

## PERSONNEL POLICIES

**STATEMENT OF PURPOSE** The purpose of this policy is to establish a fair and equitable system of a personnel administration that will facilitate efficient and effective public service for the Colo Public Library. These policies and procedures shall apply to all regular, part-time, and temporary or probationary employees.

**ADOPTION AND POLICY AMENDMENT** These policies and procedures are adopted by the Board of Trustees of the Colo Public Library. Policy amendments shall become effective upon consideration and adoption by the Board of Trustees.

**RELATIONSHIP** In a public institution, the people of the community are the ultimate employer. The laws and regulations, that represent their will, are binding upon the Board of Trustees, the Librarian, and the staff. Friendly, efficient assistance should be extended to the people of the community at all times

**PUBLICITY** The Librarian shall plan and execute a publicity program that shall be beneficial to the Library.

**GIFTS** Library employees shall not accept personal gifts offered to them by the public because of their employment at the Library.

**PERSONAL ORDERS** Staff may purchase books for personal use or gifts at the discount granted to the Library. Personal items are not returnable unless they pay for the postage. The Librarian may also order books or videos for the public if they request something that they cannot obtain, at these same requirements. They must be paid for upon receiving them.

### EMPLOYMENT PRACTICES HIRING

The Colo Public Library affirms its commitment to providing Equal Opportunity for all employees, or potential employees. No personnel decision shall be unlawfully influenced in any manner by consideration of individual's race, sex, color, sexual preference, creed, religion, national origin, age or disability.

First consideration will be given to current staff qualified for open positions. Positions that cannot be filled by current qualified staff must be advertised prior to hiring. A criminal and employment check will be carried out on all potential employees. Hiring of relatives of Board members or administrative staff families is not allowed. Hiring of more than one member of the same family should be avoided.

Notice of appointment must be made in writing to the appointee. Confirmation of acceptance should be addressed to the librarian.

### HOURS OF WORK

Regular employee-At least 40 hours per week

Part-time employee-Works less than 40 hours per week

Regular work hours shall be assigned by the head librarian

**Regular Full-time Employee** An employee who is normally scheduled to work at least forty (40) hours per week on a regularly scheduled basis and has successfully completed their six (6) month probationary period. Regular full-time employees are eligible to receive all benefits provided in this policy.

**Regular Part-time Employee** An employee who is normally scheduled to work less than forty (40) hours per week on a regularly scheduled basis and has successfully completed their six (6) month probationary period.

**Part-time Students** An employee who is normally scheduled to work less than forty (40) hours per week who is enrolled as a high school student and whose primary occupation is a student. Part-time students are not eligible for any benefits (including IPERS).

**INCLEMENT WEATHER** The Library has an obligation to maintain regular hours whenever possible, and staff members should report to work unless otherwise notified. When it is judged by the Librarian to designate the weather conditions threaten the safety of the public or staff, the Library will close. The decision not to open the Library or to open later shall be made at least 1 hour prior to opening time. Any full day closing shall be announced on KCCI, channel 8 and WHO, channel 13, social media and the library's website. If librarians or assistants are unable to work other staff may open if requested by the librarian.

### **STAFF CONDUCT**

- Professional attitude is expected of all staff. Horseplay, bickering, fighting, and boisterousness are not acceptable behavior.
- Profanity and obscenity are not acceptable modes of expression in public service.
- There shall be no smoking or drinking of alcoholic beverages while on duty. Personal use of the telephone shall be held to emergency use only. Any employee who fails to maintain proper standards of conduct as outlined in these policies shall be subject to disciplinary up to and including immediate discharge. Examples of misconduct that may result in disciplinary action up to and including discharge include, but are not limited to, neglect of duties, disobedience
- of orders, or failure to properly perform duties of the employee's position.
- Employees must have a neat and modest appearance, and dress in a manner suitable for their work and position.
- Employees must have the ability to meet and deal with the public in a pleasant and courteous manner.
- Staff members are not allowed to conduct personal business with other staff members or the public during working hours. There shall be no soliciting of funds or approach to sell materials to staff by any group or individual during hours.

**Harassment** The Library/City committed to providing all of its employees and volunteers with a workplace free from harassment. The City maintains a strict policy prohibiting sexual harassment and harassment on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, physical or mental disability, age, marital status, veteran status, or any other characteristic protected by applicable laws. This prohibition applies to all employees, volunteers, vendors, residents, or citizens of the City. No employee or volunteer of the City is expected to tolerate any conduct prohibited by this policy from anyone while at work or engaged in City business.

