North Valley Public Library Personnel Policy

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INTRODUCTION

Welcome

Welcome to North Valley Public Library District employment and your important role in forwarding the mission of the Library to strengthen and support our community by:

- fostering a welcoming and comfortable setting for all people to gather, explore, and discover;
- promoting literacy and lifelong learning;
- and providing exemplary programming, service and quality, timely materials.

This Handbook is a general reference which will assist you in becoming familiar, as quickly as possible, with benefits and services available to you as a Library employee and the policies and standards covering your employment.

Nothing in this Handbook should be construed as an expressed or implied employment agreement. We cannot anticipate every situation or answer every question about employment, and this Handbook is designed to provide guidance only.

Statement of Management Rights

In order to achieve its mission, goals and objectives, the Library retains the exclusive right to exercise the customary functions of management. These include, but are not limited to, the rights to manage and control Library buildings, property, grounds, and equipment; to contract out work; to select, hire, promote, assign, layoff, and discipline employees; to determine and change starting times and quitting times; to transfer employees within programs/services to other departments and other classifications; to train employees; to determine and change the size, composition, and qualifications of the workforce; to establish and adopt new policies, rules and regulations; to determine and modify job descriptions and classifications; to establish or change criteria for performance appraisals according to the performance appraisal policy; and to carry out all other ordinary functions of management.

Severability Statement

If any part of this Handbook is found to be unenforceable, invalid, or in conflict with the law, the other provisions of this Handbook are still applicable and valid.

Changes to Personnel Policies and Procedures

The Library provides all employees with general information regarding employee benefits and established personnel policies and procedures through the issuance of this Handbook. However, it is not a contract and is subject to change at any time. Policies and procedures shall be added to, updated, or deleted as determined appropriate by the Library. The Library specifically reserves the right to repeal, modify or amend these policies at any time, with or without notice. The policies are also not to be interpreted as promises of specific treatment.

Public Employee and Ethics[1]

North Valley Public Library employees will conduct their duties for the benefit of the people of the library district. Two main principles apply to conduct: public trust and public duty. Public employment is a public trust created when the public places its confidence in the integrity of public employees.

As a public library employee you must be identifiable to the public. You are required to wear a name tag with your full name and job title during hours open to the public.

Upon being hired you are entered on the State of Montana library directory. Your full name, title and picture are also on the library's website.

Your name may be submitted to the local newspaper as an employee of the North Valley Public Library on marketing pieces, letters to the editor, or legal notices. Emails are subject to public disclosure. Montana has a very broad public records law. Most written communications to or from the North Valley Public Library regarding Library business are public records available to the public upon request.

[1] See also the North Valley Public Library's *Ethics, Gifts & Conflict of Interest Policy for Trustees, Employees, & Volunteers* policy

PERSONNEL POLICY EMPLOYEE ACKNOWLEDGEMENT FORM

It is expressly understood that the policy manual for the North Valley Public Library District does not constitute a guarantee of employment or promise of any kind. The North Valley Public Library District, in its sole discretion, may direct, hire, promote, transfer, assign, and retain employees; supervise, discipline, and relieve employees from their duties; determine and change hours of work, shifts, and methods of operation; establish change or abolish its policies, practices, rules, and regulations.

It is understood that the policy manual is issued to inform employees regarding the operating policies of the North Valley Public Library District. The policy manual may be changed from time to time at the sole discretion of the North Valley Public Library District, and is to be used as a guide for the North Valley Public Library District employees in the performance of their duties. Violations of the policies set forth in this manual may result in disciplinary action.

By signing this statement, the employee acknowledges reviewing the North Valley Public Library District policy manual and that the employee is responsible for complying with the terms and conditions contained herein. The employee further acknowledges that this form will be placed in their personnel file.

Signed _____ Date _____

Print Name _____

Position _____

Effective Date of Employment _____

Attest:

Supervisor _____ Date _____

EMPLOYMENT POLICIES

Equal employment opportunity

The Library is an equal employment opportunity employer (EEO). The Library does not refuse employment or discriminate in compensation or the other terms, conditions, and privileges of employment based upon race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, or veteran's status. The Library does not tolerate discrimination or harassment because a person is married to or associates with any of these protected categories.

The Library shall follow all federal and state laws and regulations prohibiting discrimination.

Preventing Harassment and Discrimination

The Library's policy is to provide employees with a work environment free of discrimination and harassment. Harassment of employees and any patrons because of a person's race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, or veteran's status is illegal and prohibited. Discrimination is a violation of civil rights law and is a prohibited practice subject to disciplinary and civil action.

A. Employee's Responsibilities

The Library will not tolerate sexual harassment or discrimination of any kind. All employees are encouraged to immediately report any such misconduct or violation to the Director or the first level of employees-in-charge not involved in the harassment or discrimination, or the Board of Trustees. Employees who are responsible for harassment or discrimination may be subject to disciplinary action, up to and including termination. Sexual harassment or other illegal discrimination can result in immediate termination if an investigation substantiates it. The severity and extent of the harassment will ultimately guide the decision on how discipline will be determined.

B. Management's Responsibilities

The Director and employees-in-charge are responsible for following this policy. Members of management who witness discrimination shall immediately take steps to stop the behavior, document the actions, and report the behavior. Management shall review any report or complaint of harassment or discrimination and take appropriate action.

C. What Constitutes Harassment

Sexual harassment may include a range of subtle or not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature when, for example:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or

3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws.

Other protected categories can also be harassed. The Library strictly prohibits harassment on the basis of any other protected characteristic. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, veteran's status, or any other category protected by law or that of his or her relatives, friends, or associates, and which:

1. has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
2. has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and/or written or graphic material that denigrates or shows hostility or aversion toward an individual or group and which is placed on walls or elsewhere on the employer's premises or is circulated in the workplace.

D. Reporting Procedure

1. Employee's Responsibility

An employee who believes he/she has been the victim of harassment or discrimination should report the incident or action as soon as possible after the alleged incident occurs. Early reporting is important, because management's ability to investigate and act on reports diminishes with time. Employees may bring reports to the attention of any of the following:

- the harasser, and the employee can request that the action stop immediately; and/or
- the immediate Director or the first level of management not involved, Board of Trustees.

The employee shall cooperate with the Director, or other designated representative in investigating and verifying the report.

2. Management's Responsibility

Any employee who witnesses or receives a report of harassment or discrimination shall promptly inform the next level up. Upon receipt of a complaint alleging harassment or discrimination, the Director or employee-in-charge shall take steps to prevent the alleged conduct from continuing, pending completion of an investigation.

The Director or employee-in-charge shall initiate an investigation or recommend another appropriate management representative to investigate the complaint. The Library has the right to designate a representative of its choosing to perform any investigation. The factual report and final decision will remain confidential and be disseminated to only those persons having a need to know. The parties will be informed of the general results of the investigation. If the results establish that a policy violation occurred, appropriate action may be taken including, but not limited to, disciplinary measures, which may include termination.

E. Retaliation

Neither the Library nor any employee shall retaliate against any employee for filing a complaint or for participating in any way in a complaint investigation procedure under this policy. Any employee who suspects he/she is being retaliated against because he/she made a complaint or participated in an investigation should immediately report the actions, following the guidelines above. The report shall be investigated and dealt with appropriately.

All employees have the right to make a complaint under this policy, either internally or to an outside agency. It is unlawful for the Library to retaliate against any employee for making such a complaint. The Library will not retaliate against any employee for making such a complaint whether the complaint is eventually substantiated or not. To be retaliation, the adverse employment action must be because the employee submitted a discrimination complaint, and not due to any valid performance concerns or policy violations by the employee.

Examples of retaliation could include:

- Reprimanding an employee or giving a performance evaluation that is lower than it should be;
- Transferring an employee to a less desirable position;
- Engaging in verbal or physical abuse;
- Threatening to make, or actually making reports to authorities;
- Increasing scrutiny;
- Spreading false rumors, treating a family member negatively; or
- Making the person's work more difficult.

Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a colleague, or negative comments that are justified by an employee's poor work performance or history.

Employees are not excused from continuing to perform their jobs or follow the Library's legitimate workplace rules just because they have filed a complaint or opposed discrimination.

