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## POLICY

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### Personnel Policy Effective December 6, 2017

For the purposes of this policy, full-time is defined as someone who regularly works 70 hours a pay period and part-time is defined as someone who regularly works less than 70 hours a pay period.

#### **Staffing**

The Mifflin Community Library will be staffed by a Library Director (full-time), an Assistant Librarian - Youth Services (part-time), Library Assistants (part-time), an Adult Programs Organizer, PR Coordinator (part-time), and volunteers. One or more Library Assistant substitutes will be employed as needed. Bookkeeping and custodial services will be supplied through agreements with independent contractors.

#### **Filling Vacancies**

In filling any staff vacancy, the Governance/Personnel and Search Committees have a responsibility to assure the community that candidates have positive attitudes about public service and understand that patrons' needs come first. Candidates should be comfortable with evolving technology and must be willing to work flexible hours.

#### **Recruitment / Selection / Appointment**

**Library Director:** Search Committee comprised of the Governance/Personnel Committee and other Board members will be appointed to advertise the opening in the local newspapers, in university career placement offices, with the PA Library Association and Berks County Public Libraries listserv and social media outlets. The Committee will review written applications and will interview qualified applicants. The Search Committee will present one candidate to the Board of Directors for final approval in accordance with the Bylaws.

**Other Professional Staff:** The Library Director will advertise the opening on the Berks County Public Libraries listserv, in the local newspapers, university career placement offices and with the PA Library Association. The Library Director and the Search Committee will review applications, interview qualified applicants and select the leading candidate to present to the Board of Directors for final approval.

**Non-Professional Support Staff:** The Library Director will post the vacancy announcement on the library entrance bulletin board for a minimum of two weeks and send an announcement to the BCPL and BCLA listservs. If no qualified candidates apply, the opening will be advertised in the local newspapers. The Library Director will review applications and interview qualified candidates and select the leading candidate. The Board of Directors will be notified of candidates being interviewed and the outcome.

#### **Background Checks**

All job candidates over the age of 14 must provide current copies of their Pennsylvania Criminal History Record (SP4-164), Pennsylvania Child Abuse History Clearance (CY113), and fingerprint-based FBI Criminal Background Check

If an employee is arrested for or convicted of an offense that would constitute grounds for denying employment or is named as a perpetrator in a founded or indicated report, the employee must provide the Library Director with written notice not later than 72 hours after the arrest, conviction or notification that the person has been listed as a perpetrator in the statewide database. An employee who willfully fails to disclose information as required above commits a misdemeanor of the third degree and shall be subject to discipline up to and including termination of employment.

### **Equal Employment Opportunity**

Mifflin Community Library provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability or genetics. In addition to federal law requirements, the Library complies with applicable state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfers, leaves of absence, compensation and training.

## **Personnel Procedures**

### **Conduct of Duty**

The employee should know and implement the policies adopted by the Board of Directors. Library staff should cheerfully and efficiently serve all patrons and should have a good working relationship with the Board, other employees and volunteers. All employees must adhere to the Employee Code of Conduct.

**Job Descriptions** See Attachments

### **Probationary Period and Performance Evaluation**

For every new employee there will be a performance review and evaluation after the first three months. If the review is unsatisfactory, an additional review will be made three months later. After this probationary period, if these evaluations by the Library Director are satisfactory, then the employee will be evaluated after the end of each calendar year. Any unsatisfactory evaluation will result in a three-month probation followed by one reevaluation. Two unsatisfactory evaluations in a calendar year are grounds for dismissal. Annual evaluations of all staff will be conducted by the Library Director.

The Library Director will be evaluated by the MCL Board of Trustees on an annual basis by the end of January on the activities of the prior year. The Board shall use the Director's self-evaluation, pre-determined goals, and monthly report as the basis of the Director's evaluation. The evaluation will rate the Director's performance results for each goal described in the survey. The individual responses shall be collected, and compiled to be presented to the full Board for discussion in an executive session where they will agree on the key messages and comments to be brought to the Director and presented by the Governance/Personnel Committee. This meeting will also serve to determine the goals and objectives for the next year.

### **Grievances**

Dissatisfaction with alleged discrimination, unfair treatment, work schedules and assignments, library policies and procedures, or working conditions should be brought to the attention of the Director. Employees can raise concerns without fear of reprisal. Informal resolution of disputes is encouraged. However, if a matter is deemed important, the following steps may be taken.

1. The employee shall present the grievance in writing to the Director, who, after a discussion with the employee, shall attempt to resolve the matter and report the action to the employee. Written records shall be maintained in the personnel file. The grievance may go directly to the Governance/Personnel Committee if it involves malfeasance of the Library Director.

