



## Volume VI - Personnel Policy

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# EATON RAPIDS AREA DISTRICT LIBRARY PERSONNEL POLICY

## ARTICLE I INTRODUCTION

**1.1 Introduction.** The policies herein are intended to establish consistent personnel administration for all employees of the Eaton Rapids Area District Library. Because these policies are brief, it should be understood that they may not cover every situation. Any situation that is not specifically covered should be brought to the attention of the Library Director and as needed, to the Library Board. Interpretation and/or operation of any policies set forth herein, unless required by law, are within the sole discretion of the Library Director and the Library Board.

This policy supersedes all previously passed personnel policies.

**1.2 Terms of Employment.** All Library employees are employed at will.

**1.3 Equal Employment Opportunity.** The Eaton Rapids Area District Library will not unlawfully discriminate against any employee or applicant for employment because of religion, race, color, national origin, age, sex (gender identity, transgender status), height, weight, marital status, familial status, sexual orientation, veteran status or disability (pregnancy and related medical conditions). No personnel action will unlawfully discriminate against an individual based on any of these characteristics. Personnel actions include, but are not limited to: recruitment, employment, promotion, transfer, disciplinary action, lay-off, termination, rates of pay or other forms of compensation, and selection for training.

Except where permitted by law, the Library will not deny an individual the full and equal enjoyment of its goods, services, facilities, privileges, advantages, or accommodations because of religion, race, color, national origin, age, sex (gender identity, transgender status), height, weight, marital status, familial status, sexual orientation, veteran status or disability (pregnancy and related medical conditions).

The Eaton Rapids Area District Library will observe federal and State laws concerning equal employment opportunity. The Library will make reasonable accommodations, as required by law, for the disabilities of otherwise qualified employees or applicants, which will not impose undue hardship on the Library.

All persons hired by the Library must be eligible to work in the United States pursuant to the Immigration Reform and Control Act of 1986.

## ARTICLE II EMPLOYMENT PRACTICES

**2.1 General Practice.** It is the Eaton Rapids Area District Library's policy to hire,

promote and schedule employees on the basis of the Library's needs and on individual merit. The Library will not discriminate with regard to religion, race, color, national origin, age, sex (gender identity, transgender status), height, weight, marital status, familial status, sexual orientation, veteran status or disability (pregnancy and related medical conditions). The Eaton Rapids Area District Library will not hire immediate relatives of current employees or immediate relatives of the Library Board. Exceptions to this policy may be granted only by the Library Board, upon recommendation of the Library Director, for reasons clearly in the best interest of the Library.

An immediate relative is defined as spouse, father, mother, sister, brother, son, daughter, aunt, uncle, niece, nephew, first cousin, grandparent, grandchild and in-law equivalence, or any other individual residing in the same household.

The Library Director may appoint a qualified employee to fill a vacant position in an "Acting" capacity. At the end of the "Acting" assignment, the employee will return to his/her regular position. An evaluation of his/her performance in the "Acting" position shall be made and placed in the employee's permanent personnel file.

**2.2 Library Board.** The Eaton Rapids Area District Library is governed by a seven member Board of Directors appointed for staggered terms by the City of Eaton Rapids, Eaton Rapids Township and Hamlin Township as per the District Library Agreement. Board meetings are held every second Thursday of the month at 6:30 pm at the Library, unless otherwise noted, and will be in accordance with the Michigan Open Meetings Act.

Members of the Board of Directors are not eligible for consideration as prospective employees until two years after their date of last service on the Library Board. The Library Director has the authority to make exceptions to this policy in the case of temporary, emergency, or special programming needs that the Library may have from time to time.

**2.3 Background Check and Driving Record Review.** Eaton Rapids Area District Library requires, as a condition of employment, that all candidates consent to and authorize a background check. This release and authorization authorizes that ERADL may obtain the following: verification of education, verification of previous employment/work history, personal references, a motor vehicle record, and any criminal history record information pertaining to the employee which may be in the files of any federal, state or local criminal justice agency in Michigan or any other states/countries of origin. ERADL will not obtain any type of information from the applicant/employee's personal credit/financial history record.

ERADL cannot be held liable for inaccurate information received when performing background verification checks.

Refusal to consent to and authorize a background check will result in immediate disqualification of consideration for any open position and any future positions.

ERADL will not hire anyone who has been convicted of any felony, misdemeanor offense for assault, child abuse, criminal sexual conduct, use, possession, or sale of weapons, or violations of Article 7 of the Michigan Public Health Code (Controlled Substances) (MCL 333.7101 et seq.). The Library Director will review all other convictions and pending criminal charges of a candidate on an individual basis and make a final decision.

The Eaton Rapids Area District Library will provide a candidate with the information as required by the Fair Credit Reporting Act.

All results that are obtained through the background check will be proprietary and kept confidential to the extent permitted by law. The information obtained will not be provided to any parties other than to designated ERADL personnel or legal counsel with a need to know.

