

**— SECTION IV —**

**PERSONNEL POLICIES**

## Personnel Policies

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## 4.01 PERSONNEL MANUAL

The Personnel Policies of this Library District are not intended to create any sort of a contract of employment with the Niles-Maine District Library. Rather, the purpose of the Manual is to provide general information regarding the personnel program. You are responsible for reading, understanding and complying with all provisions of the Personnel Manual. It describes many of your responsibilities as an employee and outlines the programs developed by the Library District to benefit employees.

Unless you have an employment agreement to the contrary, which is signed by the Library District Board of Trustees, your employment is at-will and may be terminated, with or without cause, and with or without notice, at any time at the option of either the employee or the Library District. Nothing in the Personnel Manual or in the Personnel Policies shall be interpreted as an offer of employment or a promise of continued employment. Continued employment of all employees is subject to the general discretion of the Library District Board of Trustees.

The Library District reserves the right to revise, supplement, deviate from or rescind any policies or portion of the Personnel Manual from time to time as it deems appropriate, in its sole and absolute discretion. The Library District also reserves the right to change or eliminate any benefits at any time in accordance with applicable law. The Library District will make an effort to notify you of such changes as they occur.

Applicable federal, state or local laws or regulations shall supersede these stated policies, until corrections can be published, in the following instances:

- If any of the policies are or become in conflict with federal, state, or local laws or regulations.
- If any omissions or inclusions cause conflict with federal, state, or local laws or regulations.
- If typographical or printer error should cause conflict with any federal, state, or local laws or regulations.

Should there be any questions as to the interpretation of the policies or benefits listed in this Personnel Manual, the final explanation and resolution will be at the sole and absolute discretion of the Library District, subject to applicable federal, state, and local laws. If you have any questions about this Personnel Manual, please see your supervisor or the Library Director.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92; 12.14.16*

### **Position Openings/Resignations**

All employees voluntarily leaving the employment of the Library District should submit either a letter of resignation or complete a “Voluntary Quit” form to the Library Director. The Library District requests that professional staff provide one month’s notice and clerical staff provide two weeks’ notice of resignation. An employee who fails to report to work for three or more consecutive days without notice shall be deemed to have voluntarily resigned from employment.

The Director will establish a procedure for announcing position openings, accepting and evaluating applications, interviewing potential candidates and selection of the final candidate to be recommended for hire.

### **Check of Candidate’s Qualifications**

All applicants must provide references to be considered during the interview process.

Candidates for all positions will be subject to a criminal history background check. Applicants shall complete in full forms provided by the company selected for providing background checks. This company will provide the Library Director with the results of the background check.

If the Director decides to take adverse action based on the background check, a prospective employee will be given a copy of the report and may contest the accuracy of the report to the Director within seven days of receipt of the report.

All employees who may be expected to drive the library van shall have their driving records checked prior to their employment and thereafter on not less than an annual basis. Any employee hired to drive shall be required to immediately report any license suspension or revocation to the Director.

### **Appointments**

Appointments of personnel shall be on the basis of qualification and pertinent experience only. Appointment to the staff shall be made by the Library Director.

The Director will send the new employee a letter of employment stating the official starting date, conditions of employment and a schedule for orientation to the Library.

### **Training Period**

The first ninety (90) days of employment shall be considered an employee’s training period. During this period, you have an opportunity to evaluate the Library District as a place to work, and the Library District has an opportunity to evaluate you as an employee with regards to your work, skills, attendance, punctuality, performance in the job, and other job-related criteria. The Library District may not follow progressive discipline for rule violations or performance issues occurring during the training period. The supervisor of an employee in his/her training period will generally conduct an evaluation at the end of his/her first ninety (90) days. The 90-day evaluation is the final evaluation prior to the end of the new employee’s training period.

The training period is merely an administrative designation. Satisfactory completion of the training period does not create any additional job security or rights for the employee; employees continue to serve and be employed on an at-will basis both during and after the training period. At any time during the training period and after the conclusion of the training period, you may be terminated. The Library District reserves the right to extend or shorten the training period within its discretion.

### **Deferred Compensation for Full-Time Employees**

All employees may contribute to the Library District's Deferred Compensation Plan (457) on a pre or post tax basis with ICMA which has been at the Library for several years. Anyone can open an account and save. There are several investment and funding choices including regular 457 plans which are funded by pre-tax salary deferrals and earn interest on a pre-tax basis. Taxes are due when the funds are withdrawn. ICMA also offers a Roth 457 which is funded with after-tax funds and earn interest tax free.

Full time employees and part time employees who work at least 1,000 hours per year are automatically enrolled in the Illinois Municipal Retirement Fund ("IMRF"). IMRF is a defined benefit pension plan. Each employee has 4.5% of his/her wages withheld and sent to IMRF. The Library District also contributes an amount which is determined annually by IMRF to fund your retirement. IMRF has an 8 year and a 10 year vesting program depending on when you join and will pay up to 75% of your pay in retirement depending on how many years' experience you have upon retirement. IMRF also has a provision where employees may save an additional 10% of wages. More information may be found at <http://www.IMRF.org>.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 4.17.96; 10.16.96; 3.16.05; 9.20.06; 8.20.08; 12.16.15; 12.14.16*

## 4.03 EMPLOYMENT AND DISCIPLINE

As integral members of the Library District's team, employees are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times.

Employees are encouraged to observe the highest standards of professionalism at all times. The following is a list of behaviors that could result in disciplinary action, up to and including termination. They are not intended to be an all-inclusive list of unacceptable behavior—other behaviors may, at the Library District's discretion, also result in disciplinary action, up to and including termination. Rather, they are simply examples of the kinds of misconduct which can result in discipline. Establishment of these standards of conduct does not alter the employment-at-will relationship. Employees should seek further clarification from their supervisor on issues related to conduct if they do not understand a particular rule or are uncertain regarding a particular behavior.

- a. Violation of any Library District policies.
- b. False statements on an employment application, time sheet, expense report, personnel or other documents or records of the Library District, or fraud in securing employment.
- c. Performance that does not meet the requirements of the position.
- d. Violation of the Library District's Drug and Alcohol-Free Workplace policy.
- e. Theft of Library District, employee, or patron property.
- f. Insubordinate acts, such as failing to follow reasonable directions from supervisors.
- g. Repeated tardiness or absence; failure to report for work without a satisfactory reason.
- h. Fraudulent misrepresentation with regard to the request for or utilization of sick leave, compassionate leave, jury duty or other leaves of absence.
- i. Action or failure to act which endangers the physical safety of other persons or the property of Niles-Maine District Library or others.
- j. Threatening, intimidating, coercing, or using abusive or vulgar language towards other employees or patrons, or interfering with the performance of other employees.
- k. Fighting or other disruption of the orderly conduct of the business of Niles-Maine District Library.
- l. Failure to work scheduled hours.
- m. Rudeness or inappropriate conduct towards patrons.

- n. Possession, distribution or use of weapons or explosives on the premises of the Library District, which has prohibited the possession of weapons on its premises in accordance with the Illinois Firearm Concealed Carry Act.
  - o. Unauthorized or inappropriate use of material, time, equipment or property of the Library District or a patron.
  - p. Damaging or destroying Library District or patron property through careless or willful acts.
  - q. Violations of local, state, or federal law.
  - r. Any behavior that results in an employee not performing his or her job, including sleeping on the job.
  - s. Engaging in such other practices as the Library District determines may be inconsistent with the ordinary and reasonable rules of conduct necessary to the welfare of the Library District, its employees, or its patrons.
2. Should performance, work habits, conduct or demeanor become unsatisfactory in the judgment of the Library District, based on violations either of the above or of any other of the Library District's policies, rules or regulations, an employee may be subject to disciplinary actions as follows:
- a. Oral warning.
  - b. Written reprimand.
  - c. Suspension.
  - d. Dismissal.

However, nothing in this policy shall be construed in any way to require the use of progressive discipline in all situations. Discipline may begin at any step, including immediate termination (especially during the early stages of employment), dependent upon the severity of the incident. The progressive disciplinary steps and the Library District's potential decision to decline to follow the steps in every situation do not in any way create a contractual right to continued employment.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92; Revised 8.20.08; 12.14.16*



#### **4.04 OPEN DOOR COMMUNICATIONS**

The Library District encourages its employees to raise issues that may be negatively impacting their work environment. If an employee has a complaint, problem, or situation that needs to be addressed, the following procedure should be utilized:

1. The employee should first discuss the situation with his or her supervisor as soon as possible and attempt to resolve it. The employee should give the supervisor an opportunity to investigate and then get back to the employee.
2. If the employee is not satisfied with the supervisor's response or feels the issue is not resolved, the employee can present the issue to the Director in writing and, again, as soon as possible. The employee should give the Director an opportunity to reconsider the situation and get back to the employee in writing.
3. If the employee is still not satisfied that the situation is resolved, the employee can present the issue to the Board of Trustees. As before, this should be done in writing as soon as possible. The Board will consider the situation and make a decision which will be final.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 6.19.96; 6.18.97; 8.20.08; 12.14.16*

## 4.05 ABSENCE REPORTING

Consistent attendance and punctuality contribute to the success of the Library District's operations. Attendance problems disrupt operations, lower productivity and create a burden on other employees. All employees of the Library District are expected to assume responsibility for their attendance and promptness.