2. In the event that a grievance is not settled by the Library Director, the appeal must be presented in writing by the employee to the Governance/Personnel Committee. The Governance/Personnel Committee shall respond in writing to the employee.
3. An appeal from an unfavorable decision at the second step shall be presented by the employee to the President of the Board. The Board shall review the case and vote on a recommendation. The President shall issue the decision in writing, which shall be final and binding to the employee.

### **Disciplinary Action**

The library's best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any such action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Disciplinary actions will be explained to and discussed with the employee at each step in the procedure stated below. All disciplinary actions will be documented via a Disciplinary Action Form, which will be placed in the employee's personnel file.

- a. **Verbal Warning:**  
For most infractions, the employee will be warned verbally by the Director. If the situation is not corrected in the time frame specified, the Director will proceed to a written warning.
- b. **Written Warning:**  
The employee will be warned verbally and in writing, and the written warning will be placed in the employee's personnel file. This written record notifies the employee that his/her performance or conduct is unacceptable and documents the specific acts or omissions upon which the discipline is based as well as the expected corrective action and time frame.
- c. **Termination:**  
If the situation is not corrected in the time frame specified by the Director or if it is a third occurrence of the same offense, the Director will initiate termination procedures for the employee.

### **Immediate Termination**

Immediate termination is possible in some cases. Some instances for dismissal may include but are not limited to:

- Physical or verbal abuse and/or sexual harassment of a library patron or employee
- Theft of or deliberate damage to library property or the property of a library patron or employee
- The release or misuse of information that is deemed confidential in nature into the hands of others who are not on the payroll or board of the MCL or authorized to receive it by the board or the Library Director.
- Gross misconduct, which may include off-premise conduct which is illegal
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty
- Insubordination
- Falsification of library records
- Possession of explosives or weapons in library facilities
- Excessive absences, tardiness, or early leaves

### **Resignation and Dismissal**

A written notice of resignation by any non-professional support staff will be given to the Library Director or the President of the Board of Directors a minimum of fourteen (14) days before the intended resignation. A written notice of resignation by any professional staff will be given to the Library Director or the President of the Board of Directors a minimum of thirty (30) days before the intended resignation.

No policy or provision is intended to create a contract binding the employee or the Library to an

agreement of employment for a specific period of time. An employee's employment can be terminated by either the employee or the Library at any time, for any reason, with or without notice. Prior to any termination for cause, the Board will conduct an investigation and interview all concerned parties.

### **Personnel Records**

The Governance/Personnel Committee will keep all personnel records on file in the library. The records are strictly confidential. The employees have the right to request and to review their personnel file with 24-hr notice.

### **Salaries**

All salaries and wages will be set by the Board of Directors, will meet or exceed Federal Minimum Wage Law and will be reviewed annually in November or December. There will be a biweekly pay schedule with Thursday as payday. Paychecks will be direct deposited by 5 PM on payday. Timesheets will be due Mondays before paychecks are due, Director should be notified of any incomplete timesheets before that Monday morning. Any approved extra time worked will be paid during the pay period in which it was performed. Full-time employees who are paid hourly and are nonexempt according to the Federal Labor Standards Act need advance permission from the MCL Board President to work over 40 hours in a week. If payday falls on or near a holiday, payment will be made on the last weekday preceding the holiday. All required deductions will be made from the paycheck. Staff will be reimbursed for travel expenses (including conference fees, meals (but not alcohol), tolls, mileage and lodging) for approved conferences, meetings and required continuing education. Mileage reimbursement will be based on the current IRS rate.

### **Benefits**

Benefits for all employees consist of Workers Compensation Insurance and Unemployment Compensation, as well as vacation and sick/personal leave as described in the Vacation and Leave section below.

Benefits for full-time employees shall be negotiated and contractually agreed upon as appropriate by the Board of Directors.

### **Hours and Schedules**

The Library Director will work full-time for 70 hours per two-week pay period. Twenty hours per week must be worked while the library is open as required by state regulations. The Library Director may work up to 6 hrs. per week at home as needs arise. Any additional at-home hours must be pre-approved by the Personnel Committee. Off-site meetings, required continuing education courses and travel time to these will count as hours worked for all employees. The Library Director will be responsible for setting the weekly schedule so that two staff persons are on duty for each of the hours that the library is open to the public. Library Assistants will work the number of hours per two-week period indicated in their job description and may be asked to work additional hours when other employees are sick or on vacation. Staff shall not leave during their designated shift without previous approval from the director, and shall never have less than 2 staff in the library at any time. Every employee working a minimum of 5 hours will be scheduled for a 30-minute unpaid lunch break.

