



March 27, 2024

7:00 pm

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Staff: Alex Gutelius

1. Employee Handbook
2. 2025 Personnel Costs
3. Next Meeting Date

Clifton Park-Halfmoon Public Library

Clifton Park-Halfmoon Public Library Employee Handbook

DRAFT March 2024

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Core Policies

1.0 INTRODUCTION

Welcome!

This handbook is designed to acquaint you with the Clifton Park-Halfmoon Public Library's mission as well as provide you with information about working conditions, employee benefits, and the personnel policies affecting your employment. Please familiarize yourself with the provisions of the handbook. It should not be construed as a contract or obligatory agreement between the Library and the employee, but as a guideline for current employment policies.

The Board of Trustees reserves the right to revise, supplement, or rescind any policies or portion of the handbook, as it deems appropriate. Employees will, of course, be notified of such changes as they occur.

The Organization complies with all federal and state employment laws, and this handbook generally reflects those laws. The Organization also complies with any applicable local laws, although there may not be an express written policy regarding those laws contained in the handbook.

If you have questions about your employment or any provisions in this handbook, contact the HR Coordinator, Rose Christopher.

All the best,

Alexandra Gutelius, Director
Clifton Park-Halfmoon Public Library

2.0 MISSION AND DEFINITIONS

2.1 Mission Statement

The Clifton Park-Halfmoon Public Library fosters community connections by providing the space and resources for patrons to be educated, enriched, and entertained.

The Clifton Park-Halfmoon Public Library is at the heart of our community; the go-to place to discover, learn, and do.

2.2 Our Organization

The Library is currently structured with the following departments: Administrative Services, Adult Services, Youth Services, Access Services, IT, Paging, Technical Processing, Reception, Public Relations and Facilities Management.

Throughout this handbook the Library is meant to refer to the Board of Trustees, administrative and management staff, charged with formulating and implementing library policy. The Library includes all of the staff as they are instrumental in carrying out the mission of the Clifton Park-Halfmoon Public Library.

2.3 Definitions

Immediate Family (except where otherwise noted)

Immediate family is defined as an employee's spouse/domestic partner, child, children-in-law, mother, father, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, grandmother, or grandfather. In the case of step families, these relationships would also apply.

Supervisor

A person charged with the responsibility to oversee the performance and conduct of subordinate employees.

Overtime

Overtime hours are those hours worked beyond 40 hours in the workweek.

2.4 Revisions to Handbook

This handbook is provided to keep you informed of the terms and conditions of your employment, including Clifton Park-Halfmoon Public Library policies and procedures. The handbook is not a contract. The Library reserves the right to revise, add, or delete from this handbook as we determine to be in our best interest, except the policy concerning at-will employment. When changes are made to the policies and guidelines contained herein, we will communicate them via email and an updated version on the Intranet.

3.0 Hiring and Orientation Policies

3.1 Disability Accommodation

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

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

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

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

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

Where state or local law provides greater protections to employees than federal law, the Library will apply the law that provides the greatest benefit to employees.

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

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

3.2 Religious Accommodation

Clifton Park-Halfmoon Public Library recognizes the diversity of religious beliefs and is committed to providing equal employment opportunities to all employees, regardless of their religious beliefs and practices or lack thereof. Consistent with this commitment, the Library complies with Title VII of the Civil Rights Act of 1964 and all applicable state and local laws that prohibit employment discrimination on the basis of religion. The Library will reasonably accommodate the sincerely held religious beliefs of employees if the accommodations would resolve a conflict between the individual's religious belief or practice and a work requirement, unless doing so would create an undue hardship.

Requesting a Religious Accommodation

If you need an accommodation because of your religious beliefs or practices, make the request with your Supervisor . You may be asked to include relevant information such as:

- A description of the proposed accommodation.
- The reason you need the accommodation.
- How the accommodation will help resolve the conflict between your religious beliefs or practices (or lack thereof) and your work requirements.

After receiving your request, the Library will engage in an interactive dialogue with you to explore potential accommodations that could resolve the conflict between your religious beliefs or practices and work requirements. The Library encourages you to suggest specific reasonable accommodations. However, the Library is not required to make the specific accommodation requested by you and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Library.

The Library will not discriminate or retaliate against employees who, in good faith, request a religious accommodation under this policy.

3.3 Conflicts of Interest

The Board has adopted this policy to ensure that the Clifton Park-Halfmoon Public Library (Library) trustees and employees act in the Library's best interest. This policy is needed to provide additional detail to Article XI (Conflict of Interest) of the Bylaws of the Library and to Section 8 of Policy 7.5 (Antifraud Programs and Controls) of the Library and to comply with both the General Municipal Law and the Not-For-Profit Corporation Law.

The Conflicts of Interest Policy is #2.4 in the Operational Policies. All staff will be provided with a copy of the Conflicts of Interest Policy and must read and sign a copy that they understand their responsibility of disclosure and agree to abide by the Policy.

3.4 Diversity

It is the Library's policy to seek to develop and maintain a diverse workforce. Diversity embodies all the differences—life experiences, work experiences, perspectives, cultures, ethnicity, gender, age and other aspects of life—that make us unique individuals. Inclusion entails building an environment where employee differences are valued, and employees are empowered. The Library is committed to enhancing diversity in the workplace in such a way that our community, patrons and vendors are aware of our commitment to diversity. We believe that encouraging a diverse, inclusive workplace allows us to better understand the community we serve and be a more effective organization to our increasingly diverse patron base.

3.5 Employment Authorization Verification

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, and any state law requirements, if applicable, Clifton-Park Halfmoon Public Library is committed to employing only individuals who are authorized to work in the United States.

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

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

3.6 Employment of Relatives and Friends

We will not employ friends or relatives in circumstances where actual or potential conflicts may arise that could compromise supervision, safety, confidentiality, security, and morale at Clifton Park-Halfmoon Public Library. It is your obligation to inform the Library of any such potential conflict so the Library can determine how best to respond to the particular situation. See Operational Policy 2.4 "Conflicts of Interest".

3.7 Job Descriptions

Clifton Park-Halfmoon Public Library attempts to maintain a job description for each position. If you do not have a current copy of your job description, you should request one from your Supervisor.

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

If you have any questions regarding your job description or the scope of your duties, please speak with your Supervisor.

3.8 New Hires and Introductory Periods

Hiring Policy

The Library and its hiring practices, conform to Civil Service regulations under the supervision of the Saratoga County Personnel Department. All positions in the Library are classified. They are grouped into grades with minimum qualifications and responsibilities as specified by the Board. The Library's intent is to select the best-qualified person. All prospective candidates must meet the minimum qualifications as specified in the job description and pass any required tests to be considered.

Hiring Procedures

Upon notification of resignation of a staff member the Library Director, or designee, will inform Civil Service of the termination.

The Library Director and other appropriate personnel, as designated by the Library Director, will evaluate the vacant position to determine if hiring is required and if there is a need to change the position or arrangement of staff due to changes in business practices or staffing

The current job description will be reviewed and updated as needed.

The HR Coordinator or Library Director will contact Civil Service and obtain a current Certification of Eligibles list for the position.

Candidates on the list are contacted either directly by the hiring committee or through a canvas letter.

If there is not a current list, the Library Director, or designee, arranges the advertisement for the open position.

All applications, will be reviewed by the hiring committee (which will consist of at least two staff members designated by the Library Director). The hiring committee will select the appropriate candidates to interview based on experience and meeting the minimum qualifications within the job description.

After interviewing, the top candidate will be identified and references will be checked. For internal candidates this may include reviewing personnel files.

A background check is required for candidates. Candidate names and contact information are provided to the Business Office who requests the appropriate background check depending on the age and position for which they have applied.

Once the successful candidate is determined, an offer letter will be prepared by the Library Director, or designee, specifying the job being offered, the terms, the rate of pay and any applicable benefits. The letter must be signed by the Library Director or designee and the successful candidate upon acceptance of the offer.

Upon receipt of acceptance from the successful candidate, the Library Director or designee notifies Civil Service of the appointment and the internal hiring process is completed in order to add the employee to payroll. The hiring committee will notify the unsuccessful candidates who have been interviewed that the position has been filled.

All recruitment paperwork including, but not limited to, the job posting, all applications, and interview notes must be submitted to the Business Office where it will be retained for the appropriate time period.

The HR Coordinator will provide the new employee with appropriate federal, state and civil service paperwork that must be completed before the third day of employment. The HR Coordinator will also provide orientation to benefits. The hiring Supervisor will provide job specific orientation and introduce the employee to staff.

New Hire Probation

Newly-hired permanent employees will be placed on a probationary period as defined in the offer letter. This probationary time is intended to allow the new employee to meet the expectations of the job and to evaluate whether the position meets his or her expectations. The Library reserves the right, to extend the probationary period in the event the Library is not satisfied that the employee has sufficiently developed or demonstrated the skills, attitude, and ability necessary to become a regular employee. This extension of the probationary period will not affect the employee's ability to qualify for benefits. The Library will conduct employee reviews at intervals appropriate to the position, but no less than two in the first six months of employment.

3.9 Accommodations for Pregnant Employees

Clifton Park-Halfmoon Public Library will provide reasonable accommodation to pregnant employees for known limitations related to pregnancy, childbirth, or other related medical conditions in accordance with the federal Pregnant Workers Fairness Act (PWFA).

Examples of potential reasonable accommodations include:

- Seating;

- Closer parking;
- Flexible hours;
-
- Additional break time to use the bathroom, eat, and rest;
- Leave or time off to recover from childbirth;
- Limitations on strenuous activities; and
- Limitations on strenuous activities or those that involve exposure to compounds not safe for pregnancy.

If you require an accommodation, notify your Supervisor. If the need for a particular accommodation is not obvious, you may be asked to include relevant information such as:

- The reason you need an accommodation.
- A description of the proposed accommodation.
- How the accommodation will address limitations caused by pregnancy, childbirth, or related medical conditions.

The Library will not require you to accept any accommodation without engaging in the interactive process to accurately understand your limitations and explore potential accommodations. The Library is not required to make your specific requested accommodation and is not required to provide any accommodation that would constitute an undue hardship on the Library.

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

The Library will comply with state or local laws that provide additional protections beyond the PWFA.

The Library will not retaliate against employees who request or receive an accommodation under this policy.

4.0 Wage and Hour Policies

4.1 Attendance

Poor attendance and excessive tardiness may lead to disciplinary action, up to and including termination of employment. If you know ahead of time that you will be absent or late, provide reasonable advance notice to your Supervisor. You may be required to provide documentation of any medical or other excuse for being absent or late where permitted by applicable law.

Clifton Park-Halfmoon Public Library reserves the right to apply unused vacation, sick time, or other paid time off to unauthorized absences where permitted by applicable law. Absences resulting from approved leave, vacation, or legal requirements are exceptions to the policy.

4.2 Employee Classifications

Benefits Classification

For benefit purposes, the Library classifies employees in one of four categories:

Salaried / Full-time employees work 35 hours a week.

Salaried / Part-time employees work 21-34 hours a week.

Hourly / Part-time employees with vacation benefits work 17.5-20 hours per week.

Hourly / Part-time employees without vacation benefits work less than 17.5 hours per week.

FLSA Classification

For purposes of salary administration and eligibility for overtime payments, the Library classifies its positions in accordance with the Fair Labor Standards Act as follows:

- Non-Exempt employees are entitled to overtime pay under specific provisions of federal and state laws. Positions of a clerical, technical or service nature, as defined by statute, are included in this classification
- Exempt employees are excluded from specific provisions of federal and state wage and hour laws. Positions of an executive, administrative or professional nature.

Civil Service Classification

Under Civil Service Rules and Regulations employees are classified as follows:

- Temporary employees are those who fill positions that have been established for only a limited time period. They are paid on an hourly basis and are not eligible to participate in the Library's benefits programs unless the appointment is for one year or more.
- Probationary employees are those hired on a permanent basis, either salaried or hourly, who have not yet completed their initial probationary period; their mandatory one year probationary period after a Civil Service appointment or a probationary appointment due to a promotion or change in position.
- Provisional employees are those hired pending a Civil Service examination. A provisional employee must be reachable for appointment from the resulting eligible list in order to retain his/her position.
- Permanent employees are those who have successfully completed probation after appointment to either a competitive position (requiring a Civil Service examination) or non-competitive position (not requiring a Civil Service examination).

Non-Supervisory employees will receive salary differential for hours worked on Saturdays, and Sundays. Salary differential will be given to non-Supervisory employees for hours worked the day after Thanksgiving. Non-Supervisory employees who work on a holiday (see holiday in definitions) will be paid differential. If the employee is working more than 40 hours in a week the employee will be paid time and a half for time worked over 40 hours. Employees being paid time and a half will not be eligible for differential pay for those hours.

4.3 Job Abandonment

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

4.4 Salaries

Employee salaries are established within the rate approved by the Board for the position. The Library Director is responsible for establishing the individual's salary within that range. As part of the budget development process, the Board of Trustees approves the annual salary rates, which may include a cost of living or merit increase. Salary changes are effective January 1.

4.5 Pay Period and Pay Dates

The Library pay period is two weeks long (12:00 a.m. Saturday to 11:59 p.m. Friday).

Payday is every other Friday.