**Sexual Harassment Defined** Sexual harassment prohibited by this policy includes any unwanted sexual advances, requests for sexual favors or visual, verbal, or physical conduct of a sexual nature when:

submission to such conduct is made a term or condition of employments or volunteerism; or submission to, or rejection of such conduct is used as a basis for employment or volunteerism decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an employee's or volunteer's work performance or creating an intimidating, hostile or offensive working environment.

The following is a partial list of conduct that would be considered sexual harassment:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.

- Making or threatening retaliation after a negative response to sexual advances.
- Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, calendars, or posters.
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, sexual banter or innuendoes, or comments about an employee's or volunteer's body or manner of dress.
- Written communications of a sexual nature distributed in hard copy or via a computer network.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations.
- Physical conduct such as touching, assault, impeding or blocking movements.
- Retaliation for making harassment reports, threatening to report harassment or participating in a harassment investigation.

Sexual harassment can occur between employees or volunteers of the opposite sex or of the same sex. It is a violation of the City's policy for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment can occur between supervisors and subordinates, employees, volunteers, and non-employees and between co-workers.

**Other types of Harassment** The City also prohibits other forms of harassment on the basis of race, color, national origin, religion, gender, physical or mental disability, age, marital status, veteran status, or any other characteristic protected by applicable laws. Such prohibited harassment includes, but is not limited to, the following:

- Verbal conduct such as threats, epithets, derogatory comments or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures.
- Written communications containing statements that may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or caricatures.
- Physical conduct such as assault, unwanted touching or blocking normal movement.
- Retaliation for making harassment reports, threatening to report harassment or participating in a harassment investigation.

### **Harassment Complaint Procedure**

Any employee or volunteer who believes he or she has been subjected to harassment prohibited by this policy should immediately report that behavior to his/her supervisor, the City Clerk, or any department head with whom the employee or volunteer works or reports. If an employee or volunteer becomes aware of harassing conduct engaged in or suffered by a City employee or volunteer, regardless of whether such harassment directly affects that employee or volunteer, the employee or volunteer should immediately report that information, to his/her supervisor, the City Clerk, or any department head with whom the employee or volunteer works or reports.

Whenever the City is made aware of a situation that may violate this policy, the City will conduct an immediate, thorough, and objective investigation of any harassment claims. If the City determines that prohibited harassment has occurred, it will take appropriate action against any person found to have engaged in prohibited harassment. A determination regarding the alleged harassment will be made and communicated to the person claiming harassment as soon as practical. The type of discipline administered will be dependent upon the severity of the conduct, as well as any other factors presented in the particular circumstances. Employees and volunteers violating this policy are subject to discipline up to and including termination.

The City strictly prohibits retaliation against any person by another employee or volunteer, or by the City for using this complaint procedure, reporting harassment, or for filing, testifying,

assisting, or participating in any manner in any investigation proceeding or hearing conducted by the City or a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit.

The City does not consider conduct in violation of this policy to be within the proper course and scope of employment or volunteerism and does not sanction such conduct on the part of any employee or volunteer, including management employees.

### **Workplace Violence**

The City has adopted this Zero Tolerance policy for workplace violence because it recognizes that workplace violence is a growing nationwide problem that needs to be addressed by all employers. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion which involve or affect the City, or which occur on City property will not be tolerated. Acts or threats of violence include conduct that is sufficiently severe, offensive, or intimidating to alter the employment/working conditions at the City or to create a hostile, abusive, or intimidating work environment for one or several City employees or volunteers. Examples of workplace violence include, but are not limited to:

- All threats or acts of violence occurring on City premises, regardless of the relationship between the City and the parties involved in the incident.
- All threats or acts of violence occurring off the City premises involving someone who is acting in the capacity of a representative of the City.
- All threats or acts of violence occurring off the City premises involving an employee or volunteer of the City if the threats or acts affect the legitimate interest of the City.
- Any acts or threats resulting in the conviction of an employee or agent of the City, or of an individual performing services for the City on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence that adversely affect the legitimate interests of the City.