## **Employee Code of Conduct Policy**

### **Organizational Code of Conduct**

The library and its employees must at all times comply with applicable laws and regulations. Violation of the law or unethical business dealings, including payments for illegal acts, indirect contributions, rebates, and bribery, will not be condoned. All business conduct should be well above the minimum standards required by law and should be able to withstand the closest possible public scrutiny. Employees uncertain about the application or interpretation of any legal requirements should refer the matter to their supervisor, who, if necessary, should seek legal advice.

## **General Employee Conduct**

Employees are expected to arrive on time and ready to begin immediately for their scheduled shift. If an employee is consistently late more than five minutes for their scheduled shift, disciplinary action may result. If an employee is unable to work their scheduled shift, the Library Director must be notified as soon as possible via telephone (but no later than two hours prior to the scheduled shift) in order to adequately schedule staff based on the library's needs.

Employees are expected to maintain a professional and pleasant disposition while interacting with patrons, volunteers, and other staff members and should demonstrate the highest level of customer service to everyone.

Employees are expected to conduct themselves in a businesslike manner. Drinking, taking illegal drugs, gambling, fighting, swearing, and similar unprofessional activities are strictly prohibited on the job.

Employees must not engage in sexual harassment or conduct themselves in a way that could be construed as such, for example, by using inappropriate language, keeping or posting inappropriate materials in any work area, or accessing inappropriate materials on their computers.

Cell phones and other personal electronic devices should normally be muted during working hours, and should not be used unless the employee is expecting an essential phone call. Employees should not be spending work time on personal social media sites.

Personal belongings should be safely stored in the cabinets and closets provided by the Library. The Library is not responsible for loss or theft of personal property.

## **Conflicts of Interest**

Employees are expected to perform their duties conscientiously, honestly, and in accordance with the best interests of the library. Employees must not use their positions or the knowledge gained as a result of their positions for private or personal advantage nor should they acquire business interests or participate in entertainment, gifts, personal favors, or preferential treatment that would put them under obligation to another party with whom the library has business dealings. If employees know of or sense the potential for a conflict of interest, they should discuss the facts with their supervisor.

## **Kickbacks and Secret Commissions**

Acceptance of kickbacks or secret commissions from suppliers or others is strictly prohibited and will result in immediate termination and prosecution to the fullest extent of the law.

## **Library Funds and Other Assets**

Employees who have access to library funds must follow the prescribed procedures for recording, handling, and protecting money. Fraud and dishonesty will not be tolerated. If employees become aware of any evidence of fraud or dishonesty, they should immediately advise their supervisor so that the situation may be investigated.

When an employee's position requires spending library funds or incurring any reimbursable personal expenses, that individual must use good judgment on the library's behalf to ensure that good value is received for every expenditure.

Library funds and all other assets of the library, such as computers, are for library purposes only and not for personal benefit.

## **Records and Communications**

Employees responsible for accounting and recordkeeping must fully disclose and record all assets,

liabilities, or both, and must exercise diligence in enforcing these requirements. Employees must not make or engage in any false record or communication of any kind, including false expense or statistical reports or misleading representations of any kind.

Employees should take care not to speak publicly for the library on any topic without certainty that they are expressing the library's views accurately and that public knowledge of such views is authorized. In particular, donor lists are not to be shared outside the library without Board approval. Employees should also be careful never to compromise the integrity or damage the reputation of the library. In dealing with all proper requests for information or complaints, employees should always respond promptly and courteously.

### **Privacy and Confidentiality**

Library employees are expected to maintain the confidentiality of library patrons and their records as required by the Pennsylvania Library Code, Section 428, and the Library Confidentiality Act (PA Act 90).

### **Dress Code**

In order to present a professional image to our library patrons, staff shall wear clean and well-maintained attire. Hair should be well-groomed.

### **Employees working in the public areas within the library should refrain from wearing**

- Torn or cut-off clothing of any kind.
- Low cut, see-through or tight-fitting clothing. Bare midriffs, halter or tube tops, muscle shirts, tank tops (unless worn under another shirt or blouse) and spaghetti strap dresses are not appropriate.
- Athletic clothing (including Spandex/Lycra), jogging suits or sweatsuits ("dressy" sweatshirts are fine)
- Open-toed shoes
- Shorts
- Non-library tee shirts or sweatshirts with slogans or logos, except where appropriate to promote an upcoming or current library program or event (Summer Reading tee shirts etc)

When representing the library at events held off-site, dress appropriate to the event and location is desired. As needed, supervisors will discuss inappropriate dress with individual staff members. Accommodations will be made for art projects, outdoor activities, HVAC (heating, ventilation, air conditioning) malfunctions etc.

