

**Item:** WLS Employee Handbook Proposed Revisions

**Background:** The *WLS Employee Handbook* has not been revised since June 2014. Changes to New York State law and WLS Policies prompted review of the document.

**Status:** The Governance Committee met on June 12<sup>th</sup> to review and discuss the current *Handbook*. The Committee is recommending edits that include: clarification of the definition for immediate family to coincide with that used by Westchester County; addition of information on the new Westchester County Sick Leave and Safe Leave regulations and New York State Paid Family Leave Act; and revision of the WLS Policies to be included with Appendix A.

A revised copy of the *Handbook* is attached (without Appendix A). Additional text is shown in **bold underscored** and deletions are shown as ~~strikeout~~. Spacing and pagination will be corrected with the final version.

Per regular procedure, this document is being presented a month in advance as an Information Item with official approval to be sought at the next month's Board Meeting, which will be held in September 2019.

Any questions can be directed to Cathy Draper, Chair of the Governance Committee.

June 25, 2019



## **WESTCHESTER LIBRARY SYSTEM**

### **EMPLOYEE HANDBOOK**

**June 2014**

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## SECTION I: WELCOME TO WESTCHESTER LIBRARY SYSTEM

### INTRODUCTION

Welcome to Westchester Library System (WLS). WLS enjoys a fine reputation within the community and with its patrons. Each employee is an important member of this organization which is dedicated to serving the entire Westchester community. It is therefore imperative that WLS employs well-qualified and dedicated individuals committed to working as a team.

Employees are encouraged to ask any questions they may have regarding any policies or procedures outlined in this handbook. A staff member's immediate supervisor can provide clarification on the information outlined below.

### ABOUT THIS HANDBOOK

This handbook contains general information about employment at WLS. It is designed as a working guide for employees and supervisors, to provide staff with information on benefits, policies and practices. This version of the WLS Employee Handbook supersedes all previous versions of the handbook.

This handbook is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies, practices, or benefits described. Nothing in this handbook confers any rights or privileges upon any WLS employee. There are no promises or guarantees of any kind contained in this handbook, nor should it be regarded or construed by WLS employees as a contract between WLS and any of its employees. Please note that this handbook is subject to change, and policies may be modified or discontinued by the WLS Board of Trustees at any time.

### ABOUT WESTCHESTER LIBRARY SYSTEM

WLS is an independent, non-profit educational corporation chartered in 1958 by the New York State Board of Regents, under New York State Education Law. It is a cooperative public library agency, having as its members the 38 public libraries in Westchester County and their branches. Each WLS member is an independent library, financed locally and governed by a Board of Trustees.

WLS is one of New York State's 23 public library systems. It is governed by a 15-member Board of Trustees, elected by the member libraries and their trustees at the WLS Annual Meeting. For purposes of board representation, the county is divided into 15 districts so that the trustees are representative of all areas in the County.

## GOALS AND ASPIRATIONS

WLS strives to provide recognition, opportunity and job satisfaction for staff. To this end, the organization:

- \* encourages respect for the individual dignity of each employee
- \* provides leadership in which employees may have faith and confidence
- \* promotes from within, where possible, based on demonstrated ability
- \* offers training opportunities for employees and encourages them to develop their capacities to the maximum potential
- \* provides and continually reviews a balanced program of employee benefits
- \* maintains open channels of communication and continually seeks ways of maintaining high morale through fair and equitable treatment of all employees
- \* ensures that WLS personnel policies are administered fairly and consistently.

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## SECTION II: GENERAL EMPLOYMENT INFORMATION

### WORK SCHEDULES

#### Hours of Work

The standard workweek for WLS employees is a 5-day, 35-hour workweek. Hours may vary depending upon assignments. Some employees may be requested to work evenings and/or Saturdays, Sundays and holidays. Special schedule adjustments may be made at the convenience of the Department, as determined by the Department Head in consultation with the Executive Director.

#### Meal Breaks

Employees get a minimum of 30 minutes and a maximum of one hour for their meal break at a time convenient to WLS. Staggered lunch breaks may be necessary to meet WLS needs.

#### Breaks

Full time employees are allowed 2 paid 15-minute scheduled breaks during each 7-hour workday. One break should be taken in the morning and one in the afternoon, or one in the afternoon and one in the evening depending on the employee's work schedule.

Part time and hourly employees are provided one paid 15-minute scheduled break for every 3-1/2 hours worked during a given day.

Break time may not be used at the beginning or the end of a work day, may not be accumulated or attached to meal breaks and may not be used to make up lateness.

### ABSENCE AND LATE ARRIVAL NOTIFICATION

If an employee needs to take an unscheduled absence, a call to the appropriate supervisor must be placed by 9:00 am or within 15 minutes of the time scheduled to begin work. Employees may leave a voicemail message if the supervisor is not available.

If an employee will be unavoidably late, the same call-in procedure as outlined above should be followed. Lateness of more than one hour will be charged to vacation or personal time. Lateness may be made up with the approval of the Department Head. Only non-exempt employees may be approved to "make up" time for their lateness. (Please see page 4, "Employee Classifications," for the definition of exempt and non-exempt employees.)