Additionally, all employees will be subject to an annual driving record review

**2.4 Initial Employment Period.** All new Library employees shall serve an initial employment period of six (6) months. After completion of the initial employment period, the Library Director/Assistant Director, or Library Board of Trustees in the case of the Library Director, will complete an evaluation and may either recommend regular employment status for that employee, or extend his/her training period for an additional three months. Any regular employee may be reassigned to a training status for a six month period if, as a result of the performance evaluation process, job performance is deemed unsatisfactory. Library employees with training status may use personal paid time off.

**2.5 Limitations Period.** By accepting and continuing employment with the Eaton Rapids Area District Library, each employee agrees not to commence any claim, complaint, action or suit relating to their employment with the Library more than 180 calendar days after the event giving rise to the claim, complaint, action, or suit; or later than the applicable limitations period established by statute, whichever is less.

**2.6 Employee Termination of Employment.**

**2.6.1 Resignation:** Employees are free to resign at any time and for any reason. Paid time off will not be approved after an employee gives notice of leaving employment. The Library Director may approve exceptions.

Following 24 months of service, those employees in good standing will receive payment for all unused accrued paid time off upon termination of their employment with the Library provided they have given two weeks' notice.

**2.6.2 Termination:** The Eaton Rapids Area District Library reserves the right to terminate employment at any time and for any reason with or without cause, and with or without notice.

Upon termination of employment for any reason, employees must return to the Library Director any Eaton Rapids Area District Library property, including, but not limited to: keys, supplies, equipment, manuals, computer records, and name badges, on or before their last day of employment. Upon termination of employment, all staff privileges will cease, unless determined otherwise by the Library Board

Benefit and final pay information regarding the terminating employee will be provided through an exit interview conducted by the Library Director/Assistant Director, or as soon as the amounts can, with due diligence, be determined. Employees terminated will not receive payment for all unused accrued paid time off.

**2.7 Performance Evaluations.** The Eaton Rapids Area District Library requires annual performance evaluations of all staff. The written evaluation shall be signed by the employee and the Library Director/Assistant Director, and placed in the employee's personnel file. The Library Board of Trustees will perform the Library Director's annual evaluation.

**2.8 Remote Work.** The following are provisions the Eaton Rapids Area District Library has put in place to allow staff to work remotely. Permission to engage in remote work is at the discretion of the Library Director, and is granted on a temporary and revocable basis; it may be discontinued or altered by the Library at any time, and for any reason. Failure to fulfill normal work requirements, both qualitative and quantitative, may be cause for disciplinary action or termination of employment. Employees are still required to be on site as necessary to attend meetings, training sessions, or similar events or occurrences. Remote Work is not an entitlement, it is not an organization-wide benefit, and it in no way changes the terms and conditions of employment with ERADL.

Staff members may work remotely/from home under the following guidelines:

- Staff members must be able to demonstrate their ability to complete essential job duties while working remotely.
- A specific work schedule must be agreed on by the employee and the Director. Unless other specific arrangements are made with the Director, the employee agrees to be accessible during the agreed upon working hours while working remotely.
- Staff members must be available to the Library by email, chat, and/or phone within a reasonable amount of time.
- Staff members will not be reimbursed for phone calls, Internet access, equipment, or other expenses incurred.
- Staff members are responsible for providing the necessary technology and equipment to facilitate their work remotely
- Technology assistance may be available by the Technology Coordinator, but is not guaranteed.
- If the Library requests a staff member work remotely, the staff member is responsible for communicating to the Library if they do not have the necessary

technology or equipment to perform the task.

- The Library will work with the staff member to either provide the technology or equipment or make a reasonable accommodation in the staff member's essential duties.
- Any item on loan from the Library remains the property of the Eaton Rapids Area District Library, and must be returned upon termination of the remote work arrangement.
- Employees are personally liable for missing or damaged equipment.
- If a technical concern prohibits access to working remotely during scheduled work time, the impacted employee must notify the Library Director by telephone as soon as possible.
- Employees who are unable to work due to illness or wish to take personal time must use PTO, and must report their absence to their supervisor.
- Remote workers are subject to the Library's employment policies and procedures set forth in this Policy Manual and other procedural documents.

**2.9 Work Hours and Wages.** The work week begins at 12:01 am Sunday and ends at midnight on Saturday. Full-time employees are required to work 35 hours per week. Part-time employees are scheduled an average number of hours per week which amounts to less than 35 hours. Daily scheduled hours may vary from day to day and may change as scheduling priorities dictate. All employees are scheduled according to Library needs. Changes are left to the discretion of the Library Director/Assistant Director.

A break period is allowed of up to 15-minutes for each four hours of continuous work. A meal break of 30-minutes is allowed to those who are scheduled for more than five hours. Employees are not paid for meal breaks. Neither meal nor other breaks may be used at the beginning or end of the work period to shorten the workday.

Staff members must have prior approval of the Library Director/Assistant Director before conducting any Library business off Library property.