Any employee that believes they have been retaliated against should report their concerns immediately to the Director, an employee in-charge, or the Board of Directors. The matter will be investigated and the Library will respond accordingly.

False and malicious complaints of harassment, discrimination, or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

Compliance with the Federal Genetic Information Nondiscrimination Act of 2008 (GINA)

GINA prohibits discrimination based on genetic information with respect to employment or group health plans. Library managers may not request, require, or purchase genetic information about employees or their family members, or use genetic information to:

- discriminate against an individual in hiring, discharge, compensation, terms, conditions, or privileges of employment;
- make decisions about admission to apprenticeship and training programs, including on-the-job training;
- limit, segregate, or classify an individual;

- fail or refuse to refer an individual for employment;
- deprive an individual of employment opportunities; or
- acquire health insurance or set premiums under the group health plan.

Compliance with the Americans with Disabilities Act (ADA)

The Library is committed to complying fully with the Americans with Disabilities Act (ADA) and Montana Human Rights Act (MHRA). The Library will ensure equal opportunity in employment for qualified persons with physical or mental disabilities. Reasonable accommodation is available to employees with disabilities to the extent required by law. An accommodation which creates an undue hardship on the Library or which endangers health or safety is not a reasonable accommodation.

Any employee or job applicant may request an accommodation by contacting the Director verbally or in writing. A request for accommodation is the first step in an interactive process between the individual and the Library, to clarify the individual's request and to identify any appropriate reasonable accommodation. The Library has the right to request reasonable documentation to support any accommodation request.

Whistleblower Protections

Neither the Library, nor any employee shall retaliate against, condone or threaten retaliation, against any employee who, in good faith, alleges waste, fraud, or abuse by the Library. For this section, retaliate means to take any of the below actions against an employee because of their good faith allegations of waste, fraud, or abuse:

- Terminate employment;
- Demote;
- Deny overtime, benefits, or promotion;
- Discipline;
- Decline to hire or rehire;
- Threaten or intimidate;
- Reassign to a position that hurts future career prospects;
- Reduce pay, work hours, or benefits; or
- Take another adverse personnel action.

Any employee who believes they have been retaliated against under this section and chooses to file a grievance must file one as outlined in Employee Grievance herein.

Nepotism

Nepotism is defined in state statute. In general, it prohibits the hiring and appointment of individuals within certain familial relationships. The Library prohibits nepotism. If an employment situation relating to marital status poses a conflict with the nepotism policy, the involved employees must notify the Director so that reasonable steps can be instituted to ensure statutory compliance.

Probation period

It is the policy of the Library that new employees shall complete a probationary period. The purpose of a probationary period is to provide a trial period to assess employees' abilities to perform their job duties, to assess their conduct on the job, and to determine if they should be retained beyond the probationary period and attain permanent status. All new employees shall be given a twelve-month probationary period**.** The Library may choose to extend an employee's probationary period by three

months. If the probationary period will be extended, the employee shall be notified of this in writing prior to the expiration of the initial probationary period.

At the end of the 12-month probation period, incoming employees, shall prepare a self-evaluation, and meet with the director regarding accomplishments, performance, training, difficulties etc.

After probation has been satisfactorily completed, the employee is considered a permanent employee. This policy does not apply to temporary staff, short-term workers, or contractors, who cannot attain regular status.

The provisions of the Employee Grievance section of this Handbook do not apply to probationary employees. If an emergency arises during an employee's probationary period which requires a leave of absence, such time off, if granted, shall not be considered as time worked.

New employee procedures

A background check will be conducted on all finalist applicants before offering them employment at the library.

All new employees shall be scheduled to meet with the appropriate supervisor on their first day of work for general orientation, to complete enrollment forms and to begin training.

Each new employee shall be provided information on employee benefits and library policies and procedures.

Performance appraisal & coaching meetings

Employees and supervisors should keep an ongoing dialog about all aspects of the job. Frequent informal feedback is more effective than annual reviews. In addition, the Library shall have the option of providing a performance appraisal system for use as part of its documentation in personnel decisions. Preceding a performance appraisal meetings employees will be required to fill out a self-evaluation reviewing job description, reviewing the standard operating procedures and policies, areas of achievements and goals etc. The primary purpose of an employee performance appraisal system is to provide an opportunity for the employee and the supervisor to discuss the employee's job performance during the preceding evaluation period and to communicate job goals and objectives. Performance evaluations may be used to assist in decisions affecting promotions, demotions, dismissals, layoffs, reemployment, salary increases, and training. An employee with unsatisfactory performance will be provided a specific plan for corrective action. The contents of a performance appraisal are not grievable. Employees who disagree with an appraisal have the right to submit, within ten working days of receipt of the appraisal, a written rebuttal, which will be attached to the appraisal document.

Employee Discipline

Library employees are subject to disciplinary action up to and including dismissal from employment. This may include informal and/or formal disciplinary actions, depending on the circumstances. This policy applies to employees who fail to perform job duties in a satisfactory manner, disrupt Library operations or violate the Library's procedures, policies, rules, or performance standards, or for any other legitimate business reasons. The following procedures shall apply:

A. Discipline shall be commensurate with the seriousness of the offense. For example, the Library at its discretion, may utilize a verbal warning before more severe disciplinary action is taken. However, more significant disciplinary action, up to and including dismissal, can be taken for offenses without having prior verbal or written counseling, based on the severity of the offense. Before taking action, management shall investigate and examine each case individually, considering the impact of the offense, the extent of the damage or disruption caused, and the circumstances of the offense.

B. Each of the following disciplinary actions is independent of the others and does not necessarily follow in the order listed. Consequently, an employee may be suspended without having been given a warning, or may be dismissed without having been either given a warning or suspended.

1. Corrective counseling by a supervisor is an informal action that may be used at the option of management prior to or in addition to formal discipline to deal with performance deficiencies or misconduct. It is not part of formal discipline and is not grievable.

2. A verbal warning consists of the supervisor outlining the unsatisfactory job performance and the corrective measures that the employee needs to take. It is not part of formal discipline and is not grievable.

3. The written warning should contain a description of the specific conduct for which the employee is being disciplined. Employees may provide a response to a written warning which will be attached to the warning and included with it in their file.

4. A suspension without pay is for a specific work period. An employee who is suspended is to leave work for the period specified. A disciplinary suspension must include a description of the specific conduct or reason for which the employee is being suspended, and should be documented by the supervisor. Employees may provide a response to a suspension which will be attached to the documentation and included with it in their personnel file.

5. The Library retains the right to reassign (e.g., demote or transfer) an employee in conjunction with a corrective or disciplinary action (i.e., as an alternative to termination). A disciplinary demotion must include a description of the specific conduct or reasons for which the employee is being demoted or transferred, and should be documented by the supervisor. If appropriate, a disciplinary demotion or transfer may include a plan for improvement.

6. A dismissal may not take place until an investigation of the employee's actions has been undertaken and substantiated by the person investigating. The Board of Directors must approve dismissal of employees with more than five years employment with the Library.

If a disciplinary decision is termination, the department head shall, at discharge or within seven days of the date of discharge, notify the discharged employee of the existence of the Library's Employee Grievance policy and procedures, and provide the discharged employee with a copy of the policy, as set forth below.

Immediate suspension for serious offenses

Immediate removal of an employee from the job may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job, or other actions deemed inappropriate by the library director. An employee may also be discharged after repeated offenses of a

less serious nature, if the offenses have been documented by the library director and appropriate behavioral changes have not resulted from previous progressive disciplinary action.

The original copy of the disciplinary action, with a notice of the charge and an explanation of the evidence, is to be signed by the employee and placed in the employee's personnel file. The employee shall be given the opportunity to respond in writing as to why the proposed action should not be taken and may elect to follow the grievance procedures outlined in this policy.

