

## LANCASTER PUBLIC LIBRARY PERSONNEL POLICY MANUAL

I, \_\_\_\_\_, acknowledge receipt of the Lancaster Public Library Personnel Policy Manual, available online at \_\_\_\_\_ and that I am responsible for understanding and abiding by its contents.

I further understand that this Manual does not create a contract with the Lancaster Public Library for any purpose and that the provisions in this Manual may be modified or eliminated at any time at the discretion of the Board of Trustees of the Lancaster Public Library.

ISSUED TO: \_\_\_\_\_

SIGNED: \_\_\_\_\_

DATE RECEIVED: \_\_\_\_\_

## VOLUNTARY EMERGENCY CONTACT FORM

Employee Name: \_\_\_\_\_

### Emergency Contacts

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Phone (1): \_\_\_\_\_ Phone (2): \_\_\_\_\_

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Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Phone (1): \_\_\_\_\_ Phone (2): \_\_\_\_\_

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Important Medical Information:

Hospital Preference (Optional):

Primary Physician Information (Optional):

## LANCASTER PUBLIC LIBRARY CONFIDENTIALITY AGREEMENT

People working in the public library setting may come in contact with confidential information such as confidential patron records, patron requests, etc. During such time with the Library you are likely to be exposed to such information, and for that reason a Confidentiality Agreement will need to be signed acknowledging your understanding of the confidentiality of this information.

Such information is strictly confidential and is protected under Pennsylvania law.

If you are not certain that something is confidential, you should assume that it is confidential or ask your immediate supervisor for clarity. Tampering with records is a crime that can and may be punishable by law.

According to Pennsylvania law (24 PA. C.S.A. Section 4428), "Records related to the circulation of library materials which contain the names or other personally identifying details regarding the users of the State Library or any local library which is established or maintained under any law of the Commonwealth or the library of any university, college or educational institution chartered by the Commonwealth or the library of any public school or branch reading room, deposit station or agency operated in connection therewith, shall be confidential and shall not be made available to anyone except by a court order in a criminal proceeding."

### **Confidentiality Statement**

I agree that I will not disclose any confidential information on any library patron or employee, seen or heard in the course of my employment with the library, during or at any time after my employment has ended unless I am responding to an official request from law enforcement. In these instances, I will comply with the applicable law and notify my supervisor immediately. This includes files of patron or employee names, addresses or social security numbers, or other personal information. If this confidentiality is violated, it will be considered grounds for dismissal and prosecution pursuant to Pennsylvania law.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Lancaster Public Library Personnel Policy Manual

## TABLE OF CONTENTS

INTRODUCTORY STATEMENT .....	1
NATURE OF EMPLOYMENT.....	1
EQUAL EMPLOYMENT OPPORTUNITY .....	1
AMERICANS WITH DISABILITIES ACT COMPLIANCE .....	2
PROVISIONAL PERIOD.....	2
INTERNAL TRANSFERS .....	3
WORK WEEK – SCHEDULES .....	3
EVALUATION PROCEDURES.....	3
COMMITMENT TO WAGE AND HOUR COMPLIANCE & POLICY ON PAYROLL DEDUCTIONS .....	4
ACCESS TO PERSONNEL RECORDS.....	4
WORKERS’ COMPENSATION.....	5
PAID TIME OFF (PTO).....	5
PAID HOLIDAYS.....	7
BEREAVEMENT LEAVE .....	7
MILITARY LEAVE .....	8
MEDICAL LEAVE OF ABSENCE .....	8
PERSONAL LEAVE OF ABSENCE.....	9
JURY DUTY .....	9
EXPENSE REIMBURSEMENT.....	10
EMERGENCY OR WEATHER-RELATED CLOSING .....	10
STANDARDS OF CONDUCT AND EMPLOYMENT TERMINATION .....	11
CORRECTIVE ACTION PROCESS.....	13
GRIEVANCES .....	14
CONFLICTS OF INTEREST.....	15
SEXUAL HARASSMENT POLICY .....	16
WHISTLEBLOWER POLICY .....	16
DRESS CODE.....	17
SMOKE-FREE ENVIRONMENT .....	18
COMPUTER, EMAIL, AND VOICEMAIL .....	18
INTERNET USAGE.....	19
WEAPONS .....	21
WORKPLACE VIOLENCE .....	22
DRUG AND ALCOHOL POLICY .....	23
SOCIAL MEDIA POLICY .....	26

## **INTRODUCTORY STATEMENT**

This manual is designed to acquaint you with the Lancaster Public Library and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand and comply with all provisions of the manual. It describes many of your responsibilities as an employee and outlines the programs developed by the Lancaster Public Library to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

This manual cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind. Neither you nor the Lancaster Public Library is bound to continue the employment relationship if either chooses to end the relationship at any time, for any or no reason, and with or without notice. Therefore, no provision in this Personnel Manual, including the Lancaster Public Library's Disciplinary Process or Grievance Procedure, is intended to, nor shall it constitute a modification of your or any employee's at-will employment relationship with the Lancaster Public Library.

In order to retain necessary flexibility in the administration of policies and procedures, the Lancaster Public Library reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this manual at its sole and absolute discretion. The only exception to any change is our employment-at-will policy permitting you or the Lancaster Public Library to end our relationship at any time for any or no reason. The only recognized deviations from at-will employment are those authorized and signed by the Executive Director. As deemed necessary, the Executive Director will seek counsel with the HR Committee of the Lancaster Public Library Board of Trustees and/or the full Lancaster Public Library Board of Trustees.

## **NATURE OF EMPLOYMENT**

Employment with the Lancaster Public Library is at will, which means that either the employee or the employer may elect to terminate the employment relationship at any time, with or without cause, and with or without notice.

## **EQUAL EMPLOYMENT OPPORTUNITY**

The Lancaster Public Library is an Equal Opportunity Employer. The Library shall take proper measures to ensure that applicants and employees shall be treated equally without regard to race, color, religion, sex, sexual orientation, gender identity, gender expression, marital status, age (40 and over), national origin, ancestry, disability, military or veteran status, or other legally protected category.

All employees are required to act affirmatively to ensure equal opportunity in all aspects of employment. Employees are to maintain a work environment that is free from harassment and discrimination.

## **AMERICANS WITH DISABILITIES ACT COMPLIANCE**

The Library is committed to complying with all applicable provisions of the ADA. It is the Library's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment on the basis of disability or perceived disability so long as the employee can perform the essential functions of the job.

Consistent with this policy of nondiscrimination, the Library will provide reasonable accommodation to a qualified individual with a disability, as defined by the ADA, who has made the Library aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the Library.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Executive Director.

## **PROVISIONAL PERIOD**

The provisional period is intended to give employees time to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The Library uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Library may end the employment relationship at will at any time during or after the provisional period, with or without cause or advance notice.