4.6 Direct Deposit

Direct Deposit enables payroll to be deposited in up to 10 different accounts. In order to have paychecks deposited directly into an account, employees can enroll directly on the Library payroll system. At least two payroll cycles are needed to process a direct deposit request.

4.7 Paycheck Deductions

Clifton Park-Halfmoon Public Library is required by law to make certain deductions from your pay each pay period, including deductions for federal income tax, Social Security and Medicare (FICA) taxes, NYS Retirement, and any other deductions required under law or by court order for wage garnishments. The amount of your tax deductions will depend on your earnings and the information you list on your federal Form W-4 and applicable state withholding form. Permissible deductions for exempt employees may also include, but are not limited to, deductions for full-day absences for reasons other than sickness or disability and certain disciplinary suspensions. You may also authorize certain voluntary deductions from your paycheck where permissible under state law. Your deductions will be reflected in your wage statement. If you have any questions about deductions from your pay, contact the Business Office.

The Library will not make deductions to your pay that are prohibited by federal, state, or local law. Review your paycheck for errors each pay period and immediately report any discrepancies to the Business Office.

You will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law. If an error is found, you will receive an immediate adjustment, which will be paid no later than your next regular payday.

If an overpayment is made to an employee, the Library will notify the employee, discuss repayment options and make the agreed upon payroll deductions.

The Library will not retaliate against employees who report erroneous deductions in accordance with this policy.

4.8 Recording Time

Accurately recording time is the responsibility of each employee and their Supervisor and must be done within the current payroll period. Federal and state laws require the Library to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is the time actually spent on the job.

Hourly: Hourly employees are to clock in and out of the timecard system. Hourly employees are to clock in no earlier than 7 minutes before start time and no later than 7 minutes after the end of their shift. Employees are to only work the time they are scheduled and not clock in early or out late to conduct personal business in the Library.

Salaried: Salaried employees are given a monthly timesheet reconciliation. Employees are to review the timesheet for accuracy. Manual changes can be made on the timesheet if corrections are needed. The Supervisor, Business Manager or Library Director must sign off on any changed timesheet.

Supervisors are responsible for making sure that time off requests are approved or rejected in a timely manner. Supervisors are responsible for making sure that schedule changes are accurately entered into the payroll system. If a Supervisor will be out of the office, the Supervisor must make sure that another

Supervisor is assigned to cover these tasks.

Notify your Supervisor of any pay discrepancies, unrecorded or misrecorded work hours, or any involuntarily missed meal or break periods.

4.9 Safe Harbor Policy for Exempt Employees

The Clifton Park-Halfmoon Public Library complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). The Clifton Park-Halfmoon Public Library does not make improper deductions from the salaries of exempt employees. Exempt employees are those employed in a bona fide executive, administrative, or professional capacity and who are exempt from the FLSA's overtime pay requirements, as defined earlier in this handbook.

Permitted Deductions

There are certain circumstances where deductions from the salaries of exempt employees are permissible. Such circumstances include:

- When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability;
- When an exempt employee is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- To offset amounts received as witness or jury fees, or for military pay; or
- For unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for weeks in which an exempt employee takes unpaid medical leave or for penalties imposed in good faith for an infraction of safety rules of major significance. In these circumstances, either partial day or full day deductions may be made.

4.10 Standard Workweek

The standard workweek is thirty-five (35) hours per week worked in a seven day period.

4.11 Breaks from Work

Salaried full-time employees are allowed two fifteen-minute break periods—one during the morning work period and one in the afternoon work period. Part-time employees are entitled to one 15 minute break for each four hours of scheduled work. The time of an employee's break must be arranged with the appropriate Supervisor. Employees will be paid for break time.

Employees working a shift of more than six hours are required to take an unpaid 30-60 minute meal break (employee's choice). Meal breaks must follow the law, as posted on the bulletin board in the employee break area, and should be scheduled to accommodate operational requirements. The Supervisor and employee will arrange an agreeable meal break schedule. Changes to an employee's normal meal break can be made with the Supervisor's permission. Employees will be relieved of all active responsibilities and restrictions during that time period.

4.12 Personal Time Off

Hourly and Part-time Salaried employees are not eligible for Personal Time.

Full-time salaried employees are eligible for 3 average working days of personal time, which will be pro-rated at the time of employment and then annually. Personal time will be awarded the following January 1.

Personal time expires at the end of the calendar year and will not roll over or be paid out.

4.13 Requesting Substitute Status

Staff members may request to give up regularly scheduled hours and go down to substitute status if they require additional time off or a more flexible schedule (subject to Supervisor and Director approval). Staff on substitute status are not guaranteed to receive shifts nor are they guaranteed to regain regularly scheduled shifts if they wish to return to part-time or full-time status.

If a staff member does not work a shift within a 3 month period without prior written permission, the staff member may be terminated.

4.14 Vacation - Hourly Employees

Hourly employees who are scheduled, on a regular basis, to work 910-1091 hours per year (17.5 to under 21 hours per week) are eligible to accrue one week of paid vacation and can take one additional week of unpaid vacation.

Hourly Employees who work less than 17.5 hours per week, may take up to two weeks of unpaid vacation (Leave Without Pay) per calendar year.

Additional time off is subject to the needs of the Library and the discretion of the Director and the Department Supervisor. If too many shifts are missed, even with substitute coverage, a schedule review may occur and scheduled shifts may be modified.

4.15 Vacation - Salaried Employees

Salaried employees will receive a vacation accrual each month of service. For example, a new full time employee will be earning a monthly vacation accrual amount of 8.75 hours per month based on a 35-hour work week. Annual vacation time starts at three (3) weeks of vacation according to the chart below.

Vacation accruals will be credited to employees on the last day of the month and can be taken when earned.

Offer letters will include information about vacation accrual amounts. New employees may take vacation as it is earned.

Unused vacation leave may be carried over from one calendar year to the next. Carried over vacation leave shall not exceed the equivalent of two weeks of vacation leave. Vacation accrued in December should be included in the two weeks of carry over vacation leave.

Year	Days	Hours	Monthly Accrual
0	15	105	8.75
1	15	105	8.75
2	16	112	9.33
3	16.5	115.5	9.63

4	17	119	9.92
5	17.5	122.5	10.21
6	18	126	10.50
7	18.5	129.5	10.79
8	19	133	11.08
9	19.5	136.5	11.38
10	20	140	11.67
11	20.5	143.5	11.96
12	21	147	12.25
13	21.5	150.5	12.54
14	22	154	12.83
15	22.5	157.5	13.13
16	23	161	13.42
17	23.5	164.5	13.71
18	24	168	14.00
19	24.5	171.5	14.29
20	25	175	14.58
21	25	175	14.58

Salaried employees who work 37.5 hours/week or less than 35 hours/week will have this formula adjusted accordingly.

4.16 Vacation Scheduling

Employees should request vacation time by using the online time and attendance system. Every effort will be made to grant vacations requested by employees. Vacation requests should be made as far in advance as possible to enable the approval of the maximum number of requested dates; however, a request should be made at least ten work days in advance. Final approval to schedule vacations rests with the employee's Supervisor. Minimum staffing levels must be maintained during peak holiday periods.

An employee may request to take more than their maximum rollover into the next year, by making a request in writing to the Library Director.

4.17 Work Schedules and Average Work Day

Work Schedules

A schedule is maintained for each staff member's assigned hours. Schedules and hours can change according to the business needs of the Library.

Any staff member may be asked to work evenings, Saturdays and Sundays according to the needs of the Library.

Average Work Day

The calculation of the average work day for the benefit of awarding floater time will be as follows:

Average work day is based on total number of hours worked in a two week period, divided by ten (10) days.

Example 1: Person A works 7 hours per day, 5 days a week. Total 70 hours divided by 10 for 7 hours.

Example 2: Person B works 4 days a week, two 6 hour days and two 5 hour days, for a total of 44 hours, divided by 10 is 4.4 hours.

5.0 Performance, Discipline, Layoff, and Termination

5.1 Disciplinary Process

The Library uses meetings and discussions with employees and the annual performance evaluation process to resolve problems with an employee's job performance. Supervisors must document problems in a letter of counseling to an employee following a work performance meeting. If there is inadequate improvement in job performance, or an employee has violated Library policies or the terms and conditions of employment, then disciplinary action may be a necessary recourse.

The disciplinary process can result in any or all of the following actions, depending on the nature of the problem or previous disciplinary actions taken in regard to the problem:

- verbal warning
- written warning
- suspension with pay or without pay for up to two months
- demotion in grade or title
- termination of employment

Any of the above disciplinary actions preceding termination will be documented and put into the employee's personnel file.

Employees covered by Section 75 of the Civil Service Law are entitled to a hearing before suspension, demotion, or termination can take place. The following employees have rights to a hearing under Section 75 of the Civil Service Law:

- permanent competitive employees.
- non-competitive employees with five years of continuous service.
- employees with veteran status as defined in Section 85 of the Civil Service Law.
- employees who are exempt volunteer firefighters as defined in the General Municipal Law.

The Library Director is responsible for seeing that this policy is enforced.

5.2 Open Door Policy

The Library recognizes that from time to time employees may have concerns about their jobs, Supervisors, co-workers, or the Library in general. Employees are encouraged to voluntarily discuss these concerns with their Supervisor, HR Coordinator, Business Manager or Library Director. The best way to avoid problems is to address them when they first arise. The Library will make every effort to address or resolve concerns raised by employees.

Discussions with employees will be kept confidential to the extent possible. That is, only other employees with a business need to know will be told about any discussions.

5.3 Performance Improvement

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additional formal performance evaluations are conducted to provide both Supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Supervisors at the Library review each employee's performance on an annual basis. The review process gives the employee and Supervisor an opportunity for a private review of the employee's performance, workload and a frank discussion about anything that would affect working conditions, productivity and the accomplishment of the Library's mission. Existing job descriptions will be reviewed and revised to ensure that they are current. Periodically, job descriptions may need to be rewritten to reflect changes in the position's duties and responsibilities. Employees who disagree with their evaluation and are unable to resolve the situation with their Supervisor may attach a written explanation to their performance evaluation. If the employee is not satisfied, they may follow the steps outlined in the Employee Problem Solution section of this handbook.

5.4 Resignation Policy

Resignations should be submitted in writing to the Library Director. At least 20 working days' notice is desirable from professional staff and at least 10 working days' notice from other staff.

All property that belongs to the Library must be returned to the Library by the last day of employment. These items include, but are not limited to, computers, thumb drives, keys, payroll swipe cards, security access cards, laptops, and files. Any property not returned may be billable to the employee.

Termination

The Library Director has the authority to terminate an employee based upon employee misconduct or poor work performance in accordance with Saratoga County Civil Service. Dismissed eligible employees will be paid for all accrued vacation leave. There is no compensation for unused sick days or personal leave.

Notice of resignation by the employee is given to the Library Director who informs the Board. Terminations for cause are brought by the Library Director to the immediate attention of the Board President. The President determines whether or not any action needs full Board approval.

Vacation/Comp Time Pay upon Termination of Employment

When an employee terminates employment for any reason, the awarded yet unused vacation and comp will be included in the employee's final paycheck or will be paid out the following payroll period.

Sick and Personal Leave upon Termination of Employment

When an employee terminates employment, the sick leave days for that year, and any accumulated banked sick time, will expire and will not be available or paid out.

Re-Employment

The Library values the knowledge and skills that employees develop while working here. The Library is willing to rehire former employees provided they left on good terms and meet the requirements for an open position. Anyone seeking re-employment with the Library must submit an application.

Permanent employees, who were originally appointed from a Saratoga County Civil Service list to a competitive position and resign from their position, may request to be reinstated to their former title within one year from the date of resignation without taking another examination. If there is an available position, they may be reinstated and will not be required to serve a new probation period.

Beyond the one-year period, additional conditions must be satisfied before a former employee may be reinstated. The Library must provide documentation or explanation to Saratoga County Civil Service that demonstrates to the satisfaction of the Personnel Officer that the individual requested to be reinstated possesses current knowledge and skill in the occupation field to which reinstatement is sought. The individual must also satisfy any medical or physical agility tests that may have been required for the original appointment.

5.5 Exit Interview

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

5.6 Post-Employment References

Requests for information about a former or current employee from a prospective employer or other outside source will be limited to the employee's dates of employment and position title(s). An authorization form will be provided to employees upon resignation. When requested to provide additional information to an outside source, such information will be provided with the employee's signed authorization and release from all claims against the Library for providing such information. The authorization form may be recinded by the former employee at any time.

6.0 General Policies

6.1 Business Expenses

Reimbursement of Expenses

There are times when it will be necessary to purchase items on behalf of the Library. Purchases made by an employee can be made by using cash. Employees purchasing items for the Library must use a tax exempt form so the Library is not charged tax. Employees may not use personal credit cards in conjunction with a library tax exempt form. Expenses are to be recorded on an expense reimbursement form with the proper receipts stapled to the back of the form. The form with receipts must be given to the Business Manager. When possible, it is preferred that the employee use the Library credit card.

Use of Library Credit Card

Employees who need to make purchases on behalf of the Library and need the Library credit card must first read and sign the Purchasing Policy and Financial Procedures Credit Card Responsibility and Use form.

