

# **LEWES PUBLIC LIBRARY**

## **PERSONNEL POLICY**

(Revised and adopted by Lewes Public Library Board of Commissioners February 3, 2004)

(Second Revision on March 9, 2011)

The following Personnel Policies have been established by the Lewes Public Library Board of Commissioners. It is the responsibility of the Board of Commissioners, or a committee of the Board, to review these policies at least once a year. The Library staff can also recommend changes. It is the policy of the Board of Commissioners to discuss personnel policy changes with the Director prior to their implementation. The final revisions rest with the Lewes Public Library Board of Commissioners. The Library Director is responsible for implementing these Personnel Policies.

The State of Delaware is an “at-will” state, meaning that employment is of indefinite duration that can be terminated by either party at any time. All employees of the Lewes Public Library are employed at-will and can be terminated at any time for any reason. The language in this handbook is intended only as a general guide to the Library’s current employment policies and may be changed at any time by the Library. This document is not intended as a contract.

### **I. EMPLOYMENT**

#### **A. Application**

1. All applicants are required to complete the Lewes Public Library’s employment form prior to or at the time of the first interview.
2. References are required from persons qualified to evaluate employment and personal or professional qualifications.

3. The Lewes Public Library is an equal opportunity employer. Race, creed, age, sex, residence, or other factors not pertinent to performance shall not be taken into consideration.

#### B. Process

1. Pages (part-time student aides) – candidates are interviewed by the Staff Supervisor and/or the Library Director. Staff Supervisor may make recommendations to the Library Director regarding selection.
2. Full-time, Part-time Staff – candidates are interviewed and selected by the Library Director.
3. Library Director – Candidates are selected and interviewed initially by a Search Committee appointed by the Board and made up of staff, volunteers, and one member of the Board of Commissioners. This committee will make a recommendation to the Board of Commissioner, and final decision rests with the Board.
4. All candidates to be interviewed will receive a job description and all other pertinent information prior to their interview.

#### C. Full-time Employees

1. All who work 35 hours per week on a regular schedule shall be considered full-time or salaried employees. Under the Fair labor Standards Act, these employees are exempt from overtime payments or compensatory time.
2. The probationary period for all full-time employees shall be six (6) months. Evaluation, signed by employee and supervisor, shall be forwarded to the Board of Commissioners with a recommendation for:
  - a. Dismissal due to reasons which apparently cannot be improved.
  - b. Dismissal – cannot perform duties. Employee has the right to appeal to the Library Director and/or Board of Commissioners.
  - c. Permanent status by reason of acceptable performance.
3. In the case of the Director, the Board of Commissioners shall perform the evaluation.

#### D. Part-time Employees

1. Those who work less than 35 hours per week shall be considered part-time employees. Under the Fair labor Standards Act, these employees are non-exempt and are eligible for overtime payments or compensatory time for all hours worked in excess of 35 hours per week
2. Employees shall be paid bi-monthly at an hourly rate and are not eligible to receive all benefits accorded to full-time employees.

3. Probationary period for all part-time employees shall be six (6) months. Evaluation, signed by the employee and supervisor, shall be forwarded to the Library Director with a recommendation for:
  - a. Dismissal due to reasons which apparently cannot be improved.
  - b. Dismissal – cannot perform duties. Employee has the right to appeal to the Library Director and/or Board of Commissioners.
  - c. Permanent status by reason of acceptable performance.

#### E. Staff Records

All personnel records shall be kept confidential. The Director shall maintain the following personnel records:

1. Personal information which includes original letter of employment, testing, formal training, specialized training, experience and background information.
2. Current personnel records listing social security number, I-9, tax and home/emergency information, date of hire, work history, special training, monthly time sheets indicating vacation, sick time, personal time and attendance.
3. Employee performance reviews.

#### F. Performance Review

1. All employees receive a written performance review once a year. All employees, except the Director, will be evaluated by the Director. All performance ratings will be reviewed with the employee by the Director. The Director will be evaluated by the Board of Commissioners.
2. All performance ratings will be made in respect to the current work assignment. The Board will utilize performance reviews as one criterion for determining wages, salaries and promotions.
3. Staff members have a right to appeal to the Board directly when problems have not been solved after consideration by the Director and the staff member. Such appeal shall be made to the whole Board and such communications must be in written form to the President or Secretary. The staff member may appear before the Board at his/her request or the Board's to explain the appeal. The Director shall be given the opportunity to respond.
4. The written performance reviews will remain in the employee's personnel record.

#### G. Wages and Salaries

Wages and Salaries are reviewed and determined by the Board at least once a year.

## **II. REIMBURSEMENTS**

- A. Payment of staff expenses for attendance at conferences, workshops, professional meetings, and instructional course, will be determined by the Board of Commissioners if any one meeting costs in excess of \$250.00 per attendee. Reimbursements shall be for travel to and from meetings, meals, lodging, and conference or workshop fees only. Use of a personal car shall be reimbursed at the current IRS rate.
- B. Staff will be reimbursed for other appropriate expenses.