## DRESS CODE/APPEARANCE

WLS maintains a professional work environment. Although there is not a strict dress code for staff, employees are expected to observe acceptable personal hygiene habits and wear appropriate clothing that projects a positive image for WLS.

## PROMOTIONS AND TRANSFERS

WLS's policy is to promote from within, whenever possible, on the basis of demonstrated ability. All decisions regarding promotions and transfers are made in compliance with WLS's Equal Employment Opportunity policy.

## TRAINING AND DEVELOPMENT

WLS is committed to employee training and development. Funds are budgeted to support employee participation in conferences, workshops, and training. Emphasis is placed upon the employee receiving training within department. In addition, general staff meetings and/or training sessions may be conducted. At the discretion of the supervisor and with the approval of the Executive Director, an employee may be requested to attend, or encouraged to attend, training outside his/her department.

Any employee wishing to apply for administrative leave to attend library related meetings, conferences and/or workshops other than those sponsored by WLS must submit a *Conference Attendance Request* form to his/her Department Head with a copy to the Executive Director. The Executive Director will approve or deny attendance at conferences and workshops and will determine the extent to which expenses will be paid and/or administrative leave approved when funds are not allocated.

Reimbursement for expenses or leave with pay will not be authorized without a copy of the request form approved and signed by the Executive Director. Request for reimbursement must be submitted within 30 days following the conference, workshop or other approved program.

In accordance with New York State law, all employees are required to attend approved sexual harassment prevention training on an annual basis.

## CERTIFICATION OF PROFESSIONAL LIBRARIANS

Before an appointment is granted as a librarian with WLS, a staff member must be certified by the New York State Education Department. Information about filing for certification may be obtained from the Operations Manager. Are we doing this?

## EMPLOYEE CLASSIFICATIONS

WLS complies with the provisions of the Fair Labor Standards Act (FLSA) regarding the classification of employees. An employee is classified as exempt if determined to be an

executive, administrator or professional, as defined by FLSA. All other employees are classified as non-exempt.

Based on the conditions of employment, appointments of WLS employees fall into the following categories:

- \* Full-time Regular Appointment
- \* Part-time Regular Appointment
- \* Hourly Appointment
- \* Grant/Contract Appointment
- \* Temporary Appointment
- \* Volunteer Appointment

#### Full-time Regular Appointment

Individuals are employed by WLS to work a full workweek of 35 hours per week. Employees in this classification are eligible to participate in WLS's health benefits program, life insurance, tax-deferred annuity plan (403b), and leave programs, and are required to participate in the New York State Employees Retirement System or the New York State Voluntary Defined Contribution Plan.

#### Part-time Regular Appointment

Individuals are employed by WLS to work at least 20 hours in a normal workweek. Employees in this classification are eligible to participate in WLS's health benefits program, life insurance, tax-deferred annuities (403b), leave programs on a prorated basis, with optional participation in the New York State Employees Retirement System.

#### Hourly Appointment

Individuals are employed by WLS to work less than 20 hours in a normal workweek, on a schedule that may vary to meet the demands of WLS. Employees in this classification are eligible to participate in tax-deferred annuities (403b), with optional participation in the New York State Employees Retirement System. In addition, employees in this classification are eligible to earn sick leave as defined in Westchester County law.

#### Grant/Contract Appointment

Individuals are employed by WLS to work in positions funded through a grant or contract to perform a specific job. Employees in this classification may be eligible for various benefits according to the terms of the individual grant or contract, including eligibility to earn sick leave as defined in Westchester County law. Employees hired for these positions may have their employment terminated if grant funding or contract is not renewed.

#### Temporary Appointment

Individuals employed by WLS to work for the duration of a specific project or assignment. Employees in this classification are only eligible to earn sick leave as defined in Westchester County law; no other benefits are available to employees in this classification.

### Volunteer Appointment

Individuals are utilized by WLS in an unpaid capacity to help provide extended library service and/or to assist in the performance of specific routines, services, and programs. Employees in this classification are not eligible to receive any benefits from WLS. Appointees to volunteer positions do not perform duties to maintain the regular operations at WLS. This classification also includes interns who are students in an accredited education program.

## REIMBURSEMENT FOR EXPENDITURES

### Expenses for Meetings, Workshops and Conferences

In general, reimbursable expenses include approved travel, tolls, lodging, meals (but no alcohol), registration and other reasonable out-of-pocket expenses in connection with WLS functions and authorized professional meetings. Requests for advance payment for conference attendance must be submitted sufficiently in advance to allow for approval by the Executive Director.

### Personal Vehicle Use

When using a personal vehicle for work activity, the employee must have a valid driver's license, appropriate for the type of vehicle being driven, at the time of travel. Employees using a personal vehicle for WLS business should also verify that their insurance policy covers work-related use of their vehicle.

The employee will be reimbursed for mileage driven in a personal vehicle at the standard rate as determined by the Internal Revenue Service. Mileage reimbursement covers fuel, maintenance/repairs, and operating costs so these expenses are not reimbursed separately. In addition to the mileage allowance, tolls and necessary parking charges may be reimbursed.