6.2 Business Travel Expenses

Employees may be reimbursed for reasonable expenses incurred in the course of library business or attendance at professional conferences or other continuing education activities that have been pre-approved by the appropriate department head and the Library Director. Receipts are required.

Expenses that generally will be reimbursed include the following:

- Mileage for use of personal vehicles, only when less expensive transportation is not available. Reimbursement is at the current maximum rate allowed by the IRS, for the most direct route, plus tolls and parking.
- Standard accommodation costs for hotels, motels, or similar lodgings. Non-profit, government or group

rates should be requested whenever possible.

- Meal allowances for travel or conferences will be calculated at the current GSA meal rates.
- If a meal is included with conference registration, the reimbursement will not include that meal.
- Airfare or train fare for travel in coach or economy class or the lowest available fare.
- Car rental fees, for compact or economy. Authorization for reimbursement of a rental vehicle must be obtained prior to the start of travel.
- Shuttle or airport bus service fees; costs of public transportation for other ground travel.
- Tips and gratuities.

6.3 Computer Security and Copying of Software

Computer and technology resources (including but not limited to computers, tablets, e-readers, phones or other mobile devices, software, network, electronic mail system, telephone systems, website, Internet applications and social media sites or services) are provided by the Library to employees to support the delivery of services and to support the continuing education and professional development of employees.

All employees who require access to the staff network will be required to annually agree to and sign the JA (Joint Automation) information security policy.

Library equipment may not be removed from the building without prior written authorization from the Library Director or designate.

Only library system and vendor equipment necessary for library operations will be connected to the Library's wired networks.

Employees may not introduce software from any outside source without explicit prior authorization by the Library Director or designate. Only software that serves a business purpose will be installed on library computers.

Employees should maintain the confidentiality and security of usernames and passwords, and not disclose these to unauthorized individuals or leave them visible or easily accessible.

Employees are responsible for maintaining the confidentiality of employee and patron information stored on the Library's computer systems and therefore must follow the following procedures:

- Employees working on public service desks must logon to Polaris with their own individual username and password.
- Employees must log off from Polaris at the end of their shift
-
- All staff computers must be locked or logged off at the end of a shift and at closing.

Employees are responsible for their behavior and communications in the use of all technical resources and to use such technical resources in a professional manner, consistent with their appointed responsibilities. Inappropriate use shall result in disciplinary actions. Questions about compliance should be directed to the Library Director.

6.4 Employee Privacy

Employee files and the personal information they contain are considered to be confidential by the Library. The Library recognizes that release of this personal information could lead to identity theft or violations of federal and state laws. As such, the Library will limit disclosure of any information in employee files to situations in which the Library determines release of the information is necessary due to business or legal reasons. In situations where the request for disclosure is not supported by a business or legal reason, disclosure of employee information will generally be limited to those circumstances in which an employee or former employee has signed a written consent form agreeing to the disclosure.

Employees who, because of their job duties, have access to personnel files will be expected to maintain the confidentiality of this personal information in those files or be subject to disciplinary action for an unwarranted disclosure.

6.5 Employee Problem Solution

Personnel problems not solved by reference to written policies or procedures should be brought to the attention of Supervisory personnel as soon as possible, before they develop into grievances that could be harmful to morale. Any difficulty should be discussed promptly and privately with the employee's Supervisor. If it cannot be settled at that level, the employee may consult with the HR Coordinator or Director. If the employee still feels aggrieved, he or she may then bring the situation to the Board of Trustees Personnel Committee, and may further request a meeting with the Executive Committee, consisting of the President, Vice President and Treasurer.

The HR Coordinator, Supervisors and the Library Director are responsible for maintaining a work climate that serves to obviate the occurrence of personnel problems insofar as practical, and for quickly responding to any expressed or discerned problems that do arise.

6.6 Employer Sponsored Training

Staff Development Day

The Board feels strongly that staff development is a key ingredient towards professional excellence. One day is set aside annually for this purpose. Staff attendance is strongly encouraged. All staff are paid for in person attendance or online attendance, if it is an option.

Staff Meetings

The Library has regularly scheduled staff meetings to (1) Promote communication between administration and staff, and among staff members, (2) encourage staff to identify issues which need attention and initiate changes, and (3) inform the staff of plans, policies and decisions of the Board which are appropriate to the staff. Staff meetings are held once a month. Staff members are encouraged to submit items for the agenda. The Library Director or an Assistant Library Director schedules the meetings and prepares an agenda. All staff members are strongly encouraged to attend in person or online. Acceptable reasons for non-attendance are illness, vacation, other gainful employment or school. Staff members not present are provided the recording to watch.

Hourly employees will clock in and out using their payroll swipe card so they will be paid for the meeting. If the meeting ends early, their Supervisor should round their time up to show no less than one hour of attendance. Salaried employees will indicate the amount of time the employee attended the meeting above and beyond regularly scheduled hours & indicate if pay or comp time is preferred.

Continuing Education and Staff Development

The Library encourages additional education and training in order to broaden professional knowledge and is committed to having a well trained workforce. Training plans will be developed based on an employee's job requirements, experience, and education needs for a particular position. Staff members are encouraged

to attend appropriate training and development opportunities and conferences as long as these do not interfere with efficient library services.

Training and the expenses involved must be pre-approved by the employee's Supervisor and the Library Director. Pre-payment and/or reimbursement for expenses will be based on the Library's policy on business travel expenses.

Employees are responsible for sharing information learned as appropriate.

6.7 Patron Problems and Complaints

Occurrences of significant dissatisfaction expressed by or seen in the attitude of Library users, is reported to the Board. A written Incident Statement is prepared online, via Intranet, by any employee or Supervisory employee who becomes aware of unsatisfactory client contact. If several employees are involved, one may write the report for all. The Library staff's actions and recommendations for resolution of the problems are also included. All employees are responsible for maintaining good relations with the public being served. Employees are expected to recognize, understand, and report signs of patron dissatisfaction in the form of written reports submitted online. The Library Director has the ultimate responsibility to ensure compliance with this policy.

6.8 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the Library presents to the public. The Library seeks to present a positive business-like appearance through its employees. Employees are expected to be clean and well-groomed at all times and dress in a manner appropriate for their jobs. For instance, open toed shoes are not appropriate when shelving materials as falling objects could cause injury.

6.9 Personal Cars and other Vehicles

In the course of a normal workday, employees may be required to use their personal cars on Library business, such as to travel to another location, pick up presenter's, supplies, or make deliveries for the Library. Use of a personal vehicle must be approved in advance and should occur rarely. The Library requires that employees who use their personal vehicles for work-related tasks, possess current licenses necessary to operate the vehicle, and that the vehicle be fully insured, even if not required by state or local law.

If an employee on duty is involved in a motor vehicle accident, such accident must be reported immediately to the HR Coordinator, Business Manager or Director, in writing.

6.10 Personal Cell Phone/Mobile Device Use

The Library recognizes that many employees have cell phones that they bring to work. The use of such cellphones, however, must not interfere with an employee's duties or performance. An employee whose cell phone use becomes disruptive or interferes with the employee's or co-worker's ability to do their job, will be asked not to utilize their phone unless on breaks and in a private area or outside the building. Cellphones are not to be used while driving unless the appropriate hands-free devices are being utilized by the employee and all other laws regarding such use are complied with.

6.11 Personal Data Changes

Personnel files are business records of the Library and remain the sole property of the Library. If your personal data changes, you may log in to the Library's payroll system and update your information.

The Library maintains three employee files for each employee:

1. A [personnel file](#) is maintained for each employee. The personnel files contain confidential documents and are managed and maintained by the business office staff. Typical documents in a personnel file include the employment application, documented disciplinary action history, a resume, employee handbook and confidentiality sign-off sheets, current personal information, and job references. Not all personnel files contain the same documents but each personnel file has some documents that are the same. Only personnel who have a legitimate reason to review information in this file will be allowed to do so.
2. [Protected employee files](#) are also maintained; these files contain a history of the employee's jobs, departments, compensation changes, and so on.
3. An [employee medical file](#) is also maintained. The contents of the medical file are not available to anyone except business office designated staff and the employee whose records are retained in the file. Medical files receive the highest degree of safe storage and confidentiality.
4. In addition to the above, there are I-9 files and Wage Theft Protection files in these safely stored and protected files.

An employee may view his or her personnel file by contacting the Library Director, Business Manager or HR Coordinator during normal business hours. No employee may alter or remove any document in his or her personnel file which must be viewed in the presence of the Business Manager or Library Director.

6.12 Restraining Order

Employees should promptly inform Supervisors and the HR Coordinator of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to anyone mentioned in the restraining order(s). An appropriate plan of action will be developed depending on the circumstance of the restraining order.

6.13 Retirees

To be considered for retirement, an Employee must be at least 55 years of age and have at least 10 years of service with the Library.

Health Benefits for Retirees (For employees hired prior to January 1, 2024)

The Library will contribute toward eligible retiree's health benefits provided the retiree participated in the library group health insurance plan at the time of retirement and fits one of the following criteria:

- For an employee retiring at age 55, or older, with at least 15 years of service, the Library will pay 25% of the individual insurance premium provided through the Library group health plan.
- For an employee retiring at age 55, or older, with at least 20 years of service, the Library will pay 50% of the individual insurance premium provided through the Library group health plan.
- For administrators (Library Director, assistant Library Director, Business Manager, and department heads) retiring with at least 10 years of service, the Library will pay 50% of the individual insurance premium provided through the Library group health plan.

The retiring employee's medical benefits will be either the health plan offered to employees, or if the employee is Medicare eligible, the Library will provide coverage to the retiree through the Library's Medicare group health plan. Because insurance companies terminate coverage at the end of every policy year, the Library must choose a new plan for employees and retirees. Any change in plan may affect benefits, premiums and/or costs to the employee and Library.

Retirees are responsible for paying the retiree portion of the group insurance premiums and must send a check to the Business Manager by the first of every month. The Library has a right to collect a 2% administration fee from the retiree if the payment is received by the Business Manager after the first of the month. If the payment is not received by the first of the next month, the retiree will be dropped from the group health insurance plan.

Health Benefits for Retirees (For employees hired after January 1, 2024)

Eligible employees hired prior to January 1, 2024 will be offered the original retirement health benefit or the new retirement health benefit. Employees hired on or after January 1, 2024 will be offered the new health retirement benefit.

The Library will contribute toward eligible retiree's health benefits provided the retiree participated in the library group health insurance plan for at least 12 months prior to the time of retirement according to the following criteria:

- For an employee retiring at age 55, or older, with at least 20 years of FTE service, the Library will pay the current percent approved by the Board for the individual insurance premium provided through the Library group health plan.
- No spousal or dependent health insurance will be provided for retirees.

The retiring employee's medical benefits will be either the health plan offered to employees, or if the employee is Medicare eligible, the Library will provide coverage to the retiree through the Library's Medicare group health plan. Because insurance companies terminate coverage at the end of every policy year, the Library must choose a new plan for employees and retirees. Any change in plan may affect benefits, premiums and/or costs to the employee and Library.

Retirees are responsible for paying the retiree portion of the group insurance premiums and must send a check to the Business Manager by the first of every month. The Library has a right to collect a 2% administration fee from the retiree if the payment is received by the Business Manager after the first of the month. If the payment is not received by the first of the next month, the retiree will be dropped from the group health insurance plan.

6.14 Smoking/Vaping Policy

Smoking and Vaping are not permitted in the Library facility or on Library property.

6.15 Social Media

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

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

Guidelines

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

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

Know and Follow the Rules

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

Be Respectful

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

Maintain Accuracy and Confidentiality

When posting information:

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

Using Social Media at Work

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

Media Contacts

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

Retaliation and Your Rights

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

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

6.16 Standards of Service

The Library serves the community by providing informational resources to meet diverse educational, cultural, and recreational needs. To efficiently and effectively deliver library and information services, the Library staff must place highest priority on providing courteous, timely and accurate responses to patrons' requests. All persons regardless of age, social standing, or any other factor, receive equal attention. Suggestions for improving library service are sought and openly received whether originating from staff members or patrons. Supervisors are to forward suggestions to the Library Director. The Library Director is

responsible for setting and maintaining proper standards for the Library staff, and for enforcing the intent of this Policy.

6.17 Third Party Disclosures

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

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

6.18 Unpaid Administrative Leave

An employees who is arrested or convicted of a crime, must report such arrest or conviction to the Library Director or Business Manager immediately. Depending upon the circumstances, the employee may be placed on administrative leave until the matter for which the individual was arrested is resolved. Once the employee produces documentation of how the matter was resolved, the Business Manager will contact the employee about returning to work.

6.19 Use of Library Technology

All technology resources and all communications created on, received by, stored on or transmitted through those systems are the sole property of the Clifton Park-Halfmoon Public Library. As such, employees should not maintain any expectation of privacy relating to these devices. The Library reserves the right, to the extent permitted by law, to monitor all Internet and email traffic, and retrieve and read any messages or data composed, sent or received through online connections and stored on the Library's computer systems.

Data that is composed, transmitted, or received via the Library's computer communications systems (whether via the Internet or through email) may be considered part of the official records of the Library, and, as such, subject to disclosure to law enforcement or other third parties, possibly through a freedom of information request. Consequently, employees should always ensure that the business information contained in email messages and other transmissions is accurate, appropriate, ethical and lawful. Do not assume that email messages are less permanent than written letters, memos or reports. When writing email, always assume that your messages may someday become available to third parties.