**2.10 Pay Administration.** Wage payment plans for employees of the Eaton Rapids Area District Library are approved by the Board of Trustees. Granting of pay increases is dependent upon the availability of funds and individual work performance. The Library Board reserves the right to amend the pay structure at any time.

Non-salary employees are paid an hourly rate of pay within the Eaton Rapids Area District Library Pay Range Scale for hourly rated employees. Salaried employees are paid in accord with the Eaton Rapids Area District Library Pay Range Scale for salaried employees. The Board of Trustees may approve annual increases for all employees, with the assistance of the Director recommendations based on the annual employee evaluations. If it does so, the increases are to follow the Eaton Rapids Area District Library Pay Range Scale, unless otherwise stated by the ERADL Board of Trustee. An employee's pay rate may not exceed the maximum of the salary range for their job classification. The pay increases are effective at the beginning of the first full pay period

of the new fiscal year, unless otherwise stated.

New employees should start at year 1 pay scale, in accordance with their job title, unless otherwise stated by the Board of Trustees. A higher start pay would be based on the new employees qualifications, education and experience.

**2.11 Overtime Pay.** All overtime must be authorized by the Library Director. Overtime is paid at 1.5 times the regular rate of pay for hours worked in excess of 40 per week.

## **2.12 Employee Paid Time Off**

**2.12.1 Sick Leave:** All sick leave time requests must be filed accordingly within reasonable time to find coverage and accommodations. Sick leave is granted to Library employees as indicated below:

1. Full-Time Employees (35 hours or more a week): Will receive 1 hour of sick time for every 30 hours worked.  
Part-Time Employees: receive 1 hour of sick time for every 30 hours worked.
2. All employees will be paid up to 40 hours of sick leave. Employees are allowed to use 32 hours additional sick time, if accrued, but does not have to be paid.
3. Rollover & Payout: all employees may roll over a maximum of 40 hours at the end of each calendar year for sick leave. Any remaining unused sick leave will not receive payout

**2.12.2 Paid Time Off (PTO):** All leave time requests must be submitted 2 weeks prior to vacation and is limited to the employee's regularly scheduled work hours. Some exceptions may be permitted based on circumstances. PTO is granted to Library employees as indicated below:

1. Full-Time Employees (35 hours or more a week): Will receive 120 hours of personal time off the first day of January every year.
2. Part-Time Employees: After six (6) months of continuous employment, part time employees receive two weeks personal time off PTO based on the number of hours worked during a regularly scheduled week after six months of continuous employment. After one year of continuous employment, part time employees receive two weeks personal time off PTO based on the weekly average of hours worked the previous year and will be given the first day of January every year.
3. Rollover & Payout: all staff may roll over a maximum of 40 hours at the end of each calendar year for paid time off and receive a payout for the remaining unused hours.

**2.12.2 Compensation Time:** Salaried employees may not receive additional compensation for overtime (in excess of 40 hours per week) beyond their base rate of pay, however, such employees may receive an allowance for overtime in the form of compensatory time off. The employees are allowed to pay out up to 10 hours at the end of the calendar year at their base rate of pay.

**2.12.3 Holidays:** The Library is closed on the following holidays: New Year's Day, Good Friday, Easter Saturday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve and any days in conjunction with the previous days listed as designated by the Board. Salaried staff will be paid at their regular rate for these holidays. Hourly staff will be paid for the holiday at their regular rate if the employee's regularly scheduled workday falls on the holiday.

When one of the recognized holidays falls on a Sunday, Monday will be observed as a holiday. When a recognized holiday falls on a Saturday, the preceding Friday will be observed as a holiday.

**2.12.3 Funeral Leave:** Upon notice to the Library Director, up to three (3) days paid leave shall be given to attend the funeral, or attend to personal family matters, when death occurs in the employee's immediate family as defined in Section D (this shall apply) if the relationship is natural, by marriage, adoptive, step, or foster).

**2.12.4 Jury Duty:** Employees requested to appear for jury qualification, or who are subpoenaed as a witness, shall receive their pay for each day that they would otherwise have worked. Any compensation received by the employee for such service shall be returned to the Eaton Rapids Area District Library, with the exception of mileage.

**2.12.5 Family Medical Leave Act:** The Library offers family and medical leave as provided by the Family and Medical Leave Act of 1993 (FMLA). This law allows a maximum of 12 weeks of leave during a 12 month period of time.

**2.12.6 Maternity Leave:** An employee may choose to use FMLA leave for the birth of their child and subsequent care after birth, or placement of a child with the employee for adoption or foster care. Ordinarily FMLA leave is unpaid. However, if used for maternity leave, an employee may choose to use their accrued PTO, but this request must be done in writing. During maternity leave, an employee's preexisting health insurance coverage will be maintained, and the Eaton Rapids Area District Library will continue to pay the employee enough to cover the cost of their health insurance once PTO has been exhausted.

Maternity leave pay will not include holiday pay or accrue personal time off.

**2.12.7 Weather:** If the Eaton Rapids Area District Library experiences a short-term closure due to life-threatening emergency weather conditions, employees will continue to receive pay based on scheduled hours.