Safe Workplace

North Valley Public Library employees have the right to work in an environment free from physical violence, threats of violence or intimidation. This type of behavior undermines work relationships, hampers productivity and causes unnecessary stress. North Valley Public Library expects each employee to perform his/her job without violence, threats to or intimidation of other individuals in the workplace. An employee who believes he/she has been the victim of workplace intimidation should report the incident to their immediate supervisor or the first level of management not involved. North Valley Public Library will not, in any instance, tolerate intimidating behavior by coworkers, patrons, volunteers, or Library Trustees. Employees found to be in violation of this will face disciplinary action, up to and including termination. Patrons in violation will be asked to leave the premises. If an employee of the North Valley Public Library has been the victim of workplace intimidation by an elected Trustee or volunteer a written complaint shall be presented to the entire Board. If a satisfactory resolution cannot be found internally an impartial mediator will be consulted.

Employee Grievance

It is the policy of the Library to treat all employees equitably and fairly in matters affecting their employment. It is also the policy of the Library to provide employees who have attained permanent status an opportunity to resolve certain complaints/problems in relation to their job without fear of reprisal. The purpose of this policy is to secure, at the lowest possible administrative level, equitable solutions to grievances that may arise.

Nothing contained herein should be construed as limiting the right of any employee to discuss any matter informally with an appropriate member of management. Every effort should be made to settle a grievance informally before a formal grievance is filed. For complaints alleging discrimination, employees should use the Reporting Procedure outlined in Preventing Harassment and Discrimination herein.

A. Acceptable Reasons for Filing Grievances

An employee may file a grievance based on the application or interpretation of laws, written rules, and personnel policies and procedures which adversely affects the employee, unless such action is specifically prohibited in policy.

B. Preparing and Pursuing Grievances During Working Hours

An employee may not use paid working time to prepare and/or pursue a grievance. A grievant may request to use personal leave or leave of absence without pay to prepare a grievance. A request for use of personal leave or leave of absence without pay must be consistent with the Library's policy on leave requests. Time spent by the grievant attending a hearing or being interviewed by an investigative officer is considered paid working time, should take place during the grievant's regular work hours, and shall not exceed eight hours per day.

At the discretion of the Library, an employee other than the grievant may be allowed to use work time to participate in an investigation or hearing. This time would be considered paid working time if the employee's participation is at the request of the Library. Otherwise, an employee will need to request to use personal leave or leave of absence without pay to attend a hearing. All leave requests must be consistent with Library policy regulating leave.

C. Grievance Filing Procedures

An employee must begin Step 1 of the procedure within ten working days of his/her knowledge of the situation.

Step 1. Informal Resolution. Employees should try to resolve their grievance informally whenever possible by discussing the situation and relevant information with the Director.

Step 2. Submission of Formal Grievance to Director. If the employee does not resolve the matter under the informal process, he/she should file a formal written grievance with the Director within ten working days from the Director's response to the attempt at informal resolution. In the grievance, the grievant must sign, date, and specifically state the law, rule, policy and/or procedure at issue; the date when the event happened; and what resolution he/she would like. The Director should respond in writing within ten working days after receiving the formal grievance. If the employee does not accept the Director's response or there is no response from the Director within the ten-day period, the employee may then, within five working days, advance the grievance to Step 3.

Step 3. Submission of Grievance to Board of Directors. For a grievance not resolved in accordance with Step 2 above, the employee may prepare and file a formal grievance with the Board of Directors within five working days. The grievant must sign, date, and specifically state the law, rule, policy and/or procedure at issue; the date when the event happened; and what resolution he/she would like. The Board of Directors must respond in writing within 15 working days. The Director will provide the documentation of the informal process to remedy the issue, and the Board may hold hearings and interview the grievant and respondent separately before rendering their final decision. The Board shall comply with Montana's Open Meeting law during the grievance process and shall ensure that the public "right-to-know" mandate is preserved. If personal privacy issues or concerns about personnel issues arise, the Board reserves the right to meet or deliberate in closed session to protect and preserve those rights in accordance with the provisions of Montana's Open Meeting laws.

The decisions of the Board of Trustees in the appeal to grievance resolution shall be final and considered non-reviewable.

At any step, the employee and the Library can modify the time periods stated herein if done so by mutual agreement and placed in writing.

The Library does not tolerate any form of retaliation against employees availing themselves of this policy and procedure. However, this policy does not prevent, limit, or delay the Library from taking disciplinary action up to and including termination, when appropriate.

Employee termination

Voluntary Termination or Resignation

Due to the size of the staff, the Library requests employees give as much notice as possible. Employees with administrative functions or hours 36 and above should give at least four weeks (28 full days) written notice. Other employee wanting to leave the Library in good standing shall provide a **minimum** of two weeks (14 full days) written notice. The resignation letter shall include the reason for leaving as well as the proposed effective date. Two weeks' notice is understood to mean that the resigning employee will be available for work during this time. Failure to provide two weeks' advance notice is not leaving in good standing and may result in ineligibility for reemployment.

Probationary termination

Probationary employees may be terminated at any time without cause and without the right of appeal. Notification of dismissal in writing shall be provided the probationary employee and a copy filed in his/her personnel file.

Discharge

Discharge, the immediate removal of an employee from the job site, may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job or other actions deemed inappropriate by the administration. An employee may also be discharged after repeated offenses of a less serious nature if the offenses have been documented and appropriate behavioral changes have not resulted.

Reduction in Workforce/Layoff

Layoff is termination of an employee for lack of work, lack of funds or other changes that have taken place. The Library shall provide the employee with at least two weeks' advance notice prior to layoff, except in cases of emergency. An employee on layoff shall keep the Library informed of the address and telephone number where the employee can be contacted. The Library's obligation to recall an employee shall cease if the Library is unable to contact the employee within 7 calendar days. The Library shall have no obligation to recall an employee after the employee has been on continuous layoff for a period of one year. Should an employee not return to work when recalled, the Library shall have no further obligation to recall the employee.

If a reduction in the workforce is necessary the following apply:

Deciding Factors for Permanent Employees

Permanent employees within the same job classification, department, and geographical area affected by the reduction in force will be evaluated for layoff based on program requirements, the employee's skills and qualifications necessary to meet these requirements, and other factors (e.g., other alternatives such as reduced work hours, furloughs, or employee seniority). Employee skills and qualifications may include education, experience, certification, and capabilities in relation to the continuing needs of the department or program; and employment history may include previous performance and disciplinary actions. If there is no documentable difference in employment history factors, an employee's length of continuous employment with the Library shall be used as the criterion for retention, with the most senior employee being retained. "Continuous employment' means working within the same jurisdiction without a break in service of more than five working days or without a continuous absence without pay of more than 15 working days.

Veterans' Preferences

A veteran, disabled veteran, or eligible relative shall be retained over other employees with similar job duties and qualifications and the same length of service. A disabled veteran with a service-connected

disability of 30% or more shall be retained over other veterans, disabled veterans, and eligible relatives with similar duties, qualifications, and length of service. The preference in retention does not apply if a performance appraisal system is being used and the eligible employee has been rated unacceptable. (MCA 39-29-111). The preference in retention does not apply to a position covered by a Collective Bargaining Agreement.

Return of Library Equipment

Employees are responsible for all Library property, materials, equipment, and written/digital information issued to them or in their possession or control. Library employees must sign the Equipment Form (Appendix A herein) before they are issued any Library property. Any Library equipment or property issued to employees including, but not limited to, laptops, cell phones, pagers, computer equipment, keys, credit cards, digital files, or physical files must be returned to the Library upon request or at the time of termination. Where permitted by applicable laws, the Library may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The Library may also take all action deemed appropriate to recover or protect its property.

Employees are also accountable for equipment located in their work area. Employees should report any missing equipment immediately to the Director. Whenever equipment is moved from one location to another or when new equipment is acquired, follow the appropriate inventory documentation procedures.

Termination pay

When employment ends, all unpaid wages of the employee are due and payable on the next regular payday.

An employee who has passed the 90-day qualifying period and who terminates employment with the agency is entitled to a lump-sum payment equal to one-fourth of the pay attributed to the accumulated sick leave Montana Code 2-18-618 (6).

Montana Code 2-18-617(2) (a) An employee who terminates employment for a reason not reflecting discredit on the employee and who has worked the qualifying period set forth in 2-18-61 is entitled upon the date of termination to either:

(i) cash compensation for unused vacation leave if the employee is not subject to subsection (2)(a)(ii); or

(ii) conversion of the employee's unused vacation leave balance to an employer contribution to an employee welfare benefit plan health care expense trust account established pursuant to 2-18-1304.