All employees in a new position work on a provisional basis for the first 3 months. Employees who are promoted or transferred within the Library must complete another provisional period of the same length with each reassignment to a new position. Any significant absence will automatically extend a provisional period by the length of the absence. If the Library determines that the designated provisional period does not allow sufficient time to thoroughly evaluate the employee's performance, the provisional period may be extended for a specified period of time.

In cases of promotions or transfers within the Library, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the provisional period. Depending on the availability of such positions and the needs of the Library, the employee may be allowed to return to their former job or to a comparable job for which the employee is qualified. However, if the former position or a comparable position is not available, the employee may be terminated.

During the provisional period, new employees are eligible for some employee benefits. Employees should verify eligibility in the individual sections of the manual.

Benefit eligibility and employment status are not changed during subsequent provisional periods that result from a promotion or transfer within the Library or disciplinary actions.

## **INTERNAL TRANSFERS**

Qualified employees and volunteers may apply for transfer from their current positions to a posted vacancy. A letter of application and updated resume should be included in the transfer application. All qualified internal candidates will be interviewed. The employee's performance evaluations and a reference from his/her current supervisor will be considered. The employee may also list additional references to be contacted during the review process for the request for transfer.

Additionally, changes in library priorities or activities may necessitate a revision of staff functions to meet new requirements. The Library administration may initiate a reorganization of staff positions and transfer employees into new positions for which they meet the minimum requirements.

## **WORK WEEK – SCHEDULES**

The Library operates Monday through Saturday. Work schedules for employees vary throughout the organization. Employees may be required to work days, evenings, and weekends, and scheduled hours may vary depending on workflow. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variation in starting and ending times, the days worked, including the scheduling of hours on weekends and evenings, as well as variation in the total hours that may be scheduled each day and week.

Employees are classified as either Full-Time or Part-Time. Full-time employees are those who are regularly scheduled to work 40 hours per week. Some benefits may be available to full-time employees only. Employees should verify eligibility in individual plan documents or sections of this handbook.

There is no guarantee that a current work schedule will not change at a future date. Managers have the right to alter schedules as needs dictate.

A part-time employee who does not work scheduled hours (due to illness, vacation, etc.) may or may not be able to make up hours lost. This is at the discretion of the supervisor. Make-up hours will only be approved if workflow dictates that the hours are necessary.

The nature of the organization sometimes requires employees to work overtime. All overtime must be approved in advance by an employee's manager. Working overtime without advance approval may result in discipline up to and including termination.

## **EVALUATION PROCEDURES**

The goal of the evaluation process is to provide all employees with regular periodic written reports on their work performance. Evaluations offer an opportunity for management to review major work responsibilities of each employee and to communicate individual performance standards and areas for improvement in a

discussion based upon the written evaluation. Performance evaluations are designed to act as a training tool for the employee and the Lancaster Public Library.

Performance evaluations will be done on an annual basis. For new employees an evaluation will also be done at the end of the provisional period.

### **COMMITMENT TO WAGE AND HOUR COMPLIANCE & POLICY ON PAYROLL DEDUCTIONS**

The Fair Labor Standards Act (“FLSA”) requires that certain “non-exempt” employees receive overtime pay at the rate of time and one-half the regular rate of pay for all hours worked in excess of 40 hours per workweek. However, based on their job duties and rate of pay, some employees are exempt from the overtime provisions of the FLSA. The Library is committed to compensating and classifying employees in strict accordance with the minimum wage and overtime provisions of the FLSA. As a general policy, the Library prohibits improper deductions from exempt employees’ salaries and the wages of non-exempt employees and it prohibits the failure to compensate non-exempt employees for overtime pay for all hours worked in excess of 40 hours per workweek.

There are certain mandatory deductions that the Library is required by law to make. The employee is paid a net pay after all mandatory (and/or voluntary) deductions. These deductions are listed on each paycheck. Deductions include: Federal and State income tax, social security tax (FICA), and unemployment compensation tax.

In addition, there may be voluntary deductions an employee may wish to have.

Any employee who has a question regarding his or her classification under the FLSA, or any other question pertaining to the payment of overtime, payroll deductions, or the provisions of the FLSA in general, should contact the Finance Department first. If not satisfied with the response, the employee should contact the Executive Director or a member of the Human Resources committee of the Board of Trustees. The Library welcomes such inquiries from its employees. All complaints shall be investigated immediately, thoroughly and impartially. If the Library determines that an improper deduction has occurred, the employee shall be promptly reimbursed for any improper deduction.

The Library prohibits retaliation of any kind against employees who make inquiries about, or otherwise assert their rights under, the FLSA.

### **ACCESS TO PERSONNEL RECORDS**

The Library strives to maintain complete and accurate personnel records as required by law, as well as for the mutual benefit of the employees and the Library.

It is the responsibility of the Executive Director to maintain all employee personnel records. These records must be complete and constantly updated.



It is requested that you notify your supervisor or the Accounting Department in writing of any change in your name, address, telephone number, dependent insurance coverage, emergency numbers, tax exemptions, beneficiary for the thrift plan, pension plan and insurance purposes, or any other change which should be reflected in your records, so that they can make the appropriate corrections.

In order that all requests may be honored, employees must submit in writing to the Executive Director their request to review their personnel file at least three working days prior to the requested review date. All reviews of personnel files will be done in the presence of a Library manager. All material contained in the personnel file is Library property and may not be removed or photocopied by the employee. However, employees may take notes, and if they wish to add pertinent material they may do so.

Employees will be required to sign a document indicating that they have reviewed their file.

### **WORKERS' COMPENSATION**

In the event of work-related injury, employees are eligible to receive workers compensation benefits in accordance with state law. The Library bears the entire cost of workers' compensation insurance.

All job related injuries or illnesses must be promptly reported to the employee's immediate supervisor. Prompt reporting of accidents arising out of, or in the course of employment, is essential to protect an employee's entitlement to benefits.

The Library posts a designated panel of physicians. Employees are required to treat with a panel physician for the first 90 days of treatment following a work injury. Failure to do so may jeopardize an employee's payment of medical bills.

### **PAID TIME OFF (PTO)**

**Accrual of paid time off:** Clearly acknowledging employee needs for absences from work, due to both illness and recreation, the Library utilizes a policy of paid time off to balance the needs of employees with the needs of the library and its patrons. The Library will grant paid days off to all eligible staff, based upon uniform accrual schedules, and the use of any of that time will be subject to the approval of the supervisor, but may be used by the employee for whatever purpose he or she chooses. This means that there will not be a distinction between time earned and allocated for illness, and time earned and allocated for vacation or personal days.

In order to allow such flexibility policies need to insure the fair and equitable use of such time by all eligible employees.

