance company, pays cash benefits directly to the employee when a policyholder has a covered accident or sickness. Enrollment is optional. The employee pays the full premium; premiums are deducted from payroll by the library.

The following plans are offered:

- Personal Accident Indemnity Plan
- Personal Cancer Indemnity Plan

For details on the costs and benefits of these AFLAC insurance plans, please see the Business Office.

F. COBRA

Information about your rights under the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) will be provided to you separately from this manual. COBRA allows eligible employees and their dependents to continue medical insurance for a limited time after certain “qualifying events” by self-paying. Please see Business Office for more information.

11. OTHER INSURANCE

- A. DENTAL Full-time employees and part-time employees who work 17.5 hours or more are eligible to be insured under the library’s designated plan with the premium paid in full by the employee. All employees are eligible for our Met Life Take Along Dental Plan with the premium paid in full by the employee.
- B. VISION Full-time employees and part-time employees who work 17.5 hours or more are eligible to be insured under the library’s designated plan with the premium paid in full by the employee.

12. FLEXIBLE SPENDING ACCOUNTS

Flexible Spending Accounts reimburse employees for expenses that are not covered by the library’s benefits package. Accounts are established on a fiscal year basis. All full-time employees are eligible. Part-time employees who are regularly scheduled to work 17.5 or more hours per week are eligible.

There are two types of flexible spending accounts: Health Care Flexible Spending Accounts and Dependent Care Flexible Spending Accounts. Before the plan year begins, eligible employees elect to have a part of their pay placed in one or both of the reimbursement accounts. The amount placed into a flexible spending account is not taxed. Because employees are lowering their taxable income, they save both Social Security taxes and federal income taxes, and in most cases, state taxes as well. Staff members should be aware that under I.R.S. rules, employees would forfeit any monies remaining in these accounts at the end of the plan year.

For further information and to confirm eligibility, contact the Business Office.

Health Care Flexible Spending Account – In order to enroll eligible staff must be employed by the library for a full year.

Library contribution:

- Full-Time - Eligible full-time employees will receive a library-funded flexible spending account of \$1,300.
- Part-Time – Eligible part-time employees will receive a library-funded flexible spending account of \$520.

Employee contribution (optional):

- Full-Time - Eligible full-time employees can elect to contribute up to \$1,250 in addition to the library contribution for a maximum total of \$2,550.
- Part-Time – Eligible part-time employees can elect to contribute up to \$1,000 in addition to the library contribution for a maximum total of \$1,520.

Dependent Care Flexible Spending Account -

This type of account is for child and adult daycare costs only. The account is not funded by the library but is deducted pre-tax from the employee's pay. The maximum contribution for all employees to a Dependent Care Flexible Spending Account is \$5,000. It is a "pay-as-you-go" account. That is, the employee can only use up to the amount he or she has contributed. While employees do not have to wait a year before enrolling, they must enroll in accordance with IRS regulations and before the start of the plan year.

13. DISABILITY INSURANCE

Disability will not commence until all accrued paid sick leave is used.

A. Short Term - All Employees

Employees are protected from short-term disabilities for up to 26 weeks of coverage. For details of this plan, including the amount of coverage provided, please see the Business Office.

B. Long Term - Full-time Employees

Full-time employees are also covered by long-term disability coverage. For details on the limitation of this coverage, please see the Business Office.

C. Permanent Disability - (Employees Covered by the Retirement System)

Eligible employees who are members of the retirement system may be entitled to permanent disability payments as provided for by the New York State Retirement System.

14. BOCES EAP PROGRAM

All employees are covered by the BOCES Employee Assistance Program, which provides quality intervention assistance to employees and their families who are facing

problems in their lives. Details on this program may be found in the staff lounge or in the Business Office.

15. TRAVEL ALLOWANCE

The library vehicle should be used by all employees who have received written authorization to attend meetings/conferences. In those circumstances where the vehicle cannot be used, or is unavailable, employees will be reimbursed for mileage at the current rate authorized by the board of trustees. Employees must submit a copy of their driver's license to the Business Office in order to be eligible to drive the library vehicle.

16. RETIREMENT / RESIGNATION - Full-Time and Part-Time Employees

A. Retirement - The library participates in the NY State Employee Retirement Plans #75i/75h (for Tier 1 & 2), Plan #A14 (for Tier 3), and Plan #A15 (for Tier 4, Tier 5 and Tier 6).