Personnel records

An employee's personnel file is the official library record of employment. Personnel files are confidential and open only to the employee and authorized personnel.

Each employee's personnel file shall contain such information as is needed by the library in conducting business or as required by federal, state or local law. The files normally include:

- employee application and résumé
- job description
- job performance evaluations
- education/training information

- wage/salary history
- pertinent medical information
- letters of appreciation, commendation or discipline
- other pertinent administrative correspondence or documents.

In order to keep personnel records current, each employee is required to notify the administration in writing of any changes in the following:

- name
- address
- telephone number
- persons to be notified in case of emergency
- changes affecting the W-4 form
- changes in dependents for receiving any benefits in the event of an employee's death.

Inspection of records

Any employee wishing to review his/her personnel file may do so. The employee must request a review, and it shall be done at a mutually convenient time with Director present. The employee will not be permitted to remove any information from the file but can obtain copies of desired documents.

Hours of Work, Meal Breaks, and Rest Breaks

Hours of work

Work hours are assigned to provide:

- library services to the public
- supervision
- time for employees to perform their duties
- facilitation of teamwork
- safety for staff, volunteers and library users.

Employees will be assigned a monthly schedule, but must remain flexible to cover employee leaves or other schedule changes. Employees will be on duty during the assigned times.

New employees on probation during training may have a schedule different from what they will regularly be assigned.

Scheduling

The Director sets the library schedule for smooth operation of the library based on the overall mission and direction of the Board. The Board has outlined the following best practices:

Library Assistants' most important task is to provide direct customer support to patrons and therefore Library Assistants are scheduled during open hours to be available to serve the public. The only exception is 1 hour for pre-opening duties, which can be managed by one employee arriving one hour early or two Library Assistants arriving 30 minutes before opening.

Administrative staff and programming staff are also expected to be available during open hours. They may have some additional hours either before the library opens or after the library closes, but most of the hours should be scheduled when the library is open to the public, or when programmers are serving the public by presenting a program.

Tardiness
Advance notice of anticipated tardiness is expected. Notice of unavoidable tardiness is expected as soon as possible. Failure to provide notice will be construed as an unexcused absence. Tardiness shall be made up during the pay period as approved by the supervisor. Tardiness not made up during the pay period will not be paid. Frequent tardiness shall be cause for disciplinary action.

Meal and Rest Breaks
The scheduling of all breaks shall be arranged with the supervisor and co workers to insure the smooth functioning of the operation of the library.

- One 30-minute meal break, with pay, will be allowed for a work period of at least 6 hours.
- For shifts less than 6 hours but at least 4 hours, one 15-minute break will be allowed.
- One 15-minute rest break, with pay, will be allowed for each 8 hour or more shift, in addition to the paid meal break.
- Shifts over 9 hours will be allowed two 15-minute rest breaks, in addition to the paid meal break.

Worksite Breastfeeding
The Library shall provide nursing mothers with suitable space, privacy, and time to breastfeed or express milk for at least one year after the nursing child's birth.

A. General Provisions and Management Responsibilities

The Library shall provide nursing mothers with a suitable space that is clean, private, and reasonably close to the work area. The space will include lighting, seating, and electrical outlets for breast pumps. The Library may provide an employee the ability to store breast milk as requested.

The director appointed scheduler shall provide nursing mothers with time to breastfeed or express milk as needed, but nursing mothers should plan to use break time whenever possible. The director appointed scheduler will set up a schedule that works best for everyone.

B. Pay Stipulations

Employees should use current breaks. If breastfeeding time takes longer than the standard break period or number of breaks, employees can use annual leave or compensatory ("comp") time to cover extra time or breaks, or the time will be unpaid.

EMPLOYEE LEAVES

Sick leave
The Library follows Montana law on the qualification, accrual, and use of sick leave. Sick leave is an authorized paid leave of absence from work when an eligible employee or qualifying family member is sick or requires care. Accumulated sick leave credits are a valuable resource that maintains an employee's income during a period of personal illness or family emergency.

A. Qualification and Calculation

Employees are not entitled to use paid sick leave until they have been continuously employed for 90 days. Employees earn sick leave credits from the first full day of employment. Full time employees earn

at the rate of one working day per month and regular part-time employees earn prorated sick leave benefits. There is no restriction as to the number of working days which may be accumulated. The provisions of MCA 2-18-618 govern sick leave for employees. Short-term workers do not earn sick leave credits.
For calculating sick leave credits, 2,080 hours (52 weeks x 40 hours) equals one year. Sick leave credits shall be earned and credited at the end of each pay period. Prorated sick leave credits are calculated by multiplying .0464 by the number of hours, excluding overtime. Employees may receive cash compensation (at 25% of the available balance) for sick leave credits upon termination of their employment, or they may donate sick leave credits subject to the limitations in policy. Credits are to be recorded by rounding to two digits beyond the decimal point and carried in each employee's account in that configuration.

B. Leave Without Pay, Holiday, or Vacation Stipulations

Employees do not accrue sick leave credits during a leave of absence without pay. Sick leave taken on a legal holiday shall not be charged to an employee's sick leave for that day. With the Director's approval, an employee may substitute sick leave credits for annual vacation leave, if the employee becomes sick while on approved annual vacation leave. Advancing sick leave after an employee's earned sick leave credits have been exhausted is prohibited.

C. Payment Upon Termination.

Upon termination, an employee who has worked the qualifying period shall be entitled to a lump sum payment in an amount equal to one-fourth (25%) of the amount attributed to accumulated sick leave. The pay attributed to the accumulated sick leave must be computed on the basis of the employee's salary or wage at the time the employee terminates employment with the Library. Termination pay shall apply only to credits earned according to policy since July 1, 1971, per MCA 2-18-618.

D. Use of Sick Leave Pay

Sick leave pay is granted for:
- Time off when an employee is unable to perform job duties because of sickness, a physical or mental illness, injury or disability;
- Maternity or pregnancy-related disability or treatment, including prenatal care, birth, or medical care for the employee or the employee's child;
- Quarantine resulting from exposure to contagious disease;
- Consultation, examination, or treatment by a licensed health care provider;
- Short-term attendance to an immediate family member[2] or, at an agency's discretion, another relative because of physical or mental illness, injury, disability, or examination or treatment until other care can reasonably be obtained;
- Death or funeral attendance of an immediate family member or, at an agency's discretion, another person.

E. Reporting

[2] "Immediate family" shall be defined as parents, spouse, siblings and children. The board reserves the right to consider others as immediate family.

Absences, which necessitate use of sick leave, shall be reported to the substitute scheduler and colleagues scheduled to share the shift before the shift begins. An employee shall keep the substitute scheduler advised on a daily basis as to condition and expected date of return to duty. Failure to report absences within two hours of the employees' regularly scheduled reporting time may be considered absence without approved leave. Absences are grounds for disciplinary action.

F. Abuse

Abuse of sick leave may be cause for dismissal, forfeiture of payment for accumulated sick leave, or other disciplinary action. The employee's supervisor may require an employee to submit a medical certification signed by a licensed physician to substantiate use of sick leave.

Medical Exam

The employer may require a medical exam when an employee is returning to duty following an illness or absence due to injury and the Library has a reasonable belief, based on objective evidence, that the employee's ability to perform the job is impaired by a medical condition or that the employee will pose a direct threat to self or others.

Relevant Information: MCA 2-18-618 and 2-18-1311

G. Extended Illness

An employee may utilize vacation time when sick leave has been exhausted, subject to the approval of the Director. Earned sick leave credits must be exhausted prior to taking an unpaid medical leave of absence.

H. Use of sick time for up to 2 personal days a year

Employees continuously employed for 365 days that have accumulated over 80 hours of sick leave, may use up to 2 days per calendar year (prorated for part-time employees) for personal days, as long as their sick balance does not fall below 80 hours. Personal days should be scheduled in advance to allow for coverage, or in an emergency such as weather related or car break down, reporting should follow sick reporting above.