## **Staff Development**

### **In-Service Training**

The Library Director will attend all in-service meetings and workshops (10 hours of continuing education annually) as required by the Berks County Public Library System. In addition, all employees working 20 hours or more per week are required to fulfill at least six hours of continuing education on a biannual basis. Professional staff may attend professional meetings and conferences as budgeted by the Board of Directors. Advance approval by the Board is required for expenses exceeding \$100.00

### **Professional Affiliations**

The Board of Directors will by vote pay for memberships in professional library associations for the Library Director and other professional staff.

## **Vacation and Leave**

### **Vacation**

After the probationary period, full-time employees will receive two weeks paid vacation through the 5<sup>th</sup> anniversary of start date and three weeks for the 6<sup>th</sup> through 10<sup>th</sup> anniversaries, as well as eight (8) paid

holidays and five (5) paid personal/sick days per calendar year. After the 1<sup>st</sup> anniversary date and through their 5<sup>th</sup> calendar year, part-time employees will receive one-week paid vacation (a week equivalent to their normal work week) each subsequent calendar year and pro-rated paid vacation based on the number of full quarters left in the calendar year after the 1<sup>st</sup> anniversary date. For example, an employee who was hired to work 20 hours per week in September of 2014 would receive 5 hours of vacation time (one-quarter's worth) in 2015 and 20 hours of vacation time in 2016. Part-time employees will receive two weeks paid vacation starting their 6<sup>th</sup> calendar year. Vacation leave may not accrue from year to year.

### **Requests for Vacation/Time Off**

Requests for vacation must be made at least thirty days before the date being requested. Vacation time will be granted on a first come, first serve basis and no two individuals on the same work shift (Morning 9-5, and Evening 5-8) can have off on the same days. Requests for additional unpaid time off can be made but are not guaranteed and should be requested in moderation. Sick time and emergencies should be communicated to the director as soon as possible. All requests should be made in writing to the library director and will then be added to the calendar once approved.

### **Personal and Sick Leave**

After the probationary period, full-time employees will be given five (5) paid personal/sick days and part-time employees will receive two (2) paid personal/sick days (each personal day is equivalent to 1/5 of their normal work week) per calendar year. These days will not be accumulated from one year to another. The Library Director will arrange personal leave with a member of the Governance/Personnel Committee at least one week in advance whenever possible.

### **Holidays**

Only full-time employees will have paid holidays. A Holiday will equal seven (7) hours for a 35 hour/week employee. The Library will be closed on the following holidays: New Year's Day, Memorial Day (observed), July 4 (observed), Labor Day (observed), Thanksgiving, Christmas Eve Day, Christmas and New Year's Eve Day. If a holiday falls on a day the library is not open, a floating holiday shall be taken during that pay period.

### **Professional and Educational Leave**

Staff meetings, continuing education workshops and professional meetings are considered part of the work schedule and will be compensated accordingly with prior Board approval.

### **Jury Duty**

If a library employee is assigned jury duty on a scheduled work day, the employee will be paid for the day(s) spent in court at the scheduled rate minus the jury compensation rate.

### **Emergency Leave**

An employee needing emergency leave must contact the Library Director. Extended emergency leave (uncompensated) will be considered by the Board. The Library Director must contact the President of the Board about emergency leave for both him/herself and all other employees.

### **Maternity/Extended Leave**

Leaves, including maternity leave, must be submitted in writing to the President of the Board of Directors a minimum of forty-five (45) days in advance. The leave will be granted as uncompensated time up to the limits established by the Board on a case-by-case basis.

# Personnel Policy- Agreement Form

Please read the following statements, then sign below and return to the Library Director for inclusion in your personnel files.

## Acknowledgement & Understanding of Policy Handbook

I have received, read, and will abide by the conditions set forth in the Mifflin Community Library Policy Handbook. I understand that the policies and benefits described herein are subject to change at the discretion of the Mifflin Community Library Board of Trustees at any time, and that I remain bound by such changes.

## At-Will Employment

I further understand that my employment is at-will, and neither I nor the Library has entered into a contract regarding the position, hours, or duration of my employment. I am free to terminate my employment with the Library at any time, with or without reason. Likewise, at its discretion, the Library has the right to terminate my employment, discipline, transfer, or demote me at any time, with or without reason. No Library employee can enter into an employment contract for a specified period of time, or make any agreement contrary to this policy without written approval from the Mifflin Community Library Board of Trustees.

If I have questions regarding the content or interpretation of anything in this Personnel Policy Handbook, I will bring them to the attention of the Library Director.

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