## **III. COMPENSATORY TIME AND PAYMENT FOR OVERTIME**

- A. For non-exempt employees, compensatory time is defined as all hours over and above the specified work week such as workshops, professional meetings and other events that require hours worked in excess of 35 hours per week as specified by the Director and the Board of Commissioners.
- B. Compensatory time must be used by the end of the following month in which the time was accrued at the discretion of the Director.
- C. One and one-half hours will be paid or given as compensatory time for each one hour of overtime worked.

## **IV. TERMINATION OF SERVICE**

- A. Resignation – Personnel who leave the library employ are requested to submit written notification of such intent.
  - 1. Notice of four (4) weeks – Library Director
  - 2. Notice of two (2) weeks – all other library staff
- B. Dismissal – Dismissal for disciplinary cause will be effective immediately. Employee will be paid for service given and vacation earned prior to dismissal. Such action will not be construed as altering the basic at-will nature of the employment with the Library. The employee or the Library can terminate the employment at any time, with or without cause.

## V. ANNUAL LEAVE/VACATION

### A. Full-Time Employees.

1. Annual Leave time is earned by full-time employees at a rate of
  - a. 1.25 days per month, at the end of the month, for a total of 15 days per year upon completion of a year's employment.
  - b. 1.67 days per month, at the end of the month, for a total of 20 days per year upon completion of five (5) years' continuous employment.
2. A full-time employee may take accrued annual leave after six (6) months of employment.
3. All vacation time earned during a particular year must be used within the current or subsequent employment year.
4. No more than five (5) days annual leave may be "rolled over" into any next year of employment.
5. Fair distribution of holidays within or attached to vacation time shall be the responsibility of the Director.

### B. Part-Time Employees. Part-time employees receive annual paid vacation equal to a full-time employee, accrued on a pro-rated basis.

1. A part-time employee may take accrued annual leave after six (6) months of employment based on the number of hours worked in the first six (6) months.
2. After one continuous year of employment, a part-time employee may take accrued annual leave based on the number of hours worked in each year of continuous employment for the previous year.
3. All vacation time earned during a particular year must be used within the current or subsequent employment year.
4. No more than five (5) days annual leave may be "rolled over" into any next year of employment.
5. Fair distribution of holidays within or attached to vacation time shall be the responsibility of the Director.

### C. Vacation time can be requested as desired; however, the Library reserves the right to schedule vacations to avoid unnecessary disruption of Library activities.

### D. Accrued Vacation. Staff members who leave the Library's employ receive accrued vacation pay provided they have given requested notice.

## **VI. HOLIDAYS**

The current year holiday calendar is posted on the bulletin board and on the website. The Library shall not be closed for a holiday for more than three consecutive business days.

- A. Full-time employees are paid for those holidays on which the Library is closed. (see attached calendar)
- B. Part-time employees receive paid holidays only on those days they would normally be scheduled to work.
- C. Time shall be allowed for other religious holidays but such time should be deducted from personal time or made up at the discretion of the Director.

## **VII. EMPLOYEE LEAVE**

### **A. Sick Leave**

- 1. A full-time staff member shall be credited with 15 days or 105 hours of sick time at the beginning of each calendar year. This sick leave may be used for the employee or, at the discretion of the Director pursuant to written request, for an ill or injured member of immediate family as defined in VII.B.2., below.
- 2. Any salaried staff member starting work after January 1 shall be credited with a prorated amount of sick time based on the date of employment.
- 3. Any one illness or injury over 7 days' duration may be covered under the Library's disability coverage. This includes leave for the birth of a child after the 7<sup>th</sup> day of birth. Refer to the policy for complete information.
- 4. Sick leave is not accrued.
- 5. When unable to attend work due to illness, a staff member is requested to notify the library:
  - a. Early shift – 9:00 am or shortly thereafter
  - b. Late shift – at least one (1) hour before employee is scheduled to begin work.
- 6. Absence due to illness of five (5) days or more will require a medical certificate.
- 7. Medical or dental appointments due to emergency or doctor's convenience are to be deducted from sick time.
- 8. Sick leave time is not to be used in lieu of vacation time.
- 9. In cases of extreme emergency, when the Library Director cannot be reached, a member of the Board of Commissioners should be notified.
- 10. Part-time Employees receive paid sick time equal to the number of hours

scheduled in one week per year. Any unused sick time within any calendar year shall be considered cumulative with a maximum equivalent to the numbers of hours worked in one month by the individual part-time staff member.

#### B. Bereavement Leave

1. A maximum of three (3) working days will be allowed in the event of a death in the immediate family.
2. "Immediate family" is defined as spouse or established partner, child, (step)mother, (step)father, sibling, grandparent, or grandchildren.
3. Additional time may be granted for extenuating circumstances at the discretion of the Director.
4. Time off may be allowed to attend the funeral of individuals outside the immediate family at the discretion of the Director, pursuant to written request.

#### C. Personal Time

1. A full-time staff member shall be credited as of January 1 with two (2) days or 14 hours of personal time to be used within the calendar year. Such time is not to be used in segments of less than one (1) hour. Personal time may not be carried forward to another year and time may not be borrowed from a future year.
2. Personal time must be approved by the Director in the form of written request 24 hours in advance, except in case of emergency

#### D. Family Medical Leave

Full-time employees receive the benefits of the Family Medical Leave Act as accorded by law.