Maternity leave

Maternity leave is an unpaid leave of absence available to female employees for temporary disability because of pregnancy and delivery. The North Valley Library allows employees to use their accrued vacation and sick leave to stay in a paid status during maternity leave subject to use of sick and vacation. Any time beyond accrued vacation and sick is an unpaid leave of absence.

The North Valley Library conforms to Montana Code on Human Rights regarding maternity leave. 49-2-310. An employee will not be terminated because of their pregnancy. Employees who are disabled as a result of pregnancy will not be denied any compensation that they are entitled to as a result of the accumulation of leave benefits accrued; however, the North Valley Library reserves the right to require medical verification that the employee is not able to perform employment duties.

Employees should notify the Director of a desire to take Maternity Leave as soon as practical. The employee should report the expected due date, the estimated leave of absence, and anticipated complications that may affect current leave requests. Reasonable leave is determined by the medical provider. In the case of normal pregnancy and delivery, the state assumes a minimum of six calendar weeks after the birth of a child as a reasonable period for recovery. Leave may be longer if the employee is unable to perform her job prior to delivery or if additional leave after delivery related to the pregnancy is needed and reasonable.

Upon signifying intent to return to work at the end of the leave of absence, the employee will be reinstated to the original job and/or equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits, and other benefits.

Sick/Bereavement Direct Grant

The Sick/Bereavement Direct Grant allows North Valley Public Library employees to share accrued sick leave between employees, according to the following procedures. Employees may make a direct grant.

Prohibited Uses

An employee shall not receive direct grants of sick leave:

1. If the employee is eligible for workers' compensation benefits;
2. If the employee is under current corrective action or disciplinary action for excessive absenteeism or abuse of sick leave;
3. While the employee is on a leave of absence without pay for a reason other than extensive illness or accident;
4. To provide care or attendance to an immediate family member;
5. If the employee had elective cosmetic surgery other than reconstructive surgery.

Eligibility to Donate Sick/Bereavement

Donations are voluntary and irrevocable. To be eligible to make a grant of sick leave an employee must have a minimum balance of two weeks of sick leave hours remaining after the contribution. Employees may also contribute excess vacation leave that otherwise would be forfeited.

Contributors need to be aware that donations are irrevocable and upon termination of employment, they receive less payout of sick time. (Sick leave pays out ¼ upon termination.) Any sick time donate will decrease PERS credit/contributions for the contributor and those PERS credits/contributions will go to the recipient of the sick time.

This is the normal PERS credit:

- If a person uses a sick or vacation day in a pay period - YES PERS contributions
- Payout of accrued sick, vacation etc. without the person terminating employment – NO PERS contributions.
- Pay out accrued sick, vacation etc. when the person terminates employment- YES PERS contributions

Eligibility to Receive Grants

The maximum allowable benefit in any 12-month period is 4 weeks. Leave granted to a part-time employee shall be prorated.

1. Meeting the eligibility requirements of this procedure does not guarantee that receipt of sick leave shall be approved in any specific case.
2. To be eligible to receive and use a grant an employee must:
    a. Successfully completed 12 months of continuous employment;
    b. Experience an extensive illness or accident which results in absence from work of no less than ten consecutive working days;
    c. Exhaust all personally accrued sick leave, annual leave, all other accrued paid leave;
    d. Receive approval from the director for leave of absence and
    e. Provide to the employing agency a physician's certification of extensive illness or accident.
    OR
    f. Successfully completed 12 months of continuous employment;
    g. Experience a death in the immediate family;
    h. Exhaust all personally accrued bereavement leave, sick leave, annual leave, all other accrued paid leave;
    i. Receive approval from the director for leave of absence and
    j. Provide a death certificate, obituary, funeral program, or prayer card.
3. If an employee is incapacitated and unable to apply for leave of absence and a grant, another person may do so for the employee.
4. Participation does not prohibit an agency from terminating an employee.

Eligibility to make a Direct Grant

An employee may directly grant a maximum of 40 hours of accrued personal sick leave in any continuous 12-month period to an eligible employee if they have a minimum balance of two weeks of sick leave hours remaining after the contribution.

Procedure

To donate sick leave or excess vacation leave that is subject to forfeiture, an employee must submit a completed *Sick/Bereavement Leave Direct Grant Contribution form* to the director. The director will determine whether the employee is eligible to donate. If the employee is eligible, the director will deduct sick leave and/or excess annual leave from the employee's account and apply it to the other employee.

To request a donation an employee must submit a completed *Sick/Bereavement Leave Direct Grant Request form*. Administration will determine whether the employee is able to accept donated leave. If the employee is eligible than Administration will apply the sick leave to the employee's pay.

NORTH VALLEY PUBLIC LIBRARY

Sick/Bereavement Leave Direct Grant Contribution Form

Eligibility for donating sick leave or excess vacation leave that is subject to forfeiture:

> An employee must have a minimum balance of two weeks of sick leave remaining after the contribution.

I wish to make a voluntary, irrevocable contribution of _____hours of my sick leave.

I wish to make a voluntary, irrevocable contribution of _____hours of my excess vacation leave that is being forfeited.

(Pick one) I wish to make a direct grant to _____

I understand my decision is irrevocable. _____ (Initials required)

I understand that my donation means I receive less sick leave payout upon termination. (Sick leave pays out ¼ upon termination.) _____ (Initials required)

I understand that donated sick time decreases my PERS credit/contributions and increase those of the recipient. _____ (Initials required)

Print Name: _____

Signature: _____

Date: _____

_____ Approved

_____ Denied
Reason if denied:

The employee's sick leave balance debited _____hours on _____.

The employee's excess vacation leave balance debited _____hours on _____.

Signature: _____ Date: _____

Sick/Bereavement Leave Direct Grant Request Form

Employee Name: _____

Date of First Absence Due to this Illness: _____ Expected return date: _____

(Check one)

_____ I am requesting sick leave for illness/accident.

A currently dated statement from a licensed practitioner is required for illness. The statement must include:
(1) A statement that the benefit-eligible employee is disabled
(2) Beginning and ending date of disability
(3) Diagnosis
(4) Indication of condition

A death certificate, obituary, funeral program, or prayer card is required for bereavement.

Please initial the following statements.

_____ I understand that I must use all accrued paid leave hours, including vacation before requesting and using donated sick hours.

_____ I certify that I have a serious illness or injury or a death in the immediate family.

_____ I authorize the Library to verify information to support this request.

_____ I certify that information submitted is true and correct.

Print Name: _____

Signature: _____

Date: _____

Vacation

Employees shall be entitled to accumulate vacation leave credits from the first day of employment and use them with pay after successfully completing the probation period and 6 months of continuous employment. The board may make an exception and allow the director to take accumulated leave before 6 months and the director may make an exception for an employee.

Vacation leave shall be used with prior approval of the library director. The dates of an employee's leave shall be determined by agreement between each employee and her/his supervisor with regard to the best interests of the library, as well as the best interest of each employee. Vacation requests will be on a first-come, first-served basis except major holidays if there is large demand then there will be a scheduled rotation.

Paid holidays occurring during vacation shall not be charged to vacation.

Accrual & Service Hours

Vacation leave accrual is calculated at each pay period. Accrual is based on service hours at regular rate of pay. Annual leave does not accrue on time worked and paid as overtime, or on leave of absence without pay. Employees working less than 40 hours a week accrue on a pro-rated basis.

Vacation and holiday hours are not counted as hours worked for the purpose of calculating overtime.

In accordance with 2-18-612 employees are credited with one year of service for each 2080 hours of service.

Completed Years of Service at 40 hours a week	Completed Service Hours	Days Earned Per Year at 40 hours a week (part-time pro-rated)	Maximum accrual per year is based on a 40 hour work week	Hourly Accrual
1 day-9 years	1-18,720	15 days	120 hours	.0577 x hrs worked
10-14 years	18,721-29,120	18 days	144 hours	.0692 x hrs worked
15-19 years	29,121-39,520	21 days	168 hours	.0807 x x hrs worked
20 years+	39,521+	27 days	192 hours	.0922 x hrs worked

When calculating incomplete pay periods and part-time hours, final figures are rounded off to the quarter hour.