- All full-time employees are required by New York State Law to join the retirement system.
- Part-time eligible employees have the option of joining the retirement system.
- For details on the costs and benefits of membership in the retirement system, please see the Business Office.
- Employees will receive accrued vacation time payment up to 30 days.
- Retirees who have continued their health care insurance with the library will be eligible for a library-funded Health Care Flexible Spending Account in the amount of \$500 per year.
- All retirees residing out of our district will be eligible to retain their library card with full privileges.

B. Resignation

Upon resigning, the library requires professionals, department heads and administrative staff to give 30 days written notice. This written notice is exclusive of any remaining paid time off. Upon resignation, all other support staff are required to give two weeks written notice exclusive of any paid time off. Employees failing to give adequate notice when resigning will forfeit their right to receive any accrued time payment as specified in section XV.- 4. Sick Leave.

17. DEFERRED COMPENSATION PLANS

All employees are eligible to contribute to 403b and 457b plans. Please see the Business Office for details.

18. SENIORITY

Longevity Awards

After 20 years of employment, full-time employees will receive one additional vacation day, and part-time employees will receive one additional pro-rated vacation day. Thereafter, employees will earn one additional day for every five years of service (pro-rated for part-timers).

These vacation days will be awarded at the start of the fiscal year and are not included in maximum carry-overs.

Layoffs/Transfers

A. An employee with seniority in his/her particular department, in lieu of being terminated, will have the right to be transferred to another classification in place of an employee with less seniority in the department, providing this is consistent with the Civil Service Law.

B. Consistent with the NYS Civil Service Law, prior to hiring new employees, those employees who have been terminated because their position has been exceeded will be given the opportunity to apply for available positions. Vacancies will be posted.

C. Transfer of senior employees will be governed by the rules and regulations of the Civil Service Law and by the ability of the employee to perform satisfactorily.

Hiring/Promotions

In the recruitment, hiring and promotion of staff members, the board affirms its desire and responsibility to give priority to members of the present staff whenever possible, and whenever it is in the best interests of the library, and in a manner consistent with Civil Service Law.

XVI. WORKPLACE VIOLENCE PREVENTION POLICY

In compliance with New York State's Labor Law, the library has adopted a Workplace Violence Prevention Policy. The purpose of this policy is to ensure that the library and staff evaluate the risk of workplace assaults and homicides and that the library implement workplace violence protection programs to prevent and minimize the hazard of workplace violence.

The South Huntington Public Library views aggressive and/or violent behavior as disruptive and contrary to the development and maintenance of a safe, productive and supportive workplace. In addition, New York State Labor Law, Article 2, Section 27-b requires that public employers design and implement workplace violence protection programs to prevent and minimize the hazard of workplace violence to public employees.

The library board of trustees and administration are fully committed to employees' safety and health, and will strive to provide a work environment free of aggressive and

abusive behavior and violence of any sort. Individuals who exhibit such behavior will be held accountable under the policy and work rules, as well as local, state, and federal law. All instances of workplace violence will be taken seriously and addressed immediately. Workplace violence includes but is not limited to: physical assault, threatening behavior, verbal abuse, intimidation or harassment of any nature, harming in any way or threatening to harm any employee or patron, damaging or threatening to damage library property or the property of any employee or patron, possessing a dangerous weapon or incendiary device on library property without prior authorization (law enforcement officers are considered authorized), engaging in stalking behavior of any employee or library patron.

The South Huntington Library:

- a. Will provide adequate authority and budgetary resources to responsible parties so that identified goals and assigned responsibilities can be met, including staff training;
- b. Includes and encourages employee participation in the design and implementation of its workplace violence prevention program;
- c. Refuses to tolerate violence in the workplace, and has developed and implemented a program to reduce incidents of violence;
- d. Applies workplace violence policies consistently and fairly to all employees, including supervisors and managers.
- e. Requires prompt and accurate reporting of any threatening or potentially violent incidents, whether or not physical injury or damage has occurred;
- f. Will not discriminate against victims of workplace violence.

A copy of the Workplace Violence Prevention (WWP) Report Form can be found in the Appendix.