- a. Only full-time employees who are scheduled to work 32 or more hours per week on a regular basis will be eligible to accrue paid time off.
- b. Eligible employees shall accrue time off from the date of employment. PTO accruals will be based on compensable hours paid.

- c. Accrual will initially be at the rate of 22 days per year for employees at levels 1-6 and 27 days per year for employees at levels 7 and 8. After 5 years of employment, all employees will earn an additional 5 days of PTO. After 10 years of employment, employees at levels 1-6 will earn an additional 5 days of PTO.
- d. PTO should be recorded on employee timesheets for the amount of time (in hours or portions of hours) used by the employee.

**Use of accrued paid time off:** All pay to employees will be based upon timesheets which portray employees' presence at work, regardless of exempt or non-exempt status. Employees should submit a written request to take PTO to their supervisor at least one week in advance of the requested leave. Clearly, no agency can operate if staff is simply able to determine at will when they will take time off; rather, the needs of that employee must be weighed against the staffing needs and workload of the library. The supervisor, based on library needs and employee performance/attendance patterns, will approve or deny requests for PTO.

That said, if an employee calls prior to his or her report time and indicates illness as a reason for intended absence, the supervisor will consider that request in light of the day's staffing requirements and that employee's job expectations. In the case that the employee calls and seeks approval to take personal time off for the day or part thereof, the same deliberation shall occur. In any case, if the supervisor determines that the workload/staffing needs are such that the employee has to report to work, then the employee – if he or she insists on taking the time – will not be paid for the absence. If the time off is patterned or excessive, or before or after a paid holiday, then the supervisor may, at his or her discretion, require the employee to present a doctor's excuse for the time attributed to illness.

In summary, under this policy, an employee may opt to use all of his or her paid time off for approved recreational/vacation leave or for illness related absences. In either event, all paid time off must be approved in advance by the supervisor.

**Accrual limits:** Employees may accrue a maximum of 480 hours (12 weeks) of PTO. Once that amount has been accrued by the employee, no additional time shall be accrued until the total drops below the maximum amount.

**Payout limits:** To qualify for payout of any accrued PTO at the time of separation from employment, an employee must meet all of the requirements outlined in the "Employee Separation" policy set forth in this Handbook. At the time of resignation or layoff, no employee shall be paid more than 160 hours (20 days) of his or her accrued, unused leave, regardless of the total amount accrued. All additional time shall be forfeited. Any employee with fewer than 25 months of time worked will be paid a maximum of 10 days (80 hours) of his or her accrued time. All additional time shall be forfeited. Employees who are terminated for misconduct or who resign without two weeks' advance notice shall not be entitled to a PTO payout at the time of separation from employment.

**Conversion of Accrued Sick Leave and Vacation Time for the Library Employees Employed Prior to January 1, 2016:**

- a. Employees who have accrued vacation time prior to January 1, 2016 will have that vacation time credited to the new PTO account and that time may be used for any type of leave as explained above. Employees will continue to accrue PTO as outlined above.
- b. Employees who have accrued sick leave prior to January 1, 2016 will have until December 31, 2017 (two years) to use the accrued sick leave for absences due to illness. During that time, any time used for sick leave will be deducted from the sick leave bank and the employee will not have the absences charged to his/her PTO account. As of January 1, 2019, any sick leave remaining in the employee's sick leave account will be forfeited and the employees will use his or her PTO account for all absences (vacation, sick and personal time). Please note the following:
  - During this two-year grace period, any time charged to the sick leave account must be for illness-related absences; and
  - Sick leave absences must be reasonable. If an employee is using a significant amount of sick leave (e.g. more than three consecutive days or regular absences week after week), the employee's supervisor may require a doctor's note to explain the absence.

## **PAID HOLIDAYS**

In addition to PTO, full-time employees are eligible for 11 paid holidays each calendar year. This will be a combination of holiday closings approved annually by the Board of Trustees and floating holidays. The purpose of floating holidays is to allow individuals greater flexibility in scheduling their time off. Floating holidays must be scheduled in advance and must be approved at the discretion of the employee's supervisor based on the needs of the organization.

Floating holidays expire each calendar year. They do not carry over into the following year and employees will not be paid for unused floating holidays.

Part-time employees are not eligible for holiday pay. If the library is closed for a holiday on a day that the employee is regularly scheduled to work, the employee may submit a request to their supervisor to make up lost hours within that pay period. The approval to do so will be at the supervisor's discretion based on the needs of the organization.

## **BEREAVEMENT LEAVE**

All full-time employees who have completed their provisional period are eligible for up to three days of bereavement leave with pay at the time of a death in the employee's immediate family. The immediate family includes a spouse, parent, parent-in-law, child, son-in-law or daughter-in-law, sibling, grandparent, or other relative residing in the employee's household.

One day of leave with pay will be granted to attend the funeral of any other relative.

## **MILITARY LEAVE**

The Library complies with federal and state law regarding military service leave and employees' and employers' related rights and obligations. Your federally guaranteed employment rights and obligations with regard to military service are explained in the Notice posted in the common staff area at each location. You also have guaranteed rights and obligations in this regard under state law. Please see the Accounting Office for a copy of those certain rights and obligations.

Employees are urged to notify their immediate supervisor as soon as possible when they become aware that they will require military leave.

Full-time employees taking military leave are entitled to up to fifteen (15) days paid leave during their service. An individual's pay during this time will be based on the difference between the employee's base pay that he or she would otherwise have earned (up to a maximum of eight hours) and what he or she receives as compensation for serving. Evidence of any amounts received as compensation for military leave must be presented to the Accounting office.

## **MEDICAL LEAVE OF ABSENCE**

Full-time employees who have completed their introductory period and who have a prolonged illness are eligible for a medical leave of absence. A leave of absence will be granted upon a showing by the employee that he or she is temporarily disabled and unable to perform the essential functions of a job which is available. Such leave of absence will be granted without regard to the reasons for the disability or whether the disability is work related or non-work related.

An employee who anticipates an absence beyond ten working days should request a Medical Leave in writing. If an employee's leave totals more than twelve (12) weeks in any one year period, the employee may be terminated, subject to any reasonable accommodation obligations under the Americans with Disabilities Act.

Employees who are unable to return to work following a leave of absence or any extension thereof will be terminated. In the event that a terminated employee recovers and is again able to work, the employee may apply for employment and the employee's application will be considered in the same manner as any other applicants.

Leaves of absence for medical reasons will be without pay, though all accrued vacation and sick time will be paid out contemporaneous with the leave. Medical and life insurance will remain in effect during the twelve weeks of medical leave so long as employees continue to make their required employee contributions toward premiums. In the event of an extension of medical leave beyond twelve weeks, employees must reimburse the Library for the full cost of the premiums if they wish to continue coverage.

Medical leaves of absence are not considered a break in service for determining amount of PTO eligibility or length of continuous service. However, employees do not accrue or receive benefits such as PTO or floating holidays during a medical leave of absence.