Vacation leave may be accumulated to a total not to exceed two times the maximum number of days earned annually as of the end of the first pay period of the next calendar year. Excess vacation time is not forfeited if taken within 90 calendar days from the last day of the calendar year in which the excess was accrued. 2-18-617 Scheduling of the use of excess vacation leave hours shall be arranged with the library director and shall not be detrimental to the operation of the library.

Termination of employment

Upon termination of employment, the employee is entitled to cash compensation of unused vacation leave credits, computed on the basis of the employee's salary at the time of termination. Employees

who terminate their employment before the required initial continuous employment period (6-month full time, pro-rated for part-time) shall not receive cash for unused vacation leave credits. 2-18-617

Holidays[3]

The Library will be closed on the following holidays. If any of the holidays below fall on a Sunday, the library will be closed the Monday following.

NEW YEARS DAY	January 1
MARTIN LUTHER KING DAY	3rd Monday in January
PRESIDENTS DAY	3rd Monday in February
MEMORIAL DAY	Last Monday in May
INDEPENDENCE DAY	July 4
LABOR DAY	1st Monday in September
STATE GENERAL ELECTION DAY	First Tue. after the first Mon. in November
THANKSGIVING DAY	4th Thursday in November
DAY AFTER THANKSGIVING	4th Friday in November
CHRISTMAS EVE	December 24
CHRISTMAS DAY	December 25
DAY AFTER CHRISTMAS	December 26

Early closures:
THANKSGIVING EVE the library closes early at 5 p.m.
NEW YEAR'S EVE, December 31, the library closes early at 1 p.m.

Holidays -- observance when falling on employee's day off (Montana Code Annotated 2-18-603.)
(1) (a) A full-time employee who is scheduled for a day off on a day that is observed as a legal holiday, except Sundays, is entitled to receive a day off with pay either on the day preceding the holiday or on another day following the holiday in the same pay period or as scheduled by the employee and the employee's supervisor, whichever allows a day off in addition to the employee's regularly scheduled days off, provided the employee is in a pay status on the employee's last regularly scheduled working day immediately before the holiday or on the employee's first regularly scheduled working day immediately after the holiday.

(b) Part-time employees receive pay for the holiday on a prorated basis according to rules adopted by the department of administration or appropriate administrative officer under 2-18-604.

(c) A short-term worker may not receive holiday pay.

(2) For purposes of this section, the term "employee" does not include nonteaching school district employees.

Work on a holiday

Regular full-time and part-time employees usually receive time off with pay on the holidays listed above. However, the library director reserves the right to require an employee to work on the day a holiday is observed. Such employees will be compensated at the rate of 1 1/2 times their regular pay.

[3] The December 19, 2012 Board of Trustee Minutes state "The Library will not be closed on, or observe Columbus Day and Veterans Day, and those days will be observed the day after Thanksgiving and Christmas Eve.

Exempt employees required to work on the day a holiday is observed will not be compensated at 1 1/2 times their regular pay. With approval of the library director, an equal number of hours worked may be taken off with regular pay within the following two calendar weeks or with special arrangements.

Jury/court

Jury and witness duty leave provide paid time off for employees who receive a legal summons or subpoena to serve on a jury or as a witness.

A. Notification and Leave Request

An employee shall request leave using the request procedures established by their department. An employee must inform their supervisor of the date(s) and anticipated length of the absence as soon as possible after receiving a summons or subpoena, and provide a copy of the summons or subpoena with the leave request.

B. Pay Options

If an employee is subpoenaed or summoned, they have two choices regarding pay and expenses:

- Use accrued annual leave or compensatory time for the time away from work, and keep the fees and allowances paid for service as a juror or witness; or

- Receive regular pay and benefits while on approved jury duty or witness leave, and remit the fees and allowances received for service as a juror or witness to the Clerk and Recorder within three days of receipt.

Employees must notify their supervisor of their choice upon requesting leave. A part-time employee shall receive prorated compensation for those hours the employee is scheduled to work.

Court duty not related to official duties

Employees who appear in court as the plaintiff or defendant in any action not related to their official duties shall not be paid for time away from work unless that time is deducted from accrued vacation. If an employee elects to charge time off against vacation credits, court payments shall not be required to be remitted to the Library.

Court duty related to official duties

Any employee who is required to serve on a jury, or as a result of official library duties is required to appear before a court, legislative committee or quasi-judicial body as a witness in response to a subpoena or other directive, shall collect all fees and allowances payable as a result of the service and forward the fees to the library. Jury/court fees shall be applied against the amount due the employee from her/his employer. A regular part-time employee will receive pro-rated compensation for those hours she/he is usually scheduled to work.

Excused from jury duty

The library reserves the right to request that an employee who is called for jury/court duty be excused if their absence would create a hardship on the operational effectiveness of the library. As an independent library district, North Valley Public Library acts in accordance with Montana Code 2-18-619; requests to excuse an employee from jury duty for this reason should cite this code and be signed by the library director.

Emergency Closures

Refer to the Emergency Closures Policy

Special Events

The library Board may approve closures for special events. If an event requires an early closure, the following compensation rules will apply:
Employees regularly scheduled to work the latest shift on that day will stay for the duration of event, participating in the event and help with cleanup, which may require working until 10:00 p.m.
Those scheduled for a morning or early afternoon shift can choose between the following options:

1. Work ~~your~~ regularly scheduled hours, helping with set up or off-desk library tasks.
2. Take paid vacation leave.
3. If employees choose to leave, they may take it as unpaid time.

Leave of Absence without Pay

It is generally understood that the library does not regularly provide leave of absence without pay. Since the library has a small staff that provides direct customer service for all open hours, such absences would not allow the library to stay open or would require an abundance of personnel so that would not be fiscally responsible to taxpayers. The library offers the paid leaves of absences as defined above. Types of absences without pay that can be accommodated without hardship to library staffing are the following:

- Part-time employees may swap hours to have extra time off at a needed time without reducing the amount of hours they work.

In unusual cases, if an employee has exhausted all applicable leave balances and needs to be absent from work for personal reasons, they may petition the library in writing, specifically state the reasons for the request, the date the employee wishes to begin the leave, and the return-to-work date. The Director and Chair of the Board will discuss the viability of the leave and make their decision based upon the best interest of the Library, giving due consideration to the reasons given by the employee and the requirements of any Library procedures and applicable state and federal laws. Upon expiration of the approved leave of absence, the employee is not guaranteed to be placed in the same position or have the same hours.

PERSONAL CONDUCT

Employee conduct

The Library supports the American Library Association's "Code of Ethics" and the "Library Bill of Rights" and employees shall agree to implement these guidelines at the time of hiring. Both documents can be found online.

It shall be the duty of employees to maintain high standards of cooperation, efficiency and integrity in their work with the Library. If an employee's conduct falls below standard, he/she may be subject to disciplinary action.

Some general guidelines for which an employee may be disciplined include, but are not limited to:

1. Reporting to work under the influence of intoxicants or nonprescription/illegal drugs or using such substances while on Library property.
2. Failure to follow the order(s) of one's supervisor(s).
3. Being absent without permission or failure to report to the supervisor when one is absent.
4. Being habitually absent or tardy for any reason or leaving work before the end of the assigned shift.
5. Failure to perform work assigned in an efficient or effective manner.
6. Being wasteful of material, property or working time.
7. Inability to get along with fellow employees, so that the work being done is hindered and not up to required levels.
8. Commission of a felony or gross misdemeanor.
9. Speaking critically or making derogatory or false accusations so as to discredit other employees or supervisors.
10. Removal of Library money or property without permission.
11. Dishonesty.
12. Divulging or misusing confidential information, including removal from Library premises without proper authorization any employee or patron lists, records or confidential information of any kind.
13. Falsification of time records for payroll.
14. Failure to abide by the policies and procedures of the Library.
15. Employees are not to be in the building during unstaffed hours. Exceptions are to be approved by the library director.
16. Smoking is not allowed in the Library building at any time. Smoking includes the smoking or carrying of any kind of lighted pipe, cigar or cigarette.