The Library makes no warranties of any kind, whether expressed or implied, for the technology services it is providing. While the Library will make every effort to preserve data, the responsibility for it lies with the employees. The Library will not be held responsible for any damages staff may suffer, including but not limited to, loss of data resulting from delays, non-deliveries, or service interruption caused by its own negligence or staff error or omissions. The Library specifically denies any responsibility for the accuracy or quality of information obtained through its technology resources. All employees must fully understand that the use of any information obtained through the Internet is at their own risk.

Anti-Virus and malware software is installed on all Library computers and scans are scheduled regularly. Employees must not interfere with the scanning processes and should notify IT staff immediately of all security related messages appearing on Library computers. The Library cannot guarantee that all viruses or malware will be stopped and therefore caution should be used when transferring files to personal computers. Viruses frequently come from email and employees must use caution when opening email attachments and when downloading files or accessing flash drives. Flash drives or other removable storage of unknown origin may not be accessed on Library computers.

The Library email system should not be used as a substitute for a business record file management system. Employees should not assume that any emails sent or received by them will be indefinitely

available for retrieval from Library's servers. The Library may backup and save email records, but due to space limitations these records will be archived only for a short period. Moreover, this policy is secondary to the Library's record retention policies. Accordingly, all employees are responsible for reviewing and saving all business records, including email attachments, as a hard copy or in some other format, in conformity with the retention periods set forth in applicable record retention policy.

6.20 Volunteers

The Library recognizes that volunteers are a valuable resource who support and enhance the activities performed by paid staff. They provide a positive bridge between the community and the Library and often serve as advocates for the Library. By offering volunteer positions the Library also creates opportunities for community members to achieve personal satisfaction in providing important service to the Library.

Volunteers are considered representatives of the Library and as such are subject to the same work and behavior codes as paid staff, especially those that relate to patron privacy and confidentiality. Volunteers serve on an "at will" status and the Library has the right to terminate the volunteer's working association with the Library at any time.

Persons interested in volunteering are required to fill out a Volunteer Application which will be sent to the appropriate Supervisor based on the skills/interests of the applicant. Supervisors will review applications and make decisions based on current need. Volunteers may be asked to submit to a background check, sign the sexual harassment prevention policy, and provide references, particularly if they are working with children. In some cases volunteers will also be interviewed to better determine their interest and levels of experience.

The Library reserves the right to limit the number of volunteers that are accepted and the number of hours per volunteer.

There is a separate enrollment process for youth volunteers in the Summer Reading Program requiring online registration.

Youth volunteers under the age of 18 and also require parental permission to perform service hours at the Library, and must provide emergency contact information

The Library accepts volunteers requiring court-ordered community service at the discretion of the Library Director.

6.21 Working with Vendors

No officer or employee shall directly or indirectly solicit or receive any money, whether in the form of cash, check, loan, credit, or any other form in any amount, or solicit any gifts, or accept or receive any individual annual gift, having a value of seventy-five dollars or more, whether in the form of services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under any circumstances in which it could be reasonably inferred that the money or gift was intended to influence or could be reasonably expected to influence him/her in the performance of official duties or was intended as a reward for any official action.

Upon hiring, all employees must read the Library's Conflicts of Interest policy and sign the attestation.

6.22 Workplace Monitoring

As part of its program to control theft, vandalism, and inappropriate behavior from patrons and vendors, the Library has installed video surveillance cameras at various locations inside and outside the facility to monitor activity at each entrance and exit as well as the parking lot. Although directed primarily at protecting the facility and identifying those who violate trespass laws when the facility is closed, the cameras operate 24 hours a day, 7 days a week. Employees who are caught on video violating any Library policies or procedures or misappropriating property of the Library, its patrons, vendors or employees will be

subject to disciplinary action, up to and including termination.

The Library does not intend to monitor employees in areas such as restrooms, employee lounges, or lactation areas. The Library reserves the right to place other cameras throughout the facility, without notifying employees of their installation or location.

6.23 Workplace Privacy and Right to Inspect

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

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

6.24 Telecommuting

Telecommuting allows employees to work remotely for all or part of their workweek. The Clifton Park-Halfmoon Public Library considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement, it is not a Library-wide benefit, and it in no way changes the terms and conditions of employment with the Library.

Telecommuting can be informal, such as working from home for a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as described below.

Any telecommuting arrangement made will be on a trial basis and may be discontinued at the request of either the telecommuter or the Library. Every effort will be made to provide notice of such change to accommodate commuting, child care, and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

Eligibility

Only exempt (i.e., not subject to the overtime provisions of the Fair Labor Standards Act) employees are eligible to be considered for regular, occasional and emergency telecommuting. Non-exempt employees are eligible for occasional and emergency telecommuting where their function is appropriate to continue Library functions, operations, and services. Eligibility may also be adjusted for an employee who requests a reasonable accommodation for a disability.

Before entering into any telecommuting arrangement, the employee and supervisor, with the assistance of the Library Director and/or Business Manager, will evaluate the suitability of such an arrangement taking into consideration, among other things, job duties and responsibilities, scheduling and on-site requirements, employee work and performance history, equipment and workspace needs, security issues, tax and legal implications, or any other relevant facts.

If the employee and supervisor agree, and the Library Director concurs, a draft telecommuting agreement will be prepared and signed by all parties.

Evaluation of telecommuter performance will include regular interaction by phone and email between the employee and the supervisor, and regular face-to-face meetings to discuss work progress and problems.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the eligibility discussion process. The telecommuter and supervisor will communicate at a level consistent with employees working at the Library or in a manner and frequency that is appropriate for the job and the individuals involved.

Regular, Occasional, and Emergency Telecommuting

There are three types of telecommuting: regular, occasional, and emergency.

- **Regular Telecommuting.** The employee will have an established, predictable schedule. For example: Tuesdays and Thursdays, or every other Wednesday. Another form of regular telecommuting could be for an entire workweek(s) but only for a limited period of time. The regular telecommuting days and the duration of the telecommuting arrangement, if for a limited period of time, are identified and agreed to at the outset and are specified in the Telecommuting Agreement. They may be changed upon agreement between the employee and the supervisor. Employees may be required to be available during core business hours to enhance communications and member library support.
- **Occasional Telecommuting.** This is characterized by situations when an employee will telecommute sporadically, generally on an as-needed basis. Examples of occasional telecommuting are instances when an employee might not have transportation to work or times of extremely inclement weather. Because occasional telecommuting will only occur once in a while, departments should keep that in mind when evaluating the employee's and the position's suitability. To handle an occasional telecommuting scenario, the department and employee can establish the parameters of the telecommuting arrangement in advance, such as identifying the telecommuting location and specifying how often the employee is expected to check email and return phone calls on telecommuting days.
- **Emergency Telecommuting.** This is a one-time-only arrangement whereby, during a crisis or emergency situation at the Library, the employee telecommutes because his or her job responsibilities must still be fulfilled to provide for continuity of operations. Examples of a crisis or emergency situation are a pandemic, natural disaster, weather emergency, or other situation that presents a significant overall threat to the Library staff and facilities.

Equipment

On a case-by-case basis, the Library will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement. The supervisor and IT Department will serve as resources in this matter.

Equipment supplied by the library will be maintained by the library. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The Library accepts no responsibility for damage or repairs to employee-owned equipment. The Library reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the Library is to be used for business purposes only. The telecommuter must sign an inventory of all Library property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all Library property will be returned to the Library, unless other arrangements have been made.

The Library will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. The Library may reimburse the employee for other business expenses (mailing letters or packages, etc.) that are reasonable incurred in carrying out the employee's job.

The employee will establish an appropriate work environment within his or her home for work purposes. The Library will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

Security

Consistent with the Library's expectations of information security for employees working at the Library, telecommuting employees will be expected to ensure the protection of library business and patron information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, any other measures appropriate for the job and the environment.

Safety

Employees are expected to maintain their remote workspace in a safe manner, free from safety hazards. Injuries sustained by the employee while working at a remote location and in conjunction with his or her regular work duties may be covered by the Library's workers' compensation policy. Telecommuting employees are responsible for notifying their supervisor of such injuries as soon as practicable. The Library is not liable for any injuries sustained by visitors to the employee's remote worksite.

Caregiving

Telecommuting is not designed to be a replacement for appropriate family care. Although an individual employee's schedule may be modified to accommodate family care needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

Time Worked

Telecommuting employees will be required to accurately record all hours worked using the Library's timekeeping system. For those who are not exempt from the overtime requirements of the Fair Labor Standards Act, hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.

Ad Hoc Arrangements

Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the Library and with the consent of the employee's health care provider, if appropriate.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the Library.

Procedure

Complete the following forms and submit a copy to your supervisor:

7.0 Benefits

7.1 Optional Retirement Savings Plans Plan

403(b) Plan

Employees are eligible to participate in the Library sponsored 403(b) investment plan. This plan enables salaried employees to defer a portion (determined by current IRS legislation) of their compensation from current federal and New York State income taxation. The tax-deferred contributions accumulate until distributed, generally during retirement. Employees wishing to participate in the 403(b) plan will need to get a plan booklet from the Business Manager to enroll in the plan. For more information, contact the Business Manager.

457(b)

Employees are eligible to participate in the Library sponsored 457(b) retirement savings plan. This plan is a voluntary retirement savings plan offered by New York State and your employer, to allow public employees like you to put aside money from each paycheck toward retirement. The Plan can help bridge the gap between what you have in your pension and Social Security, and how much you'll need in retirement. The Plan offers both traditional pre-tax and Roth 457(b) accounts to provide you with retirement savings choices.

The Plan is a voluntary retirement savings plan that provides quality investment options, investment educational programs and related services to help State and local public employees achieve their retirement savings goals. click here to learn more <https://www.nysdcp.com/rsc-web-preauth/about>

The Plan can be easily adopted. You can:

- Call the HELPLINE at 1-800-422-8463 and an Account Executive will help you
- Or you may meet with an Account Executive to set up the Plan

7.2 Bereavement Leave

Only salaried employees are eligible for paid bereavement leave. Up to 5 days leave will be granted, in the event of the death of an immediate family member (see section 2.3 Definitions), for bereavement leave. Bereavement leave days may be taken consecutively or be split, as needed. The Library also acknowledges other family members (aunts, uncles, cousins) and allows for up to 2 days leave.

Employees may be required to provide documentation of the date of death and/or of the date of the funeral or memorial service in order to be eligible for paid leave or in order to use other accrued time. If the employee does not provide requested documentation within three days after returning from leave, the time will be considered unpaid leave.

7.3 COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives workers who work for employers with 20 or more employees and their families the right to continue to purchase group health insurance for limited periods of time when they would otherwise lose coverage due to certain events. Qualifying events include voluntary or involuntary job loss, reduction in hours, transition between jobs,

death, divorce and other life events.

Qualified individuals may be required to pay up to 102% of the premium cost. The length of time that a person may have federal COBRA coverage depends on why the person is losing coverage and can be from 18 to 36 months.

Contact the HR Coordinator or Business Manager to learn more about your COBRA rights.

7.4 Compensatory Time and Overtime

On occasion a salaried staff member may be asked to work hours in excess of their normal work week. At the discretion of the Supervisor, the salaried staff member will be paid or can earn compensatory time. If you are nonexempt, you may qualify for overtime pay. All overtime must be approved in advance by your supervisor.

Unless otherwise required or exempted by law, overtime pay of one and one-half times your regular rate of pay is paid for any hours worked in excess of 40 hours in a workweek. Holidays, vacation days, and sick leave days do not count as time worked for computer overtime.

Government workers, including nonexempt Library employees, can earn compensatory time in lieu of overtime pay. The decision as to whether an employee receives overtime pay or compensatory time will be made by the employee and supervisor before the time is allocated to the employee.

Exempt employees are not, by law, entitled to overtime, however the Library will allow compensatory time or pay to be awarded equal to the excess number of hours worked.

At certain time the Library may require you to work time beyond your regular work day. The supervisor requesting overtime is responsible for making every effort to schedule such overtime work as far in advance as possible with due regard for its impact on employees and the service need of our patrons.

Any unscheduled compensatory time earned prior to December 1st, will be paid out with the last pay check of the year in an effort to avoid compensatory time carryover. Time earned in December may be carried over in to January.

7.5 Credit Union Membership

Library employees are eligible to participate in banking and financial services at area Federal Credit Unions. The benefits of a credit union includes lower fees or no fees for checking accounts and ATM access, lower APR on most loan types and better rates of return on savings accounts and certificates of deposit. For more information please see the HR Coordinator.

7.6 Dental Insurance

Salaried employees have the option of being covered under the Library's dental insurance plan. Enrollment is one time a year, unless the employee has a qualifying event that makes the employee or their dependents eligible. The health plan is a pre-tax premium plan.

Salaried employees who wish to opt out of the Library's dental insurance plan must sign a waiver of Health Insurance Benefits form.

The Library contributes 60% of the rate toward dental insurance. The Board of Trustees will set the contribution amount each calendar year and employees will be notified of any change that will be effective at the next insurance renewal. The contributions toward employee benefits are part of the Library's overall budget and must be passed in the annual budget vote.