Specific examples of conduct that may be considered threats or acts of violence include, but are not limited to:

- Hitting or shoving an individual
- Threatening an individual or his/her family, friends, associates, or property
- The intentional destruction or threat of destruction of City property
- Harassing or threatening phone calls or emails
- Harassing surveillance or stalking
- The suggestion or indication that violence is appropriate
- Unauthorized possession or inappropriate use of firearms or weapons

The City's prohibition against threats and acts of violence applies to all persons involved in the City's operation, including, but not limited to, City personnel, contract and temporary workers, volunteers and anyone else on City property, by any individual acting as a representative of the City while off City property, or by an individual acting off of City property when his/her actions affect the City's interests. Violation of this prohibition will lead to disciplinary action, up to and including termination, and/or legal action as appropriate. No provision of this policy shall alter the at-will nature of the employment or volunteer relationship with the City.

Every employee or volunteer, and every person on City property is encouraged to report incidents, threats, or acts of physical violence. The report should be made to his/her supervisor, the City Clerk, or any department head. Nothing in this policy alters any other reporting obligation established in City policies or in state, federal, or other applicable law.

### **Drug Free Workplace Policy**

The use of controlled substances, either on or off the job, is inconsistent with the behavior expected of City employees or volunteers, and subjects all employees, volunteers, and the

public to unacceptable safety risks, and undermines the City's ability to operate effectively and efficiently. Therefore, the policy of the City is to maintain a drug-free workplace. A drug-free workplace means that alcohol or a controlled substance (drugs in any unauthorized form) as defined in Sections I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 81 and as further defined in regulation 21 C.F.R. 1308.11 1308.15), as well as any applicable Iowa statutes regulating alcohol and controlled substances. The unlawful manufacture, distribution, dispensing, possession, sale or use of a controlled substance in the workplace, or any premise where City business is carried out, is strictly prohibited.

The Drug-Free Workplace Act of 1988 requires employees to report any conviction under a criminal drug statute for violations occurring on Employer's premises, or off the Employer's premises while conducting official City business. A report of a conviction must be made to your department head within five (5) workdays after conviction. Failure to do so will result in immediate discharge from City employment.

The Employer's complete Substance Abuse and Drug Testing Policy appears separately in his handbook as Section XII.

**WORK RULES AND DISCIPLINARY ACTION** The following Work Rules address examples of what could be considered unsatisfactory conduct but are not necessarily the only areas in which disciplinary action may be taken if conduct or instances require. These Rules may be modified as changing warrant. Each case shall be considered on its own merits with due consideration as to the nature of the offense, the cause, the background, the likelihood of repetition, and the attitude of the offender. These rules are only examples and as always, you may terminate your employment, or relationship with the City at any time, with or without cause, and the City retains that same right.

#### **STAFF DEVELOPMENT**

**Developmental training** – Each employee is encouraged to participate in continuing education courses that are relevant to his/her job responsibilities. All requests should be in writing and given to the library director. Evaluation of requests will include relevancy to the employee's duties, the amount of recent training the employee has received in comparison to other employees in the department, budget, and staffing levels. **Professional training** - For training required by the City, State or Federal governments, the City will pay: wages and other expenses including regular pay for time in attendance and time traveling, tuition, registration, books, fees, room and board, transportation and other items charged by the educational institution incidental to the course.

**GRIEVANCE PROCEDURE** A grievance is defined as any dispute between the Employers and the employee, or a volunteer concerning the application of these rules and policies. All grievances and responses to grievances must be in writing and signed by the affected parties.

The following procedures shall apply to all employees and volunteers, except those subjects covered by a collective bargaining agreement shall be covered by the grievance procedure provided for in the agreement for employees covered by the agreement:

- Step 1 An employee or volunteer shall discuss a complaint or problem in writing and discussed orally with his/her supervisor within five (5) workdays following its occurrence in an effort to resolve the problem in an informal manner.
- Step 2 Within five (5) workdays after the discussion at Step 1, or if no timely decision has been made within five (5) workdays following the discussion at Step 1, the employee or volunteer shall then present the written grievance to the library director, who shall respond within five (5) works days. The grievance shall

state the nature of the complaint, the facts, and witnesses as they are known to be, and the remedy sought.

Step 3 After this meeting, if staff member is not satisfied, he or she may request a hearing with the Library Board officers and the library director. This request must be made in writing to the Board president.

## **RESIGNATIONS AND DISMISSALS**

Resignations-all employees are encouraged to give at least 2 weeks written notice to the Librarian or Board.