The employee is expected to operate the vehicle in a safe manner and must abide by all traffic rules and regulations. WLS does not assume liability for damage to personal vehicles for any reason and does not assume liability for deductibles or any other insured loss to the vehicle. Expenses for repairs to personal vehicles are not reimbursable, nor are parking fines or fees for traffic violations.

Employees are expected to complete *Local Travel Reimbursement Request* forms on a quarterly basis to obtain reimbursement. Reimbursement of expenses must be submitted within 30 days following the end of the quarter.

## PERSONNEL RECORDS

All matters relating to individual employees are kept in the employee's personnel file. These records are maintained in a confidential manner and only duly authorized persons have access to them. Individual employees may have access to their personnel records upon written request, consistent with applicable law.

Employees are responsible for notifying WLS of any change of address and/or telephone number, as well as any change that may affect payroll or benefits.

### SECTION III: COMPENSATION

#### PAY POLICY

##### Pay Frequency

Salaries are paid bi-weekly for base salary due up to the pay date and paid every other Tuesday. Employees are paid through direct deposit. The pay period covers 2 weeks starting on Sunday and ending on the Saturday before is deposited in each staff members checking account(s) If a holiday falls on a Tuesday, employees have access to funds on the preceding Monday. Employees are encouraged to review their advice of deposit carefully each time to see that no inappropriate deductions have been taken. If an employee has any questions or believes that an inappropriate deduction has been taken, the Operations Manager should be informed immediately so that a correction can be made in the following pay Period.

##### Direct Deposit

Staff are required to have their salary electronically transmitted to their bank of choice. To activate direct deposit, an employee must provide to the Operations Manager a voided check and/or a deposit slip noting the amounts to be deposited (if there are multiple accounts). Due to banking requirements, several weeks may elapse before direct deposit is activated.

#### STATUTORY DEDUCTIONS

##### Federal, State, City & FICA Taxes

Automatic deductions are made for Federal, State, and FICA (Social Security/Medicare) withholding taxes for all employees. City taxes will also be deducted where applicable.

##### FICA for Life Insurance

In accordance with IRS regulations, Group Term Life Insurance above the IRS-defined threshold is taxable for both the employee and the employer. FICA deductions for term life insurance are taken from the first pay period in December of each year.

##### Garnishment of Wages

When garnishment of an employee's salary is legally ordered, the Executive Director will notify the employee of the garnishment order. Deductions are made in accordance with the provisions of law and the rule or regulation of the issuing agency.

#### Retirement

Employee contributions to the New York State Employees Retirement System are deducted as required by New York State law.

### VOLUNTARY DEDUCTIONS

WLS offers health insurance to all full-time staff. Employees who elect to be covered by WLS health insurance will have their share of the premiums deducted from their bi-weekly pay, as defined in the benefit schedule.

Employees may also request deductions for participation in an approved tax deferred annuity plan, credit union and/or catastrophic medical plan.

### OVERTIME PAY AND COMPENSATORY TIME

Any employee whose position is classified as non-exempt and whose normal work week is 35 hours is paid additional straight time for hours worked over 35 and up to 40 hours per week, and time and one-half for time worked in excess of 40 hours in a given week. Paid days such as holidays, paid vacations, paid sick and personal time, and paid bereavement or jury duty shall be considered as hours worked in calculating eligibility for overtime pay. When possible, advance notification of overtime assignments will be provided. Part-time employees are paid at their regular rates of pay for hours worked up to 40 hours in a given week.

Compensatory time for non-exempt employees may be offered in lieu of straight time pay for hours worked in excess of 35 hours but less than 40 hours in a work week. Employees will receive equivalent time off for these hours and must use these hours within 30 days. Accrued compensatory time will automatically expire in 30 days, on a revolving basis, if not used. Exiting employees will not be paid for unused compensatory time at time of separation. Compensatory time may not be used to compensate employees for hours worked beyond the 40 hour threshold, and as such, hours worked in excess of 40 hours will be paid at the rate of time and one-half within the same pay period. All pre-approved work in excess of 35 hours per week must be directed in advance by the employee's supervisor and authorized in advance by the WLS Executive Director. Extra hours must be recorded in the online attendance program (currently *NOVAtime*).

Individuals who are classified as exempt employees are not eligible for compensatory time or overtime, but are responsible for completing the duties of their position regardless of the

number of hours worked above the standard workweek.

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## SECTION IV: BENEFITS

WLS reserves the right to amend, modify or terminate, in whole or part, any or all of the provisions of the benefit plans described herein. The complete terms of all WLS employee benefit plans are contained in official plan documents and brochures, which are frequently updated and maintained by the Operations Manager. The official plan documents and brochures will govern in case of any conflict with the terms of this handbook. The descriptions in this handbook are for general information only and describe benefits currently being offered by WLS. Detailed information regarding the terms of all benefits is available from the Operations Manager.

Employees are responsible for notifying WLS of any change in their status, such as address or telephone number changes, number of dependents, marital status, etc. which may affect their benefits.