### Rules Concerning Attendance

1. Employees are required to notify the Library of an absence in advance of the absence when possible. When you know in advance that you cannot avoid absence from work, you must make arrangements in advance with your supervisor.
2. If it is not feasible to make arrangements in advance for an absence, you are then required to contact your supervisor on the first day of the absence at least 30 minutes before your normal starting time. Be prepared to explain the reason for the absence and give an expected date of return to work. The Library District may require that additional documentation substantiating the reason for the absence be furnished..
3. An employee must personally contact the Library District each day of an absence unless the employee is otherwise excused from notification by the supervisor.
4. In instances of absence due to your health, the Library District reserves the right to require you to obtain a doctor's report explaining the condition and the doctor's restriction that you not work. Ordinarily any absence due to illness over three consecutive days requires a report from the attending doctor. Where deemed appropriate, the Library District may delay its decision as to your physical fitness to return to work until a doctor's report is submitted.
5. Unexcused or excessive absence, continued tardiness, and/or failure to follow these procedures may be grounds for disciplinary action. An unexcused absence is defined as failure to notify the supervisor by telephone or otherwise no later than 15 minutes after the time the employee was to report for work unless the employee could not provide timely notice for reasons beyond his/her control. Tardiness is defined as failure to be at the assigned work station at the beginning of the work period.
6. After three consecutive days of absence without notice to the Library District, an employee shall be presumed to have abandoned his or her job; thus, the Library District will consider employees who are absent for three days without notice to have voluntarily separated from the Library District.
7. All absences must be reported to the Administrative Office by the supervisor on the day of notification of the absence.

*Adopted by the Niles Public Library District of Trustees 7.1.92; Revised 12.14.16*

## 4.06 SICK LEAVE

1. Sick leave pay is intended to provide uninterrupted pay during the illness, injury, or doctor's appointment of an employees or an employee's child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent. An employee must notify the Library as soon as possible when the need to use sick leave pay arises (see "Absence Reporting"). During a period of sick leave, an employee is expected to maintain regular contact with his/her supervisor to provide an updated status. Sick leave benefits are contingent upon maintenance of regular contact.
2. Regular full-time employees are credited with sick leave at one day (7 1/2 hours) per month. Part-time employees are credited with sick leave pro-rated on an average of their scheduled hours worked per month. Sick leave is cumulative to 450 hours (sixty (60) working days).
3. Although eligible employees accrue sick pay credit during the training period, sick leave with pay is not allowed during that period without approval from the Library Director. No sick pay shall be paid in advance of accrual.
4. If an employee is on sick leave for three or more consecutive days, the employee may be required to provide certification from a physician as a basis for pay during sick leave. The Library Director at his/her discretion may waive the certification requirement.
5. Illness or injury which occurs during an employee's scheduled vacation or on a designated holiday shall be considered vacation or holiday—it will not be retroactively designated as sick leave.
6. Employees shall not earn sick leave allowance while on a leave of absence without pay. A sick leave allowance is earned for the first thirty consecutive calendar days during which sick pay is received, and for the first ninety consecutive calendar days of absence because of a job-related illness or injury.

Upon separation from employment, accumulated sick leave is not payable. However, if separation is due to retirement and the employee is a vested member of IMRF, the accumulated sick time will be counted toward additional service credit when calculating a retiring employee's retirement benefit.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 6.19.96; 4.16.08; 8.20.08; 4.22.13; 3.19.2014; 4.16.2014; 11.18.15; 12.14.16*

## 4.07 HOLIDAYS AND CLOSINGS

### I. Full-time staff

- a. Full-time staff will be granted the following paid holidays off:
  1. New Year's Day (January 1<sup>st</sup>)
  2. Memorial Day (Last Monday in May)
  3. Independence Day (July 4<sup>th</sup>)
  4. Labor Day (First Monday in September)
  5. Thanksgiving Day (Fourth Thursday in November)
  6. Christmas Eve (December 24<sup>th</sup>)
  7. Christmas Day (December 25<sup>th</sup>)
  8. New Year's Eve (December 31)
- b. The Library will be closed on Easter Sunday, but it is not a paid staff holiday.
- c. The Library will close at 5:00 p.m. on Thanksgiving Eve.
- d. In addition, the Library will not be closed but full-time staff will receive a floating holiday, to be used within two weeks of the date shown, for each of the following holidays:
  1. Lincoln's Birthday (February 12<sup>th</sup>)
  2. Columbus Day (Second Monday in October)
  3. Veterans Day (November 11<sup>th</sup>)
- e. When a Holiday falls on a staff member's normally scheduled day off, the staff may schedule another day off within either the two weeks before or two weeks after the Holiday with the approval of the supervisor.
- f. When a paid holiday falls on an employee's scheduled paid vacation, that day will be considered a paid holiday rather than a vacation day.

### 2. Part-time Employees

- a. Part-time employees shall be paid or provided floating holiday time off for the equivalent number of hours which they normally would have worked on the Holidays observed by the Library, as listed in section I (a) above.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92*

*Revised 12.15.93; 10.21.98; 10.20.99; 3.21.01; 8.20.08; 3.19.2014; 7.15.2014; 12.14.16*

## 4.08 VACATION ALLOWANCES

1. Full-time employees will accrue vacation leave benefits on a monthly basis at the rates listed below:

<b>Job Title/Years Worked:</b>	<b>Monthly Accrual Rate:</b>	<b>Accrued Per Year:</b>
<i>Director and Assistant Director:</i>	1.67 days	4 weeks
<i>Librarians and Dept. Heads:</i>		
Less Than 4 Years Worked	1.25 days	3 weeks
4 or More Years Worked	1.67 days	4 weeks
<i>All Other Full-Time Employees:</i>		
Less Than 4 Years Worked	.833 days	2 weeks
4 > 10 Years Worked	1.25 days	3 weeks
10 or More Years Worked	1.67 days	4 weeks

2. Part-time employees will accrue a prorated amount of vacation on a monthly basis based on the average number of hours worked per week during the year prior. During a part-time employee's first year, the employee will earn a prorated amount of vacation based on their anticipated weekly hours. One work day is defined as the part time employee's anticipated average weekly hours divided by 5, e.g. a part time employee working 15 hours per week would be awarded 3 hours per day of vacation.

Less than 4 Years Worked	1 week
4 years	1 week and 1 day
5 years	1 week and 2 days
6 years	1 week and 3 days
7 years	1 week and 4 days
8 years	2 weeks

3. General Provisions:

- a. Vacation records of days earned and days used will be kept on a calendar year basis from January 1 to December 31.
- b. Vacation time shall accrue each month on a prorated basis according to the benefits received. In the first year of employment, employees will receive less than the annual accrual due to the timing of their start date.
- c. Benefits will begin to accrue from date of hire.
- d. No more than the amount of one year's paid vacation time earned may be carried over into the following calendar year.
- e. All vacation periods must be approved by the department head in advance so as not to disturb the efficient operation of the Library.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 4.19.95; 6.19.96; 2.16.05; 3.16.05; 8.20.08; 11.18.15; 12.14.16; 2.15.17*

## 4.09 PERSONAL DAYS

1. Full-time employees will be credited with four personal days each calendar year, which will accrue quarterly (i.e. one personal day per quarter). Part-time employees will receive a prorated amount of personal hours based on the average number of hours they work per week. Personal time will begin to accrue from date of hire.
2. A request to use a personal day must be made in writing to the Department Head with no less than two working days' notice and shall not unreasonably interfere with the performance of the employee's work or the operation of the library. Personal days may be taken for approved personal reasons, which include personal business that cannot be accomplished outside of the employee's regular working hours, such as banking and legal transactions, home repairs, etc. Personal days are not extra vacation days and should not be used as such.
3. Personal days may not be carried from one year to the next nor will unused personal days be paid out to the employee.
4. Unused personal days are not payable upon separation from employment.
5. Beginning on January 1, 2017, full time employees with personal day awards in excess of 4 days or part-time employees with personal day awards in excess of their normal prorated amount of time ("Excess Days") or in the case of part time employees their normal prorated days plus one half of the Excess Days during 2016 will be awarded 4 personal days plus one half of the Excess Days awarded in 2016. Beginning on January 1, 2018, all full time employees will be credited with no more than 4 personal days or in the case of part time employees their normal prorated days as described above.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 1.27.93; 9.20.00; 6.18.03; 3.17.04; 4.16.08; 8.20.08; 12.14.16*

## 4.10 FAMILY MEDICAL LEAVE

*This policy contains information consistent with and in addition to the information contained in the “Employee Rights and Responsibilities” notice (found on the previous page) and is meant to provide additional information about the Library District’s specific policies and procedures under the Family and Medical Leave Act (FMLA). In the event of any conflict between the “Employee Rights and Responsibilities” notice and this policy, the “Employee Rights and Responsibilities” notice will prevail.*

### **Basic Leave Entitlement**

An employee may be eligible to take up to 12 weeks of unpaid family/medical leave within a 12-month period and be restored to the same or an equivalent position upon return provided that the employee has been employed by the Library District for at least 12 months AND has worked for at least 1,250 hours during the 12-month period preceding the leave AND at least 50 employees are employed by the Library District within 75 miles of the employee’s work location

The 12-month period in which the 12-week leave entitlement occurs shall be a rolling 12-month period measured backward from the date an employee uses any FMLA leave. Thus, each time an eligible employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months.