Leaves of absence for any reason without pay may be granted at the discretion of the Library Director; however, all accrued time must be exhausted before unpaid time off can be used.

Paid time off is limited to the employee's regularly scheduled work hours.

## **ARTICLE III BENEFITS**

**3.1 Medical, Dental and Vision Insurance.** The Eaton Rapids Area District Library provides medical, dental and vision insurance for all employees under a program approved by the Board of Trustees. The Library will pay 80% of the monthly premium for all full time (35 hours per week) employees and their qualified dependents; all other employees have the option to secure health insurance benefits through the Library's policy by paying 100% of the monthly premium.

**3.2 Worker's Compensation.** When an employee is injured at the Library or while representing the Library, the Library Director must be made aware of the situation as soon as possible, regardless of the immediate seriousness of the injury. In the event an employee suffers loss of work due to the injury or illness, the employee will complete an Injury Report Form as soon as possible. Each employee shall comply with standard safety regulations. An employee that fails to observe these requirements, or to promptly file a complete and accurate Report, may not qualify for Worker's Compensation.

**3.3 Professional Associations.** Memberships and Dues to professional associations and community organizations which are related to their work and mutually beneficial to the Library and the professional growth of the employee are paid by the Library, within the sole discretion of the Director. The Library also encourages staff to participate in continuing education workshops, with prior approval of the Library Director. Expenses may be reimbursed, if approved by the Library Director and allowed by the budget.

**3.4 Conference Attendance.** Board members and Library staff are encouraged to attend State and national conferences, as well as local workshops, seminars, and meetings.

Funds will be budgeted annually to allow for Board and staff members attendance at conferences. Staff members may be selected to attend conferences or other functions that contribute to their professional growth. Conference attendance is dependent on scheduling, budgetary constraints, and previous conference attendance. Employees will be paid at their regular rate for conference attendance. Employees are expected to share their conference and workshop experiences with other Library staff members upon returning.

Eaton Rapids Area District Library staff members requested to speak at job-related meetings or workshops are encouraged to do so. Formal presentation proposals must be approved by the Library Director prior to acceptance of the commitment. When engagements of this nature involve an honorarium paid by the sponsor to the staff member, the Library requires the individual to remit this payment to the Eaton Rapids Area District Library if they attend and participate during Library time (i.e., on a scheduled work day approved and credited as time worked). If, however, the employee

participates on the employee's own time (e.g., vacation, holiday, or day off), the employee may keep the honorarium payments.

**3.5 Travel Reimbursement.** Eaton Rapids Area District Library employees will be reimbursed for mileage and parking expenses incurred while using their private vehicle in the performance of official duties. The employee is responsible for maintaining a record of transportation costs. Mileage will be reimbursed at the actual IRS rate.

**3.6 Retirement.** All employees of the Eaton Rapids Area District Library, who have attained the age of 21, are eligible to elect to defer wages into a 457 Plan.

#### **ARTICLE IV. OUTSIDE EMPLOYMENT**

**4.1 Allowance.** Eaton Rapids Area District Library employees may engage in outside employment provided that such outside employment does not cause a conflict of interest, or the appearance of a conflict of interest, with Library employment, and must not interfere with the satisfactory performance of the employee.

**4.2 Prohibited.** Outside employment may not be conducted within the Eaton Rapids Area District Library facility and may not use Eaton Rapids Area District Library materials or equipment, nor other Eaton Rapids Area District Library personnel beyond those resources that would be available to any member of the public. The employee may not engage in this outside employment during the employee's regularly scheduled working hours.

#### **ARTICLE V CAMPAIGNING**

Michigan law forbids the expenditure of public funds to advocate a vote in favor of a millage or bond issue election. Therefore, Eaton Rapids Area District Library staff may not, on paid Library time, work on political activities to promote millage or bond issue elections or disseminate materials which advocate a favorable vote on a millage or bond issue election. However, nothing in this Policy prevents staff members, on their personal time, from expressing their own personal views, expending their own personal funds, or providing their own personal volunteer services consistent with campaign laws.

#### **ARTICLE VI PROGRESSIVE ACTION POLICY**

Eaton Rapids Area District Library employees are expected to conduct themselves and their work in accordance with Eaton Rapids Area District Library policies when they are on duty in the Library and when they serve as representatives of the Library. All Eaton Rapids Area District Library employees are subject to disciplinary action as established by the Library for various offenses or infractions that conflict in spirit or letter with responsibilities of being a Library employee and representative. The degree of discipline

will vary according to the magnitude or severity of the offenses, as determined by the Library Director. Disciplinary action may take the form of verbal and written warnings, suspension, or dismissal.

If an employee's work record is free of discipline for a period of two (2) years, the employer will not take into account any prior infractions more than two (2) years old in imposing discipline, except in cases of physical violence, sexual harassment, or dishonesty.