Dismissal-all employees may be dismissed following:

1. Oral notice with documentation.
2. Written notice of failure to perform professional duties as stated in job description.
3. Re-evaluation to follow within 30 days by the Librarian.
4. Dismissal may follow written warning.

## **RETIREMENT**

The Library shall maintain a confidential service record for each employee showing the name, assigned salary, and such information as considered pertinent.

Personnel evaluations shall be destroyed three years after termination of employment.

### **IPERS**

The Iowa Public Employees' Retirement System (IPERS) is a defined benefit plan and has a "qualified plan" status under federal Internal Revenue Code 401(a). The principal purpose of IPERS is to provide an adequate retirement plan for public employees.

made to IPERS for an employee's public service by both the member and employers. Employees are required to contribute to IPERS through payroll deductions. An employee's position or job classification determines the contribution rate applied to the member's covered wage.

## **SALARIES AND POSITION CLASSIFICATION**

Librarian's pay shall be set by the Board, approved by the city council, and reviewed each year.

Salaries for other staff members shall be determined by the Librarian and approved by the board and city council. It shall be reviewed each year.

## **BENEFITS**

### **Health Insurance**

All regular full-time employees are offered deferred compensation in the amount of \$750.00 per month.

### **Life Insurance**

The City will pay the premium toward a \$25,000 life insurance policy for each regular full-time employee.

**Hours and schedule** There shall be a certified librarian, or qualified staff member on duty when the Library is open. Work hours shall be determined by the Librarian and agreed upon by the staff.

### **Vacation**

Regular-working at least 40 hours per week.

Regular Part-Time - Working less than 40 hours per week

Part time—working less than 20 hours per week.

**Regular and part time**

An employee must work a minimum of 20 hours per week to qualify for vacation.

No paid vacation the first six months of employment.

Vacation time shall be pro-rated, based on full-time of 40 hours per week. The following shall be used as a basis:

6 months to 5 years of employment	6 hours per month
5 years to 10 years of employment	10 hours per month
10 years to 15 years of employment	13 hours per month
15 plus years	16 hours per month

Vacation time may be accumulated up to 200 hours for a full-time employee and pro-rated from that. All staff members working at least 20 hours per week shall receive pro-rated pay based on the above listed vacation time allotted. Any employee who leaves employment or retires after 5 years of employment is entitled to receive back pay to his/her accumulated maximum time.

Schedule for figuring vacation and sick leave:

Take monthly hours and divide by 4 to see the average per week.

Take percentage of hours by the length of employment.

40 hours	100%
39 hours	97.5%
38 hours	95%
37 hours	92.5%
36 hours	90%
35 hours	87.5%
34 hours	85%
33 hours	82.5%
32 hours	80%
31 hours	77.5%
30 hours	75%
29 hours	72.5%
28 hours	70%
27 hours	67.5%
26 hours	65%
25 hours	62.5%
24 hours	60%
23 hours	57.5%
22 hours	55%
21 hours	52.5%
20 hours	50%
19 hours	47.5%
18 hours	45%
17 hours	42.5%
16 hours	40%
15 hours	37.5%
14 hours	35%
13 hours	32.5%
12 hours	30%
11 hours	27.5%
10 hours	25%

### **Sick Leave**

All employees hired may accumulate sick leave with pay at the pro-rated time of 4 hours per month, which is 40 hours per week. This applies to staff averaging more than 20 hours per week.

Sick leave must be used only in case of actual illness, medical and/or dental appointment. Regular full-time employees will earn sick leave at the rate of four (4) hours per pay period with a total a maximum accumulation of 500 hours. Permanent part-time employees will earn sick leave of two (2) hours per pay period with a maximum accumulation of 250 hours. No accrued sick leave will be paid upon retirement or leaving employment.

### **Holidays**

The Library shall be closed on the following Holidays:

New Year's Day

Memorial Day

Fourth of July

Colo Crossroads Festival (Saturday)

Labor Day

Thanksgiving Day

Day after Thanksgiving

Christmas Eve Day

Christmas Day

A regular part-time employee is eligible for paid holiday leave in proportion to his/her percentage of time worked. Board shall upon recommendation of the head librarian, determine if they shall be closed another day. Full staff will receive full salary if they are scheduled to work that day.

### **Bereavement Leave**

A regular full-time employee will be granted not to exceed five (5) days of paid leave in order to arrange and attend the funeral of the employee's spouse or child, including adopted child or stepchild.