Employees who return to work within one month of the commencement of the leave of absence will generally be returned to their former jobs. In rare cases where it is necessary to fill an employee's job during the first month of a leave of absence, the employee will be so informed and the employee will be guaranteed a job of similar status and pay. If the leave of absence extends beyond one month, every effort will be made to return the employee to a job of similar status and pay, but in some cases this may not be possible.

No leave of absence will be granted or extended unless medical verification of the need for a leave of absence acceptable to the Executive Director is presented. Likewise, upon completion of leave, the employee must submit a written statement from his or her treating physician stating that the employee is capable of assuming full-time duties. The Library reserves the right to require employees to be examined by a physician designated by the Library as a condition for approval of leave of absence, at any time during a leave of absence, and/or at the time the employee seeks to return to work. Employees who fail to properly follow library procedures for obtaining or verifying a leave of absence, who give the Library false or misleading information, or who refuse to be examined by a physician designated by the Library upon request are subject to disciplinary action up to and including immediate dismissal.

### **PERSONAL LEAVE OF ABSENCE**

There are occasions when an employee desires an extended period of leave from work beyond his or her entitlement to PTO. Such leaves may be granted, upon application, for personal reasons of compelling nature. Decisions on whether a personal leave of absence can be granted will be based on the employee's reason for the leave, departmental workloads, and the critical importance of the employee's current job assignment. No personal leave of absence will begin until an employee has exhausted his or her accrued PTO.

In cases of personal leave of absence, the Lancaster Public Library cannot ordinarily guarantee the employee a return to his or her job following expiration of the leave, though every effort will be made to effect such a return. If business conditions dictate, the employee will be returned to a job of similar status or pay. Personal leaves of absence are not considered a break in service for determining amount of PTO eligibility or length of continuous service. However, employees do not accrue or receive benefits such as PTO or floating holidays during a medical leave of absence.

### **JURY DUTY**

Full-time employees are eligible to serve when called for jury duty with no break in service or loss of benefits. An employee may serve on a jury without charging this service against PTO. An employee serving as a juror shall receive compensation equal to

his/her regular compensation less the amount collected for jury service unless the employee wishes to charge the jury duty to his/her PTO.

Employees will receive their regular paycheck during the time absent for jury duty. Arrangements must be made with the Executive Director to reimburse the library for all money earned for daily fees through serving on a jury. The employee may retain any allowance received for travel.

## **EXPENSE REIMBURSEMENT**

Employees are reimbursed for mileage while performing authorized Lancaster Public Library work if the use of their personal automobile is necessary. The rate of reimbursement is the federal mileage reimbursement rate. All travel must be pre-approved by the employee's manager.

In computing mileage for meetings, in-service training, and continuing education, the distance will be calculated from the employee's workplace to the destination, not from his/her home.

An employee will be reimbursed for travel to a branch that is not his/her principal place of employment. If the employee is notified at his/her home to report to another branch, s/he will be reimbursed the difference of the daily commute and the mileage to the special assignment, if that distance is greater than the daily commute. If staff are transferred to another branch, they are not reimbursed mileage.

Employees are responsible for all traffic tickets issued during the course of their work at the Lancaster Public Library.

Lancaster Public Library provides meal reimbursement to employees traveling on library business, subject to approval by the employee's manager based on a standard of reasonableness. There is no reimbursement for alcoholic beverages.

An employee who incurs travel expenses should complete an expense voucher and submit it to his/her supervisor. The report must include the date, purpose of the travel, destination, total miles, and the employee's and supervisor's signatures. Receipts must accompany claims for tolls, parking, or meals. Reports should be submitted within 30 days following travel.

## **EMERGENCY OR WEATHER-RELATED CLOSING**

In the event of an emergency, the Executive Director or his/her designee may determine that the library should close.

Full-time employees who were normally scheduled to work will be paid during the first three days of the emergency closing without charging vacation or personal leave. If the emergency closing goes beyond three days, management will reevaluate and make a determination regarding payment for time off.

The library's policy is not to close unless travel conditions are extremely hazardous. The Executive Director or designee will make all decisions on weather-related closings.

If the library is open, employees are expected to make a good effort to meet the responsibilities of their position. If an employee finds traveling to be too unsafe from his/her location, the employee may take the day off. A supervisor must be notified if the employee is not able to report to work on time, but employees will not be subject to discipline for late arrival. In this circumstance, employees who are eligible for PTO may charge any time they do not work to their PTO bank. Other employees may make arrangements to make up the time based on the needs of the library and with their managers' approval.

If the library has a weather-related or emergency closing on an employee's day off or previously scheduled vacation or personal day, that employee is not entitled to an additional day off.

Library closings are announced on WGAL.

## **STANDARDS OF CONDUCT AND EMPLOYMENT TERMINATION**

Termination of employment is an inevitable part of personnel activity with any organization and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

**Resignation:** Voluntary employment termination initiated by the employee.

Employees wishing to resign in good standing are asked to submit to their supervisor a written notice of resignation, providing the date of submission and the effective date of resignation.

The Library requests that all professional employees (Exempt) provide twenty (20) working days' notice. All non-professional employees (Non-Exempt) should provide ten (10) working days' notice, if possible.

All full-time and part-time employees who are eligible to earn paid time off will be compensated for any unused, accumulated paid time off upon resignation with adequate notice, subject to the limits contained in the PTO policy. Employees who resign without notice will not be compensated for unused PTO.

Absence without notice for three consecutive days will be considered abandonment of a position and, in effect, a resignation without notice.

Nothing in this policy is intended to alter the at-will employment relationship, and employees and the Library remain free to terminate the employment relationship at any time, for any reason, with or without notice.

**Job Elimination:** Involuntary employment termination initiated by the organization for non-disciplinary reasons.

Continuous employment is determined by the continuing needs for the employee's service in a specific position and the funding necessary to support that position. If a curtailment of activities or budget considerations eliminates the need for an employee's service in a specific position and if the employee's performance has been satisfactory, an attempt will be made to place that employee in another position if a vacancy is available.

If no position for the employee can be found, a termination of employment notice in writing will be given to the employee. Termination will be effective one month after the date of notice.

All full-time and part-time employees who are eligible to earn PTO will be compensated for any unused accumulated PTO upon job elimination, subject to the limits contained in the PTO policy.

Employees are responsible for all property, materials or written information issued to them or in their possession or control. Employees, on or before their last day of work, must return all the Library property. Where permitted by applicable laws, the Library may withhold from the employee's final paycheck the cost of any items that are not returned when required. The Library also may take all action deemed appropriate to recover or protect its property.

Employees leaving the Library employment may be asked to complete an exit interview. The Library views this process as having great value. Employees' points of view are an important source of self-evaluation for the Library. Departing employees are encouraged to be candid in the exit interview process.