While disciplinary records will be retained by the employer indefinitely, disciplinary actions will remain in the employee's personnel file for a period of 24 months for the purpose of progressive discipline.

In cases of disciplinary action, including but not limited to suspension, demotion, or discharge, the employee shall be given written notice of the action taken and provided an opportunity to respond. Any employee may request a hearing with the Library Director for review of disciplinary action taken against him/her. Such a hearing must be requested in writing within five (5) days of the action precipitating the need for the hearing. In any hearing, the employee has the right to have an attorney or another person present and to present testimony on his/her behalf. The Library Director's decision will be provided in writing within fourteen (14) days of the conclusion of the hearing. This decision will be final.

Nothing contained in this policy is intended to create a just-cause employment relationship or to establish a disciplinary policy that precludes the Library from discharging an employee at will.

## **ARTICLE VII WHISTLE BLOWER POLICY**

The Eaton Rapids Area District Library adheres to the rules, rights and responsibilities of employees and employers as defined in the Whistleblowers' Protection Act 1980 PA 469 (as amended). The Library has a responsibility for the stewardship of its resources and, to that end, works to ensure all laws, policies, and procedures are adhered to so as to promote a culture of ethical accountability.

A "whistleblower" as defined by this Policy is a Library employee who reports an activity that he/she considered to be illegal, dishonest, or in violation of Library policy (i.e., misconduct). If an employee has knowledge, concern, or suspicion of misconduct of any kind, he/she shall inform, through written memorandum or email: (a) the Library Director, or (b) the Library Board President. Any individual represented by these functions may serve as a complaint investigator.

The Library has an obligation to investigate and report allegations of suspected improper activities and take actions to correct misconduct. Once received, the complaint investigator shall confer with the other individual from the above list to ensure

that a thorough, appropriate, and timely investigation is conducted. If a complaint investigator has a conflict of interest, an alternate shall be appointed.

While efforts to maintain the confidentiality of the whistleblower will be taken, this shall be secondary to the objective of conducting a thorough investigation. In all cases, the Library shall not retaliate or discriminate against a whistleblower. This includes, but is not limited to, threats of physical harm, harassment of any kind, and protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or unfavorable work assignments. A whistleblower who suspects they have become a victim of retaliation or discrimination shall document the allegation in a letter to the President of the Board of Trustees within seven (7) days of the alleged retaliation or discrimination. The rights of a whistleblower for protection against retaliation or discrimination does not include immunity for any personal wrongdoing that is discovered through the investigation process.

## **ARTICLE VIII DRESS CODE**

The dress and manner of employees contributes directly to the overall impression the Library makes on the community. Staff members are expected to dress and conduct themselves at all times in a manner that is appropriate to the public's view of the Library, which makes them appear to be approachable, and enables them to do their jobs safely and effectively. It is also expected that employees adhere to good standards of personal hygiene.

An employee's choice of clothing should in no way restrict or limit their ability to work. All clothing should be in good condition, with no stains, rips, frays, tears, or holes. Cologne and perfume should be used sparingly.

Clothing and accessories that promote political or controversial issues should not be worn while at work. In addition, articles of clothing are not to display offensive words, pictures or gestures and shoes are to be worn at all times.

Additionally, the following items are not considered to be appropriate dress:

- Bib overalls
- Skirts or shorts shorter than mid-thigh
- Strapless sundresses
- Leggings as pants
- Bare backs
- Halter, tube tops or spaghetti straps worn without a cover up
- Sweatpants
- Casual unstructured t-shirts and sweatshirts, especially ones with messages
- Muscle shirts
- Bare midriffs
- Hats, visors and headscarves, unless they are worn for Library

programs, medical or religious reasons.

Employees may wear Eaton Rapids Area District Library logo tops or other library themed tops such as sweatshirts and t-shirts.

The Library Director may periodically designate special days when the Dress Code guidelines may be waived.

In all cases of uncertainty regarding an outfit's appropriateness, final discretion is up to the Library Director.

Any employee not properly dressed may be sent home without pay to change into appropriate attire. In addition, any employee who violates this Policy may receive discipline, up to and including termination.

#### **ARTICLE IV ELECTRONIC COMMUNICATIONS**

Telephones, fax machines, voicemail systems and computers, including electronic mail systems (email) and internet access ("electronic resources") are provided to employees for Library business use, and excessive personal use of these devices is prohibited.

Occasional personal use of electronic resources that does not interfere with Library business or employee duties may be permitted at the discretion of the Library Director. The Eaton Rapids Area District Library owns the computers, software, phones, and fax machines making up the voicemail, fax, email and internet systems, and permits employees to use them in performance of their duties.

Communication through electronic resources is subject to monitoring by the Library and the use of discriminatory, hostile, sexually-oriented, defamatory, or otherwise inappropriate language is strictly prohibited. Use of the Eaton Rapids Area District Library's electronic resources for gambling, obtaining or distributing pornographic materials, and all other illegal activity is strictly forbidden. It is also strictly forbidden to introduce software into any Library computer system that is potentially harmful to the integrity of the system, or to violate the terms of applicable computer software licensing agreements or copyright laws. Using computer systems for commercial purposes is prohibited. No employee shall use any data or other information on the computer system for personal gain or for the advantage of any outside third party. No employee shall permit any unauthorized person to gain access to the electronic resources.