XVII. SEXUAL HARASSMENT POLICY

Introduction

The South Huntington 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 South Huntington Public Library's commitment to a discrimination-free work environment. Sexual harassment is against the law¹, 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 South Huntington 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 South Huntington 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 South Huntington 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 will 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 library will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of the South Huntington 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-employees² working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the South Huntington Public Library. 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 Protections¹. Adoption of this policy does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

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

¹ 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.

² 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.

5. The South Huntington 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 South Huntington 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 South Huntington 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.

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 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 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 that are of a sexual nature, or that 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 that are offensive or

objectionable to the recipient, that cause the recipient discomfort or humiliation, or that 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 coworker 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 South Huntington 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. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or the library director.

Reports of sexual harassment may be made verbally or in writing. A copy of the Complaint Form for Reporting Sexual Harassment can be found in the Appendix, 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.

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. 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 South Huntington Public Library will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

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

Upon receipt of complaint, the library director will:

- Conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate.
 - Encourage the individual to complete the "Complaint Form" in writing, if complaint is verbal. 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 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).

- 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 South Huntington Public Library but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the South Huntington 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 South Huntington Public Library does not extend your time to file with DHR or in court. The one-year or three years is counted from 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 paying of monetary damages, attorney's fees and civil fines.

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

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

Civil Rights Act of 1964

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

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

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 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

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

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in Suffolk County may file complaints of sexual harassment with the Suffolk County Human Rights Commission. Contact their main office at H. Lee Dennison Building, 100 Veterans Memorial Hwy, Third Floor, Hauppauge, NY 11788 or their Riverhead Office at Riverhead County Center 310 Center Drive, Riverhead, NY, 11901; or call 631-853-5480; or visit: <http://www.suffolkcountyny.gov/Departments/HumanRightsCommission.aspx>.

Contact the Local Police Department

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.

XVIII. NON-DISCRIMINATION POLICY

The South Huntington Public Library (the “library”) is committed to maintaining an environment free from harassment, discrimination, intimidation or exploitation. As such, the library does not tolerate discrimination or harassment because of race, color, creed, sex, age, gender identity, pregnancy, national origin, religion, sexual orientation, disability, marital status, military or veteran status, or any other characteristic protected by applicable federal, state and local laws.

Employees or applicants for employment who believe they have been the subject of any form of discrimination or harassment will promptly report such matters to the library director or assistant director.

Complaints of discrimination will be investigated promptly and fairly, by the library director, assistant director, or their designee, and will be treated confidentially to the extent possible, consistent with the best interests of the library and the individual(s) involved.

All individuals involved in the investigation are expected to respect the confidentiality of this information.

Employees found to have engaged in any form of prohibited discrimination or harassment will, consistent with applicable statutes and regulations, be subject to appropriate discipline, including possible termination.

Employees will not be subject to retaliation or reprisals for making a good faith report of suspected harassment under this policy or for taking part in any investigation of such report.

All employees at all levels are expected to cooperate in the complaint and investigation procedure. Any employee who conceals information or knowingly provides false or misleading information may, subject to applicable statutes and regulations, be subject to disciplinary action, including possible termination.

XIX. CODE OF ETHICS/CONFLICT OF INTEREST POLICY

The Board of Trustees of the South Huntington Public Library recognizes that sound, ethical standards of conduct serve to increase the effectiveness of library board members and their staff, as leaders in their community. Actions based on an ethical code of conduct promote public confidence and the attainment of library goals.

The board also recognizes its obligation to set forth a code of ethics under the provisions of the General Municipal Law.

The board therefore adopts the following code of ethics, and its accompanying regulation, for the guidance of its officers and employees. Board members and their staff commit themselves to:

ASSURING the opportunity for high quality library service for every district resident making the well-being of library service the fundamental principle in all decisions and actions;

REPRESENTING the entire community without fear or favor;

ACCEPTING all responsibilities as a means of unselfish service, while not using their positions for personal gain;

ACTING as part of a team with mutual respect and regard for each other's respective responsibilities and duties, recognizing that the strength of a library board is in acting as a board, not as individuals;

PRESERVING the obligation of having all issues considered fairly and without bias;

UPHOLDING the principles of due process and individual dignity, and protecting the civil and human rights of all;

MAINTAINING high standards and the effectiveness of library service research and continuing professional development;

OBEYING all national, state, and local laws and regulations pertaining to libraries and public agencies; and

INSTILLING respect for community, state, and nation.