### PAID HOLIDAYS

WLS observes the following holidays:

- (1) New Year's Day
- (2) Martin Luther King's Birthday
- (3) Lincoln's Birthday—FLOATING HOLIDAY
- (4) Presidents' Day
- (5) Memorial Day
- (6) Independence Day
- (7) Labor Day
- (8) Columbus Day
- (9) Election Day (November)—FLOATING HOLIDAY
- (10) Veterans Day
- (11) Thanksgiving Day
- (12) Christmas Day

WLS is closed on all of the holidays listed above, except for the Floating Holidays. All full time employees are granted time off with pay for holidays. Hourly or part time employees whose normal work day falls on a holiday, are paid for the number of hours normally scheduled for that day. For holidays that fall on Saturday, the Friday immediately preceding will be considered as the holiday. For holidays that fall on Sunday, the subsequent Monday will be considered as the holiday.

Lincoln's Birthday and Election Day (November) are designated as Floating Holidays. The WLS Headquarters will be open these days; however, employees may substitute another day for each at any point in time during the course of the fiscal year with prior approval of their Department Head. If time for these 2 floating holidays is not taken within the fiscal year, no time will be compensated. Coverage for each department is the responsibility of the Department Head. WLS closes early on the work day immediately preceding the holiday observance of Christmas Day unless Christmas Day falls on a Sunday or Monday.

Time required for observance of religious holidays which are not legal holidays must be requested as personal leave or vacation.

If a holiday occurs during an employee's vacation, the holiday is not charged to vacation time.

If a holiday occurs while an employee is attending a convention which s/he has requested to attend, no compensatory time will be granted.

If a holiday occurs while an employee is attending a convention at the request of the Executive Director, compensatory time will be granted.

### PAID VACATION

Vacation leave with pay is granted to full time and part time (scheduled to work at least 20 hours per week) regular employees. Hourly employees (scheduled to work less than 20 hours per week) are not granted vacation with pay.

New employees beginning work after January 1 will earn vacation leave on a pro-rated basis in the first year of employment.

A new employee is permitted to take vacation after 90 days of employment. Vacation time may not be taken before it is earned. Exceptions may be made only with the advance approval of the Executive Director.

22 days of vacation allowance is granted on a calendar year basis. Part time regular employees (scheduled to work at least 20 hours per week) are granted vacation on a pro-rated basis.

Earned vacation leave may be taken at any time in the year, subject to the staffing needs of the department and after fulfillment of the waiting period for new employees. Earned vacation leave may be taken all at one time, or divided into several parts. No more than one year's earned vacation leave may be taken at one time, except by special permission of the Executive Director.

### Request for Vacation

Employees who wish to schedule vacation time must submit a written request (hard copy or electronic) to the Department Head for approval. The Department Head will approve or deny the request in writing. If approved, the Department Head will forward it to the Operations Manager.

No more than 10 days of vacation time may be carried over from one year to the next.

An employee who resigns or is terminated will be paid for up to 10 days of unused vacation time accumulated in the prior year, as well as for any pro-rated current year unused vacation time.

### PAID PERSONAL DAYS

Full time employees are granted 5 personal leave days (35 hours) each calendar year. Part time regular employees (scheduled to work at least 20 hours per week) are granted personal leave on a pro-rated basis. Hourly employees (scheduled to work less than 20 hours per week) are not granted personal leave.

Personal leave should be taken in half-day (3.5 hours) or full-day (7 hours) increments. Personal leave may not be carried over from one calendar year to the next.

Personal leave may be used for a variety of purposes such as religious observances or for transacting personal business which must be carried on during normal work hours. Personal leave may be used to cover absenteeism or lateness due to extreme weather conditions.

Personal leave may be taken the working day before or after a WLS holiday only at the discretion of the Department Head. The Department Head is responsible for seeing that the department is adequately staffed before permission can be granted.

Personal leave must be approved by the immediate supervisor at least 24 hours in advance except in emergencies.

No payment is made for unused personal days at any time during the employee's employment or at termination/resignation.

### PAID SICK LEAVE

Full time employees are granted 12 days (84 hours) of sick leave per calendar year. Sick leave is earned at the rate of 7 hours per month after the month has been worked. Part-time salaried employees (scheduled to work at least 20 hours per week) are granted paid sick leave on a pro-rated basis. All other employees (hourly, grant/contract and temporary) are eligible to earn sick leave at the rate included in Westchester County's Paid Sick Leave law, currently one hour for every 30 hours worked, up to a maximum of 40 earned hours per calendar year. Sick leave is paid at the employee's normal rate of pay.

New employees, beginning work after January 1, will earn sick leave on a pro-rated basis in the first year of employment, and must have worked an entire month in order to earn sick leave for the first month of employment.

Sick leave may not be used until it has been earned. In emergency situations only, sick leave may be advanced with the approval of the Department Head and the Executive Director.

Sick leave is to be used for personal illness, for doctor's or dentist's appointments, and up to 10 days may also be used to provide care for a family member with a serious health condition. Employees using sick leave to provide care for a family member must notify the Operations Manager of such use in writing and, where possible, in advance. (The terms "Family Member" and "Serious Health Condition" refer to the definitions described under the Westchester County Paid Sick Leave ordinance.