The Eaton Rapids Area District Library owns and has the right to monitor, access, retrieve, read and disclose all information and materials that are created, sent, received, accessed, or stored on its electronic resources. Employees should understand that these resources are intended for business use, and all computer, fax, internet information, voicemail, and email messages are to be considered as Eaton Rapids Area District Library records. Employees should not assume any materials received or stored on the Library's electronic resources are private or confidential or that the Library's

designated representatives will not have a need to access and review this information.

Employees are responsible for exercising good judgement regarding the reasonableness of their use of the Library's electronic resources. If there is any uncertainty, an employee should consult with the Library Director/Technology Coordinator.

Violation of these guidelines will be considered grounds of disciplinary action, up to and including discharge.

## **ARTICLE X PERSONNEL FILES**

**10.1 Personnel Files.** The Eaton Rapids Area District Library is authorized to maintain the official personnel files and records for all Library employees. Information which is not contained within the official Library personnel file may be restricted from use in any subsequent action pertaining to the employee. Employees have a right to examine their personnel file, upon a written request to the Library Director. The employee may do so during regular Library hours provided it does not interfere with the employee's assigned duties. The Library Director may also make arrangements with the employee for review of the file before or after work.

Additionally, employees may also obtain copies of documents contained in their personnel file, but may be required to pay the actual cost for duplication as a condition to receiving copies.

**10.2 Disclosure of Personnel File Information.** The Library Director shall be responsible to uniformly handle all requests for disclosure of employee file information. The confidentiality of social security numbers contained in personnel files of employment records will be maintained in compliance with the Michigan Social Security Number Privacy Act (P.A. 454 of 2004) and the Eaton Rapids Area District Library Social Security Number Privacy Policy (Section I).

Access to employment records containing private health information are limited to the Library Director, and the employee, and will only be used in the administration of policies or procedures (e.g., FML, Workers Compensation, etc.) that require records of information. Employee concerns about private health information should be submitted to the Library Director in writing.

Disclosure of employee information shall be handled in accordance with the following:

1. All requests for information contained within employee personnel files, including requests for employment verification and job references, shall be forwarded to the Library Director.
2. Upon receiving a request for information, the Library Director shall require authorization from the individual about whom information is being requested before releasing any information, unless the request is pursuant to a subpoena.

The authorization must be in writing and signed by the individual who is the subject of the request. It must state the type of information that may be released and the party to whom information may be supplied.

3. The information requested shall be released only to the party authorized to receive it.

## **ARTICLE XI REFERENCES**

Any request for a reference from the Library must be made to the Library Director. The Library Director will not give information on an employee's performance to external reference seekers, except on written requests of the current or former employee. Outsiders contacting the Library for references on past or present employees are told only the dates of employment, position title, and whether the person is currently employed with the Library. The Library Director may also verify the employee's current salary as well as provide other information as required by law.

Those desiring reference information of greater detail will be advised to either send a letter requesting the specific reference information, or provide their contact information which will be forwarded to the employee for follow up.

## **ARTICLE XII SOCIAL SECURITY NUMBER PRIVACY**

In compliance with the Michigan Social Security Number Privacy Act, P.A. 454 of 2004 (the "Act"), the Eaton Rapids Area District Library will ensure, to the extent practicable, the confidentiality of all social security numbers (SSN) it possess, uses, or disposes of. For the purpose of this policy, SSN refers to the use of more than four (4) sequential numbers of an individual's SSN.

The Eaton Rapids Area District Library will not:

- Publicly display more than four (4) sequential numbers of an individual's complete SSN
- Use the SSN as the primary account number for any individual
- Visibly print the SSN on any identification badge or card, membership card, or permit or license
- Require an individual to use or transmit their SSN over the internet or computer system unless the connection is secure or the transmission is encrypted
- Require an employee to transmit their SSN to gain access to an internet website or computer system network unless the connection is secure, the transmission is encrypted, or a password or other authentication device is required to gain access.
- Include the SSN in or on any document sent to an individual if the numbers are visible on or, without manipulation, from outside of the envelope or packaging
- Include the SSN in or on any document or information mailed to an

individual, except in accordance with the Act or other applicable laws, rules, or regulations; or

- Unlawfully disclose SSN in violation of the Act or other applicable laws, rules and regulations.

Only personnel authorized by the Library Director will have access to documents that contain SSN. Documents containing SSN will be disposed of in an appropriate manner that protects their confidentiality, such as shredding, when no longer needed and in accordance with the requirements of State and federal law. Penalties for violating this Policy may include discipline, up to and including dismissal, and violations of the Act are punishable to the extent of the law (P.A. 454 of 2004).