## **Corrective Action and Dismissal**

Involuntary employment termination initiated by the organization, generally for disciplinary reasons. Compliance with these rules of conduct is important since a violation may result in corrective action up to and including dismissal. The following list is not intended to cover all situations but rather constitutes a partial list of the types of conduct that will result in corrective action:

1. Unsatisfactory job performance
2. Insubordination including, but not limited to, refusal or deliberate failure to follow instructions or library regulations
3. Excessive absenteeism or tardiness
4. Deliberate damage to library property or to the property of others located on library premises
5. Personal misconduct of a serious nature including, but not limited to: fighting, sleeping on the job, gambling on the library premises, and immoral or indecent conduct
6. Possession, concealment, sale, transfer, or use of intoxicating beverages or illegal drugs on library premises or reporting to work with the presence of intoxicating beverages or illegal drugs in one's bodily systems (except for the possession and use of alcohol upon invitation at library-sponsored events), or other violations of the drug and alcohol policy



7. Violation of the Weapons or Workplace Violence policies.
8. Theft of any library property or the property of other individuals
9. Unauthorized overtime
10. Removal of any library property or the property of other individuals from its proper place without authorization
11. Dishonest misrepresentation of material, omission of fact(s) on the employee's job application or resume, or during employment with the company,
12. Conduct which constitutes a violation of the equal employment opportunity or harassment policies,
13. Conviction for violation of any law constituting a felony including, but not limited to, theft, assault, and drug-related offenses
14. Violation of the library's policies and regulations including, but not limited to, the library's confidentiality policy
15. Conduct which has the appearance of or actually constitutes a conflict of interest with the library

Neither this employee conduct policy, nor any rule(s) contained herein should be construed to restrict in any way the library's right to terminate an employee's employment at will, with or without cause, and with or without notice.

Employees who have been dismissed for misconduct are not eligible for compensation for unused paid time off.

### **CORRECTIVE ACTION PROCESS**

Any employee conduct that, in the opinion of the Library, interferes with or adversely affects our services is grounds for corrective action. Supervisors will review with the Executive Director the process of disciplinary actions that will be used to respond to poor performance or misconduct.

In general, corrective action is normally taken in progressive steps as outlined below. However, CORRECTIVE ACTION MAY BEGIN AT A STEP OTHER THAN THE FIRST WARNING, as appropriate to the circumstances. Supervisors will maintain a log of disciplinary actions and file the log in the employee's employment record. This log should include the dates of each action, a summary of the conduct of the action and the employee's response, and the timetable for subsequent review and follow-up.

### **Warning**

Employees who have failed to observe a library rule or regulation, who have demonstrated poor performance of job responsibilities, or exhibited poor judgment or conduct in the workplace, shall receive an oral warning from the supervisor. This oral warning should clearly state the problems and the desired improvements. A mutually agreed upon plan for improvement should be discussed. A record of the oral warning will be included in the employee's personnel file.

If the desired improvements are not met, a warning written by the supervisor will be given to the employee. This step indicates a very serious problem exists – and it should be viewed accordingly. The supervisor should describe the unacceptable behavior and ask the employee to make a personal commitment to meet the desired standards of professional behavior.

## **Probation**

Failure of an employee to correct problems following a written warning will result in the supervisor placing the employee on probation. In addition, an employee may be placed on probation at any time as a result of poor performance, misconduct, or other failure to properly handle the responsibilities of the position and workplace.

The supervisor, in consultation with the Executive Director, will determine the length of probation. The supervisor and the Executive Director will establish a work plan with specific standards and a schedule for improved performance as a condition for continued employment. Both the supervisor and the employee shall sign the work plan.

At the end of the probationary period, the supervisor will complete an evaluation. Failure to demonstrate the attainment of satisfactory standards will result in termination of employment or a continued probationary period, at the discretion of the Supervisor and the Executive Director.

## **GRIEVANCES**

Recognizing the importance of the individual employee to the organization and the desirability of prompt consideration and disposition of problems affecting his/her status and welfare, the Lancaster Public Library has established the following policy for the orderly hearing and equitable handling of employee grievances.

**Eligible:** All employees who have completed their probationary period.

**Policy Applicability:** The procedures prescribed in this Policy shall be applicable to grievances arising from interpretation or application of policy.

**First Step - Immediate Supervisor:** An employee shall provide a written explanation of the grievance to his/her immediate supervisor, if available, within seven calendar days after knowledge of the grievance or reason for the grievance has occurred. The immediate supervisor shall attempt to resolve the grievance to the mutual satisfaction of both parties within seven calendar days after its presentation. If the employee does not proceed with the grievance to the second step within seven calendar days after receiving the immediate supervisor's decision, the grievance is considered satisfactorily resolved.

The immediate supervisor should be the first person consulted. If satisfaction is not received, the next level supervision is available. The employee should inform the immediate supervisor of plans to go to the next level of supervision.

**Second Step - Executive Director:** If a satisfactory settlement is not reached with the immediate supervisor, the employee can appeal the grievance, in writing, to the Executive Director within seven days after receiving the first step decision. The Executive Director shall review the grievance with the employee and immediate supervisor and render a written decision within ten calendar days after review.

The Executive Director's decision is final. Employees who believe they have been subject to illegal discrimination, harassment, or retaliation are welcome to bring their grievances to the Human Resources Committee of the Board of Trustees, in accordance with the other policies in this handbook.

## **CONFLICTS OF INTEREST**

Employees are prohibited from conducting business which presents an actual or potential conflict of interest. Employees should avoid undue outside influence upon decisions or actions required in the performance of one's work. Such influence may result in either "personal" or "unusual corporate" gain.

"Personal gain" may result when an employee, relative, friend, or ex-employee has significant ownership or responsibility in an outside firm which may result in a kickback, bribe, substantial gift, or special consideration. "Unusual corporate gain" refers to bribes, product bonuses, special fringe benefits, or unusual price breaks designed to ultimately benefit either the outside organization, its employee, or both.

No "presumption of guilt" is created by the mere existence of a special relationship with somebody in an outside firm. But whenever such a relationship exists, especially in the case of purchases or sales, it is imperative that the employee notify the Director of Accounting or the Executive Director of the situation so that safeguards against conflict of interest can be established to protect all parties.

A conflict of interest may also be created in the context of employees in familial relationships. Due to the potential for perceived or actual conflicts, the Library will hire or consider other employment actions concerning relatives of persons currently employed only if (1) candidates for employment will not be working directly for or supervising a relative, and (2) candidates for employment will not participate in decisions involving a direct benefit to the relative. Such decisions include hiring, retention, transfer, promotion, wages and leave requests. This policy applies to all current employees and candidates for employment. "Relative" is defined as one of the following: parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew, niece, first cousin, spouse, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, daughter-in-law, son-in-law, roommate, or domestic partner (or the close relative of same).