NOW, WHEREAS, article 18 of the General Municipal Law prohibits the officers and employees of a municipality from having certain conflicts of interest, and

WHEREAS section 806 of the General Municipal Law requires the governing body of each county, city (other than the City of New York), town, village, school district, library and fire district to adopt a code of ethics that sets forth for the guidance of its officers and employees standards of conduct reasonably expected of them, and

WHEREAS section 806 of the General Municipal Law also authorizes the governing body of any other municipality to adopt such a code of ethics, and

WHEREAS, a code of ethics adopted by the governing body of a municipality must set forth standards of conduct for the guidance of the officers and employees of the municipality with respect to disclosure of interests in legislation before the local governing body, holding of investments in conflict with official duties, private

employment in conflict with official duties, future employment, and such other standards as may be deemed advisable.

NOW, THEREFORE, be it resolved that the Board of Trustees of the South Huntington Public Library hereby adopts a code of ethics to read as follows:

Code of Ethics of the South Huntington Public Library

Section 1. Purpose.

Officers and employees of the South Huntington Public Library hold their positions to serve and benefit the public and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The South Huntington Public Library recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

Section 2. Definitions.

- (a) "Board" means the governing board of a municipality and any municipal administrative board (e.g. planning board, zoning of board of appeals), commission, or other agency or body comprised of two or more municipal officers or employees.
- (b) "Code" means this code of ethics.
- (c) "Interest" means a direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5 percent of the organization's outstanding stock.
- (d) "Municipality" means the South Huntington Public Library. The word "municipal" refers to the municipality.
- (e) "Municipal officer or employee" means a paid or unpaid officer or employee of the South Huntington Public Library, including, but not limited to, the members of any municipal board.
- (f) "Relative" means a spouse, domestic partner, same sex committed partner, parent, step-parent, sibling, step-sibling, sibling's spouse, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

Section 3. Applicability.

This code of ethics applies to the officers and employees of the South Huntington Public Library, and will supersede any prior municipal code of ethics. The provisions of this code of ethics will apply in addition to all applicable state and local laws relating to conflicts of interest and ethics including, but not limited to, article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the South Huntington Public Library.

Section 4. Prohibition on use of municipal position for personal or private gain.

No municipal officer or employee will use his or her municipal position or official powers and duties to secure a financial or material benefit for himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

Section 5. Disclosure of interest in legislation and other matters.

(a) Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the municipal officer or employee will disclose in writing the nature of the interest.

(b) The disclosure will be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.

(c) In the case of a person serving in an elective office, the disclosure will be filed with the governing board of the municipality. In all other cases, the disclosure will be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure will be filed with the municipal officer, employee or board having the power to appoint to the person's position. In addition, in the case of a person serving on a municipal board, a copy of the disclosure will be filed with the board. Any disclosure made to a board will be made publicly at a meeting of the board and must be included in the minutes of the meeting.

Section 6. Recusal and abstention.

(a) No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

(b) In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:

- (1) if the power or duty is vested in a municipal officer as a member of a board, then the power or duty will be exercised or performed by the other members of the board; or
- (2) if the power or duty is vested in a municipal officer individually, then the power or duty will be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty will be performed by another person to whom the officer may lawfully delegate the function.
- (3) if the power or duty is vested in a municipal employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor will designate another person to exercise or perform the power or duty.

Section 7. Prohibition inapplicable; disclosure, recusal and abstention not required.

(a) This code's prohibition on use of a municipal position (section 4), disclosure requirements (section 5), and requirements relating to recusal and abstention (section 6), will not apply with respect to the following matters:

- (1) adoption of the municipality's annual budget;
- (2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:
 - (i) all municipal officers or employees;
 - (ii) all residents or taxpayers of the municipality or an area of the municipality; or
 - (iii) the general public; or
- (3) any matter that does not require the exercise of discretion.

(b) Recusal and abstention will not be required with respect to any matter:

- (1) which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by section 6 of this code;
- (2) which comes before a municipal officer when the officer would be prohibited from acting by section 6 of this code and the matter cannot be lawfully delegated to another person.

Section 8. Investments in conflict with official duties.

(a) No municipal officer or employee may acquire the following:

- (1) investments that can be reasonably expected to require more than sporadic recusal and abstention under section 6 of this code; or
- (2) investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.

(b) This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:

- (1) real property located within the municipality and used as his or her personal residence;
- (2) less than five percent of the stock of a publicly traded corporation; or
- (3) bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

Section 9. Private employment in conflict with official duties.