Positive Workplace Culture & Collegiality

Civil behavior is required of all employees, trustees, and volunteers. Rude, insulting, negative, grouchy, and bullying behavior causes stress, turnover, absenteeism, and lower productivity and will result in discipline, up to and including termination. Civility is demonstrated through manners, courtesy and politeness. Staff need to exhibit collegiality toward one another by cooperating, acknowledge each other, listen, and speak kindly, respectfully, and reasonably. Civil behavior is expected between coworkers and towards patrons. Employees, trustees, and volunteers are all required to contribute to a positive workplace culture and exhibit collegiality.

Political & Contentious Speech

North Valley Public Library celebrates freedom to read, freedom to view and freedom of speech. The library's mission statement, in part, is to "strengthen and support our community by fostering a welcoming and comfortable setting for all people to gather, explore and discover."

To promote an atmosphere in which everyone is welcomed and respected, staff must be professional and courteous at work, and because political speech can be divisive and contentious, all employees will refrain from political discussions with members of the public, co-workers or volunteers during paid public time. While working with the public, it is essential not to offend anyone, challenge their political views or disturb by-standers who are there for library services.

If people want to talk about politics, please inform them you cannot engage in political discourse on paid public time.

According to the following Montana legal judgment, a public employee, “May engage in political speech so long as his or her speech does not involve the use of public time, facilities, equipment, supplies, personnel, or funds.” 51 Mont. Op. Atty. Gen. No. 1 (Mont. A.G.), 2005 WL 273513

Personal appearance

It shall be the responsibility of all employees to represent the Library to the public in a manner which shall reflect favorably the Library's image. Library employees shall be well-groomed and dressed in a manner suitable for the public service environment. These guidelines apply during all scheduled work.

As mentioned above, the public should be able to recognize the professionalism of the staff. Name tags, provided by the Library, are required to be worn during hours open to the public.

The library director may designate exceptions for holidays and other special events.

The employee's supervisor will discuss the subject of personal appearance with the employee if the employee's appearance does not positively reflect the image of the Library.

Solicitations

With the exception of Library approved activities, peddling or soliciting for sale or donation of any kind on Library premises is not allowed.

Exception may be granted by the library director.

Ethics, Gifts & Conflict of Interest Policy for Trustees, Employees, & Volunteers

Employees need to familiarize themselves with the ethics policy and uphold all the principles.

Smoke-Free Workplace

In compliance with the Montana Clean Indoor Air Act (MCIAA), which bans smoking statewide in all enclosed workplaces in Montana, smoking is prohibited in ALL Library facilities. The Library recognizes the need of many of its employees to work in an environment free of tobacco smoke.

Document & Media Regulations

Work done on library time belongs to the library and may not be removed or taken from the library without approval from the director. Personnel are required to use library-approved file hosting document management and storage systems, which are currently OneDrive and SharePoint, to store and save all their work and not allowed to save their work exclusively on outside password protected systems that are not accessible by the director or approved IT personnel.

AI usage

The staff can use AI tools to increase productivity in specific circumstances such as help drafting, editing text, summarizing long documents without sensitive information, gathering sources on the web. AI is used for assistance, not replacement. Staff must review, verify, and validate all AI-generated results for accuracy, as AI can produce incorrect information (hallucinations). Staff should check for content biases when using AI under this policy. Public library staff shall never input patron data into AI platforms or staff data. The library has not budgeted for AI tools and so only the free versions of permitted platforms or tools will be utilized by staff.

The following AI tools are approved by the State of Montana AI Officer, but they are using the paid versions. Only enter public information into these tools.

- Perplexity
- Microsoft 365 Copilot
- ChatGPT
- Claude
- Free image making AI may be used for the newsletter, website, and for patron training/presentations. For patron training and presentations, AI created images with people should indicate they are created by AI.

The State of Montana says OpenClaw is not approved and shall not be used under any circumstances so the library also will not use it under any circumstances. The State says there is no agentic AI tool approved for wider deployment at this time. The State of Montana AI office is actively working to expand AI adoption responsibly. No other usage is approved for staff.

Personal Telephone Calls and Personal Communication Devices

Personal Telephone Calls Using Library Telecommunication Systems

Library provided phones are to be used for Library business and may be used for personal business on a limited basis only. The use of telecommunications equipment for essential personal business (doctors, day care centers, teachers, home contractors and other essential business) must be kept to a minimum, and not interfere with conducting Library business.

B. Personal Communication Devices

The use of personal communication devices such as cell phones, smart phones, tablets, PDA devices, etc., during work hours is prohibited except for essential personal business (such as doctors, day care centers, teachers, home contractors) and must be kept to a minimum, and not interfere with conducting Library business.

All personal communication devices must have any tones inaudible to other employees and members of the public. Employees whose jobs require public interaction are not permitted under any circumstances to use a personal communication device while interacting with and servicing members of the public.

Computers, Internet, and Email

All Library business equipment, hardware, software, network equipment, communications systems, Internet, Email, and data are the property of the Library, and employees can use these only for authorized purposes. Employees must sign the Computers, Internet, and Email Policy Acknowledgement Form.

A. Computers

Employees shall not use or disseminate codes, access a file, or retrieve any stored communication, other than where authorized, unless there has been prior clearance. All computer passwords are the property of the Library and will not be shared with other individuals.

B. Internet and Email

Employees should not expect any privacy with Library Internet and Email use. The Library may monitor Internet use for planning and managing network resources, performance, troubleshooting, and suspected or potential abuse. All messages employees create, send, or retrieve over the Library systems are the property of the Library

Library Internet and Email use are available for conducting Library business. Library employees may not use the Library-maintained Internet, intranet, and related services for activities not related to Library business. The Library recognizes that sometimes an employee may use Library computers and Internet for essential types of personal use; however, this must be kept to a minimum and not be excessive.

The creation, transmission, or viewing of any data or images that may be construed to violate the Library's Preventing Harassment and Discrimination Policy or Equal Employment Opportunity Policy is strictly prohibited. This prohibition includes sexually explicit or offensive messages or images, cartoons or jokes, ethnic or religious slurs, racial epithets, or any other statement or image that might be construed as harassment or disparagement on the basis of race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, veteran's status or any other category protected by law. None of the Library's information technology resources may be used to transmit critical or derogatory statements regarding employees, political figures, or any other persons.

Internet access is provided by the Library to assist employees in obtaining work-related data and technology. All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the Library and, as such, is subject to disclosure to law enforcement or other third parties. Employees may also be held personally liable for any violations of this policy.

C. Social Media

Social media is web-based technology that allows interactive dialogue and includes, but is not limited to, blogs, collaborative projects, content communities, and social networking sites.

Content contributed to social media by Library employees may not:

- Claim to represent the Library; or
- Include statements that are inappropriate because they are discriminatory, threaten violence, are obscene or otherwise disparage members of the pubic or co-workers.

An employee's online conduct that adversely affects their job performance, the performance of fellow employees or otherwise adversely affects the Library's legitimate business interests may result in disciplinary action up to and including termination. All instances must be judged on a case-by-case basis.

Nothing in this policy should be construed as prohibiting an employee's right to engage in concerted activity or to discuss the terms and conditions of their work as permitted by the NLRA.

Use of Scented Substances

The Library employees should refrain from using strong scented substances when coming to work that may bother their fellow employees and patrons.

PAY AND BENEFITS

Payment of wages

An employee's initial rate of pay and regular work hours per week are determined at the time of hire and are subject to review.

Employees are paid once a month. The pay period ends the second Saturday of the month and payday is the Friday following.

Employees are responsible for completing time sheets in a timely manner and submitting them to the library director.

Wage ranges

Employees will be paid at a rate not less than nor in excess of the wage ranges listed in their job descriptions. Wage ranges are reviewed yearly.

Library Substitute: $14.50-$17
Library Assistant: $14.50-$18
Program Coordinators: $18.50-$25
Assistant to the Director $19-$25 per hour

Compensation time/overtime

Overtime

Overtime is time worked by regular employees in excess of 40 hours per week. Overtime pay is figured at 1 1/2 times the employee's regular rate of pay. Under normal circumstances, library employees are not scheduled to work overtime.

Compensation time off

Compensation time off in lieu of overtime pay is granted to exempt employees who work over 40 hours per week as straight time. Compensation time shall be utilized within 30 days of being earned, unless other arrangements are made with the director. Compensation time off must be used prior to termination. Unused compensation time cannot be cashed out when the employee terminates employment with the Library.