A physician's certificate may be required for sick leave of 3 or more days or for sick leave that has been over-extended. In the case of a long illness, a doctor's certificate may be required periodically.

Employees returning to work after a long illness or an over-extended sick leave are required to furnish a doctor's certificate indicating their ability to return to work with no restrictions.

Full-time employees are permitted to accumulate up to 165 days (1155 hours) of sick leave; part-time salaried employees working 20 or more hours per week are permitted to accumulate the prorated equivalent of a maximum of 165 days. Hourly and salaried employees may carry over their unused sick days into the following year or can be paid one day of regular pay for every 3 full days of unused sick leave earned during the period of the prior year December 1 to the current year November 30. Only one option may be chosen each year.

Upon retirement, a number of days of unused sick leave are considered by the New York State Employees Retirement System (NYSERS) in computing retirement benefits. (Please note that credit for unused sick leave is in addition to the time required for retirement and cannot be used to meet the requirements established by NYSERS.)

Exiting employees will not be paid for unused sick time at time of separation.

#### PAID BEREAVEMENT LEAVE

Full time employees are granted 5 consecutive working days for a death in the immediate family. "Immediate family" is identified in accordance with Westchester County's definition as mother, father, stepmother, stepfather, spouse, domestic partner, children, mother/father-in-law, grandparents, grandchildren, brothers, sisters, and spouse's or domestic partner's immediate family. Part-time and hourly employees are granted the hours they were scheduled to work on these days.

One day is granted for a death of a "Near Relative." "Near Relative" is defined as aunts or uncles or a member of the employee's household not mentioned above. Part-time and hourly employees are granted the hours they were scheduled to work on that day.

Personal leave may be used if additional time is desired, or for absences due to the death of a non-relative.

Special circumstances may be brought to the attention of the Executive Director.

A maximum of 4 working hours is granted to attend the wake or funeral of a co-worker or co-worker's immediate family, when it falls within the normal working day.

The following insurance benefits are available to all salaried employees working 20 or more hours per week:

### HEALTH INSURANCE

WLS offers health insurance after satisfactory completion of the first 3 months of employment. Grant-funded employees may participate in the plan provided that health insurance coverage is included in the terms of the grant/contract.

There is an employee contribution required for individual and family health coverage; however, WLS pays the remaining portion of the premium. The portion of the health insurance coverage paid by the employee is, with written authorization by the employee, deducted from the employee's bi-weekly pay.

### EYEGLOSS INSURANCE

WLS offers eyeglass insurance coverage for the individual employee only. Dependents are not covered by the Eyeglass Insurance Plan.

### DENTAL INSURANCE

WLS offers dental insurance coverage for the individual employee only. Dependents are not covered by the Dental Insurance Plan.

### LIFE INSURANCE

For employees covered under this plan, the amount of life insurance will be equal to double their gross salary in the previous calendar year. Included in this policy is a provision for accidental death and dismemberment.

Employees who continue to work after age 65 are subject to reduced coverage.

Term Life Insurance coverage terminates upon an employee's retirement, resignation or termination.

### RETIREMENT PENSION

All full-time salaried employees are required to join the New York State Employees Retirement System (NYSERS) or the New York State Voluntary Defined Contribution Plan (NYSVDC). Membership in the retirement system is optional for salaried employees working less than full-time. Employees hired on or after January 1, 2010, who are not currently members of

NYSERS are required to contribute a percentage of their gross salary to the retirement plan. Information regarding vesting in the pension plan can be obtained directly from NYSERS (<http://www.osc.state.ny.us/retire/>).

#### TAX DEFERRED ANNUITY (403b) PLAN

All employees may elect to participate in a Tax Deferred Annuity (403b) Plan through payroll deductions. Contributions to the plan are taken from pre-tax salary, and any interest and investment earnings accumulate on a tax-deferred basis until withdrawal or until paid as benefits. Several firms handle WLS's program and offer a variety of plans for consideration. However, this benefit is accompanied by an important responsibility. Because the employee decides how to invest his or her funds, the employee is responsible for any financial gains or losses that result from that decision.

#### CREDIT UNION

All employees as well as any member of the employee's family may join the Hudson River Teachers Federal Credit Union. Employees may request payroll deductions for deposits or repayments of loans. The credit union is a voluntary organization with its own rules and regulations governing its relationships with its members.

#### PROFESSIONAL LEAVE (ATTENDANCE AT LIBRARY-RELATED MEETINGS, WORKSHOPS AND CONVENTIONS)

Administrative leave may be granted to an employee to attend library-related meetings, conventions and/or workshops. Such leave will be considered in light of WLS's needs and work schedules, and is granted at the discretion of the immediate supervisor, Department Head, and Executive Director. (Please refer to the TRAINING AND DEVELOPMENT section for further information).

Before accepting a responsibility or an office which may require the use of work time, an employee must obtain the approval of the Executive Director.