Hourly employees are not eligible for the Library's insurance benefit program.

Employee contributions toward dental coverage will be deducted bi-weekly through payroll. Employees will be notified, in writing, of the premium costs, plan details and amount of money to be deducted through payroll. Employees who are on FMLA leave are responsible for paying their portion of the insurance premiums. Payment must be received by the Business Manager before the first of every month that the employee is out of work. The Library has a right to collect a 2% administration fee from the employee if the payment is received by the Business Manager after the first of the month. After 45 days of non-payment the employee will be dropped from the group health insurance plan.

The Library reserves the right to amend, modify or terminate any of the benefits not mandated by law, at any time, in its sole discretion.

7.7 Discounts on Personal Book Purchases

Employees are able to purchase books at a discounted rate. All book purchases are subject to New York State sales tax. See the Business Manager for details.

7.8 Donated Leave Bank

The Library recognizes that there may be situations in which, due to hardships, employees may not have sufficient paid leave time to take time off from work. The Library also recognizes that some employees desire to donate some of their accrued, paid leave time to other employees in such situations. Accordingly, the Library has established a Donated Leave Bank that may be accessed by eligible employees who have exhausted their own paid leave time. Employees can donate as much paid leave time to the bank as they have accrued at year end. Unless the donee returns the banked time, that leave time cannot be returned to the donating employee. The Library will accept donations to the Donated Leave Bank for a specific employee up to a maximum of 4 weeks of the donee's scheduled hours.

Employees who meet the following criteria will be eligible to apply to use donated leave time:

1. Must be a salaried employee
2. At least five years' continuous employment.
3. Has exhausted accrued paid leave.
4. Is still eligible for employment.
5. Is not on probation.

At the Library Director's discretion, eligible employees may apply to receive up to 4 weeks donated leave.

Employees may donate all or part of their accrued paid leave time by completing a donation request form.

7.9 Employee Assistance Program (EAP)

The Employee Assistance Program (EAP) is available to all employees, employee spouse or domestic partner, and children up to age 26. Eligibility begins the first day of employment and ends on the last day of employment.

EAP services are free and confidential. They include a limited number of counseling sessions, legal referrals, financial referrals, and workshops. EAP generally assists employees with preventing or solving personal or work-related problems. The EAP also serves as a resource to Managers and Supervisors to assist in the identification and intervention of work performance issues.

7.10 Employer-Sponsored Disability Benefits

The Library provides a New York State short-term disability (STD) benefits plan to full and part-time employees who are unable to work because of an off-the-job qualifying disability due to an injury, illness or pregnancy. Students who work part-time after school or during their regular vacation periods are not covered.

Payments may commence after the employee has missed seven (7) calendar days of work. Employees may elect to use any accrued sick time, vacation or personal time off for illness or injury, but payments under this policy will not begin until the 8th day of disability.

If a disability is the result of an automobile accident and the employee filed a claim for no-fault benefits, the employee must also file a claim for disability benefits. If the employee does not apply for disability benefits, the no-fault insurer may reduce no-fault payments. If an employee is determined not entitled to disability benefits, the employee must immediately advise the no-fault insurance carrier.

Disability payments will be made from a third-party insurance carrier and will be considered taxable income. In order to receive short term disability benefits, the employee must provide medical certification of the inability to work. Disability is independent of whether or not the employee is also on Family and Medical Leave, the FMLA medical certification forms must be submitted to the Business Manager.

Before returning to work, an employee on short term disability, must provide written documentation from a healthcare provider that the employee is able to return to work, if the employee has any restrictions and what those restrictions are or if there are no restrictions the documentation must state that there are no restrictions. The documentation should be sent to the HR Coordinator. The HR Coordinator will notify the Supervisor that the employee is able to return to work and at what capacity. The employee's Supervisor will then contact the employee with a plan for returning to work.

Disabilities arising from pregnancy or pregnancy-related illness are treated the same as any other illness that prevents an employee from working. Disabilities covered by workers' compensation are excluded from short term disability coverage. For details of the short term disability benefits plan including benefit amounts, when they are payable, and limitations, restrictions, and other exclusions contact the Business Manager or HR Coordinator.

7.11 Family and Medical Leave (FMLA)

In accordance with the Family and Medical Leave Act of 1993 (FMLA), Clifton Park-Halfmoon Public Library provides up to 12 or 26 weeks of unpaid, job-protected leave in a 12-month period to covered employees in certain circumstances.

Eligibility

To qualify for FMLA leave, you must:

- Have worked for The Library for at least 12 months, although that time need not be consecutive;
- Have worked at least 1,250 hours in the last 12 months; and
- Be employed at a worksite that has 50 or more employees within 75 miles.

Reasons for Leave

You may take up to 12 weeks of unpaid FMLA leave in a 12-month period, which is a calendar year, for any of the following reasons:

- The birth of a child and to care for that child (leave must be completed within one year of the child's birth);
- The adoption or foster care placement of a child with you and in order to care for the newly placed child (leave must be completed within one year of the child's placement);
- To care for a spouse, child, or parent with a serious health condition;

- To care for your own serious health condition, which makes you unable to perform the essential functions of your position; or
- A qualifying urgent need of a spouse, child, or parent who is a military member on covered active duty or called to covered active-duty status (or has been notified of an impending call or order to covered active duty).

You may take up to 26 weeks of unpaid FMLA leave in a single 12-month period, beginning on the first day that you take FMLA leave to care for a spouse, child, parent, or next of kin who is a covered service member and who has a serious injury or illness related to active-duty service.

As used in this policy:

- **Spouse** means a husband or wife as recognized under state law for the purposes of marriage in the state or other territory or country where the marriage took place.
- **Child** means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18 or age 18 or older and incapable of self-care because of a mental or physical disability at the time FMLA leave is to commence. A child for the purposes of military exigency or military care leave can be of any age.
- **Parent** means a biological, adoptive, step, or foster parent or any other individual who stood in loco parentis to you when you were a child.
- **Next of kin** for the purposes of military care leave is a blood relative other than a spouse, parent, or child in the following order: brothers and sisters, grandparents, aunts and uncles, and first cousins. If a military service member designates in writing another blood relative as their caregiver, that individual will be the only next of kin. In appropriate circumstances, you may be required to provide documentation of next of kin status.

Notice

If the need for leave is foreseeable because of an expected birth, adoption, or a planned medical treatment, you must give at least 30 days' notice. If 30 days' notice is not possible, give notice as soon as practical (within one or two business days of learning of your need for leave). Failure to provide appropriate notice may result in the delay or denial of leave.

In addition, if you are seeking intermittent or reduced schedule leave that is foreseeable due to a planned medical treatment or a series of treatments for yourself, a family member, or covered service member, you must first consult with The Library regarding the dates of this treatment to work out a schedule that best suits your needs or the needs of the covered military member, if applicable, and the Library.

If the need for leave is unforeseeable, provide notice as soon as possible. Normal call-in procedures apply to all absences from work, including those for which leave under this policy may be requested. Failure to provide appropriate notice may result in the delay or denial of leave.

Certification

If you are requesting leave because of your own or a covered relative's serious health condition, you and the relevant healthcare provider must supply appropriate medical certification. You may obtain medical certification forms from name of appropriate department. When you request leave, the Library will notify you of the requirement for medical certification and when it is due (at least 15 days after you request leave). If you provide at least 30 days' notice of medical leave, you should also provide the medical certification before leave begins. Failure to provide requested medical certification in a timely manner may result in denial of FMLA-covered leave until it is provided.

At our expense, the Library may require an examination by a second healthcare provider designated by us. If the second healthcare provider's opinion conflicts with the original medical certification, we, at our expense, may require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion. Subsequent medical recertification may also be required. Failure to

provide requested certification within 15 days, when practical, may result in delay of further leave until it is provided.

The Library also reserves the right to require certification from a covered military member's healthcare provider if you are requesting military caregiver leave and certification in connection with military exigency leave.

Paid Leave Utilization During FMLA Leave

FMLA leave is unpaid; however, you may/will be required to use available paid leave (e.g., vacation/paid time off/sick days/personal days) during FMLA leave as permitted by law.

FMLA leave runs concurrently with other leaves, such as accrued paid leave that is substituted for unpaid FMLA leave and any state family leave laws, to the extent allowed by applicable law. The substitution of paid leave for unpaid FMLA leave does not extend the 12 or 26 weeks (whichever is applicable) of FMLA leave. In addition, the substitution of paid leave for unpaid leave may not result in your receipt of more than 100% of your salary.

If you are receiving short- or long-term disability or workers' compensation benefits during a personal medical leave, you will not be required to utilize accrued paid leave. However, where state law permits, you may elect to use accrued paid leave to supplement these benefits.

Leave Increments

Intermittent Leave

If medically necessary, FMLA leave for a serious health condition may be taken intermittently (in separate blocks of time due to a serious health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday). FMLA leave may also be taken intermittently or on a reduced leave schedule for a qualifying exigency relating to covered military service.

As FMLA leave is unpaid, the Library will reduce your salary based on the amount of time actually worked. In addition, while you are on an intermittent or reduced schedule leave that is foreseeable due to planned medical treatments, the Library may temporarily transfer you to an available alternative position that better accommodates your leave schedule and has equivalent pay and benefits.

Parental Leave

Parental leave must be completed within 12 months of the birth or placement of the child; however, you may use parental leave before the placement of an adopted or foster child to consult with attorneys, appear in court, attend counseling sessions, etc. Parental leave may also be taken intermittently with the employer's approve and must conclude within 12 months after the birth or placement.

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

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

Fitness for Duty Requirements

If you take leave because of your own serious health condition (except if you are taking intermittent leave), you are required, as are all employees returning from other types of medical leave, to provide medical certification that you are fit to resume work. You will not be permitted to resume work until certification is provided.

Health Insurance

Maintaining Coverage During Leave

Your health insurance coverage will be maintained by the Library during leave on the same basis as if you were still working. You must continue to make timely payments of your share of the premiums for such coverage. Failure to pay premiums within 30 days of when they are due may result in a lapse of coverage. If this occurs, you will be notified 15 days before the date coverage lapses that coverage will terminate unless payments are promptly made.

Payment of Premiums

Alternatively, at our option, the Library may pay your share of the premiums during the leave and recover the costs of this insurance upon your return to work. Coverage that lapses due to nonpayment of premiums will be reinstated immediately upon return to work without a waiting period. Under most circumstances, if you do not return to work at the end of leave, the Library may require reimbursement for the health insurance premiums paid during the leave.

Reinstatement

Upon returning to work at the end of leave, you will generally be placed in your original job or an equivalent job with equivalent pay and benefits. You will not lose any benefits that accrued before leave was taken.

Spouse Aggregation

If both you and your spouse work at the Library, you are collectively eligible for a combined 12 weeks of leave for the birth or placement of a child or to care for a parent with a serious health condition. Similarly, spouses employed by the Library will be limited to a combined total of 26 weeks of leave to care for a military service member. This 26-week leave period will be reduced, however, by the amount of leave taken for other qualifying FMLA events. This type of leave aggregation does not apply to leave needed for your own serious health condition, to care for a spouse or child with a serious health condition, or because of a qualifying exigency.

Failure to Return

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

Alternative Employment

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

Interaction with State and Local Laws

Where state or local laws intersect with the FMLA, the Library will comply with the law that is the most *favorable to you*.

Abuse of Leave

If you are found to have provided a false reason for a leave, you will be subject to disciplinary action up to and including termination.

Designation of Leave

If the Library becomes aware of any qualifying reason for FMLA leave, the Library will designate it as such. You may not refuse FMLA designation under this policy.

Retaliation

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

7.12 Fine Exempt Status

Employees of the Library are exempt from paying fines on late returns of library material. Employees are still required to pay for or replace items that have been lost, damaged or stolen. Employees who retire from the Library will maintain their fine exempt status.

7.13 Flexible Spending Account (FSA)

Clifton Park-Halfmoon Public Library provides Flexible Spending Account (FSA) benefits for eligible employees. FSA's provide tax-free reimbursement to employees for health care and/or dependent care expenses that are not reimbursed by any other insurance or reimbursement program.

An FSA provides eligible employees the opportunity to pay for medical expenses on a pretax basis that are not reimbursed by an insurance plan. Both the amount you contribute, and the amount you are reimbursed from your Health Care FSA, are income tax free. The FSA is for employees that do not have an HSA.

All regular full-time/part-time employees are eligible for the above FSA benefits.

If eligible, you may elect an annual amount to contribute, which will be divided and deducted from your pay each pay period, and may be used to pay for eligible expenses. Annual elections are limited by established plan maximums and are subject to applicable IRS forfeiture and rollover provisions.

A limited purpose FSA is also available for employees who have an HSA. This benefit allows you to put away pretax dollars for dental and vision expenses.

Contact the HR Coordinator for more information.

7.14 Health Savings Account (HSA)

The Library offers an HSA (Health Saving Account). A Health Savings Account is a savings product that offers a different way for you to pay for your health care. A Health Savings Account is often referred to as a "medical IRA" plan. It is a personal bank and investment account which provides you with a tax savings vehicle to pay for your health, prescription, dental, and vision care needs not covered by your insurance plans. HSA's enable you to pay for current health expenses and save for future qualified medical and retiree health expenses on a tax-free basis. If you have an HSA from a prior employer, you can roll that over into your new plan.