### **Reasons for Leave**

Eligible employees are entitled up to a maximum of 12 workweeks of unpaid leave during any 12-month period for one or more of the following:

- A. Because of the birth of a son or daughter of the employee.
- B. Because of the placement of a son or daughter with the employee for adoption or foster care.
- C. In order to care for the spouse, son, daughter, or parent of the employee, if such spouse, son, daughter, or parent has a serious health condition.
- D. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.

Leave because of reasons A and B above must be completed within the 12-month period beginning on the date of birth or placement. Spouses employed by the Library District who request leave because of reasons A or B or to care for the employee’s parent with a serious health condition may only take a combined aggregate total of 12 weeks leave for such purposes during any 12-month period.

### **Military Family Leave Entitlement**

If an employee is eligible, the employee may use the 12-week FMLA leave entitlement to take military family leave. This leave may be used to address certain qualifying exigencies related to the covered active duty or call to covered active duty of a spouse, son, daughter or parent. Qualifying exigencies may include: (1) attending certain military events; (2) arranging for

alternative childcare; (3) addressing certain financial and legal arrangements; (4) attending certain counseling sessions; (5) addressing issues related to short-notice deployment; (6) spending time with a covered family member who is resting and recuperating; (7) attending post-deployment briefings; and (8) for certain activities relating to the care of the military member's parent who is incapable of self-care where those activities arise from the military member's covered active duty.

An employee may also be eligible for up to 26 weeks of leave to care for a covered service member during a single 12-month period. *This single 12-month period begins with the first day the employee takes the leave.* A covered service member includes: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a covered veteran, meaning one who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and: (i) was a member of the Armed Forces (including a member of the National Guard or Reserves); and (ii) was terminated or released under conditions other than dishonorable within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran.

### **Improper Use of Leave**

An employee may not be granted a FMLA leave to gain employment or work elsewhere, including self-employment. If an employee misrepresents facts in order to be granted an FMLA leave, the employee may be subject to immediate termination.

### **Notice of Leave**

If the FMLA leave is foreseeable, the employee must give the Library District at least 30 days' notice in accordance with the usual procedure for requesting a leave of absence. Failure to provide such notice may be grounds for delay of the leave. Where the need for leave is not foreseeable, the employee is expected to notify the Library District as soon as practicable and, absent unusual circumstances, in accordance with the Library District's normal leave procedures as detailed in the Absence Reporting Policy and the Personal Leave of Absence Policy. When the leave is needed for planned medical treatment, employees must attempt to schedule treatment so as not to unduly disrupt the Library District's operations.

### **Medical Certification—Leave for Employee's Own or a Covered Family Member's Serious Health Condition**

If the employee is requesting leave because of the employee's own or a family member's serious health condition, the employee and the relevant health care provider must supply appropriate medical certification. The medical certification must be provided within 15 days after it is requested, or as soon as reasonably possible under the circumstances. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The Library District, at its expense, may require an examination by a second health care provider designated by the Library District, if it reasonably doubts the medical certification you initially provide. If the second health care provider's opinion conflicts with the original medical certification, the Library District, at its expense, may require a third, mutually agreeable health care provider to conduct an examination and provide a final and binding opinion. The Library District may also require medical recertification periodically during the



leave, and employees may be required to present a fitness-for-duty verification upon their return to work following a leave for the employee's own medical condition specifying that the employee is fit to perform the essential functions of the job.

### **Certification for a Qualifying Exigency**

If the employee is requesting leave because of a qualifying exigency arising out of a covered family member's active duty or call to active duty, the employee must supply a copy of the covered military family member's active duty orders or other documentation issued by the military indicating that the covered military member is on active duty or call to active duty (including the dates of the active duty service). The Library District may also request additional information pertaining to the leave.

### **Certification for Service member Family Leave**

If an employee is requesting leave because of the need to care for a covered service member with a serious injury or illness, the Library District may require the employee to supply certification completed by an authorized health care provider of the covered service member. In addition, the Library District may also request additional information pertaining to the leave.

### **Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave**

If an employee is requesting leave because of the need to care for a covered veteran with a serious injury or illness, the Library District may require the employee to supply certification completed by an authorized health care provider of the covered veteran. In addition, the Library District may request additional information pertaining to the leave.

### **Substitution of Paid Leave**

FMLA leave is unpaid leave. If an employee requests leave for any FMLA-covered reason, the employee will be required to exhaust all available vacation and personal time, and, when leave is taken due to the employee's or employee's family member's serious health condition, all available sick days. The exhaustion of this paid leave does not extend the leave period. In addition, if an employee is eligible for any additional paid leaves, such as short term/long term disability or workers' compensation, these leaves will also run concurrently with FMLA leave (where appropriate) and will not extend the leave period. When using paid leave in conjunction with FMLA leave, an employee must comply with the requirements of the applicable paid leave policy.

### **Benefits During Leave**

During an approved FMLA leave, the Library District will maintain the employee's health benefits as if the employee continued to remain actively employed, but the employee must continue to pay his or her share of the premium. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage. If the employee does not return to work after the expiration of the leave, the employee may be required to reimburse the Library District for payment of health insurance premiums during the FMLA leave.

During the unpaid portions of FMLA leave, the employee will not accrue employment benefits, such as vacation pay, sick pay, and personal pay, etc. Employment benefits accrued by the employee up

to the day on which the unpaid FMLA leave begins will not be lost. Also during the unpaid portions of FMLA leave, the employee will not receive pay for holidays during the leave.

### **Intermittent Leave/Reduced Schedule Leave**

In the case of unpaid leaves for serious health conditions, to care for a service member with a serious injury or illness, or because of a qualifying exigency, the leave may be taken intermittently (in separate blocks of time due to a single qualifying reason or health condition) or on a reduced hours basis if necessary. If intermittent or reduced hours leave is required for planned medical treatment, the Library District may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates that type of leave. If leave is unpaid, the Library District will reduce the employee's salary based on the amount of time actually worked. A fitness-for-duty certification may be required to return from an intermittent absence if reasonable safety concerns exist concerning the employee's ability to perform his or her job duties.

### **Job Restoration**

An employee who returns to work from an approved FMLA leave of absence is entitled to return to his or her job or an equivalent position without loss of benefits or pay. An employee who took leave because of his or her own serious health condition who wishes to return to work from FMLA leave may be required to present a fitness-for-duty release by a doctor prior to being restored to employment. An employee who fails to provide the certification will not be permitted to resume work until it is provided.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 4.20.94; 6.19.96; 8.20.08; 12.14.16*

## **4.11 MILITARY LEAVE OF ABSENCE**

Leaves of absence for military or reserve duty are granted to all employees of the Library District. Employees called to active military duty or to reserve or National Guard training, or volunteering for the same, should submit copies of their military orders to their supervisor or department head as soon as practicable. Employees will be granted a military leave of absence for the period of military service in accordance with applicable federal and state laws. Employees who are reservists or members of the National Guard are granted time off for required military training, and will receive the difference between his/her base military pay and his/her regular pay while attending required training upon presenting his/her military pay voucher to his/her department head. Their eligibility for reinstatement after the completion of their military duty or training and benefit continuation/eligibility issues are determined in accordance with applicable federal and state laws. Employees may elect, but are not required, to use any vacation entitlement for any unpaid military leave.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 12.14.16*

#### **4.12 PERSONAL LEAVE OF ABSENCE**

Under certain circumstances, the Library Director may approve a leave of absence for a full-time employee who has maintained a satisfactory record of employment with the Library District for a minimum of one year, but does not qualify for a leave under another of the Library District's policies. A personal leave of absence may not typically exceed 30 calendar days.