Employees wishing to apply for administrative leave to attend library-related meetings, conferences and/or workshops must complete the *Conference Attendance Request* form available on the WLS Share drive or from the Operations Manager, and submit it to his/her supervisor for approval. Once approved by the supervisor, the Request will be forwarded to the Executive Director for final review and approval. The Executive Director may request that the employee attend meetings which may be of value to the individual and/or WLS.

## SECTION V: LEAVES OF ABSENCE

### JURY DUTY

A leave of absence for jury duty will be granted to any employee who has been notified to serve on a jury. A staff member must notify his/her supervisor when the notice is received. During this leave, full-time employees will be paid their regular salary for a period up to 15 days within a 12-month period. This time may be taken as full or part days, as the jury service necessitates. Employees must indicate that their employer is paying them for this time when serving on jury duty.

An employee who reports for jury duty and is excused from serving before 12:00 (noon), must report to work for the afternoon, according to the work schedule of the department. However, the combination of jury duty and work hours shall not amount to more than a normal work day.

Upon completion of jury duty service, the employee must submit to his/her supervisor a signed Certificate of Jury Service indicating the number of days served.

### COURT APPEARANCE

Leave with pay may be granted to an employee who is subpoenaed for a court appearance on a WLS (or WLS member library) related matter.

### MILITARY DUTY

An employee who enters military service or is required to attend annual Reserve or National Guard duty will be entitled to unpaid time off and to reinstatement in accordance with applicable federal and state laws. The employee should provide the supervisor as much advance notice as possible so that necessary staffing arrangements can be made. Employees, at their discretion, may elect to take any fully earned vacation at this time.

### SAFE LEAVE

As authorized in Westchester County's Safe Leave law, employees who are victims of domestic violence are eligible for up to 40 hours of paid leave, to be used to speak with lawyers, attend court or move from an abuser's residence. WLS may require documentation in the form of an affidavit, court appearance ticket or police report to support the need for time off.

PERSONAL LEAVE (For circumstances not covered by the Family and Medical Leave policy, the New York State Paid Family Leave Act or the Westchester County Safe Time Leave Law).

Under certain circumstances, WLS may, at its discretion, grant a personal leave of absence without pay. A written request for a personal leave must be presented to the Executive Director at least 2 weeks prior to the requested start of the leave.

While on a personal leave of absence, a staff member will not be eligible to receive or accrue benefits. The staff member does have the option of continuing insurance coverage by paying the appropriate premium. Upon return to work, benefits are reinstated and will resume accruing as usual.

WLS cannot guarantee reemployment upon the expiration of a personal leave. While on personal leave of absence, the staff member is not permitted to accept work for another employer. Failure to return to work because the leave must extend beyond the time period granted will be deemed a voluntary resignation of employment. The resignation will be considered effective as of the last day worked prior to commencing the leave.

#### FAMILY AND MEDICAL LEAVE OF ABSENCE

PAID FAMILY LEAVE ACT (PFL): Under New York State law, Paid Family Leave provides eligible employees with paid time off to bond with a new child, provide care for a family member with a serious health condition (with both "family member" and serious health condition" as defined by the PFL law), or handle exigencies related to a family member's active military service. Leave can be taken all at once or in full-day intermittent increments. To qualify for PFL, an employee must work 20 or more hours per week and must have been employed at least 26 consecutive weeks at their current covered employer; employees working fewer than 20 hours per week must have completed at least 175 days at their current covered employer. Employees pay the PFL premium through bi-weekly payroll deduction.

FAMILY AND MEDICAL LEAVE ACT (FMLA): Under federal law, the Family and Medical Leave Act provides eligible employees with a maximum of 12 work weeks of unpaid leave a year, and requires group health benefits to be maintained during the leave as if employees continued to work instead of taking leave. Employees are also entitled to return to their same or an equivalent job at the end of their FMLA leave. Employees who have been employed by WLS for at least one year and worked at least 1,250 hours during that year may be eligible for an unpaid leave of absence of up to 12 weeks during a rolling 12-month period for any of the following reasons:

- \* The birth of a child and in order to care for such child.
- \* The placement of a child with the employee for adoption or foster care.
- \* The care of a spouse, child, or parent of the employee if such person has a serious health condition.
- \* A serious health condition that makes the employee unable to perform the functions of his/her position (including conditions

qualifying for workers compensation or short term disability benefits).

- \* A “qualifying exigency” (as determined by the U.S. Department of Labor regulations) arising out of the fact that a spouse, son, daughter or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency plan.

Although family and medical leave taken pursuant to this policy is unpaid, an employee may, depending upon the reason for the leave, be eligible for short-term disability payments and/or worker's compensation benefits consistent with state law. Individuals are not permitted to work for another employer while they are on FMLA leave. Staff members who have questions about WLS's family and medical leave of absence policy should contact the Operations Manager.

#### Leave to Care for a Servicemember

A covered servicemember's spouse, son, daughter, parent, or next of kin is entitled to take up to 26 weeks of leave during a single 12-month period to care for a servicemember who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, provided that such injury or illness may render the servicemember medically unfit to perform duties of the servicemember's office, grade, rank or rating. Leave to care for a servicemember, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in the single 12-month period.