Employees attending events outside of the library on their own and not in an official capacity should make clear that their opinions are their own and they do not represent the library.

Violation of this policy will lead to disciplinary action, up to and including discharge and/or legal action.

## **SEXUAL HARASSMENT POLICY**

It is the policy of the Lancaster Public Library to maintain a working environment free from all forms of sexual harassment or intimidation. Sexual harassment by an employee or volunteer working for the Library of another employee, or volunteer, or patron using the Library will not be tolerated. Those violating this practice shall be subject to disciplinary action up to and including termination.

Based on Equal Employment Opportunity Commission (EEOC) interpretations of Title VII of the Civil Rights Act, it is illegal for any employee or volunteer, male or female, to sexually harass another employee, volunteer, or library patron by:

- Making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature, a condition of an individual's employment
- Making submission to or rejections of such conduct the basis for employment decisions affecting the employee's pay benefits or advancement opportunities
- Creating an intimidating, hostile, or offensive working or library environment by such conduct
- Retaliating against employees that complain about such behavior

Any employee, volunteer, or patron who believes that he or she has been the subject of sexual harassment or intimidation should report the alleged act immediately to his/her immediate supervisor or the Executive Director. If the employee is not comfortable reporting these concerns to the above, the employee should contact the chair of the Human Resources Committee of the Library's Board of Trustees. An investigation will be undertaken immediately. Appropriate corrective action, up to and including dismissal of the offending employee, will be taken to resolve all violations of this policy.

The Library recognizes that the question of whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a determination based on all facts in the matter. Instigating or spreading rumors of alleged sexual harassment or making false claims about an employee or library patron, are inappropriate, prejudice the investigation, and are grounds for disciplinary action up to and including termination. Employees, volunteers, and patrons must recognize the serious effects false accusation can have on innocent women and men. The Library trusts that all concerned will continue to act responsibly to establish a working environment free of discrimination.

## **WHISTLEBLOWER POLICY**

It is the policy of the Lancaster Public Library to comply fully with all laws and to conduct its business in an ethical and honest manner. The Library is committed to maintaining a workplace where employees, board members, consultants and volunteers are free to raise good faith concerns regarding improper activity or behavior which directly or indirectly involves the Library. Such improper activity or behavior includes, but is not

limited to, conduct or a pattern of conduct that falls into one or more of the following categories:

- (i) conduct that constitutes a violation of any federal, state or local law, regulation or ordinance;
- (ii) conduct that involves dishonest or otherwise improper behavior relating to accounting, internal audit controls or audit matters including but not limited to conduct that: (a) constitutes a violation of rules and regulations relating to auditing or financial reporting; (b) involves dishonest or otherwise improper behavior relating to accounting, internal audit controls or audit matters; and (c) constitutes a breakdown of or fraud in connection with internal audit controls.

The Library recommends and encourages any employee, board member, consultant or volunteer who acts in good faith and has a reasonable basis for believing that any improper activity or behavior has occurred to report such suspected improper activity or behavior to the Executive Director of the Library or any supervisor. All supervisors shall then forward all such reports to the Executive Director of the Library. Allegations involving the Executive Director of the Library shall be reported directly to any member of the Human Resources Committee of the Board of Trustees.

The Library expressly prohibits any form of retaliation, including but not limited to harassment, intimidation, adverse employment actions or any other form of retaliation against any individual who, in good faith and having a reasonable basis for doing so, reports any suspected improper activity or behavior in accordance with the terms of this Whistleblower Policy. Any individual who engages in any form of retaliation shall be subject to discipline, up to and including termination.

The Executive Director will conduct or designate other internal or external parties to conduct a full and fair investigation of the suspected improper activity or behavior. All reports of suspected improper activity or behavior will be investigated promptly and in a manner intended to protect confidentiality consistent with a full and fair investigation of the suspected improper activity or behavior and appropriate corrective action will be taken if warranted after the investigation. The party or parties investigating the suspected improper activity or behavior shall notify the individual who reported such suspected improper activity or behavior of their investigation and shall prepare a report of their findings, which report shall be presented to the Human Resources Committee of the Board of Trustees.

Employees who believe they have been retaliated against in violation of this policy are encouraged to report their concerns to the Executive Director or any member of the Human Resources Committee of the Board of Trustees.

## **DRESS CODE**

A library provides a public service and one of our primary goals is to maintain a welcoming, accessible environment in which people from all segments of the community feel comfortable and assured of efficient, courteous, and professional service. It is important that a staff member recognizes his/her role as a public relations representative of the library. In dealings with the public, both on and off the job, a staff

member must show respect and regard for the reputation of the library and other staff members.

As representatives of the library, all employees should be neat, well-groomed and dressed in job-appropriate attire, which reflects the library's interest in projecting a comfortable, yet business-like image. Employees should use common sense regarding work attire and refrain from wearing sloppy or overly provocative clothing to work.

Appropriate business/professional attire would, for example, exclude such items as:

- Clothing with rips, tears, or holes
- Clothing designed specifically for sporting activities (such as sweats, swimsuits, tennis outfits, etc.)
- Clothing more appropriate for evening or leisure wear (such as excessively short miniskirts, low cut, tank or halter tops, backless dresses, sheer clothing, etc.)
- Flip-flops – Please be conscious of safety issues regarding shoes that properly protect the foot in an office environment.
- Clothing with slogans or compromising language or pictures

When representing the library off site, appropriate business attire is expected.

This list is not inclusive. When in doubt, contact your supervisor or the library director.

### **SMOKE-FREE ENVIRONMENT**

To ensure the health and safety of employees and the public, the library is a smoke-free environment. Failure to comply with this policy will result in disciplinary action up to and including termination.

Library employees who wish to smoke may do so only in designated outdoor areas during their regular break periods.

### **COMPUTER, EMAIL, AND VOICEMAIL**

Computers, computer files, e-mail, voice mail, and software and related technology furnished by the Library for use by employees are intended for business use. The equipment, software, services and technology provided to employees through computers, telephones and e-mail are exclusive property of the Library and may only be used by authorized employees in compliance with this policy.

Employees have no expectation of personal privacy in computer files, e-mail and voice mail messages. The Library reserves the right to review computer files, e-mail and voice mail messages, and to monitor computer, e-mail and voice mail usage, at any time. On the other hand, official Library files, communications or other records are private and should only be viewed, retrieved, copied, stored or disseminated by employees who are authorized to do so. Employees should not use a password, access a file or retrieve any stored communication without authorization. Employees should never disclose access codes or passwords to any unauthorized person, including other employees.

The Library strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the Library prohibits the use of computers, e-mail and voice mail in ways that are disruptive or offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuses include, but are not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may reasonably be construed as harassment or showing disrespect for others. Computers, e-mail and voice mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations or other non-business matters.