Requests for Personal Leave of Absences must be submitted in writing to the Director at least thirty (30) days prior to the commencement date, except when medical or personal conditions make such a requirement impossible. The request should state the reason(s) for the proposed leave, the date of departure from employment and the estimated date of return to employment.

The granting of a leave of absence, and the terms and conditions surrounding the leave of absence, are at the sole discretion of the Library District. While the Library District will make every effort to reinstate the employee to his or her previous position, there are no guarantees.

Upon return from any leave provided under this policy, the employee shall maintain all seniority and benefits accrued as of the commencement of the leave. No loss of service credit with the Library District will occur as a result of the leave of absence, but no benefit credit will be accrued toward vacation, personal, and sick leave entitlement for the duration of the leave.

Extensions of leaves of absence must be requested in writing to the Director prior to the agreed upon return date, and are subject to the approval of the Board of Trustees.

Employees on leave of absence must notify the Director in writing at least two weeks prior to the end of their leave of their availability for return to work. An employee's failure to return from leave of absence at the agreed upon time will be considered a voluntary termination of employment.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 4.20.94; 6.19.96; 8.20.08; 12.14.16*

#### **4.13 COMPASSIONATE LEAVE**

1. Leave with pay, not to exceed three working days, will be granted to employees for a death in the immediate family and, if it is deemed necessary, additional time may be allotted from their sick leave accumulation upon the approval of the Director. Furthermore, an employee who has been employed by the Library District for at least 12 months and worked at least 1,250 hours in the last 12 months may be entitled to take an additional seven working days of time off for the death of the employee's child (for a total of two weeks off). For these additional seven days, employees may use available vacation or personal hours or take unpaid time off.
2. For purposes of this section only, the immediate family shall mean spouse, mother, father, son, daughter, brother, sister, grandparents, grandchildren, son-in-law, daughter-in-law, brother-in-law, sister-in-law, father-in-law, mother-in-law, or other individual residing in the employee's household.
3. At the Director's request, an employee may be requested to provide documentation supporting the reason for such leave.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 9.20.00; 12.14.16*

#### **4.14 JURY DUTY**

1. All employees shall be given time off when required to serve on a jury. It is the employee's responsibility to notify his or her manager as soon as possible after receiving the summons for jury duty. All employees shall receive their regular straight time pay for the duration of the jury duty or when subpoenaed to appear before a court, public body, or commission in connection with Library business. All employees are entitled to keep whatever compensation is received for such duty.
2. Proof of attendance must be furnished to the Director's Office by the employee.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 9.28.1; 12.14.16*

## 4.15 ATTENDANCE AT PROFESSIONAL MEETINGS

1. Staff members wishing to attend meetings, conferences and workshops sponsored by professional library or library-related organizations may be receive pay for that time providing they are within scheduling and budget limitations, subject to advance approval.
2. Full-time professional staff is eligible to participate in out-of-town conferences.
  - a. Requests should be made during the budget process.
  - b. Staff attendance will rotate.
  - c. Major consideration will be given to seniority.
  - d. Special consideration will be given to staff invited to speak.
  - e. Paid time may be approved by those staff who wish to attend an out-of-town conference in years when they are not eligible for full conference reimbursement.
3. Expenses and mileage will be paid for such attendance, in the sole discretion of and in such amounts as are determined by the Director according to guidelines in policy 4.16 Travel Expenses. Staff members attending meetings and workshops of organizations of which they are not members will be reimbursed at the membership rate only.
4. For attendance at the annual ALA, PLA and ILA conferences, priority in the assignment of funds will go to the Director, upper management and staff at large. The staff at large will be selected by or approved by the Library Director as a professional incentive for employee development.
5. When Library District staff are expressly requested and/or required in writing by official action of the Board of Trustees to become a member of a district, state or national library organization or serve on a special committee or perform a particular function for said organization, or when they are requested or required by official action of the Board of Trustees to represent the Library District in an official capacity, they shall be reimbursed for travel and miscellaneous expenses according to Library District policy.
6. When Library District staff is invited to serve on a committee which requires attendance at ALA or ILA conferences, they should be aware that the commitment is a personal one, and the Library may or may not approve a conference travel request.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 8.21.2013; 11.20.2013; 11.18.2015; 12.14.16*

## 4.16 TRAVEL EXPENSES

1. For the purposes of this Policy, "Travel" means any expenditure directly incident to official travel by employees and trustees of the Library involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.
2. Travel, meal and lodging expenses will be reimbursed for employees and elected officials of the Library only for purposes of official business conducted on behalf of the Library. These include but are not limited to off-site or out-of-town meetings related to official business and pre-approved seminars, conferences and other educational events related to the employee's or officer's official duties. If you are unsure whether an expense is reimbursable, please contact the Library Director.
3. For official trips of staff or members of the Board of Trustees to conferences, training, or business meetings, the Library District will pay reasonable expenses. Staff travel must be approved by the Library Director in advance. Receipts are required for all reimbursements. Requests by staff to attend any out of state conference must be made during the budget process except in extraordinary circumstances.
4. Reasonable expenses will be determined as follows:
  - a. Registration: fees for conferences at the early-bird rate, workshops and conventions. If the registration fee includes meal functions, those meals will not be reimbursed and will be deducted from the per diem.
  - b. Transportation: by lowest coach airfare or rail fare if it does not exceed the air coach fare. For out-of-state trips, mileage for use of a private car may be paid with prior approval of the Board of Library Trustees at the current IRS rate. Such reimbursement may not exceed air coach fare. Travelers are encouraged to book flights at least 30 days in advance to avoid premium airfare pricing. Only coach or economy tickets will be paid or reimbursed. The traveler will pay for the difference between higher priced tickets and coach or economy tickets with his or her personal funds.
  - c. Automobile Rentals: Travelers will be reimbursed for the cost of renting an automobile including gasoline expense only as provided in this section. Travelers using rental cars to conduct official business are required to purchase insurance through the rental agency. Car rental insurance will cover the vehicle during personal use, e.g., using the vehicle after the conference has ended. Compact or mid-size cars are required for two or fewer employees or trustees traveling together and a full-size vehicle may be used for three or more travelers. The traveler must refuel the vehicle before returning it to the rental company.
  - d. Hotel: conference hotels, with conference rates, will be used when possible and reimbursed at the single occupancy rate. In the event of a change in plans or a cancellation, the traveler must cancel the hotel/motel reservation so as not to incur



cancellation charges. Cancellation charges will not be reimbursed by the Library unless approved by a vote of the Board of Library Trustees.

- e. **Meals:** actual expenses but not to exceed the current U.S. General Services Administration (GSA) regulations in place at the time the expense is occurred. Reimbursement will not be made for alcoholic beverages.
- f. **Incidental expenses:** tips, parking, cabs, busses, road tolls, business telephone calls with appropriate receipts.
- g. **Extraordinary expenses:** meals and/or entertainment which are a part of the program of the event but at extra cost, when authorized in advance. "Entertainment" includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement. These costs will not be reimbursed unless ancillary to the purpose of the program or event.
- h. **For local mileage:** reimbursement will be at the current IRS rate.
- i. **The Library District will pay for official conference tours to visit other libraries and educational tours. All recreational tours must be paid for by the employee personally at the time of conference registration with a check made payable to the organization.**
- j. **In cases where vacation time is added to a business trip, any cost variance in airfare, car rental, lodging and/or any other expenses must be clearly identified on the Niles-Maine District Library Travel Expense Form and paid by the traveler.**
- k. **When a traveler is accompanied by others not on official business, any lodging, transportation, meals or other expenses above those incurred for the authorized traveler will not be reimbursed by the Library District.**

5. **Approval of Expenses.**

- 1. **Expenses for Members of the Library Board of Trustees.** Travel, meal, and lodging expenses incurred by any member of the Library Board of Trustees must be approved by roll call vote at an open meeting of the Library Board of Trustees.
- 2. **Expenses for Officials or Employees Other than Members of the Library Board of Trustees.** Travel, meal, and lodging expenses incurred by any official or employee not covered by paragraph 5(1) (member of the Library Board of Trustees) in excess of the GSA rate for meals, and restrictions listed above on transportation and lodging must be approved in an open meeting by a majority roll-call vote of the Library Board of Trustees.
- 3. **Other Expenses.** All other expenses that do not fall within paragraphs 5(1) or 5(2) above are subject to the Library's Director's approval.