#### Notice To WLS

In any case in which the necessity for the leave is foreseeable, the employee should provide WLS with reasonable advance notice in order to allow proper time to plan for staffing replacements, generally at least 30 days. Medical certification, including a diagnosis and probable return date, is necessary prior to granting final approval for any leave related to the serious health condition of any employee, spouse, child or parent. Appropriate certification is also required for leave due to a “qualifying exigency” and to care for a servicemember. Please contact the Operations Manager concerning the required certification. Failure to provide such certification may result in the staff member being considered absent without authorization.

Request for family or medical leave must be submitted to the Operations Manager. In the case of an employee's own illness or disability, periodic updates will be required, generally on a monthly basis, regarding the status of the medical condition and plans to return to work.

#### Reinstatement

Employees returning from family or medical leave of absence within the time constraints specified above will be restored to the position of employment held by the employee when the leave commenced or to an equivalent position. An individual who fails to return upon the conclusion of the approved leave or any extension granted will be considered to have voluntarily resigned. Employees returning from leave due to their own serious health

condition must provide appropriate medical documentation prior to returning, certifying their ability to resume the essential functions of their job. Employees should provide as much advance notice as possible prior to a planned return to work.

#### Health Insurance and Other Benefits

WLS will continue to provide health benefits under the existing group health plan for employees out on family or medical leave for up to 12 weeks, or up to 26 weeks in the case of leave to care for a servicemember, on the same basis as prior to the leave. Employees will continue to be responsible for their portion of the premium payment. Employees who fail to return after a leave will be required to reimburse WLS for the entire cost of health insurance premiums.

#### Extensions

Except in extenuating circumstances, extensions of leave may be granted for a period of up to 6 months, upon submission of appropriate documentation to the Operations Manager. (This 6-month period includes the initial 12 weeks.) However, extensions are only available beyond 12 weeks in the case of an employee's own disability, not for other family-related leaves. Additionally, if a leave is granted beyond 12 weeks, reinstatement is not guaranteed, and the employee will be responsible for the entire cost of continuing insurance coverage beyond 12 weeks.

#### Part-Time Employees And Employees With Less Than One Year Of Service

Employees with less than one year of service and part-time employees working less than 1,250 hours a year may also apply for a leave of absence of generally up to 8 weeks for their own disability but are not eligible for other types of family-related leave. However, if granted, insurance continuation will be the sole responsibility of the employee and reinstatement will depend on the staffing needs of WLS at the time reinstatement is sought.

Disability forms and claims for New York State disability benefits are available from and should be filled out and returned to the Operations Manager. Any questions with respect to WLS's family and medical leave of absence policy should also be directed to the Operations Manager.

## SECTION VI: JOB PERFORMANCE

### PERFORMANCE EVALUATION

Performance evaluations of all employees are generally completed annually. Additional evaluations may be performed at any time if either the supervisor or the employee has reason to believe that the previous evaluation is no longer applicable.

All performance evaluations must be signed by the employee as an indication that s/he has read it. Signature of the employee does not necessarily imply agreement with the evaluation.

All performance evaluations become part of the employee's personnel file.

### PROGRESSIVE CORRECTIONS

To maintain an orderly, safe, and efficient work environment, WLS on occasion may have to respond to and correct inappropriate employee behavior or conduct. In many instances corrective action will be progressive, beginning with an oral warning, followed by a written warning, culminating with termination of employment. Some or all of these steps may not be followed in each instance. At the discretion of the Executive Director, the progressive corrections process may be bypassed and immediate actions may be taken.

## SECTION VII: PROBLEM-SOLVING PROCEDURES

To ensure fair and equitable treatment of all complaints or employee concerns, a problem-solving procedure has been established, which employees are encouraged to use. If a staff member has a concern that he or she would like to have addressed, then as a first step, s/he should speak with his/her supervisor for further clarification.

Step 1. The employee shall take the matter up with his or her immediate supervisor or Department Head (if different) in an attempt to agree on a satisfactory resolution.

Step 2. In the event a satisfactory resolution is not reached in Step 1 or if for some reason the employee does not wish to discuss the problem with the Department Head, the Executive Director will review and investigate the matter and attempt to find a mutually agreeable solution to the problem.

Step 3. In the event the employee feels that the remedies from steps 1 and 2 have overlooked the nature of a serious problem, s/he may address the matter to the President of the WLS Board of Trustees. The employee should provide a synopsis of the problem as well as evaluation and/or proposed resolutions by supervisors along with any documentation. The burden of questioning the Executive Director's decision is on the employee. The President will bring the issue before the WLS Board.

Information gathered during each step of this procedure will be treated discreetly and confidentially by all parties involved.

## SECTION VIII: SAFETY AND SECURITY

### EMERGENCY CLOSINGS

Paid leave will be granted if WLS is officially closed for the following reasons:

- \* Extreme inclement weather
- \* An extended breakdown of heating or air conditioning equipment
- \* Other adverse situations which affect working conditions.

Although employees are expected to make an effort to get to work during inclement weather, there will be no obligation to travel placed on anyone who deems it dangerous or unsafe to do so. An employee who calls in an absence on an inclement day will be required to use personal or other leave for the entire scheduled work day, regardless of whether or not WLS closes anytime after opening.