To be eligible for an HSA, you:

- Must be enrolled in a High Deductible Health Plan
- Cannot be covered under another health insurance plan that is not a High Deductible Health Plan
- Cannot be enrolled in Medicare
- Must read and acknowledge the HSA Electronic Disclosure, Patriot Act, and Custodial Agreement forms found on the election confirmation statement.

7.15 Health Insurance

Salaried employees have the option of being covered under the Library's health insurance plans. Enrollment is one time a year, unless the employee has a qualifying event that makes the employee or their dependents eligible. The health plan is a pre-tax premium plan.

Salaried employees who wish to opt out of the Library's health insurance plan must sign a waiver of Health Insurance Benefits form.

Employees may register for Individual or Family coverage. The Library contributes a defined percent toward health insurance. The Board of Trustees will set the contribution amount each calendar year and employees will be notified of any change that will be effective at the next insurance renewal. The contributions toward employee benefits are part of the Library's overall budget and must be passed in the annual budget vote.

Hourly employees are not eligible for the Library's health insurance benefit program.

Employee contributions toward health coverage will be deducted bi-weekly through payroll. Employees will be notified, in writing, of the premium costs, plan details and amount of money to be deducted through payroll. Employees who are on FMLA leave are responsible for paying their portion of the insurance premiums. Payment must be received by the Business Manager before the first of every month that the employee is out of work. The Library has a right to collect a 2% administration fee from the employee if the payment is received by the Business Manager after the first of the month. After 45 days of non-payment the employee will be dropped from the group health insurance plan.

Section 125 Plan

A Section 125 Plan is an employee benefits program designed to take advantage of Section 125 of the Internal Revenue Code. Employees pay health insurance premium on a pre-tax basis, thereby reducing total taxable income and increasing spendable take-home income.

The Library reserves the right to amend, modify or terminate any of the benefits not mandated by law, at any time, in its' sole discretion.

7.16 Holidays and Floaters

The Library is closed for the following holidays and salaried staff is paid for these days.

New Year's Day

January 2, 2023 (When New Year's falls on a Sunday)

Martin Luther King, Jr. Day

President's Day

Easter Sunday

Memorial Day

Juneteenth Day

Fourth of July

Labor Day

Columbus Day/Indigenous People's Day

Veterans Day

Thanksgiving Day

Christmas Eve Day

Christmas Day

December 26 (When Christmas falls on a Sunday)

If one of the holidays listed above falls on a day a salaried staff person does not normally work, the employee shall be entitled to floater time equivalent to an average working day for the employee.

If scheduled to work, a staff member (hourly or salaried) can request off any combination of two of the following four days:

- Wednesday - day before Thanksgiving
- Friday - day after Thanksgiving
- Christmas Eve
- Day after Christmas
 - Note:
 - You must have the time in order to request it.
 - All other days surrounding the holidays are subject to "normal" time-off rules and the needs of the Library.
 - Normal weekend procedures for swapping still apply.
 - Extenuating circumstances will be considered on an individual basis.

Please speak with your supervisor if you have any questions.

When Christmas Day and New Year's Day fall on Sunday, the Library will close on the following Monday and salaried employees will receive the day off on Monday as compensation for the holiday. The Library will close at 5pm on Thanksgiving Eve, and New Year's Eve.

7.17 Other Insurance Options

The Library currently offers employees the option of securing other types of insurance through AFLAC. AFLAC offers a variety of plans, including Cancer, Accident, etc. Please see the HR Coordinator for information on AFLAC.

7.19 Sick Pay

Hourly Employees

Hourly employees are not eligible for paid sick leave benefits. Any sick time (at the Supervisor's discretion) may be made up.

Salaried Employees

The Library provides paid time off in the form of sick leave to prevent loss of pay for incidental illness of short duration. Sick leave may be used by salaried employees who are absent from work due to personal illness or injury, for medical and dental appointments or to attend to personal illness or injury of family members (spouse, children, parents).

Salaried Employees are eligible for two times the number of normally scheduled hours per work week in sick leave for any 12 month period.

Unused Sick Leave

All unused sick leave remaining at the end of the calendar year is carried over or "banked" for use at a later time, if needed. Employees may accrue up to 12 weeks of sick time.

7.20 Special Recognition Award

The Library recognizes that there are employees whose performance is outstanding and has created a Special Recognition Award as a motivator for employees willing to expend the extra effort. Awards can vary from \$500 to \$2,000 for salaried employees. The award for hourly staff members can be less than the minimum. The award is considered a bonus and not a permanent increase to the staff member's base pay.

Throughout the year, Supervisors may recommend a member of their staff for a Special Recognition Award based on their performance. The Library Director and assistant Library Directors review the recommendations for approval or denial. Awards are presented at the monthly staff meeting.

7.21 Unemployment Compensation Insurance

The Library is Self-Insured for Unemployment Compensation Insurance.

7.22 Vision Care Insurance

The Library offers voluntary vision coverage available via payroll deduction. This benefit is available for salaried employees only.

7.23 Workers' Compensation Insurance

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

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

Before returning to work, an employee on Workers' Compensation, must provide written documentation from a healthcare provider that the employee is able to return to work, if the employee has any restrictions and what those restrictions are or if there are no restrictions the documentation must state that there are no restrictions. The documentation should be sent to the Human Resources Coordinator. The HR Coordinator will notify the Supervisor that the employee is able to return to work and at what capacity. The employee's Supervisor will then contact the employee with a plan for returning to work.

8.0 Safety and Loss Prevention

8.1 Business Closure and Emergencies

Safety Statement

Establishment and maintenance of a safe work environment are shared responsibilities of the Library and all employees of the Library. The Library will attempt to do everything within its control to assure a safe environment and compliance with federal, state, and local safety regulations. Employees are expected to obey safety rules and to exercise caution in all their work activities. As part of this expectation, all employees should read and become familiar with the Safety and Security Manual.

Employees have an absolute obligation to immediately report any unsafe conditions to their supervisor. Not only supervisors, but employees at all levels of the organization are expected to correct unsafe conditions

as promptly as possible. The Library will not retaliate against an employee who comes forth with a safety recommendation or refuses to operate any equipment or work in an area they reasonably feel is unsafe.

All accidents, especially those that result in injury, must be reported immediately to Human Resources, the Library Director, or Assistant Library Director, regardless of how insignificant they may appear. Such reports are necessary to comply with federal and state laws and initiate insurance and workers' compensation procedures.

The Library has a written procedure to be followed during.

All staff members are required to learn all emergency procedures. New procedures will be reviewed with all staff members, and all emergency procedures are reviewed on a regular basis with all staff members.

At times, emergencies such as severe weather and power failures can disrupt Library operations. These circumstances may necessitate the closing of the Library facility. Only the Library Director or designee is authorized to close the library facility.

When operations are officially closed due to emergency, non-pandemic related conditions, the time off from scheduled work will be paid to employees scheduled to work during the time of the emergency closure. To be paid for their full shift, employees must work the proportion of their shift the Library is open.

Employees who have requested to use sick, vacation, personal leave or floater on a day that the Library is unexpectedly closed will not have their accruals returned.

Safety & Health Responsibilities

Administrative Staff (Director, Assistant Director, Business Manager, HR Coordinator, Department Supervisors)

- Oversees design, practice, and maintenance of the safety and loss prevention program
- Provides leadership and resources for an effective safety and loss prevention program
- Sets a good example by following required safety and health rules and practices
- Keep current on safety and health requirements
- Reviews incident/accident reports and makes changes to procedures or programs where necessary; investigates accidents and near-miss incident to determine the root cause
- Ensures there is a system in place for staff to report conditions or situations that could be hazardous
- Provide continuing on-the-job training on safe work procedures
- Ensure accurate records are maintained.
- Analyze hazards when introducing new equipment, processes and design changes

All Employees

- Be aware of the safety and loss prevention programs and follow all safety and health rules, work practices, and regulation
- Use all required safety devices and PPE
- Perform work tasks in a safe manner
- Keep work area tidy and free of hazards

- Report any and all injuries, or near-misses to supervisor
- Be aware of procedures to follow in case of an emergency

8.2 Drug and Alcohol Policy

It is the Library's desire to provide a drug-free, healthful, and safe workplace. While on Library premises, and while conducting business-related activities off Library premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol, marijuana or illegal drugs. Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment and forfeiture of benefits.

The legal use of prescribed 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 is used in a safe manner that does not endanger other individuals in the workplace.

8.3 General Safety

Security

The Library strives to provide a secure workplace for all employees. The Library encourages employees to report to the Library Director or Business Manager any condition an employee believes may constitute a security hazard such as broken locks, broken or missing alarm boxes, or any suspicious activity occurring on or near Library property.

The Library recognizes that employees may have to work late from time to time. Any employee working when the Library is not open to the public is encouraged to arrive and leave with another employee. Employees working when the Library is not open to the public should report any suspicious activity directly to the local police department. Also, at the employee's request, a Security Guard (if one is on duty) will walk employee's to their vehicles.

Employees need to work carefully for their own safety and the safety of others. Equipment should be used only for the purpose it was intended. Employees should use only the machines or equipment assigned or specifically authorized to operate. Employees should follow all safety procedures. Any accidents or injuries sustained on the job should be reported immediately to a Supervisor, who should make sure the Business Manager has been informed. Any accident or injury to an employee should be reported on an accident report and given to the Business Manager within 24 hours.

Employees must report any damaged property or defective work immediately upon discovery.

Employees should not label or otherwise make identifiable the Library keys, proximity cards or payroll swipe card. The Business Manager must be notified immediately if any keys, and/or payroll or access cards are lost or stolen.

Employees should wear clothing suitable for the job being performed. For example, someone wheeling carts or carrying boxes should wear closed-toed shoes.

8.4 Visitors in the Workplace

To provide for the safety and security of employees, the facilities and equipment at the Library, visitors are expected to stop at the Welcome Desk to identify themselves to the receptionist. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

8.5 Weapons

Employees are prohibited from bringing onto Library premises any firearms, weapons, explosives, incendiary devices, or similar material at any time. This policy includes a prohibition against having prohibited material in your vehicle while stored in or parked on Library property. Employees who have licenses to carry weapons must also comply with this policy at all times. Violations of the policy may result in discipline, up to and including termination.

8.6 Workplace Violence

Workplace violence is also a form of harassment. The Clifton Park-Halfmoon Public Library strives to provide an environment that is safe and secure for all employees, vendors, patrons, business associates and visitors/guests of the Clifton Park-Halfmoon Public Library. Behavior that is threatening, harassing, intimidating or in any way dangerous or violent is strictly prohibited and will result in serious responsive action.

The Clifton Park-Halfmoon Public Library considers the following types of behavior examples of workplace violence:

- Verbal or physical harassment.
- Verbal or physical threats (e.g., gossip, rumors, e-mails, non-verbal behavior).
- Assaults or other violence (e.g., hitting, punching, slamming or throwing an object).
- Any other behavior that causes others to feel unsafe (e.g., bullying, sexual harassment, etc.).

While no Library is completely immune from acts of violence, clear policies and procedures help reduce the likelihood of such events and guide appropriate responses to situations that do arise.

Employees are expected to refrain from conduct that may be dangerous to others. Conduct that threatens, intimidates or coerces another employee, vendor, customer/client, business associate or visitor/guest will not be tolerated. Clifton - Park Halfmoon Public Library resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. The Clifton Park-Halfmoon Public Library treats threats coming from an abusive personal relationship as it does other forms of workplace violence.

Retaliation

Retaliation is defined as any "adverse action" taken against an employee based on their complaint of harassment or discrimination. "Adverse action" may include a significant change in employment status, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities or a decision causing a significant change in benefits.

Retaliation against an employee for reporting harassment or discrimination, or for participating in an investigation of a claim of harassment, discrimination, bullying or any other protected activity, is a serious violation of this policy, and like harassment, discrimination or bullying itself, will be subject to disciplinary action, up to, and including, termination.

Hostile Work Environment

A hostile work environment exists when an employee experiences workplace harassment and fears going to work because of the offensive, intimidating or oppressive atmosphere generated by the harasser. A hostile work environment interferes with an employee's ability to perform their job and creates an abusive or offensive work environment for the employee being harassed. A hostile work environment can also affect those working in the same environment as the individual being harassed and the harasser.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the Clifton Park-Halfmoon Public Library (e.g., an outside vendor, business associate, customer/client or visitor/guest). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside of the workplace, such as during business trips, business meetings and business-related social events.

Reporting an Incident of Harassment, Discrimination or Retaliation

Harassment, discrimination or retaliation can be intentional or unintentional. The focus of any investigation by the Clifton Park - Halfmoon Public Library will be on the effect of the alleged harassment on the complaining employee.

Clifton - Park Halfmoon Public Library encourages the prompt reporting of complaints or concerns so that prompt investigations can be conducted. Therefore, although no fixed reporting period has been established, early reporting and intervention are encouraged because they have been proven to be the most effective method of resolving actual or perceived incidents of harassment, discrimination or retaliation, as defined by this policy.