No municipal officer or employee, during his or her tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment:

- (a) can be reasonably expected to require more than sporadic recusal and abstention pursuant to section 6 of this code;
- (b) can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;
- (c) violates section 805-a(1)(c) or (d) of the General Municipal Law; or
- (d) requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

Section 10. Future employment.

(a) No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within the 30 days following final disposition of the matter.

(b) No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he or she serves.

(c) No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

Section 11. Personal representations and claims permitted.

This code will not be construed as prohibiting a municipal officer or employee from:

- (a) representing himself or herself, or his or her spouse or minor children before the municipality; or
- (b) asserting a claim against the municipality on his or her own behalf, or on behalf of his or her spouse or minor children.

Section 12. Use of municipal resources

(a) Municipal resources will be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel and the municipality's money, vehicles, equipment, materials, supplies or other property.

(b) No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision will not be construed as prohibiting:

- (1) any use of municipal resources authorized by law or municipal policy;
- (2) the use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his or her compensation; or
- (3) the occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.

(c) No municipal officer or employee will cause the municipality to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

Section 13. Interests in Contracts.

(a) No municipal officer or employee may have an interest in a contract that is prohibited by section 801 of the General Municipal Law.

(b) Every municipal officer and employee will disclose interests in contracts with the municipality at the time and in the manner required by section 803 of the General Municipal Law.

Section 14. Nepotism.

Except as otherwise required by law:

(a) No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.

(b) No municipal officer or employee may supervise a relative in the performance of the relative's official powers or duties.

Section 15. Political Solicitations.

(a) No municipal officer or employee will directly or indirectly compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.

(b) No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

Section 16. Confidential Information.

No municipal officer or employee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers and duties.

Section 17. Gifts.

(a) No municipal officer or employee will solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law as interpreted in this section.

(b) No municipal officer or employee may directly or indirectly solicit any gift.

(c) No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars or more when:

- (1) The gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties;
- (2) The gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or
- (3) The gift is intended as a reward for any official action on the part of the officer or employee.

(d) For purposes of this section, a "gift" includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift's fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.

(e) (1) A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.

(2) A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.

(f) This section does not prohibit any other gift, including:

(1) Gifts made to the municipality;

(2) Gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift;

(3) Gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;

(4) Unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;

(5) Awards and plaques having a value of seventy-five dollars or less which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or

(6) Meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

Section 18. Board of Ethics.

(a) There is hereby established a board of ethics for the municipality. The board of ethics will consist of three members, a majority of whom will not be officers or employees of the municipality, but at least one of whom must be a municipal officer or employee. The members of such board of ethics will be appointed by the Board of Trustees of the South Huntington Public Library, serve at the pleasure of the appointing authority, and receive no salary or compensation for their services as members of the board of ethics.

(b) The board of ethics will render advisory opinions to the officers and employees of the South Huntington Public Library with respect to article 18 of the General Municipal Law and this code. Such advisory opinions must be rendered pursuant to the written request of any such officer or employee under such rules and regulations as the board

of ethics may prescribe. The board of ethics will have the advice of legal counsel employed by the board, or if none, the municipality's legal counsel. In addition, the board of ethics may make recommendations with respect to the drafting and adoption of a code of ethics, or amendments thereto, upon the request of the Board of Trustees of the South Huntington Public Library.

Section 19. Posting and distribution.

(a) The director of the South Huntington Public Library must promptly cause a copy of this code, and a copy of any amendment to this code, to be posted publicly and conspicuously in each building under the municipality's control. The code must be posted within ten days following the date on which the code takes effect. An amendment to the code must be posted within ten days following the date on which the amendment takes effect.

(b) The director of the South Huntington Public Library must promptly cause a copy of this code, including any amendments to the code, to be distributed to every person who is or becomes an officer and employee of the South Huntington Public Library.

(c) Every municipal officer or employee who receives a copy of this code or an amendment to the code must acknowledge such receipt in writing. Such acknowledgments must be filed with the board secretary of the South Huntington Public Library who must maintain such acknowledgments as a public record.

(d) The failure to post this code or an amendment to the code does not affect either the applicability or enforceability of the code or the amendment. The failure of a municipal officer or employee to receive a copy of this code of ethics or an amendment to the code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or amendment to the code.