### **ARTICLE XIII CONFIDENTIAL INFORMATION**

Eaton Rapids Area District Library employees may have access to privileged or confidential information about private citizens, residents, and employees of the Library, including but not limited to SSN, attorney-client privileged information and other information that is exempt from disclosure to the public.

The Library requires that its employees respect the confidentiality of the Library's records and information. Casual or unauthorized discussion by employees inside or outside of the Library regarding confidential, privileged or information exempt from disclosure to the public under the Michigan Freedom of Information Act is prohibited. A violation of this Policy may result in discipline, up to and including termination.

Any requests for information should immediately be directed to the Library Director, the authorized Freedom of Information Act Coordinator. Any questions should be directed to the Library Director.

### **ARTICLE XIV PROBLEM-SOLVING PROCEDURE**

**14.1 Procedure.** All Library personnel are encouraged to discuss problems or concerns with the Library Director as soon as they come up. If the problem is not resolved, the employee should provide the Library with a written statement concerning the problem, as soon as possible, using the following procedure:

1. A written statement should be presented to the Director in a timely manner. The Director will promptly discuss the matter with the employee, during working time if work load permits.
  - a. Written Statement. The written statement need not be in any particular form, but must refer to the specific circumstance and adequately set forth the facts pertaining to the alleged problem.
2. The Director shall provide the employee with a prompt response, in writing.
3. If the employee does not consider the answer of the Director in Step 2 satisfactory, the employee may present the matter to the President of the Library Board.

4. The President will review the matter and respond as he/she deems appropriate. If the President does not believe the matter is of such a nature as to warrant Board attention, the President may address the matter as he/she deems appropriate. If the President determines that the problem warrants Board consideration, the President may call a special Board meeting at which anyone who has participated in a previous step may attend. The employee may request that the meeting be closed in accordance with the Open Meetings Act. The Board will make a recommendation to the President, who will answer the grievance in writing within two weeks.

#### **14.2 Rules of Grievance Processing.**

1. The employee's involvement in the problem-solving procedure must not conflict with the full, faithful and proper performance of required duties.
2. The written statement and responses thereto shall be dated and signed by the person responsible for making them.
3. The problem-solving procedure will be kept as confidential as possible, subject to proper processing of any information received under the Michigan Freedom of Information Act or through other legal matters. However, any disciplinary action taken in connection with an employee's complaint will be placed in the appropriate personnel file(s).

#### **ARTICLE XV. HARASSMENT**

The Eaton Rapids Area District Library is committed to providing a work place free from harassment. Therefore, ERADL prohibits harassment of employees or members of the public by an employee. Harassment can occur with a single incident or through a pattern of behavior where the purpose or effect is to create a hostile, offensive, or intimidating work environment. Harassment can result from a broad range of actions, which might include, but is not limited to, the following:

- Physical or verbal intimidation
- Racial, gender or age insults
- Derogatory ethnic jokes
- Religious slurs, or;
- Sexual harassment (as defined below)
- 

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature when: Submission to such conduct or communication is made as a term or condition either explicitly or implicitly to obtain employment

- Submission to or rejection of such conduct or communication by an individual is used as a favor in decisions affecting such individual's employment, or
- Such conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile, or offensive employment environment.

This policy against harassment also prohibits acts of non-employees which result in an intimidating, hostile, or offensive employment environment or unreasonably interferes with an individual's employment.

An employee who believes that he or she has been harassed must promptly report the incident to the Library Director.

The Eaton Rapids Area District Library will conduct a prompt and thorough investigation of each incident and, if a violation is found, will take prompt and appropriate action against the person, or persons, responsible.

Employees who violate the policy will be subject to discipline up to and including discharge. ERADL prohibits any form of retaliation against employees for bringing bonafide complaints or providing information about harassment. However, if an investigation of a complaint shows that the complaint or information was false, the individual who provided the false information will be subject to disciplinary action, up to and including discharge.

Non-employees who violate this policy will be considered in violation of Section IX of the Policy Manual and may be barred from use of the Library for specified periods of time as provided in Section IX.

## **ARTICLE XVI WORKPLACE VIOLENCE**

**16.1 Workplace Violence Policy.** It is the policy of the Eaton Rapids Area District Library to provide a safe work environment that is free from recognized hazards, including workplace violence. Violent or intimidating behaviors, gestures, or actions by employees or members of the public will not be tolerated and will be immediately investigated and necessary action will be taken in response to any reported threats or apparent acts of violence.

Workplace violence, includes threats, assaults, batteries, harassments, stalking and other forms of intimidation, and are generally defined as any act, gesture, or statement that is interpreted by any employee as threatening or intimidating, regardless of the location of such acts.

### **16.2 Work Place Violence Procedure**

1. In the event of imminent danger to yourself or others, call 911 first, then notify the Library Director and Assistant Director.
2. Any and all complaints of activities which include behaviors such as, but not limited to, those mentioned previously will be immediately pursued with regard to a thorough investigation. The Library Director, or his/her designee, will be responsible for conducting an investigation and recommending appropriate remedial action.
3. Any employee who engages in such acts of violence will be subject to immediate disciplinary action, up to and including dismissal from employment.