When possible, the Clifton Park-Halfmoon Public Library encourages employees who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often, this action alone will resolve the problem. The Clifton Park-Halfmoon Public Library recognizes, however, that an employee may prefer to pursue the matter through a formal complaint procedure. **Do not direct any formal complaints to the harasser.**

Formal Complaint Procedure

Clifton - Park Halfmoon Public Library encourages reporting of all perceived incidents of harassment, discrimination or retaliation regardless of the offender's identity or position. Employees who believe that they have been the victim of such conduct should discuss their concerns with their Supervisor or the Business Manager.

Reporting Violent Behavior

All employees of the Clifton Park - Halfmoon Public Library have a responsibility to report violent or threatening behavior. Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to their Supervisor, or the Business Manager, not necessarily in that order.

8.7 Incident Reporting

An incident is any accident, medical emergency, theft, report of lost children, vandalism, harassment of patron(s), staff and any other unusual circumstance, event or inappropriate conduct occurring in the Library or on library grounds.

Instructions for Reporting Incidents

1. Any employee involved in an incident or who observes an incident, is required to complete an **Incident Report** form. Incident Report forms are available on the Staff Intranet.
2. The Incident Report form should be completed as soon as possible.
3. All incidents should be reported, even if the situation seems minor. Depending on the incident, information may be shared with other staff members or departments. The documentation provides the Library with a written record of an event for legal or other purposes.
4. When reporting an accident or injury involving an employee, an **Incident Report form** and a **Workers'**

Compensation Employee Claim form C-3 must be completed. Both reports should be sent to the HR Coordinator in paper copies.

Police should be called immediately if there is a threat to the safety of staff or patrons.

DRAFT

New York Policies

Hiring and Orientation Policies

EEO Statement and Nonharassment Policy

Equal Employment Opportunity Policy

Clifton Park-Halfmoon Public Library is committed to complying with all federal, state, and local equal employment laws. To that end, the Library is dedicated to maintaining a work environment that is free from harassment and discrimination on the basis of age, race, creed, color, national origin (including ancestry), religion, gender or sex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, and related medical conditions), disability, reproductive health decision making (including, but not limited to, the decision to use or access a particular drug, device, or medical service), marital status, partnership status, caregiver status, domestic violence victim status, familial status, military status, unemployment status, citizenship or immigration status, genetic information (including genetic characteristics), or any other protected status under federal, state, or local laws. The Library is dedicated to the fulfillment of this policy with respect to all aspects of employment, including, but not limited to, recruiting, hiring, placement, transfer, training, promotion, compensation, termination, and all other terms, conditions, and privileges of employment.

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

We are all responsible for upholding this policy. You may discuss questions regarding equal employment opportunity with your Supervisor, HR Coordinator or any member of management.

Policy Against Workplace Harassment

Clifton Park-Halfmoon Public Library has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's age, race, creed, color, national origin (including ancestry), religion, gender or sex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, and related medical conditions), disability, reproductive health decision making (including, but not limited to, the decision to use or access a particular drug, device, or medical service), marital status, partnership status, caregiver status, domestic violence victim status, familial status, military status, unemployment status, citizenship or immigration status, genetic information (including genetic characteristics), or any other protected status under federal, state, or local laws. All forms of harassment of, or by, employees, vendors, visitors, customers, and clients are strictly prohibited and will not be tolerated.

Sexual Harassment

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

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

Other Harassment

Other workplace harassment is verbal or physical conduct that insults or shows hostility or aversion toward an individual because of the individual's age, race, creed, color, national origin (including ancestry), religion, gender or sex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, and related medical conditions), disability, reproductive health decision making (including, but not limited to, the decision to use or access a particular drug, device, or medical service), marital status, partnership status, caregiver status, domestic violence victim status, familial status, military status, unemployment status, citizenship or immigration status, genetic information (including genetic characteristics), or any other protected status under federal, state, or local laws.

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

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

Reporting Discrimination and Harassment

If you feel that you have witnessed or have been subjected to any form of discrimination or harassment, immediately notify your Supervisor, HR Coordinator or any member of management.

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

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

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

Alternative Reporting and Remedies

The Library encourages all employees to report incidents of discrimination and harassment internally. However, employee's who believe they have been subjected to discrimination or harassment in the workplace may file a private civil action or seek relief by either:

- Filing a complaint alleging violation of the New York State Human Rights law with the Division of Human Rights, or in the New York State Supreme Court; or
- Filing a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) for violation of federal antidiscrimination laws, including Title VII of the Civil Rights Act of 1964 (Title VII).

To file a complaint, contact the appropriate agency below.

Contact Information

New York Division of Human Rights

Agency Building 1, 2nd Floor
Empire State Plaza
Albany, NY 12220

518-474-2705

718-741-8322 (fax)

1-800-HARASS-3 (1-800-427-2773): Toll-free, confidential hotline for complaints of workplace sexual harassment

www.dhr.ny.gov

Equal Employment Opportunity Commission (EEOC)

800-669-4000

TTY: 800-669-6820

info@eeoc.gov

www.eeoc.gov

Sexual Harassment Prevention

Purpose and Goals

Clifton Park-Halfmoon Public Library is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the Library recognizes that discrimination can be related to or affected by other identities beyond gender (**see NY EEO Statement and Nonharassment Policy**). Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of the Library's commitment to a discrimination-free work environment.

Goals of this Policy

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with the Library, with a government agency, or in court under federal, state, or local antidiscrimination laws. To file a complaint internally, use the complaint form attached to the end of this handbook and submit it to appropriate person or department. To file an employment complaint with the New York State Division of Human Rights, visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, visit <https://www.eeoc.gov/filing-charge-discrimination>.

Sexual Harassment and Discrimination Prevention Policy

1. Clifton Park-Halfmoon Public Library's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid, and volunteers. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals 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 through a contract with the Library. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the Library.
2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of the Library who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform their Supervisor or appropriate person or department. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained in the **Legal Protections** section below.
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the Library to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability, and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. The Library will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when management otherwise knows of possible discrimination or sexual harassment occurring. The Library will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, the Library will act as required. In addition to any required discipline, the Library will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.
6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. Employees who prefer not to report harassment to their Supervisor or the Library may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to appropriate person or department.
7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the Library's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that 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 is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination, including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression, and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A **cisgender person** is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A **transgender person** is someone whose gender is different than the sex they were assigned at birth. A **non-binary person** does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of the Library's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct that is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are 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, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements that an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with their 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 or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by 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. **This list is just a sample of behaviors and should not be considered exhaustive.** Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it.

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, or brushing against or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, 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 (can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship);
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks, or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history that create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- 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. This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, 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, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities, such as dress codes that place more emphasis on women's attire, or leaving parents/caregivers out of meetings.

Who Can Be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York law protects employees and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be a harasser, including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum, and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on Black female employees than White female employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel retraumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

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- or industry-sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during nonwork hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitutes harassment even if the employee is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demoting, terminating, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as "difficult" and excluding them from projects to avoid "drama";
- Undermining an individual's immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

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

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to their Supervisor or appropriate person or department. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to their Supervisor or appropriate person or department].

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy for employees to use, but the complaint form is not required. If you are reporting sexual harassment on behalf of someone else, you may use the complaint form and should note that it is on another's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained in the Legal Protections section below.

Supervisory Responsibilities

Supervisors and managers have a responsibility to address sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to appropriate person or department. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

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

While supervisors and managers have a responsibility to report harassment and discrimination, they must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable, and re-traumatizing for individuals. Supervisors and managers must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers, deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The Library will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

The Library recognizes that participating in a harassment investigation can be uncomfortable and has the potential to re-traumatize an individual. Those receiving claims and leading investigations will handle

complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, appropriate person or department will:

1. Conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If the complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, appropriate person or department will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails, or phone records that may be relevant to the investigation. Appropriate person or department will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Seek to interview all parties involved, including any relevant witnesses;
4. 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 any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Keep the written documentation and associated documents in a secure and confidential location;
6. Promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the Library, but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in this policy is one way for employees to report sexual harassment. Employees and covered individuals 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 also seek the legal advice of an attorney.

New York State Division of Human Rights

The New York State Human Rights Law, N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in the New York State Supreme Court.

If someone feels they have been discriminated against they can file a complaint with the Division of Human Rights. Once a complaint is filed the Division of Human Rights will investigate and may present the case in a public hearing.

For acts that occurred before 2/15/2024, you must file your complaint within one year of the most recent act of alleged discrimination. If you were terminated, you must file within one year of the date you were first informed you would be terminated.

If you are alleging sexual harassment in the workplace that occurred after 8/12/2020, you may file within three years from the most recent incident.

For act that occurred on or after 2/15/2024, you must file your complaint within three years of the most recent act of alleged discrimination. If you were terminated, you must file within three years of the date you were first informed you would be terminated.

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

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

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies, but it may include requiring your employer to take action to stop the harassment or repair the damage caused by the harassment, including paying monetary damages, punitive 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.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR, as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at **1-(800)-HARASS3** for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission

The United States Equal Employment Opportunity Commission (EEOC) enforces federal antidiscrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e et seq. An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of 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. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred but does not file a lawsuit.

Individuals may obtain relief in mediation, settlement, or conciliation. In addition, 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 the New York State Division of Human Rights, DHR will automatically 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.

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. Those wishing to pursue criminal charges are encouraged to contact the local police department where the harassment has occurred.

Conclusion

The policy outlined above is aimed at providing Clifton Park-Halfmoon Public Library employees and covered individuals an understanding of their rights to a discrimination- and harassment-free workplace. Everyone should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes, including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, predisposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

Wage and Hour Policies

Accommodations for Nursing Mothers

NY State Labor Law § 206-c

Clifton Park-Halfmoon Public Library provides accommodations for nursing mothers to express milk in the workplace in accordance with federal and New York law.

Reasonable Break Time to Express Milk

The Library will provide nursing mothers reasonable break time to express milk for their infant child each time the mother has the need to express milk for up to three years following the child's birth.

The break time must, if possible, run concurrently with any break time already provided. If you are nonexempt, clock in and out/record the start and end time for any time taken that does not run concurrently with normally scheduled rest periods. Break time may be unpaid where permissible by applicable law.

You are encouraged to discuss the length and frequency of these breaks with your Supervisor.

Lactation Location

The Library will provide nursing mothers with a private room or other location, other than a restroom, to express milk. The room or location will be well lit, in close proximity to the work area, and be shielded from view and free from intrusion from coworkers and the public. The room or location will have a chair, a working surface, nearby access to clean running water, and an electrical outlet.

If the sole purpose or function of the room or location is not dedicated for use by employees to express breast milk, employees who need the room for expressing milk will be given priority use of the room, and their pumping needs will determine the availability of the room for other purposes. The Library will notify employees as soon as practical when the room or location has been designated for use by employees to express breast milk.

When compliance with the room/location requirements would impose an undue hardship on the Library, the Library will make reasonable efforts to provide a room or other location, other than a restroom or toilet stall, that is in close proximity to the work area where employees can express breast milk in privacy. You may submit a lactation location request through appropriate person or department. The Library will respond to your request within five business days.

Milk Storage

INFORM EMPLOYEES WHERE THEY MAY STORE EXPRESSED MILK: Expressed milk can be stored [in library refrigerators, refrigerators provided in the lactation room, or other location]. Sufficiently mark or label your milk to avoid confusion for other employees who may share the refrigerator. You may also bring a personal cooler for storage.

Retaliation

The Library will not discriminate or retaliate against employees who express breast milk in the workplace in accordance with this policy.

Meal Periods

NY State Labor Law § 162

Clifton Park-Halfmoon Public Library strives to provide a safe and healthy work environment and complies with all federal and state regulations regarding meal periods. Under New York law:

- Workers employed in, or in connection with, a factory are entitled to a 60-minute unpaid meal period between 11 a.m. and 2 p.m., and a 60-minute unpaid meal period midway between the beginning and end of any shift that starts between 1 p.m. and 6 a.m. and lasts more than six hours.
- Non-factory workers are entitled to a 30-minute unpaid meal period between 11 a.m. and 2 p.m. for shifts six hours or longer that extend over that period, and a 45-minute unpaid meal period midway between the beginning and end of a shift that starts between 1 p.m. and 6 a.m. and lasts more than six hours.
- All workers are entitled to an additional 20-minute unpaid meal period between 5 p.m. and 7 p.m. for workdays that extend from before 11 a.m. to after 7 p.m.

Applicable law also provides that Tte Library may limit meal periods to a minimum of 30 minutes as long as there is no indication of hardship to the employees.

You will not be required to work during your meal period unless otherwise permitted under applicable law.

Check with your Supervisor regarding procedures and schedules for meal periods.

If you know in advance that you may not be able to take your scheduled meal period or are not fully relieved of all duties, let your Supervisor know; in addition, notify your Supervisor as soon as possible if you were unable to take or were prohibited from taking a meal period.

Wage Disclosure Protection

NY State Labor Law § 194

In accordance with New York law, Clifton Park-Halfmoon Public Library will not prohibit you from inquiring about, discussing, or disclosing your wages or the wages of other employees.

General Policies

Availability of Required Postings

Digital versions of all postings required to be displayed by New York State employers are available on the Library Intranet, by email, or both.