Section 20. Enforcement.

If any board member or the library director appears to be in conflict with the above, he or she will be asked to meet with an executive committee of the board to discuss the issue. This committee will make a recommendation to the full board based on their findings. Employees who are or appear to be in conflict with the above will be asked to meet with the library director who will make a determination as to discipline or terminate based on his or her findings.

Section 21. Effective date.

This code takes effect on January 20, 2015.

XX. WHISTLEBLOWER POLICY

Declaration of Policy: The South Huntington Public Library (the library) is committed to providing all employees protection from adverse employment action for engaging in protected acts of whistleblowing, as set forth in Civil Service Law §75-b, and any other relevant federal, State or local statutes, regulations, laws or rules.

Whistleblower Protection: The library will not dismiss or take other disciplinary or other adverse personnel action against an employee because the employee discloses to a governmental body information: (i) regarding a violation of law, rule or regulation which violation creates and presents a substantial and specific danger to the public health or safety; or (ii) which the employee reasonably believes to be true and reasonably believes constitutes an improper governmental action.

For the purposes of the Policy, “improper governmental action” means any action by the library or an employee, or an agent of the library or employee, which is undertaken in the performance of such agent’s official duties, whether or not such action is within the scope of his employment, and which is in violation of any federal, state or local law, rule or regulation.

Anti-Retaliation: Any employee found to have engaged in retaliatory conduct against an individual for exercising their protected whistleblower rights, as outlined above, may be subject to disciplinary action, up to and including termination. Conversely, reports of improper governmental action found to have no merit, and found to have been made in bad-faith may subject the reporting employee to disciplinary action.

Procedures for Reporting: Consistent with Not-For-Profit Corporation Law §715-b, the library sets forth the following procedures for reporting and investigating complaints of “improper governmental action”:

- 1) Employees who become aware of “improper governmental action” should first raise the issue with their supervisor. If requested, the employee shall submit a written report to the supervisor stating in detail the basis for the employee’s belief that improper governmental action has occurred.
- 2) Where the employee reasonably believes the improper governmental action involves his/her supervisor or the employee is not comfortable speaking with his/her supervisor, the employee should raise the issue with the library director.

If the violation concerns the director, the employee should report the matter directly to the president of the board of trustees.

- 3) The library director, or their designee, will take prompt action to investigate the reported conduct. Unless required by law, or for other compelling justification,

library officers and employees involved in the investigation shall, to the extent possible, keep the identity of reporting employee(s) confidential.

- 4) If the employee is not satisfied with the supervisor's response, they are encouraged to speak to anyone in library administration whom they are comfortable in approaching, including the library director.
- 5) The assistant director, department heads and supervisors are required to report suspected violations to the director.
- 6) All reports of improper governmental action are to be reported to the board of trustees at the next regular meeting of the board. The director will issue a confidential written report to the board, with appropriate recommendation(s).
- 7) To the extent that board deliberation and/or action is necessary, the subject of the complaint will not be present for such deliberation and/or action, unless called upon to give relevant background or factual information.
- 8) In case of an emergency, where the employee believes that damage to persons or property may result in action if not taken immediately, the employee may report the improper governmental action directly to the president of the board of trustees.
- 9) After an investigation has been completed, the employee reporting the improper governmental action will receive a written or oral summary of the results of the investigation, except that personnel actions taken as a result of the investigation will be kept confidential.
- 10) Thereafter, library employees may report information about the improper governmental action directly to the appropriate government agency that has responsibility for investigating the improper action if the library employee has a reasonable belief that one of the following two conditions exist:
 - a. A thorough investigation was not undertaken by the library to determine whether an improper governmental action occurred; or
 - b. Insufficient action has been taken by the library to address the improper governmental action.

XXI. GRIEVANCE POLICY

A grievance is a dispute between a staff member and the library as to the meaning, application, or interpretation of the personnel policy.

1. A staff member will raise a grievance within 30 days after the facts underlying the grievance took place or within 30 days after the facts underlying the grievance could reasonably have been discovered. The employee will file a form with his/her immediate supervisor, stating the nature of the grievance and the specific provisions of the personnel manual alleged to have been violated. The supervisor and the employee will sign the form (signifying only that it has been read). The supervisor will have five days from the receipt of the grievance to respond to the dispute.