4. All employees are required to report knowledge of violence or potential violence in the workplace. These complaints are to be made to the Library Director. It then becomes the Library Director's responsibility to notify the appropriate individuals so action can be initiated.
5. The Eaton Rapids Area District Library prohibits any form of retaliation against an employee for filing a complaint under this Policy or for assisting in an investigation. If after investigating any complaint, it is determined that an employee has knowingly provided false information, disciplinary action may be taken against the individual who knowingly filed a false complaint or who knowingly provided false information.

Non-employees who violate this policy shall be considered in violation of Section IX of the Policy Manual and may be barred from use of the Library for specified periods of time as provided in Section IX.

## **ARTICLE XVII DRUG AND ALCOHOL FREE WORKPLACE**

It is the right, obligation and intent of the Eaton Rapids Area District Library to maintain the highest standards of health, safety and security for staff, patrons and the general public, to protect Library property and operations, and to comply with both the letter and spirit of the Drug-free Workplace Act of 1988.

The unlawful manufacture, distribution, dispensation, possession, being under the influence, or use of an illegal substance, or alcohol, on Library property, or while conducting Library business off the premises, is prohibited. Violations of this policy will result in immediate disciplinary action up to and including termination and may have legal consequences.

Employees must, as a condition of employment, abide by the terms of this policy and report any conviction under a criminal drug statute for violations occurring on or off Library premises while conducting Library business. A report of a conviction must be made within five days after the conviction as is mandated by the Federal Drug-free Workplace Act of 1988. Convictions for criminal drug offenses while conducting Library business will be subject to discipline up to and including discharge.

Employees are required to submit to a blood, hair follicle, or urinalysis examination for the purpose of detection of the employee's use of unauthorized prescriptive drugs, illegal drugs, controlled substances employees are required to submit to a blood, hair follicle, or urinalysis examination for the purpose of detection of the employee's use of unauthorized prescriptive drugs, illegal drugs, controlled substances and/or alcohol, at any time, if the Library has a reasonable suspicion that the employee:

1. Is under the influence, impaired or otherwise affected by the use of drugs and/or alcohol;
2. Is currently possessing on Library property unauthorized drugs and/or alcohol; or

3. Has sold or distributed drugs and/or alcohol on Library property or attempted the same.

The use of prescribed drugs or over-the-counter medications which may adversely affect performance or behavior must be reported by the employee to the Library Director upon reporting for duty.

The Library recognizes drug dependency as a major health problem. The Library also recognizes drug abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to seek counseling or treatment as appropriate.

## **ARTICLE XVIII SMOKE FREE FACILITY**

Smoking is also not permitted in the Eaton Rapids Area District Library (MI Public Act 188 of 2009), nor is the use of any device that produces vapor containing nicotine. This policy applies to all employees, clients, contractors and visitors.

## **ARTICLE XIX PROFESSIONAL DEVELOPMENT POLICY**

**19.1 Purpose.** The purpose of this policy is to provide library employees with professional development opportunities that increase their knowledge, skills, and abilities to enhance their contributions to the library and to their area of work by attending professional training sessions, seminars, conferences, conventions, webinars or other educational programs. Professional development is an investment in library employees and their capacity to meet the current and future needs of the community.

**19.2 External Professional Development Activities.** All library employees are encouraged to attend job-related training sessions, seminars, conferences, conventions, webinars or other educational programs. The library supports employee participation in these activities and allocates funds to be used for approved travel and registration expenses.

Upon approval of the Library Director, related expenses will be reimbursed if funds are available. As a condition for approval of attendance, the Library Director may require the requesting library employee to speak about the professional development opportunity at a future staff meeting or board meeting.

Priority in approving requests will be given to those requesting library employees that have been selected to present or receive awards at conferences or events, or who have received financial assistance to attend specific conferences. The Library Director reserves the right to deny requests to reserve funds for other staff members to attend future events.

Any costs beyond those specified in the reimbursement expense form, which are not accounted for and submitted to the Library Director, may either be deducted from employees' wages or forfeited, and will not be eligible for reimbursement.

**19.3 Travel Reimbursement.** Eaton Rapids Area District Library Employees will be reimbursed for mileage and parking expenses incurred while using their private vehicle in the performance of their official duties. All business travel must be approved by the Library Director prior to making travel arrangements. The employee is responsible for maintaining a record of transportation costs. Mileage will be reimbursed at the IRS minimum rate per mile rate. When travel is completed, employees shall submit completed travel expense reports to the Library Director. The Library Director shall review the report, sign approval when appropriate, and turn into accounts payable for reimbursement.

**19.4 Internal Professional Development Activities.** All library employees are encouraged to attend onsite learning opportunities. The library supports utilizing staff knowledge and expertise as in house speakers and presenters. When needed, the library will bring in outside experts to present information and required topics and strategic areas of interest.