Employees who elect to leave early in bad weather will also be required to use personal or other leave for any scheduled hours not worked.

If an employee has already scheduled time off for a day when WLS closes because of bad weather, the employee will be charged for that time.

Part time and hourly employees are paid only for the time scheduled to work on the emergency closing day.

In the event of inclement weather or other emergencies, WLS maintains a telephone number which staff should call to find out whether or not the WLS offices will be open on that day.

### SECURITY

Staff are expected to be security-conscious about safety and property. Incidents of lost or suspected stolen property caused by theft, misappropriation, malicious destruction or other criminal act should be immediately reported to a supervisor.

### ACCIDENT REPORTING PROCEDURES

WLS strives to provide a safe and healthful working environment, free from occupational hazards. When a work-related injury or illness occurs, it is the employee's responsibility to inform his/her supervisor immediately.

Employees who are disabled due to a work-related illness or injury are eligible to receive disability benefits under the Workers' Compensation policy. The amount of the benefit is dependent upon the disabled employee's compensation rate and guidelines established by the State of New York.

WORKERS' COMPENSATION

Should a staff member suffer a work-related injury, disease or illness, s/he will receive benefits under WLS's Workers' Compensation policy. To ensure the staff member's physical well-being and the correct processing of these claims, the appropriate supervisor should be notified immediately about any injury occurring during and as a result of employment, no matter how slight. When seeking medical attention, it is important that the staff member indicate the injury was due to a work-related accident.

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## SECTION IX: SEPARATION PROCESS

### RESIGNATIONS

A written letter of resignation, addressed to the Department Head, is required of all employees intending to resign. The Department Head is responsible for forwarding the letter of resignation to the Executive Director. Letters of resignation are filed in the employee's personnel file.

To ensure a smooth transition, WLS asks that as much notice as possible be provided, preferably no less than 2 weeks. For positions at the managerial level and higher, 4 weeks notice is desirable.

### RETIREMENT

Notification of retirement should be made in the same manner as a resignation (see above).

For employees contemplating retirement, the New York State Employees Retirement System requires notice prior to the intended retirement date. Information concerning State requirements for making application for retirement benefits may be obtained from the Operations Manager or online from the New York State Employees Retirement System (<http://www.osc.state.ny.us/retire/>).

For post-retirement health insurance coverage, WLS has set the 12/31/2008 health insurance premium as a benchmark. An employee who has worked a minimum of 10 years for WLS, and who is within 5 years of the date on which s/he is entitled to receive a retirement allowance, is eligible for post-retirement health insurance through WLS and will be responsible for payment of any amount above the 2008 health care premium. In accordance with the rules and regulations of the Department of Civil Service, the employee must pay the full premium, with no break in coverage, from the time of separation until reaching age eligible for receipt of the pension.

WLS will reimburse retirees for Medicare premiums, provided they are eligible for post-retirement health insurance through WLS.

### TERMINATION

Violations of WLS policies, rules and regulations, or poor job performance may result in discharge from employment. Termination for misconduct will result in forfeiture of termination benefits except those required by law. Payment of final salary owed to resigning or terminated employees will be made available on the next regular payday or sooner, consistent with applicable law.

LAST WORK DAY

Employees are responsible for ensuring that all paper and electronic files are accessible to WLS prior to the last day of employment. All information created by the employee for WLS is the property of WLS and cannot be shared with any parties outside the organization.

Employees are expected to return any WLS issued property by their last work day.

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SECTION X: WLS POLICIES

The full text of the following policies can be found in Appendix A:

EQUAL EMPLOYMENT OPPORTUNITY

ANTI-HARASSMENT

WORKPLACE VIOLENCE

ELECTRONIC DATA AND TELECOMMUNICATIONS

EXEMPT AND NON-EXEMPT EMPLOYEE PAY

PROGRESSIVE CORRECTION

CODE OF ETHICS AND CONFLICT OF INTEREST

RECORDS RETENTION

WHISTLE-BLOWER PROTECTION

INTERNET USE

PRIVACY

~~Do we want to include these:~~

~~PURCHASING~~

~~CREDIT CARD USE~~

~~GIFT ACCEPTANCE~~

~~BOARD MEETING PARTICIPATION VIA VIDEOCONFERENCING~~

~~SEXUAL HARASSMENT~~

~~SEXUAL HARASSMENT COMPLAINT FORMS~~

**XI. ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK**

The Employee Handbook is an important document intended to help you become acquainted with WLS.

Please sign below to indicate your receipt and acknowledgment of this Employee Handbook.

I have received and read a copy of WLS's Employee Handbook. I understand that the policies and rules described in it are subject to change at the sole discretion of WLS.

I further understand that my service is terminable at will, either by myself or WLS, regardless of the length of my service.

I understand that no contract of employment has been expressed or implied, and that no circumstances arising out of my service will alter my "at will" status.

My signature below indicates that I have read and understand the above statements and that I have received a copy of the WLS Employee Handbook.

Employee's Printed Name:

\_\_\_\_\_

Employee's Signature:

\_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