The Library purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the Library does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple computers according to the software license agreement. Employees are prohibited from duplicating software and its related documentation without prior authorization from the software licensor. Employees must at all times comply with all terms of the software license agreements and applicable law.

Only software that has been approved for use by the Library may be installed or operated on the Library computers or equipment. Employees may not install or run any other software without the prior authorization and approval of the Library's Technology Coordinator. Only software that has an approved business purpose and which has been properly licensed for use on the Library's equipment will be approved for use. The Library reserves the right to examine and audit computers and other equipment at any time.

Employees should notify their immediate supervisor, the Technology Coordinator, or the Executive Director upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

## **INTERNET USAGE**

Internet access to global electronic information on websites and other resources is provided by the Library to assist employees in obtaining work-related data and technology. The following policy has been established to ensure responsible and productive Internet usage.

All Internet data that is composed, transmitted or received by our computer communications is subject to disclosure to Library Administration officials, law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet transmissions is accurate, appropriate, ethical and lawful.

The equipment services and technology provided to access the Internet remain at all times the property of the Library. As such, the Library reserves the right to monitor

Internet traffic and retrieve and read any data composed, sent or received through our on-line connections and/or stored in our computers. The Internet does not guarantee the privacy, security or confidentiality of information. The accuracy of information on the Internet should be considered suspect and should not be relied upon unless it has been obtained from a known accurate source or is independently verified.

Data that is composed, transmitted, posted, accessed or received via the Internet must not contain content that reasonably could be considered discriminatory, offensive, obscene, threatening, harassing, or intimidating to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation or any other characteristic protected by law.

The unauthorized use, installation, copying or distribution of copyrighted, trademarked or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees must strictly comply with the specific publisher's terms of use when viewing, downloading or otherwise using any information or other material on the Internet. Before downloading, copying or otherwise reproducing any material, employees are responsible for reasonably ensuring that the person posting or sending the material over the Internet has the appropriate distribution rights to that material.

To maintain and protect the security and integrity of the computers from viruses and unauthorized access, no executable or program files may be downloaded from the Internet, or any on-line service, without prior authorization from the Technology Coordinator. No downloaded files may be run on the system until the file is scanned and declared safe and virus-free (this includes screensavers, wallpaper, etc.) by the Technology Coordinator.

All employees will utilize passwords for access to the Internet and all computer files. Employees are responsible for keeping passwords secure. Generally, a good password is one that cannot be found in any dictionary. It should mean something to the user, but look like gibberish to others. Passwords should not be kept in an easily accessible location.

Abuse of the Internet access provided by the Library in violation of law or this policy will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

1. Connecting to the Internet through means other than those provided by the Information Technology Department.
2. Sending or posting discriminatory, harassing or threatening messages or images.
3. Using the employee's paid time and Internet access for personal gain.



4. Using electronic media for personal communications outside of scheduled break and/or lunch hour.
5. Stealing, using or disclosing someone else's code or password without authorization.
6. Copying, pirating or downloading software and other electronic files without permission.
7. Users may not disclose any confidential or proprietary the Library information without permission.
8. Violating copyright law.
9. Failing to observe licensing agreements.
10. Engaging in unauthorized transactions that may incur a cost to the Library or initiate unwanted Internet services and transmissions.
11. Sending or posting messages or material that could damage the Library's image or reputation.
12. Participating in the viewing or exchange of pornography or obscene materials.
13. Sending or posting messages that defame or slander other individuals.
14. Attempting to break into the computer of another organization or person.
15. Refusing to cooperate with a security investigation.
16. Sending or posting chain letters, solicitations or advertisements not related to business purposes or activities.
17. Using the Internet for political causes or activities, religious activities or any sort of gambling.
18. Jeopardizing the security of the Library's electronic communications.
19. Passing off personal views as representing those of the Library.
20. Engaging in any other illegal activities.
21. Spamming, (i.e., sending large amounts of information or sending repetitive messages designed to disrupt the normal flow of messages or overload machines/equipment on the Internet) is strictly prohibited.
22. Installing encryption software not approved by the Technology Coordinator or LSLC.
23. Violation of this policy.

Removing Access: Any person found abusing the privilege of the Library facilitated access to electronic media or services will be subject to disciplinary action, and in addition, risk having the privilege removed. Non-employee users found to be abusing privileges will be handled in a manner deemed appropriate by executive management, and in addition, risk having the privilege removed. All access will be permanently removed at the termination of a valid the Library business relationship.

All questions that you have regarding this policy should be directed to your supervisor.

## **WEAPONS**

This policy applies to all Lancaster Public Library employees, volunteers, contracted workers, vendors, clients, and visitors.

Possession and storage of a firearm on Lancaster Public Library property is prohibited except as required by the Pennsylvania Uniform Firearms Act (18 Pa.C.S.A. §§ 6101 et seq.) and the Pennsylvania Crimes Code (18 Pa.C.S.A §§ 101 et seq.).

The Lancaster Public Library reserves the right at any time and at its discretion to search employee property to determine violations to this policy. Each employee shall comply with this policy and searches in accordance therewith. The employee involved in an investigation shall cooperate and provide true and complete information.

## **Reporting Violations**

The employee shall contact his/her department head or the Office of Human Resources, if he/she witnesses or has knowledge of unauthorized firearms or weapons at the Lancaster Public Library. Emergencies shall be forwarded to 911.

## **Resolution**

Failure by an employee to comply with this policy may result in disciplinary action, up to and including termination of employment. Supervisors who are aware of unauthorized firearms or weapons on Lancaster Public Library property or who fail to respond promptly to a complaint of a violation of this policy may be subject to disciplinary action up to and including termination of employment.

Further, violations of the Pennsylvania Uniform Firearms Act or the Pennsylvania Crimes Code may result in criminal charges.

## **WORKPLACE VIOLENCE**

Workplace violence is any intentional conduct that is sufficiently severe, offensive, or intimidating to cause an individual to reasonably fear for his/her personal safety or the safety of his/her own family, friends, and/or property, such that employment conditions are altered or a hostile, abusive, or intimidating work environment is created for one or several Lancaster Public Library employees. Workplace violence may involve any threats or acts of violence occurring on Library premises, regardless of the relationship between the parties involved in the incident. It also includes threats or acts of violence that affect the interests of the Library or that may lead to an incident of violence on Lancaster Public Library premises.