A regular full-time employee will be granted not to exceed three (3) days of paid leave in order to arrange and attend the funeral of a parent, grandparent, grandchild, sister, brother, mother-in-law, father-in-law, half-brother or sister, or stepbrother or sister of the employee.

A regular full-time employee will be granted not to exceed one (1) day of paid leave in order to attend the funeral of an aunt; uncle; and grandparent, brother, or sister-in-law of the spouse of the employee.

Any such leave above shall be only for the scheduled workdays falling within the period commencing upon the death and extending through the day of the funeral.

A regular full-time employee will be granted one-half (1/2) day with pay in order to attend the funeral of a fellow city employee or former city employee.

Employee includes probationary employee.

### **Professional and education leave**

May be granted without pay up to 1 year at discretion of Library Board.

### **Jury Duty**

An employee who is summoned for jury duty shall receive a paid leave of absence for the time the employee spends on such duty. Said employee shall turn over to the Employer jury service fees.

An employee who is summoned for jury duty but who is not selected, shall return to work: an employee who is selected for jury duty shall return to work if released from jury duty within the employee's scheduled work hours.

If an employee is subject to call for jury duty, the employee shall promptly notify the Library Director.

Employee includes probationary employee.

### **Military Leave**

A regular full-time employee may be granted a military leave of absence for a period of up to thirty (30) working days with pay as described in Section 29A.28 of the Code of Iowa. The City recognizes an employee's reemployment right in accordance with the Uniform Services Employment and Reemployment Act.

### **Family and Medical Leave**

#### **Uses of FMLA Leave**

In accordance with the Family and Medical Leave Act, the City grants leave to eligible employees for up to 12 weeks in a 12-month period. The employer will require an employee to exhaust all appropriate accrued paid leave prior to the approval of the use of unpaid leave. Employees who use paid leave to cover an FMLA leave period receive their usual compensation and benefits, as they do whenever they take vacation, paid sick leave, or other paid leave. Employees can request or use FMLA leave to cover the time they need to be away from work for any of the following purposes:

1. To care for a newborn child or a newly adopted or newly placed foster care child, as long as the leave is taken in the year following the child's birth or placement;
2. to care for a child, spouse, or parent who has a serious health condition; or
3. to provide employees time to attend to their own serious health condition that leaves them unable to perform their job.

#### **Eligibility**

To be eligible for FMLA leave, an employee must have worked for the City for at least one year and performed at least 1,250 hours of work during the previous 12 months. **Requesting Leave** Employees who know they need FMLA leave a month before the leave begins **MUST** give the library director 30 calendar days' advance notice. However, employees drawing on paid sick leave or vacation leave do not have to give any more notice than is required under those policies. Employees who are not certain they have enough paid leave available to last for their entire absence need to complete a "Request for FMLA Leave" form and submit it to the library director. Employees who cannot foresee the need for FMLA leave 30 days in advance must give as much notice as they can. This generally means notifying the library director within one or two workdays of the time an employee first learns of the need for leave, unless extenuating circumstances exist. **Amount of Leave**

Employees can take up to 12 weeks of FMLA leave in a 12-month period. However, where a husband and wife both work for the City, the two employees are limited to a combined total of 12 weeks of family leave to cover the time off they need after the birth or placement of a child or to care for a seriously ill parent. However, each employee is eligible to take any unused portion of the 12 weeks for his or her own serious health condition, the care of a seriously ill child, or the care of the other spouse.

#### **Intermittent Leave**

Employees taking leave because of their own or a relative's serious health condition can take their allotment of FMLA leave intermittently or in accordance with a reduced work schedule if this is medically necessary. Where employees have some control over the timing of their leave, they are expected to consult with their supervisors to try to arrange a mutually acceptable time. Employees taking leave to care for a newly born or newly placed child do not have a legal right to take intermittent leave and can do so only with their supervisor's consent.

**Privacy and Leave Requests**

Employees must inform the library director that they need family or medical leave and when they expect to be absent. However, the library director should not ask or inquire about the reasons for the employee's leave request. Instead, to ensure the worker's privacy, the library director makes any necessary inquiries and evaluates whether there is a medical need for the leave. The library director also is responsible for ensuring that all medical information provided by employees is maintained in the strictest confidence.

**Evaluations**

Each library employee shall be evaluated yearly in February. The head librarian shall conduct the evaluations of other employees and the Library Board shall evaluate the Head Librarian.  
Revised October 22, 2018