2. If the grievance has not been satisfactorily resolved at Step One, then the employee will have the right to present the grievance to the director within five days of the supervisor's response. This presentation will consist of the written grievance, the response, and any other written material presented at Step One. The director will hold a meeting with the grievant, any witness(es) and any other persons invited by the director. Within 5 days after all presentations have been completed, the library director will issue a written decision to the grievant.

3. If the grievance is not satisfactorily resolved at Step Two, within ten days after the director's decision has been issued, the director will forward all the paperwork to the board of trustees. At the next regular or special board meeting, the staff member will be invited to appeal the director's decision to the board. The grievant's appeal may be oral or in writing and will be based solely upon information previously submitted in Steps One or Two. No new information can be submitted. The trustees will render a final decision within five days.

XXII. DRUG AND ALCOHOL POLICY

It is the South Huntington Public Library's goal to provide a drug-free, healthful and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs.

While on the premises of the South Huntington Public Library; while conducting business-related activities off the South Huntington Public Library's premises; when operating the library's official vehicle; or when using library equipment, no employee may use, possess, distribute, sell or be under the influence of alcohol, marijuana or illegal drugs. The use of legally prescribed drugs and/or over-the-counter drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment. Such violations may also have legal consequences.

The library reserves the right to inspect employees, their possessions, and their workspaces or to require a drug or alcohol test if a supervisor has reasonable suspicion of alcohol, marijuana or illegal drug use by an employee. The failure or refusal of an employee to consent to such inspection or testing when there is reasonable suspicion that the employee's ability to perform the essential functions of their employment responsibilities is impaired by drugs or alcohol will be considered grounds for termination of employment or other disciplinary action after any required disciplinary proceeding.

XXIII. OPIOID OVERDOSE PREVENTION PROGRAM POLICY

To combat the continuing rise in opioid related deaths in New York State and potentially save a life, the South Huntington Public Library has instituted an Opioid Overdose Prevention Program Policy. This document sets forth the required policies necessary to provide and maintain intranasal (IN) naloxone on-site to ensure ready and appropriate access for use during emergencies to any patron or staff member suspected of having an opioid overdose.

In New York State, laws have been amended to allow New York State's Public Libraries to participate in opioid overdose prevention programs by partnering with a New York State Department of Health (NYSDOH) Registered Opioid Overdose Prevention Program operated by another organization. Public libraries that choose to participate and acting reasonably and in good faith, will not be subject to criminal, civil or administrative liability solely by administering naloxone and may maintain IN naloxone on-site in adequate supplies. Choosing to participate permits employees who volunteer to be trained in accordance with public health laws to administer IN naloxone without liability.

Opioid Overdose Prevention Program Procedures

A library staff member designated to serve as the library liaison will contact a New York State Department of Health (NYSDOH) Registered Opioid Overdose Prevention Program that is operated by another organization to partner with the library. The library liaison will coordinate with the NYSDOH Registered Opioid Overdose Prevention Program partner to receive intranasal (IN) naloxone overdose kits. The library liaison will coordinate required NYSDOH approved training for staff and oversee on-site storage, inventory, and reporting of IN naloxone kit supplies. The library liaison will report back to the NYSDOH Registered Opioid Overdose Prevention Program partner whenever IN naloxone is administered or needs to be replaced because of expiration.

The South Huntington Public Library will work with their NYSDOH Registered Opioid Overdose Prevention Program partner so that library staff can become trained overdose responders (TORs) and be able to administer IN naloxone in the library. TORs must complete the NYSDOH approved training. After successful completion of the mandatory training, the individual will receive a certificate of training in opioid overdose prevention valid for two years.

The library liaison must maintain a current list of all trained staff. The list will be maintained in a location designated by library administration. The library liaison will schedule annual training to ensure that understanding and skills in opioid overdose response are current and timely. IN naloxone overdose kits will be stored consistent with the manufacturers' guidelines in the Automated External Defibrillator (AED) cases. The library liaison must monitor and maintain a log of naloxone expiration dates and other information required by the NYSDOH Registered Program partner. The on-site inventory and placement of naloxone will be accounted for weekly by the library liaison.

Incident reports will be completed as per library policy whenever naloxone is administered. Copies of all reports will be kept to allow evaluation of the opioid overdose program. Someone experiencing an opioid overdose needs immediate medical attention and emergency response intervention. 911 should be called immediately. The caller should state that an overdose is suspected. The library should implement its emergency response procedures and these opioid overdose procedures.