Threats or acts of violence occurring off Lancaster Public Library premises involving employees, agents, or individuals acting as representatives of the Library, whether as victims of or active participants in the conduct, may also constitute a violation of this policy. Specific examples of conduct that may constitute threats or acts of violence under this policy include, but are not limited to, the following:

- Threats or acts of physical or aggressive contact directed toward another individual;
- Threats or acts of physical harm directed toward an individual or his/her family, friends, associates, or property;
- Aggressive, elevated verbal behavior;

- Possession of an unauthorized weapon (see Weapons Policy) or inappropriate use of an authorized weapon while on Lancaster Public Library property or while on Lancaster Public Library business;
- The intentional destruction or threat of destruction of Lancaster Public Library property or another employee's property;
- Harassing or threatening phone calls, text, and/or other electronic messaging;
- Surveillance;
- Stalking;
- Veiled threats of physical harm or similar intimidation; and
- Any conduct resulting in the conviction under any criminal code provision relating to violence or threats of violence that adversely affects the Lancaster Public Library's legitimate business interests.

The Lancaster Public Library strives to maintain a safe and violent-free environment. It is expected that employees treat co-workers, supervisors, customers, vendors, and visitors with respect and dignity at all times. Reports of threats of violence and violent actions will be taken seriously, investigated, and resolved to restore the workplace to one free of violence.

## **DRUG AND ALCOHOL POLICY**

### **Statement of Intent**

It is in everyone's interest to maintain a workplace which is free from the presence of alcohol, drugs or other intoxicating substances and free from the impairments associated with alcohol or drug usage. Concerns with respect to employee safety, employee health and the safety of our patrons require that the Library take an active approach to the resolution of suspected or identified substance abuse situations. In order to protect the safety of its employees and patrons, the Library must maintain and enforce rules and regulations. The Library will discipline employees for violation of its policy on drugs and alcohol or for other appropriate work-related reasons.

### **Scope**

Employees will be tested for the following controlled substances: marijuana, cocaine, opiates, amphetamines and phencyclidine. Employees will also be tested for alcohol.

An employee may use a substance administered by or under the instructions of a physician who has advised the employee that the substance will not affect the employee's ability to perform his or her position or affect the safety of the employee or others in the workplace.

### **Testing Conducted**

1. Reasonable Suspicion: Situations will present themselves when Managers/Supervisors will have a reasonable suspicion that an employee's performance is being impaired as a result of substance abuse, which may occur either on or off the job. Reasonable suspicion may exist by virtue of: (a) an employee's visible impairment on the job; (b) an objective evaluation

of an employee's declining productivity, quality of performance or attendance; or (c) a work-related accident or injury, or following an unsafe act; (d) otherwise unexplainable behavior by an employee; or (e) other objective signals.

In these situations, the Library may require employees to undergo testing for alcohol and controlled substances. Where employees refuse such testing they will be subject to disciplinary action, up to and including termination.

2. Post-Accident Testing: Employees who are involved in a work-related accident or injury resulting in off-site medical care may be required to undergo immediately controlled substance and alcohol testing. Employees may also be subject to drug and alcohol testing if they are involved in a property damaging accident or incident. Refusal to undergo post-accident testing will result in disciplinary action, up to and including termination.
3. Return-to-Duty Testing and Follow-up Testing: Any employee who returns to work after a positive alcohol or drug test or who tests positive for a controlled substance and/or who undergoes a rehabilitation or treatment program must undergo follow-up testing at periodic intervals as determined by the Library. Such testing will occur up to three times following the first 12 months an employee returns to work. Follow up testing will not exceed a period of 12 months.

## **Prohibited Conduct**

The following shall be considered prohibited conduct:

1. The use or possession of alcohol or a controlled substance by an employee on Library premises, except where explicitly authorized due to a library-sponsored event. Possession includes any situation where the employee exercises control over the controlled substance or alcohol, including carrying the item on his or her person, in a company office, or consumption on company property.
2. The distribution of or receipt from others of any item listed within the scope of this policy while on the Library's premises, except where explicitly authorized due to a library-sponsored event.
3. The use of a controlled substance or alcohol while off duty, if an employee reports to work with the presence of the item in his/her bodily system, whether or not it demonstrably impairs the employee's performance or the employee is demonstrably impaired while working.

## **Consequences**

If an employee engages in any of the prohibited conduct, the consequences of that action will be appropriate disciplinary action up to and including termination. Although the Library may offer help to employees with their substance abuse problems, nothing in this policy will insulate an employee from discipline for poor work performance or attendance problems which may have been induced by drugs or alcohol.

## **Testing and Test Results**

The Library will employ a breath alcohol or blood test for purposes of alcohol testing and a urine screen for purposes of controlled substance testing. Proper chain of custody will be followed in handling a sample. In all cases, the Library and its designated collection sites shall utilize procedures for collecting urine specimens which allow individual privacy; unless there is a reason to believe that a particular individual may alter or substitute the specimen to be provided. No test will be performed on any blood or urine sample other than a test to determine the presence of controlled substances or alcohol. The Library will not use any such tests to gather medical information about an employee or applicant other than use of alcohol or controlled substances as defined in this policy.

The results of the testing will become part of the employee's medical file, but not the employee's personnel file. The employee will be provided with the written results of the tests upon request.

The Library respects the confidentiality of test results. Only those management personnel with a need to know will be provided access to test information.

## **Employee Cooperation**

Failure of any employee to undergo controlled substance and alcohol testing when required under this policy will be considered insubordination and will subject the employee to discipline up to and including immediate discharge. Efforts by employees to "beat" the test by any method including substitution, diluting, or altering urine will result in immediate discharge.

## **Amendment of Policy**

The Library reserves the right to alter, abolish or amend this policy and any other term or condition of employment at any time without the consent of its employees. The adoption of this policy and the provision of any benefit hereunder does not create a contract of employment for a specific term nor does it imply any right to continued employment.

## **Reservation of Rights**

Nothing in this policy should be construed to prohibit the Library from its responsibility to maintain a safe and secure work environment for its employees or from invoking such disciplinary actions as may be deemed appropriate for actions of misconduct by virtue of their having arisen out of the use or abuse of alcohol or drugs or both.

## **SOCIAL MEDIA POLICY**

Library employees have the same right to self-expression enjoyed by members of the community as a whole when discussing matters of public concern. Library employees are cautioned that speech made pursuant to official duties is not protected speech under the First Amendment and may form the basis for discipline if deemed a violation of any policy of the Library. Employees should keep in mind the following best practices when posting content about library-related subjects and issues on personal time.

- If you identify yourself as an employee of the Library, make it clear that the views expressed are yours alone and do not represent the views of the Library
- Respect the Library's confidential and proprietary information. Do not post information that is still in draft form or is confidential.
- Always be fair and courteous to patrons and fellow staff. Avoid using statements that could be viewed as malicious, obscene, threatening, or intimidating, that disparage patrons, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or library policy. Never post an unauthorized photo or identifying information regarding a patron on a social media site.
- The Library does not endorse, monitor or review the content of personal, non-Library related social media activity of its employees.
- Employee use of personal social media is not permitted during working hours except for work-related purposes such as professional development or library-related social media outlets.