Before an expense for travel, meals, or lodging may be approved, the following minimum documentation must first be submitted, in writing, to the Library Director on a Niles-Maine District Library Travel Expense Form:

1. an estimate of the cost of travel, meals, or lodging if expenses have not been incurred or a receipt for the travel, meals, or lodging if expenses have already been incurred;
2. the name of the individual who received or is requesting the travel, meal, or lodging expense reimbursement;
3. the job title or office of the individual who received or is requesting the travel, meal, or lodging expense reimbursement; and
4. the date or dates and nature of the official business for which the travel, meal, or lodging expense was or will be expended.

All documents and information submitted in connection with this Policy are public records subject to disclosure under the Freedom of Information Act.

### REIMBURSEMENT

It is the responsibility of the employee or elected official to submit the Niles-Maine District Library Travel Expense Form along with all necessary receipts within 30 days after returning from a conference. Itemized receipts for all expenses over \$10.00 must be submitted. In addition to providing a financial report (reimbursement form and documenting receipts), conference attendees will be expected to submit, and if asked, verbally present, highlights of their conference experience, including what was learned that might help them do their jobs, and the Library District serve the community, more effectively.

The Library District hereby adopts as its official standardized form for the submission of travel, meal, and lodging expenses the Niles-Maine District Library Travel Expense Form attached hereto and incorporated herein as Attachment I.

*Adopted by the Niles Public Library District of Trustees 7.1.92;  
Revised 3.17.99; 8.21.2013; 11.20.2013; 12.14.16*

## 4.17 ELECTRONIC COMMUNICATIONS USE

This policy governs employee use of the Library's computers, networks, communications systems, phone systems and other IT resources (collectively "information systems"). All such information systems, and all communications and stored information transmitted, received, or contained in the Library's information systems are Library property and are to be used primarily for job-related purposes during working time. To ensure the proper use of information systems and business equipment, the Library may monitor the use of these systems and equipment from time to time. When using the Library's information systems, employees should note the following:

1. Information systems are owned/leased and maintained by the Library District, and electronic communications are the sole property of the District. Excessive personal use of information systems or distribution of personal messages by employees is prohibited. Personal software shall not be installed or stored on the District's information systems unless prior approval is obtained.
2. The use of personal passwords, assigned to or selected by the employee, is not grounds for an employee to claim privacy rights in the information systems or any data or content stored therein. The Library reserves the right to override personal passwords.
3. The Library will, or reserves the right to, monitor the use of information systems and to review or inspect all material stored therein. No communications are guaranteed to be private or confidential.
4. The Library's prohibition against sexual, racial, and other forms of harassment is extended to include the use of the Library's information systems. Harassing, vulgar, obscene, or threatening communications are strictly prohibited, as are sexually oriented messages or images. Employees who receive email or other information on their computers which they believe violate this policy should immediately report this activity to their supervisor.
5. Employees must respect all laws governing copyright, fair use of copyrighted material owned by others, trademarks, and other intellectual property, including the Library's own copyrights, trademarks, and brands.
6. Staff may make personal use of these resources on their own time, such as breaks, away from public areas; these resources may not be used for an employee's personal advertising or profit.
7. The security of the Library District's network must be a high priority for all users. If a staff member is aware of any security risk or abuse of the computer or Internet system, the staff member must alert their supervisor immediately.
8. Employees must be aware of the possibility that electronic messages that are believed to have been erased or deleted can frequently be retrieved by systems experts and can be used against an employee or the Library. Therefore, employees should be cautious and use the systems only in the appropriate manner and consult with systems experts to guarantee that information to be deleted is truly eliminated.
9. The Library District may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by Library District networks. The failure of the

Library District to block a particular site does not render the site necessarily appropriate for access. In the event you encounter racially or ethnically offensive material or other inappropriate or sexually explicit material while browsing on the Internet, you must immediately disconnect from the site, regardless of whether the site was subject to Library District blocking software.

Violation of this policy can result in discipline, up to and including termination of employment.

Adopted by the Niles Public Library District Board of Trustees 7.1. 92  
Revised 4.19.06; 1.20.2011; 11.18.2015; 1.18.2017

## 4.18 DRUG-FREE AND ALCOHOL-FREE WORKPLACE

It is the policy of the Library District that its employees be aware of the dangers of drug and alcohol abuse and that the Library District's properties be drug-free and alcohol-free.

### A. WORK RULES

1. Whenever employees are working or operating Library District vehicles, they are prohibited from:
  - using, possessing, distributing, buying, selling, manufacturing, or dispensing illegal drugs;
  - being under the influence of alcohol or illegal drugs or having the presence in one's system of a detectable amount of an illegal drug; and
  - possessing or consuming alcohol.
2. This Policy does not prohibit employees from the lawful use (use must be lawful in accordance with both federal and state law) and possession of prescribed medications. Employees are responsible for consulting with their doctors about a medication's effect on their ability to work safely, and promptly disclose any restrictions to their supervisor. In the event an employee fails to report such restrictions and creates a safety threat, neither a physician's prescription nor other medical reason will be an acceptable excuse for being in violation of this policy. Employees should not, however, disclose underlying medical conditions unless specifically directed to do so.

### B. EMPLOYEE ASSISTANCE

The Library District will assist and support employees who voluntarily seek help for alcohol or drug problems before becoming subject to discipline under this or other Library District policies. Employees who seek such assistance will be allowed to use accrued paid time off, placed on leaves of absence, where available, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and may be required to take and pass follow-up tests.

### C. REQUIRED TESTING

1. Reasonable Suspicion: Employees are subject to testing if a supervisor reasonably suspects them of using or being under the influence of alcohol or drugs while they are working or operating Library District vehicles.
2. Post-Accident: Employees are subject to testing when they cause or contribute to accidents which seriously damage a vehicle or Library District machinery or equipment, or result in an injury requiring emergency medical treatment away from the scene of the accident. Employees will be tested under these circumstances when a member of management has a reasonable belief that the use of drugs/alcohol contributed to the accident/injury.

3. Return to Duty and Follow-Up: Employees who have tested positive or violated this Policy, and who are not terminated or are reinstated, are subject to testing prior to being returned to duty. Follow-up testing at times and frequencies determined by the Library District may also be required for up to three (3) years.

#### **D. COLLECTION AND TESTING PROCEDURES**

Employees subject to alcohol testing shall be sent or driven to a Library District-designated clinic and directed to provide breath specimens. Specimens shall be collected by trained technicians, using federally approved testing devices, which are regularly calibrated and capable of producing printed results that identify the employee.

Applicants and employees subject to drug testing shall be sent or driven to a Library District-designated clinic and directed to provide urine specimens. Applicants and employees may provide split specimens and may provide specimens in private unless they appear to be submitting altered, adulterated or substitute specimens. Collected specimens shall be sent to a federally certified laboratory and tested for evidence of marijuana, cocaine, opiate, amphetamine and PCP use. There shall be a chain of custody from the time specimens are collected through testing and storage.

The laboratory shall transmit positive drug tests results to a doctor called a medical review officer ("MRO"), retained by the Library District, who shall offer persons with positive results a reasonable opportunity to establish that their results are caused by lawful (under both federal and state law) prescribed medicines or other lawful substances. Persons with positive test results may also ask the MRO to have their split specimen sent to another federally certified lab, to be tested at the employee's or applicant's own expense. Such requests must be made within three (3) working days of notice of test results. If the second lab fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test.

#### **E. CONSEQUENCES**

1. Employees who refuse to cooperate in required tests, test positive for illegal drugs or use, possess, buy, sell, manufacture or dispense illegal drugs in violation of this Policy will be terminated.
2. Unless aggravating circumstances are present, the first time employees test positive for alcohol or possess, consume or are under the influence of alcohol, they will be suspended and referred to the Library District's Employee Assistance Program (EAP). Continued employment and/or reinstatement will be conditioned on cooperation with the EAP, successful completion of any prescribed treatment, passing follow-up tests and other appropriate conditions.
3. Employees who test positive for alcohol more than once or otherwise violate this Policy's alcohol rules more than once will be terminated.

#### **F. CONFIDENTIALITY**

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the MRO shall be kept confidential and maintained in secure files separate from normal personnel files. Such records and information may be disclosed

among managers and supervisors on a need to know basis and may be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

## **G. DEFINITIONS**

**"Library District Premises"** includes, but is not limited to, all buildings, offices, facilities, grounds, parking lots, places and vehicles owned, leased or managed by the Library District.

**"Illegal Drugs"** means substances (1) that are illegal under state or federal law; or (2) whose use or possession is controlled by federal or state law, but are not being used or possessed under the supervision of a licensed health care professional. This definition includes, but is not limited to, marijuana (including medical marijuana), cocaine, PCP, heroin, LSD, amphetamines, and barbiturates.

**"Refuse to Cooperate"** means to obstruct the collection process, to submit an altered, adulterated or substitute sample, or to fail to promptly provide specimen(s) for testing when directed.