Benefits

Accommodations for Victims of Domestic Violence

Clifton Park-Halfmoon Public Library will provide reasonable accommodations to employees who are victims of domestic violence who must be absent from work for a reasonable time, unless such accommodation would cause an undue hardship on the Library.

Accommodations include reasonable time off to:

- Seek medical attention for injuries caused by domestic violence, including for a child who is the victim of domestic violence;
- Obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence;
- Obtain psychological counseling related to an incident or incidents of domestic violence, including for a child who is the victim of domestic violence;
- Participate in safety planning or other action taken to increase safety from future incidents of domestic violence (e.g., temporary or permanent relocation); or
- Obtain legal services, assist in the prosecution of an offense, or appear in court related to an incident of domestic violence.

A **victim of domestic violence** is any person who is older than 16, married, or is a parent accompanied by a minor child in a situation where the individual or minor child is the victim of an act committed by a family or household member in violation of New York penal law. The act must have resulted in actual physical or emotional injury or created a substantial risk of physical or emotional harm to the person or their child.

Notice

You must provide reasonable advance notice of your intention to take time off for the above reasons unless advanced notice is not feasible. If an unscheduled absence occurs, you must provide the following documentation within a reasonable amount of time after your absence:

- A police report indicating that you or your child was a victim of domestic violence;
- A court order protecting or separating you or your child from the perpetrator of the domestic violence;
- Other evidence from the court or prosecuting attorney that you appeared in court; or
- Documentation from a medical professional, domestic violence advocate, health care provider, or counselor that you or your child underwent counseling or treatment for physical or mental injuries or abuse resulting from the domestic violence.

Confidentiality

The Library will maintain the confidentiality of any information regarding your status as a victim of domestic violence, except as required by federal or state law or as necessary to protect your safety in the workplace.

Compensation

The time off may be charged against any paid time off to which you are entitled. If you have no available paid time off, the time off may be treated as unpaid time.

Retaliation

The Library will not retaliate against a victim of domestic violence for requesting or obtaining reasonable accommodation in accordance with this policy.

Blood and Bone Marrow Donation Leave

NY Labor Law § 202-j and NY Labor Law § 202-a

Clifton Park-Halfmoon Public Library provides those employees who work an average of 20 or more hours per week:

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

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

Cancer Screening Leave

NY State Civil Service Law Chapter 465, Laws of 2017

New York State Civil Service Law (Chapter 465, Laws of 2017) entitles library employees to take up to four hours of paid leave annually, without charge to leave credits, for cancer screening. Absence beyond the four hours must be charged to the employee's time off balance or the time will be unpaid. The leave is not cumulative and expires at the close of business on the last day of each calendar year. Employees who undergo screenings outside of their regular work schedule do so on their own time.

COVID-19 Sick Leave

If you are, or your minor dependent child is, subject to an individual order of mandatory or precautionary quarantine or isolation issued by New York State, the New York State Department of Health, a local board of health, or any other government entity authorized to issue such order due to COVID-19 (Individual Quarantine Order), you may be eligible for paid and/or unpaid leave in addition to paid family leave benefits (PFLB) and disability benefits (DB).

Program Specifics

For the duration of the Individual Quarantine Order the Library is required to provide you with at least 14 days of **paid sick leave**. Leave will be provided without the loss of any accrued sick leave.

Eligibility

You are not eligible for leave if you are deemed asymptomatic or have not yet been diagnosed with a medical condition and are physically able to work remotely or through other means while under an Individual Quarantine Order.

If you have returned to the United States after non-business-related travel to a country from which the Centers for Disease Control and Prevention (CDC) has issued a level two or three travel health notice, you are not eligible for these benefits if you were provided notice of the travel advisory, were warned that you would not be eligible for such benefits if you elected to travel to such countries, and chose to travel anyway. All employees in this category are entitled to use any accrued leave provided by the Library. If you do not have any accrued leave, you may use unpaid leave for the duration of the quarantine or isolation.

Restoration

Upon return from leave, you will be restored to the same position you held prior to the leave with the same pay and other terms and conditions of your employment.

How to Apply for Benefits

Information on how to apply for DB and/or PFLB when you are under an Individual Quarantine Order is available at <https://paidfamilyleave.ny.gov/if-you-are-quarantined-yourself#how-to-apply>.

Business Closure

If the Library temporarily closes due to COVID-19, you may not be eligible for the above-mentioned benefits and should immediately apply for unemployment insurance. The unemployment insurance benefits one-week waiting period has been waived. Information on how to file a claim can be obtained at <https://labor.ny.gov/unemploymentassistance.shtm>.

Discrimination and Retaliation

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

COVID-19 Vaccination Leave

Clifton Park-Halfmoon Public Library will provide all employees sufficient paid leave to obtain a COVID-19 vaccination. **Sufficient paid leave** means up to four hours per vaccine injection.

If the need for leave is foreseeable, provide as much advance notice as possible and make reasonable efforts to schedule the leave so that it does not unduly disrupt Library operations. If unforeseeable, provide notice as soon as practical.

You will be compensated at your regular rate of pay for the time missed from work. The leave will not be charged against any other leave benefit to which you are entitled, including sick leave.

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

This policy expires on December 31, 2023.

Crime Victim and Witness Leave

NY Penal Law § 215.14

Clifton Park-Halfmoon Public Library will provide eligible employees with time off from work, without pay, for any of the following reasons:

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

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

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

For purpose of this policy:

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

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

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

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

Jury Duty Leave

NY Jud. Law § 519

Clifton Park-Halfmoon Public Library encourage employees to fulfill their civic duties related to jury duty. If you are summoned for jury duty, notify your Supervisor as soon as possible to make scheduling arrangements.

You will be paid a minimum of \$40 per day for the first three days of juror service or any part thereof. For any additional days, time spent on jury duty will be unpaid. You may opt to use personal or vacation time in place of unpaid leave.

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

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

Military Spouse Leave

NY State Labor Law § 202-i

Clifton Park-Halfmoon Public Library provides up to 10 days of unpaid leave to employees who are the spouse of a military member who is home on leave during a period of military deployment.

To be eligible for military spouse leave you must:

- Work an average of 20 or more hours per week; and
- Be the spouse of a member of the U.S. Armed Forces, National Guard, or Reserves who has been deployed during a period of military conflict to a combat theater or combat zone of operations.

A **period of military conflict** means a period of war declared by the U.S. Congress or a period during which a member of the Reserves is ordered to active duty under federal authority.

If you need to take military spouse leave, notify your Supervisor as soon as reasonably possible. The Library reserves the right to ask for documents supporting the need for leave.

You may elect to use any available paid time off for which you are eligible under Library policy for the purpose of taking military spouse leave, and such paid time off will run concurrently with the leave afforded under this policy.

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

Paid Family Leave

New York's Paid Family Leave (PFL) program provides eligible employees with job-protected, paid time off to:

- Bond with a newly born, adopted, or foster child.
- Care for a family member with a serious health condition.
- Assist in situations when a spouse, domestic partner, child, or parent is deployed abroad on active military service.

Eligibility

Eligible employees may take PFL leave as follows:

- If you work **full time** (a regular schedule of 20 or more hours per week), you are eligible after 26 consecutive weeks of employment.
- If you work **part time** (a regular schedule of less than 20 hours per week), you are eligible after working 175 days, which do not need to be consecutive.

Amount of Benefit

You will be provided up to 12 weeks of leave at 67 percent of your weekly pay (capped at 67 percent of statewide average pay).

You may use accrued paid leave in order to receive full pay while on PFL.

Funding

PFL is funded through employee payroll contributions that are set each year to match the cost of coverage. The rate of employee contributions is reviewed annually and is subject to change by the New York State Department of Financial Services.

If you are not eligible for PFL, you will be provided a waiver to sign, and PFL contributions will not be deducted from your wages.

Qualifying Events

If you are eligible, you may use PFL for the following reasons:

- **New child:** You may take PFL during the first 12 months following the birth, adoption, or fostering of a child. Expectant mothers cannot take PFL for their own pregnancy. PFL for the birth of a child begins after the child's birth and is not available for prenatal conditions.
- **Serious health condition:** You may take PFL to care for a family member with a serious health condition. The relative may live outside of New York State and even outside the country. You cannot take PFL for your own health condition.
- **Military active service deployment:** You may take PFL when your spouse, domestic partner, child, or parent is deployed abroad on active military service or has been notified of an impending military deployment abroad. You cannot use PFL for your own qualifying military event.

As used in this policy:

- **Family member** includes a spouse, domestic partner, child and stepchild, parent and stepparent, parent-in-law, grandparent, grandchild, and sibling (biological, adopted, half, and step).
- **Serious health condition** is an illness, injury, impairment, or physical or mental condition, including transplant preparation and recovery from surgery related to organ or tissue donation, that involves inpatient care in a hospital, hospice, or residential medical facility; or continuing medical treatment or continuing supervision by a health care provider.

Health Insurance

Your health insurance will continue while you are on leave; however, if you contribute to the cost of your health insurance, you must continue to pay your portion of the premium cost while on leave.

Interaction with Other Laws

PFL may be taken by employees who are eligible for time off under the federal Family and Medical Leave Act (FMLA). PFL will run concurrently with designated FMLA leave when the reason for leave qualifies under both PFL and FMLA. Eligible employees must then apply for both PFL and FMLA.

You may not receive short-term disability and PFL benefits at the same time. You may not take more than 26 combined weeks of short-term disability and PFL in a 52-week period.

If you are unable to work and qualify for workers' compensation benefits, you may not use PFL benefits at the same time as you are receiving workers' compensation benefits. If you are receiving reduced earnings, you may be eligible for PFL.

Notice and Required Documentation

Notify your Supervisor or HR Coordinator if you intend to use PFL. If leave is foreseeable, you must give 30 days' advance notice so the Library can plan for your absence. If the event was not foreseeable, notify your Supervisor or HR Coordinator as soon as possible. If you fail to give notice without unusual circumstances justifying the failure, PFL may be delayed or partially denied.

You must provide documentation in support of your PFL request within 30 days after the leave begins. The Library may require additional proof during your leave, but not more often than once a week. Proof must include a statement of disability from the leave recipient's health care provider.

Returning to Work

On return from PFL, you will be reinstated to your original position, or if no longer available, an equivalent position with equivalent terms and conditions of employment, including pay and employment benefits.

Use of PFL will not result in the loss of any employment benefit that accrued before the start of your family leave that was not used during your family leave.

Retaliation

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

Additional Information

If you have additional questions regarding PFL, contact the HR Coordinator or visit <https://paidfamilyleave.ny.gov/>.

Voting Leave

NY State Election Law § 3-110

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

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

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

The Library will not retaliate or tolerate retaliation against employees who request or take leave under this policy. If you believe that you are being retaliated against because you requested or took leave under this policy, immediately report it to your Supervisor or HR Coordinator.

Airborne Infectious Disease Exposure Prevention Plan

See the Library's Pandemic-Operations Policy attached.

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Custom Policies

Custom Policies

Nonsolicitation/Nondistribution Policy

See Operational Policies

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Closing Statement

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

Alexandra Gutelius, Director

Clifton Park-Halfmoon Public Library

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Acknowledgment of Receipt and Review

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

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

If I am covered by a written employment agreement (signed by an authorized Company representative) or a collective bargaining agreement that conflicts with the terms of this handbook, I understand that the terms of the employment agreement or collective bargaining agreement will control.

This handbook is not intended to preclude or dissuade employees from engaging in legally protected activities under the National Labor Relations Act (NLRA). This handbook is not intended to violate any local, state, or federal law. No provision or policy applies or will be enforced if it conflicts with or is superseded by any requirement or prohibition contained in federal, state, or local law, or regulation. Furthermore, nothing in this handbook prohibits an employee from reporting concerns to, filing a charge or complaint with, making lawful disclosures to, providing documents or other information to, or participating in an investigation or hearing conducted by the Equal Employment Opportunity Commission (EEOC), National Labor Relations Board (NLRB), Securities and Exchange Commission (SEC), or any other federal, state, or local agency charged with the enforcement of any laws.

This handbook supersedes any previous handbook or policy statements, whether written or oral, issued by Clifton Park-Halfmoon Public Library.

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

Signature

Date

Print Name

APPENDIX

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Complaint Form for Reporting Sexual Harassment



Combating
Sexual Harassment

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

If you believe that you have been subjected to sexual harassment or gender discrimination, you are encouraged, but not required, to complete this form and submit it to the appropriate person or department indicated in the New York Sexual Harassment Prevention policy in this handbook. No employee will be retaliated against for filing a complaint.

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

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

COMPLAINANT INFORMATION

Name:

Work Address:

Work Phone:

Job Title:

Email:

Select Preferred Communication Method: Email Phone In person

SUPERVISORY INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

Adoption of this form 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.

COMPLAINT INFORMATION

1. Your complaint of sexual harassment is made about:

Name:

Title:

Work Address:

Work Phone:

Relationship to you: Supervisor Supervisee Co-Worker Other (please specify)

2. Please describe what happened and include as many details as possible. You may use additional sheets of paper if necessary. If you have any relevant documents, please include them. .

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing? Yes No

4. If possible, please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

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

5. Have you previously provided information (verbal or written) about related incidents? If yes, when and to whom did you provide information?

This is not required, but if you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: _____

Date: _____