### **VIII. LIBRARY CLOSINGS**

- A. Inclement weather – In case of poor weather conditions, the Library Director will decide whether to close the facility. If the Library Director is unavailable, the senior staff member on duty will consult with the Board. If the Library Director or Board member cannot be reached within one-half hour, the decision to close rests with the senior staff member.
- B. State of Emergency – If the Governor declares a state of emergency the Library will close.

## **IX. MEETINGS AND WORKSHOPS**

Staff is encouraged to attend professional meetings and workshops when scheduling permits. Registration fees, travel expenses, etc. shall be paid for by the Library when approved by the Director and/or Library Board of Commissioners. See also Section II. above.

## **X. GRIEVANCES**

- A. Specific problems and concerns should be brought to the attention of the Director. If problems are not resolved, the Director may bring the problems to the attention of the Board of Commissioners.
- B. Any staff member may request a meeting with the Board of Commissioners at any time.

## **XI. DRESS CODE**

Staff members are requested to dress in business attire. Dress slacks, sports slacks, suits, skirts, and dresses are considered business attire. Clothes which reveal bare shoulders and midriffs are not considered business attire. Jeans are not considered business attire.

## **XII. BENEFITS**

- A. Health Insurance. Full-time employees who work 35 hours per week are eligible to enroll in the health insurance plan.
  - 1. Enrollment may begin after 30 days of full-time employment.
  - 2. All premiums are paid by the Library for employee only
  - 3. It is possible that future financial conditions may require changes in coverage and employee participation in premium costs.
- B. Short-Term Disability and Accidental Death & Dismemberment. Employees who work a minimum of 30 hours per week are eligible to enroll in the disability and ADD plan.
  - 1. Enrollment may begin after 30 days of full-time employment.
  - 2. All premiums are paid by the Library for employee only.
- C. Retirement Plan. All employees who received \$5,000 or more in compensation in any previous two years, and if expected to receive at least \$5,000 in the current year, may participate in the Library's tax-deferred, SIMPLE IRA Plan.
- D. All employees shall be covered by Workers Compensation, Social Security and Medicare benefits as required by Federal/State Labor laws.

### **XIII. JURY DUTY**

- A. Time off for mandatory jury duty or court appearances required as a result of a valid subpoena or court order is excused and paid at full salary, provided that the proof of duty is verified by the employee's supervisor.
- B. There will be no adjustment in the employee's salary for receipt of jury duty pay, witness fees, or expenses. The employee is expected to report for work when it does not conflict with court obligations.
- C. It is the employee's responsibility to keep his/her supervisor periodically informed about the amount of time required for jury duty or court appearances.

### **XIV. WORKPLACE MONITORING**

Although reasonable personal use will be tolerated, the telephones, computers, email, fax machines, equipment and other furnishings (including desks, drawers and cabinets) you use at the Library are Library property and are for the use of employees only during their employment. You should not expect privacy with regard to these furnishings.

To ensure compliance with this policy, computer, email and fax usage may be monitored.

This document satisfies the Library's statutory obligation to provide employees written notice of such monitoring.

# Lewes Public Library

## Confidentiality Agreement

“The American Library Association strongly recommends that the responsible officers in each library, cooperative system, and consortium in the United States:

- “1. Formally adopt a policy which specifically recognizes its circulation records and other records identifying the names of library users to be confidential.
- “2. Advise all librarians and library employees that such records shall not be made available to any agency of state, federal, or local government except pursuant to such process, order or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.
- “3. Resist the issuance or enforcement of such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction.”

The Lewes Public Library adopted this policy on August 12, 2008.

See also *ALA Code of Ethics*, Article III, “We protect each library user’s right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired or transmitted.”

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I understand that in the performance of my duties for the Lewes Public Library I may have access to confidential information. I understand that any violation of the confidentiality of this information may result in my dismissal or possible legal action taken against me.

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Employee

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Date

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Supervisor

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Date

Approved and Adopted by the Board of Trustees of Lewes Public Library February 3, 2004.

(Second Revision on \_\_\_\_\_)

## EMPLOYMENT ACKNOWLEDGMENT FORM

This Personnel Policy describes important information about the Library, and I understand that I should consult management regarding any questions not answered in the policy. I entered into my employment relationship with the Library voluntarily, and acknowledge there is no specified length of employment. Thus, either I, or the Library, can terminate the relationship at-will, with or without cause, at any time, so long as there is no violation of applicable or state law.

I acknowledge revisions to the policy may occur, except to the Library's policy of employment at will. All such changes will be communicated, and I understand revised information may supersede, modify, or eliminate existing policies. Only the Board of Commissioners has the authority to revise the policy. Furthermore, I acknowledge this policy is not a contract of employment.

I received the policy and I understand it is my responsibility to read and comply with the policy and any revisions made to it.

EMPLOYEE'S NAME (Printed) \_\_\_\_\_

EMPLOYEE'S SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_