The library's policy of emergency notification, reporting and documentation is to be followed.

XXIV. ENVIRONMENTAL POLICY

The South Huntington Public Library is committed to reducing our ecological footprint and promoting conservational stewardship at all levels of our organization. The goal is to minimize the organization's environmental impact and maximize future generations' ability to live, work, and play in our shared natural surroundings, with equal access to clean air, clean water, and natural resources.

We will strive to minimize pollution and waste, conserve energy and water, protect habitat, support renewable energy resources, buy environmentally friendly products, and encourage environmentally preferable transportation.

These efforts will extend to contractor and supplier relationships. We will encourage contractors and suppliers serving or otherwise acting on behalf of the organization to meet our standards of environmental performance.

Employee understanding and involvement are essential to the implementation of this environmental policy. All employees will receive a copy of this policy and be educated about our Library's efforts to improve our environmental performance. Employees at all levels of the library will be involved in supporting our goals.

XXV. NEW YORK STATE ELECTION LAW

1. Employees are eligible for up to two hours of paid time off to vote if they do not have “sufficient time to vote.” An employee is deemed to have “sufficient time to vote” if an employee has four consecutive hours to vote either from the opening of the polls to the beginning of their work shift, or four consecutive hours between the end of a working shift and the closing of the polls.
2. If the employee requires working time off to vote, the employee shall notify his or her employer not less than two, but no more than ten, working days before the day of the election that he or she requires time off to vote in accordance with the provisions of this section.
3. Not less than ten working days before every election, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this section. Such notice will be kept posted until the close of the polls on Election Day.

APPENDIX

MINIMUM REQUIREMENTS FOR STEP ADVANCEMENT

New staff members must be employed prior to January 1st to advance a step in the following year.

Staff must work a minimum of six months exclusive of leaves to advance a step in the following year.

SOUTH HUNTINGTON PUBLIC LIBRARY

WORKPLACE VIOLENCE PREVENTION (WVP) REPORT FORM

ALL EMPLOYEES SHOULD KNOW that to the extent possible, these reports will be treated confidentially, considered carefully and promptly investigated. No action will be taken against you for making your report so long as you believe the report is valid. Please complete the report as specifically as possible and forward immediately to the WVP Officer or any WVP Team Member.

DATE: _____ CURRENT TIME: _____

REPORTED BY: _____ JOB TITLE: _____

DEPARTMENT: _____

WHO WAS THE PERPETRATOR: (Supervisor, Co-Worker, Member of the Public)

Name Relationship to You

DESCRIBE INCIDENT: (Be as specific as possible)

INCIDENT DATE: _____ TIME: _____ LOCATION: _____

PHYSICAL ABUSE: _____ VERBAL ABUSE: _____ OTHER: _____

INJURIES: _____ YES _____ NO

DETAILED DESCRIPTION:

(Continue on back if necessary)

Signature

WVP Signature

SAFETY OFFICER SECTION

DATE FORWARDED: _____ ACTION TAKEN: _____

(Continue on back if necessary)

Safety Officer Signature

Date

EMPLOYEE DETAILED DESCRIPTION (continued):

SAFETY OFFICER ACTION TAKEN (continued):

Complaint Form for Reporting Sexual Harassment
South Huntington Public Library

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 the library director in person at the library. Once you submit this form, your employer must follow its sexual harassment prevention policy and investigate any claims.

If you are more comfortable reporting verbally or in another manner, your employer is still required to follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit: ny.gov/combating-sexual-harassment

COMPLAINANT INFORMATION

Name:

Home Address:

Work Address:

Home Phone:

Work Phone:

Job Title:

Email:

Select Preferred Communication Method:

(please select one)

SUPERVISORY 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 two questions are optional but may help facilitate the investigation.

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

Employees that file complaints with their employer might have the ability to get help or file claims with other entities including federal, state or local government agencies or in certain courts.

6. Have you filed a claim regarding this complaint with a federal, state or local government agency? Yes No

Have you instituted a legal suit or court action regarding this complaint? Yes No

Have you hired an attorney with respect to this complaint? Yes No

I request that the South Huntington Public Library investigate this complaint of sexual harassment in a timely and confidential manner as outlined below, and advise me of the results of the investigation.

Signature: _____

Date: _____