Utilization of compensation time off/overtime

Compensation time off or overtime shall be considered necessary only in critical situations. Temporary adjustments in working hours or realignment of duties shall be considered as alternatives to the use of compensation time or overtime.

The library director must approve all compensation time off or overtime.

Saturday exception for overtime: Any employee working Saturday that would exceed 40 hours will be paid time and a half over 40.

Employees volunteering for Friends or Foundation

The Fair Labor Standards Act does not allow employees to volunteer for a **public** agency when it is the same type of work that they are employed to perform.

The Library Foundation/Friends is a 501(c)(3) group, not a public agency. Employees are free to volunteer for Friends of the Library or the Library Foundation but it must be on their personal time. The library does not encourage or discourage volunteering for the North Valley Public Library related organization.

Social security

All employees are automatically included as participants in the Social Security System (FICA). Social security benefits are in addition to the Public Employees' Retirement System program that the employee may be eligible to receive. Financing of the Social Security System is accomplished by employee payroll deduction contributions and through a match paid by the Library.

Workers compensation

As required by law, the Library pays to cover employees with workers' compensation insurance, which provides payment for medical expenses resulting from a work-related injury or disease.

Employees who are injured or become ill from an occupational hazard may be entitled to reasonable doctor, hospital, prescription and medical care costs. After they file a claim, the Library's workers' compensation provider shall evaluate the claim, use appropriate fee schedules, and apply certain laws and rules to establish wage loss payments and medical care cost benefits. The provider may investigate the validity of the claim. Workers' comp benefits apply only toward medical conditions directly related to the industrial injury or occupational disease claim.

A. Reporting Provisions

Every work-related injury should be reported immediately to the injured employee's supervisor. The affected employee shall also file an application for Workers Compensation in accordance with applicable laws, rules, or regulations.

B. Benefits

Benefits for compensable injuries are governed by state law and include wages, medical, hospital and related services, and other compensation. Wage loss benefits begin after a 4-day waiting period. Employees may use accrued vacation or sick leave benefits to cover wage loss during the 4-day waiting period.

C. Fraud

Criminal proceedings may be initiated against a person who obtains or assists in obtaining workers' compensation benefits to which the person is not entitled.

Health Care, Dental, Eye & Life

Health Care, dental, eye and life insurance is offered to employees working a regular weekly schedule of at least 32 hours the 1st day of the month following 30 days of employment.

COBRA is not offered to those separating from the library, as the law applies to employers with 20 or more full-time equivalent employees for more than half the calendar year.

Employees separating from employment can apply for health insurance on the Health Insurance Marketplace. Termination of employment is considered a qualifying event. For further information on enrollment contact the Office of the Montana State Auditor, Commissioner of Securities and Insurance.

Retirement: Public Employees Retirement System (PERS)

Employees accepting employment at the Library who will work over 960 hours in the fiscal year must become a member of the PERS on the first day of employment. Membership is optional for employees working less than 960 hours during the fiscal year.

Each employee shall complete a membership form upon initial employment, name change or change of beneficiary. No benefit shall be paid or refund of contributions made unless there is a completed membership form on file with the Public Employees Retirement System Division. The employee is responsible for naming and updating primary and contingent beneficiaries.

Information is available at mpera.mt.gov.

457(b) Deferred Compensation Plan

You are eligible to participate in the State of Montana's 457(b) Deferred Compensation Plan. Information is available at mpera.mt.gov.

CONTINUING EDUCATION, TRAINING & MONTANA STATE LIBRARY CERTIFICATION

Incentivizing Continuing Education

The Director assigns attendance to conferences and continuing education as well as to staff meetings. Staff that attend Director recommended continuing education and staff meetings are eligible for increases at the maximum rate offered. *Please read the section of this manual "Continuing Education, Training & Montana State Library Certification"* for more information.

Employees are encouraged to participate in job-related training, continuing education opportunities and are encouraged to participate in the Montana State Library[1]s certification program.

All courses, training, expense reimbursement for job-related training, continuing education and/or certification must be pre-approved by the library director. Training generally takes place during regularly scheduled work hours but the library director may change standard work hours to accommodate or require attendance at such activities. Summaries of what was learned may be required to be drafted and shared with co workers.

Employees may acquire training on their own time and expense but should notify the library director so that the information can be added to their personnel file.

Travel expenses

Employees representing the Library on Library business shall receive travel expenses, meal allowances, mileage, and incidental expenses on the same basis and the same rate as established by the Montana Code Annotated.

All travel expenses must be approved by the library director.

The willful misrepresentation or altering of claims is unlawful and grounds for dismissal and may result in the filing of criminal charges.

RISK MANAGEMENT AND SAFETY

Emergency procedures
Any employee experiencing a work related accident or injury shall:
1. Promptly report the incident to the immediate supervisor. Witnesses are encouraged to file a report with the supervisor.
2. Complete an "Incident Report" and give it to the supervisor.

The Library shall provide for the treatment and care of the on-the-job injuries and illnesses as provided by the Montana State Industrial Insurance Program.

Use of personal vehicle on Library business
Employees operating a privately-owned vehicle while conducting Library business shall maintain the minimum liability coverage and shall hold a valid Montana State driver's license. Such employees shall observe all traffic laws, rules and regulations, and the dictates of common sense and good judgment.

APPENDIX A: EQUIPMENT ACKNOWLEDGEMENT FORM

North Valley Public Library

I acknowledge that while I am working for the Library, I will take proper care of all Library equipment with which I am entrusted. I shall abide by all the guidelines set forth in this Handbook including, but not limited to; using equipment lawfully, safely, and cost-effectively; for its designed purpose; for Library business only; and according to the manufacturer's specifications.

I understand that, while Library equipment is in my possession, any abuse, violations of safety practices, or disregard for the proper care and maintenance of such equipment may result in disciplinary action, up to and including termination.

I further understand that, upon termination, I shall return all property of the Library and that the property will be returned in proper working order. This agreement includes, but is not limited to, the following: laptops, cell phones, IT equipment, tools, and any other equipment the Library has provided for use with my job.

I understand that failure to return equipment shall be considered theft and will lead to criminal prosecution by the Library.

Employee Name
(Please Print)

Employee Signature Date

APPENDIX B: COMPUTERS, INTERNET, AND EMAIL POLICY ACKNOWLEDGEMENT FORM

North Valley Public Library

By my signature below, I acknowledge that I understand that this policy governs my use of all Library technology and, under certain circumstances, my own technology that I might bring into the Library (See **Personal Telephone Calls and Personal Communication Devices).**

Additionally, I understand that if I violate the policy, I am subject to discipline, including suspension, termination, and/or such other action as the Library deems appropriate. I also understand that some violations of this policy could result in actions against me both civilly and criminally and in both federal and state courts. I also understand that I have no expectation of privacy in any of the technology referenced in the policy, due to the access and interception rights reserved by and granted to the Library.

I certify that I have read and understand the above statement and acknowledge that this form will be placed in my personnel file.

Employee Name
(Please Print)

Employee Signature **Date**

APPENDIX C: DISCRIMINATION POLICY ACKNOWLEDGMENT FORM

North Valley Public Library

By my signature below, I acknowledge that I understand that this policy addresses Preventing Harassment and Discrimination. I acknowledge that this policy was reviewed with me and I was given the opportunity to ask any questions I had regarding the policy. I understand that it is my obligation to comply with the stipulations, procedures, and provisions contained within this policy.

I understand that this policy provides employees with a work environment free of discrimination and harassment because of a person's race, color, national origin, age, physical or mental disability, marital status, pregnancy, religion, creed, sex, sexual orientation, political beliefs, genetic information, or veteran's status.

I understand that if I believe I have been the victim of harassment or discrimination, I should report the incident or action as soon as possible after the alleged incident occurs and the Library will investigate my complaint.

I further understand that I shall cooperate with the director in investigating and verifying the report and that failure to do so may result in disciplinary action.

I certify that I have read and understand the above statements and acknowledge that this form will be placed in my personnel file.

Employee Name
(Please Print)

Employee Signature Date