**"Under the Influence of Alcohol"** means an alcohol concentration of .04 or more, or actions, appearance, speech or bodily odors which reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

**"Under the Influence of Drugs"** means a confirmed positive test result for illegal drug use.

## **H. NOTIFICATION OF DRUG CONVICTION**

All employees are required to notify a member of management if they have been convicted of a criminal drug offense occurring in the workplace. Such notification must take place within five (5) working days after the conviction.

## **I. MISCELLANEOUS**

This Policy is not a contract of employment and may be modified by the Library District at its sole discretion. To the extent non-employees, who are present on Library District premises, engage or appear to have engaged in conduct that would violate this Policy if engaged in by an employee, such non-employees will be barred from Library District premises.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 8.20.08; 12.14.16*

## 4.19 ANTI-HARASSMENT AND NON-DISCRIMINATION POLICY

The Library District is committed to maintaining a work environment that is free of discrimination and harassment. In keeping with this commitment, the Library District will not tolerate discrimination against or harassment of Library District employees by anyone, including any supervisor, co-worker, vendor, patron, contractor, or other regular visitor of the Library District. Violation of this policy shall be considered grounds for disciplinary action up to and including termination.

Discrimination consists of employment actions taken against an individual based on a characteristic protected by law, such as sex, race, color, ancestry, national origin, citizenship status, religion, age, disability, marital status, sexual orientation, gender identity, pregnancy, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law. In other words, discrimination occurs when an individual is treated differently or unequally because the individual is a member of a protected group.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status such as race, color, national origin, citizenship status, religion, sex, pregnancy, sexual orientation, gender identity, age, disability, marital status, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law. The Library District will not tolerate harassing conduct that affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile or offensive working environment.

The conduct forbidden by this policy specifically includes, but is not limited to: (a) epithets, slurs, negative stereotypes or intimidating acts that are based on a person's protected status; and (b) written or graphic material circulated within or posted within the workplace that shows hostility toward a person because of his or her protected status.

"Sexual harassment" means any unwelcome sexual advances, requests for sexual favors or any other verbal or physical conduct of a sexual nature when (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 such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment can include, but is not limited to:

1. Uninvited sex-oriented verbal "kidding" or demeaning sexual innuendoes, leers, gestures, teasing, sexually explicit or obscene jokes, remarks or questions of a sexual nature;
2. Graphic or suggestive comments about an individual's dress or body;
3. Displaying sexually explicit objects, photographs, writings, or drawings;
4. Unwelcome touching, such as patting, pinching or constant brushing against another's body; or
5. Suggesting or demanding sexual involvement of another employee whether or not such suggestion or demand is accompanied by implicit or explicit threats concerning one's employment status or similar personal concerns.



Even if two or more employees are engaging in consensual conduct, such conduct could constitute harassment of or discrimination against another employee who witnesses or overhears the conduct.

All Library District employees are responsible to help ensure that harassment and discrimination do not occur and are not tolerated. Any employee who believes that he or she has been subjected to sexual or other types of harassment or discrimination, or who has witnessed harassment or discrimination, should immediately submit a complaint to his or her supervisor, any other manager or supervisor, or the Library Director in accordance with the procedures below. If a manager or supervisor receives a complaint of harassment or discrimination directly from an employee, or becomes aware of such conduct, the complaint or conduct shall be immediately reported to the Director.

1. Any employee wishing to submit a complaint (i.e., the “complainant”) should submit a written statement to the Library Director, or alternatively, to the Board of Trustees in the event that the Library Director is the alleged harasser/discriminator. The written statement should state the specific facts and/or perceived wrongful act (e.g., location, names, dates, times) to be investigated. All such written statements should be submitted as soon as possible after the occurrence.
2. The Library Director or her designee shall promptly investigate all complaints and make all reasonable efforts to resolve the matter informally. These efforts may include, but are not limited to, convening conferences with the complainant and/or the accused harasser/discriminator to discuss the complaint and the results of the investigation.
3. The rights to confidentiality, both of the complainant and of the accused, will be respected consistent with the Library District’s legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.
4. A substantiated complaint against an employee will subject the employee to disciplinary action, up to and including discharge.
5. Reporting harassment, discrimination or retaliation, assisting in making a complaint, cooperating in an investigation of harassment, or otherwise engaging in conduct protected by the Illinois Whistleblower Act will not reflect adversely upon an individual’s status or affect future employment. Additionally, no one making a complaint in good faith will be retaliated against even if the complaint is not substantiated. Any employee who retaliates against another for exercising their rights under this policy shall be subject to discipline up to and including discharge.
6. Given the seriousness of the consequences for the accused, a false or frivolous complaint is a severe offense that can result in disciplinary action, including the possibility of discharge. False or frivolous complaints refer to cases in which the accuser is acting in bad faith and using a sexual harassment complaint to accomplish some end other than stopping sexual harassment.

The Library District anticipates that harassment and discrimination complaints can be resolved through the Library District’s internal complaint process. However, an employee has a right to file a charge of civil rights violation with the following:

#### **Section IV — Personnel Policies**

The Illinois Department of Human Rights  
100 West Randolph  
James R. Thompson Center, Suite 10-100  
Chicago, Illinois 60601  
Phone...(312)814-6200  
TDD.... (312)263-1579

or

Equal Employment Opportunity Commission (EEOC)  
500 West Madison Street, Suite 2800  
Chicago, Illinois 60601  
Phone...1-800-669-3362  
TDD....(312)353-2421

Complaints filed with the Department of Human Rights must be filed within 180 days of the incident. Complaints filed with the EEOC must be within 300 days of the incident.

*Adopted by the Niles Public Library District Board of Trustees 7.1.92  
Revised 6.19.96; 12.14.16; 12.13.17*

## 4.20 NEPOTISM

The Niles-Maine District Library is committed to the hiring and employment of persons based upon merit. To avoid a potential conflict of interest or even the appearance of a potential conflict of interest, it is the policy of the Library that family members or persons living in the same household or dwelling as a *Trustee* of the Niles-Maine District Library Board of Trustees shall not be employed by the Library District.

It is further the policy of the Library District that family members or persons living in the same household or dwelling as a member of the Administrative Staff of the Library District or a Library District employee may be employed by the Library District, but in no case shall a member of the Administrative Staff or a Library District employee be involved in hiring or otherwise approve the hiring of family members or persons living in the same household or dwelling, nor shall an Administrative Staff member or Library District employee supervise another member of his or her family, or person living in the same household or dwelling.

Employees who marry or establish close personal relationships may continue employment as long as it does not result in the above. If the conditions outlined above should occur, attempts may be made to find a suitable position within the Library District to which one of the employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

For the purposes of this policy family member means: parent, child, cousin, aunt, uncle, niece, nephew, any other blood relative, and in-law. Also, for the purposes of this paragraph, Administrative Staff means: Library Director, Managers, and Department Heads.

*Adopted by the Niles Public Library District Board of Trustees 9.20.06; Revised 12.14.16*

## **4.21 PERSONNEL RECORDS POLICY**

It shall be the policy of the Library District to keep a personnel file on all employees of the Library District.

All documents in employees' files are considered generally confidential and are not open to inspection to anyone employed by the Library District except the Library Director, supervisors (who may access certain documents subject to the Library Director's approval), and, upon written request, to the employee to which they pertain or the employee's designated representative.

All applications for employment shall be kept for a period of one (1) year.

Information about an employee's performance of his or her duties and/or documents contained in an employee's personnel file may be released to third parties at the request of the employee, as required or allowed by law, or whenever the best interests of the Library District would be served and such release is permitted by law. Employees shall have the right to inspect and copy documents in their personnel files in accord with the provisions of the Illinois Personnel Records Review Act, 820 ILCS 40/01.01 et seq.

Medical information shall be kept, as required by law, separate from personnel files.

*Adopted by the Niles Public Library District Board of Trustees 8.20.08; Revised 12.14.16*

### INTRODUCTION

The Library District understands and respects the fact that employees may participate in a variety of online activities as individuals. Social media such as Twitter, Facebook, LinkedIn, Flickr, YouTube and Instagram have become commonly used for communications, so the Library District has enacted the following rules and guidelines.

### GENERAL PROVISIONS

The following rules and guidelines apply to the use of social media, whether such use is for the Library District during working time, for personal use during non-working time, outside the workplace, or during working time while using Library District-owned equipment. (Using Library District equipment to access social media sites is also governed by the Library District's Electronic Communications Use Policy. Employees should also refer to this policy before accessing such sites via the Library District's equipment). These rules and guidelines apply to all employees.

- Do not post any confidential information. More specifically, never post information about a patron--remember that library confidentiality laws apply.
- Employees cannot use social media to harass, threaten, bully, or discriminate against co-workers, managers, customers, patrons, vendors or suppliers, any organizations associated or doing business with the Library District, or any members of the public, including website visitors who post comments. The Library District's anti-harassment and EEO policies apply to use of social media in the workplace.
- This policy is not intended, nor shall it be applied, to restrict employees from discussing their wages, hours and working conditions with co-workers.

### LIBRARY DISTRICT-SPONSORED SOCIAL MEDIA

Library District-sponsored social media is used to convey information about the Library District's facilities and services; advise the public about upcoming events; obtain patron feedback, exchange ideas or trade insights about industry trends; reach out to potential new markets; issue or respond to breaking news, or respond to negative publicity; and brainstorm with employees and patrons.

All such Library District-related social media is subject to the following rules and guidelines, in addition to rules and guidelines set forth above:

- Only employees designated and authorized by the Library District can prepare content for or delete, edit, or otherwise modify content on Library District-sponsored social media. Library District-sponsored social media accounts are owned by the Library District. Any employees who create such accounts or are provided access to such accounts do not obtain ownership rights to such accounts or any content contained in them. Employees who create or are provided access to Library District-sponsored social media accounts must provide the Library District with all passwords and/or log-in information to such accounts immediately upon the Library District's request, and must transfer "manager" or

“owner” status (as defined by the particular social media site) upon the Library District’s request.

- Employees must respect copyright, trademark and similar laws and use such protected information in compliance with applicable legal standards.
- Designated employees are responsible for ensuring that the Library District-sponsored social media conforms to all applicable Library District rules and guidelines. These employees are authorized to remove immediately and without advance warning any content, including offensive content such as pornography, obscenities, profanity, and/or material that violates the Library District’s EEO and/or anti-harassment policies.
- Employees who want to post comments in response to content must identify themselves as employees.

## PERSONAL USE OF SOCIAL MEDIA

The following rules and guidelines, in addition to the rules and guidelines set forth above, apply to employee use of social media on the employee’s personal time.

- Employees should abide by the Library District’s policy concerning personal use of the Library District’s electronic communication systems.
- Employees who utilize social media and choose to identify themselves as employees of the Library District may not represent themselves as spokespeople for the Library District. Accordingly, employees are strongly encouraged to state explicitly, clearly, and in a prominent place on the site that their views are their own and not those of the Library District or of any person or organization affiliated or doing business with the Library District.
- Employees should respect all copyright and other intellectual property laws. For the Library District’s protection, as well as your own, it is critical that you show proper respect for all the laws governing copyright, fair use of copyrighted material owned by others, trademarks and other intellectual property, including the Library District’s own copyrights, trademarks, and brands.
- Employees may not advertise or sell Library District products or services through social media.

## LIBRARY DISTRICT MONITORING

The Library District reserves the right to monitor employees’ public use of social media, including but not limited to statements or comments posted on the Internet, in blogs and other types of openly accessible forums, diaries, and personal and business discussion forums.

Employees should have no expectation of privacy while using Library District equipment and facilities for any purpose, including the use of social media. The Library District reserves the right to monitor, review, and block content that violates the Library District's rules and guidelines.

#### VIOLATION

The Library District will investigate and respond to all reports of violations of the Library District's rules, guidelines, or policies. Employees are urged to report any violations of this policy to the Library Director. Any violation of this policy may be grounds for appropriate discipline up to termination.

*Adopted by the Niles Public Library District Board of Trustees 1.20.2011; Revised 12.14.16*

## 4.23 VICTIMS' ECONOMIC SECURITY AND SAFETY ACT

### Victims' Economic Security and Safety Act (VESSA)

Eligible employees may use unpaid victims' economic and security and safety leave for up to 12 weeks in a 12-month period (as defined below) for any one or more of the following reasons:

1. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member or
2. Obtaining services from a victim service organization; or
3. Obtaining psychological or other counseling for the employee or employees family or household member; or
4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to address safety issues (including economic issues); or
5. Seeking legal assistance or remedies, including preparing for and participating in any civil or criminal legal proceeding related to the abuse or violence.

### DEFINITIONS

- A. "12-Month Period" - means a rolling 12-month period measured forward from the date leave is taken and continuous with each additional leave day taken.
- B. "Family or Household Member" – means a spouse, parent, son, daughter, other person related by blood or by present or prior marriage, other person who shares a relationship through a son or daughter, and persons jointly residing in the same household.
- C. "Parent" - means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.
- D. "Son or Daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age, or is 18 years of age or older and incapable of self-care because of a mental or physical disability.
- E. "Domestic or Sexual Violence" - means domestic violence, sexual assault, or stalking.

### COVERAGE AND ELIGIBILITY

Both full and part-time employees are eligible to apply for this leave.

### INTERMITTENT OR REDUCED SCHEDULE LEAVE

An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule.

### SUBSTITUTION OF PAID LEAVE



An employee may elect to substitute accrued paid vacation, sick or personal time or any other applicable paid time off for any part of victims' economic security and safety leave. Such substitution will not extend the employee's total allotment of time off under this policy.

When the employee's need for the leave also qualifies as family/medical leave pursuant to the Family and Medical Leave Act (FMLA), this leave will run concurrently with leave taken pursuant to this policy, such that the total amount of unpaid leave for which an employee will be eligible in one year is 12 weeks.

## NOTICE REQUIREMENT

An employee is required to give 48 hours' notice to the Library District in the event of a foreseeable leave. In unexpected or unforeseeable situations, an employee should provide as much notice as is practicable, usually verbal notice within one or two business days of when the need for leave becomes known.

## CERTIFICATION

For leaves taken pursuant to this policy, the employee may be required to submit a certification demonstrating the need for the leave. The employee as soon as reasonably possible, but in most cases must provide the certification within 15 days after requested.

The certification requirement may be satisfied by the submission of a sworn statement from the employee and one of the following:

- Documentation from a victim services organization, attorney, clergy, or medical or other professional from whom the employee or the family/household member has sought assistance from in addressing domestic or sexual violence and/or its effects;
- A police or court record; or
- Other corroborating evidence.

All documentation related to the employee's need for the leave pursuant to this policy will be held in strict confidence and will only be disclosed as required/permitted by law.

## EFFECT ON BENEFITS

During an approved VESSA leave, the Library District will maintain your health benefits, as if you continued to be actively employed. If paid leave is substituted for unpaid VESSA leave, the Library District will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium during the leave. Your group health care coverage may cease if your premium payment is more than 30 days late. If you do not return to work at the end of the leave period, you may be required to reimburse the Library District for the cost of the premiums paid by the Library District for maintaining coverage during your unpaid leave, unless you cannot return to work because of the continuation, recurrence, or onset of domestic or sexual violence or other circumstances beyond your control.

## JOB PROTECTION

If you wish to return to work at the expiration of your leave, you are entitled to return to your same position or to an equivalent position with equal pay, benefits and other terms and conditions

of employment. If you take leave because of your own medical condition, you are required to provide medical certification that you are fit to resume work. You may obtain return to Work Medical Certification forms from the Library Director. Employees failing to provide the Return to Work Medical Certification Form will not be permitted to resume work until it is provided.

## REASONABLE ACCOMMODATIONS

The Library District supports the Victims' Economic Security and Safety Act and will attempt to provide reasonable accommodations for people who are entitled to protection under this Act in a timely fashion, unless such accommodations would present an undue hardship for the Library District.

Reasonable accommodation applies to applicants and employees and may include adjustment to a job structure, workplace facility, or work requirement, transfer, reassignment, or modified schedule, leave, a changed telephone number or seating assignment, installation of a lock, implementation of a safety procedure or assistance in documenting domestic or sexual violence that occurs at the workplace or in work-related settings, in response to actual or threatened domestic or sexual violence.

A qualified individual is an individual who, but for being a victim of domestic or sexual violence or with a family or household member who is a victim of domestic or sexual violence, can perform the essential functions of the employment position that such individual holds or desires.

Should you wish to request a reasonable accommodation pursuant to this policy, you should contact the Library Director.

Updated 12.14.16

## 4.24 LONGEVITY PAY PLAN

1. The Longevity Pay Plan recognizes the Library District's appreciation for the long-term service of all employees who have completed 10 years or more of continuous service at the Library.
2. Longevity pay is paid on the pay date which includes pay for an employee's anniversary date.

<b>Years of Continuous Library District Service</b>	<b>Longevity Award</b>
10 year anniversary	\$100
15 year anniversary	\$150
20 year anniversary	\$200
25 year anniversary	\$250

Longevity Pay is made as a lump sum payment and is subject to statutory deductions.

3. The Longevity Pay Plan is effective January 1, 2017.

*Adopted by the Niles Public Library District Board of Trustees 12.14.16*

#### **4.25 USE OF CELLULAR PHONES/LIBRARY DISTRICT PHONES**

While at work, employees are to exercise the same discretion in using personal cellular phones as they do for Library District phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are therefore asked to make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of the Library District's policy. Flexibility will be provided in circumstances demanding immediate attention.

The Library District encourages and promotes cell phone safety when operating a motor vehicle for Library District business. If the employee finds that it is absolutely necessary to utilize a cellular phone while driving, the following should be observed:

- *Employees may only use a cellular phone while driving if they are utilizing a hands-free device (such as a headset) or are using the phone in a voice activated mode.*
- Place calls while stopped or have someone place the call for you.
- Avoid intense, emotional or complicated conversations.
- Assess traffic conditions before making a call. Do not utilize a cell phone in heavy traffic conditions, inclement weather or in unfamiliar terrain.
- Give driving your full attention.
- Ensure that the phone is within easy reach.
- Use memory dial to minimize dialing time.
- Do not take notes or look up phone numbers while driving.
- Do not compose, send or read electronic messages while operating a motor vehicle.

*Adopted by the Niles Public Library District Board of Trustees 1.18.2017*

## 4.26 EMPLOYEE CLASSIFICATIONS

It is the intent of the Library District to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship, at will, at any time is retained by both the employee and the Library District.

Each employee is designated as either NON-EXEMPT or EXEMPT according to federal and state wage and hour laws. NON-EXEMPT employees are entitled to overtime pay and are subject to specific provisions of federal and state wage and hour laws. EXEMPT employees are not entitled to overtime pay and are excluded from specific provisions of federal and state wage and hour laws.

In addition to the above categories, each employee will belong to one other employment category:

**REGULAR FULL-TIME** employees are those who are not in a temporary, training period, or part-time status and who are regularly scheduled to work a minimum of 37.5 hours per week or more. Generally, they are eligible for the Library District's benefit package, subject to the terms, conditions, and limitations of each benefit program.

**REGULAR PART-TIME** employees are those who are not in a temporary, training period, or full-time status and who are regularly scheduled to work less than 37.5 hours per week. They may be eligible for some of the Library District's benefit package, in addition to those required by law, subject to the terms, conditions, and limitations of each individual benefit program.

**TEMPORARY** employees are those who work over a designated, predetermined period of time, usually not to exceed six months. Temporary employees are not eligible for any of the Library District's benefit package except those required by law.

**TRAINING PERIOD** employees are those working within their first 90 days of employment with the Library District. The training period is an opportunity for the employee and the Library District to evaluate whether the employee is suitable for a position with the Library District. An employee's training period status may affect eligibility for some benefits—please see the Library Director for more information. Once the employee successfully completes the training period, the employee will be a regular employee. This is simply an administrative designation. It does not mean that the employee has a permanent job and is not in any other way inconsistent with the Library District's employment-at-will policy. The Library District reserves the right to extend or shorten the training period within its discretion.

*Adopted by the Niles Public Library District Board of Trustees 1.18.2017*

#### **4.27 EQUAL EMPLOYMENT OPPORTUNITY STATEMENT**

It is the policy of the Library District to afford equal employment opportunities regardless of race, color, national origin, ancestry, citizenship status, age, religion, marital status, disability, sex, gender, pregnancy, sexual orientation, gender identity, military or veteran status, order of protection status, genetic information, or any other category protected by applicable law. This policy of equal employment applies to all aspects of the employment relationship, including but not limited to: initial consideration for employment; job placement and assignment of responsibilities; performance evaluation; promotion and advancement; compensation and fringe benefits; training and professional development opportunities; formulation and application of human resource policies and rules; facility and service accessibility; and discipline and termination.

Any employee who believes this policy has been violated should report the situation to his or her supervisor or the Library Director. All such matters will be thoroughly investigated and rectified if a policy violation is identified. Please refer to the policy governing sexual and other types of harassment for more detailed information concerning the Library District's investigative procedures.

*Adopted by the Niles Public Library District Board of Trustees 1.18.2017*

## **4.28 REASONABLE ACCOMMODATIONS**

The Library District supports the Illinois Human Rights Act and the Americans with Disabilities Act as amended and will attempt to provide reasonable accommodations for pregnant individuals and qualified individuals with disabilities in the workplace unless such accommodations would present an undue hardship for the Library District.

Reasonable accommodations apply to all covered employees and applicants and include, but are not limited to accommodations related to hiring practices, job placement, training, pay practices, promotion and demotion policies, and layoff and termination procedures.

A pregnant individual includes any woman affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth. A qualified individual with a disability is any individual with a medically recognized disability. In both cases, the individual must, with or without reasonable accommodation, be qualified for and able to perform the essential functions of the job the individual has or wants, and not pose a direct threat to the health or safety of himself or herself or other individuals in the workplace.

Contact the Library Director for further clarification regarding the Library District's policy on reasonable accommodations or to request a reasonable accommodation in the workplace.

*Adopted by the Niles Public Library District Board of Trustees 1.18.2017*

## **4.29 OVERTIME/TIMEKEEPING**

Every effort is made to allocate overtime work fairly and to the best interest of everyone. When overtime is necessary, employees will be notified as far in advance as possible. Employees are expected to work overtime if additional work effort is required to serve our customers. Non-exempt employees must have supervisory authorization prior to working overtime. Working unauthorized overtime is prohibited and may be disciplined, up to and including termination.

Overtime is paid only after a non-exempt employee has worked more than forty (40) hours during the work week. Holiday, vacation, personal, and sick time do not count as hours worked for purposes of overtime. All overtime is paid at one and one-half the employee's regular hourly rate.

All employees must fill in daily time sheets. The time sheet is an employee's time record, and it is important. It is the basis of the employee's pay record. Falsification of this record or failure to accurately and/or timely complete the record is subject to severe discipline up to and including termination, or may delay the employee's paycheck until the next pay period.

*Adopted by the Niles Public Library District Board of Trustees 1.18.2017*



### **4.30 PAY DEDUCTIONS**

It is the policy of the Library District not to take any improper pay deductions that would be in violation of the Fair Labor Standards Act, its regulations (specifically Section 541.602(a)), or relevant state law or local ordinance.

Employees who believe their pay has been improperly deducted should report such improper deduction immediately to the Library Director. The complaint will be promptly investigated and the results of the investigation will be reported to the complaining employee. If the employee is unsatisfied with the findings of the investigation, the employee may appeal the decision to the Board of Trustees.

Any employee whose pay is improperly deducted shall be reimbursed for such improper deduction no later than the next pay period after the improper deduction is communicated to the Library Director.

*Adopted by the Niles Public Library District Board of Trustees 1.18.2017*

### **4.31 NO SOLICITATION/NO DISTRIBUTION**

In the interest of maintaining a proper business environment and preventing interference with work and inconvenience to others, employees may not distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions, or solicit for any other cause during working time. Employees who are not on working time (e.g., those on lunch or other breaks) may not solicit or distribute literature or printed material of any kind to employees who are on working time. This rule does not apply to materials being sold or given out by the Library District.

*Adopted by the Niles Public Library District Board of Trustees 3.15.2017*

#### **4.32 WORKPLACE SECURITY AND INSPECTIONS**

To: 1) safeguard the property of employees, patrons, and the Library District; 2) help prevent the possession, sale, and use of illegal drugs on the Library District's premises and keep with the spirit and intent of the Library District's drug-free and alcohol-free workplace policy; and 3) help prevent the possession of illegal weapons on the Library District's premises, the Library District reserves the right to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunchboxes, or any other possessions or articles carried to and from the Library District's property. In addition, the Library District reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises. In this connection, it should be noted that all offices, desks, files, lockers, and so forth, are the property of the Library District and are issued for the use of employees only during their employment with the Library District. Inspections may be conducted at any time at the discretion of the Library District.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy will not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection will be subject to disciplinary action, up to and including termination.

*Adopted by the Niles Public Library District Board of Trustees 1.18.2017*

### **4.33 WHISTLEBLOWER COMPLIANCE**

A whistleblower as defined by this policy is an employee of the Library District who reports an activity that he or she considers to be illegal or dishonest to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

An example of an illegal or dishonest activity is a violation of federal, state or local laws or financial wrongdoing, including but not limited to theft or embezzlement. If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact the Library Director or the Board of Trustees. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline, up to and including termination.

Whistleblower protections are provided in two important areas -- confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense. The Library District will not retaliate against a whistleblower. The Library District prohibits any form of retaliation against whistleblowers, including, but not limited to, retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments and threats of physical harm. Any whistleblower who believes he or she is being retaliated against must contact the Library Director or the Board of Trustees immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly investigated, and corrective action will be taken as necessary.

*Adopted by the Niles Public Library District Board of Trustees 1.18.2017*