

# **WEEKS PUBLIC LIBRARY**

## **PERSONNEL POLICY**



**36 Post Road  
Greenland, NH 03840**

Approved 2/8/2011; Amended 3/15/2011; Amended 10/09/2012; Amended 10/14/2014;  
Amended 11/10/2015; Amended 11/8/2016, effective 12/1/2016,  
Amended 1/14/2020.

Reviewed, Revised, and Approved: 12.06.2024

## Contents

<b>Personnel Rules and Regulations</b> .....	1
<b>Introduction</b> .....	1
<b>Section 1. Purpose and Policy</b> .....	1
1.1 Board of Trustees .....	1
1.2 Director .....	2
<b>Section 2. Employment Practices</b> .....	2
2.1. Equal Opportunity.....	2
2.2. Illegal Discrimination and Harassment.....	3
2.3. Americans with Disability Act (ADA) Policy .....	3
<b>Section 3. Administrative Procedures</b> .....	4
3.1 Expense Reimbursement.....	4
3.2. Hiring .....	5
3.3. Vacancy Announcements.....	5
3.4. Layoffs .....	6
3.5. Employment of Relatives.....	6
<b>Section 4. Conditions of Employment</b> .....	6
4.1. Probation .....	6
4.2. Performance Evaluations .....	7
4.3. Work Hours.....	7
4.4. Resignations.....	8
<b>Section 5. Discipline</b> .....	8
5.1. Types of Infractions That Represent Just Cause for Discipline: This is not meant to be an exhaustive list – Infractions including but not limited to:.....	8
5.2. Types of Discipline .....	9
5.3 Authority to Relieve from Duty .....	9
5.4. Authority to Suspend, Dismiss, and Demote .....	9
<b>Section 6. Compensation, Retirement, Holidays, Paid Time Off</b> .....	10
6.1. Pay Period .....	10
6.2. Retirement Benefits .....	10
6.3 Holidays .....	10
6.4. Paid Time Off (PTO) .....	11
6.5. Paid Time Off (PTO) – Carry Over .....	12
6.6. Paid Time Off (PTO) – Sell-back .....	12
6.7. Paid Time Off (PTO) – Termination event.....	12
<b>Section 7. Workers’ Compensation Benefits</b> .....	12
<b>Section 8. Leaves of Absence</b> .....	13
8.1. Bereavement Leave.....	13
8.2. Military Leave.....	13
8.3. Authorized Leave.....	14
<b>Section 9. Health Insurance</b> .....	15
<b>Section 10. Other Insurance</b> .....	15
10.1 Dental Insurance .....	15
10.2 Life Insurance and Accidental Death and Dismemberment (ADD) Insurance	15
10.3 Short-Term Disability (STD) Insurance .....	16

10.4 Long-Term Disability (LTD) Insurance .....	16
<b>Section 11. Continuing Education and Tuition Reimbursement</b> .....	16
11.1 Continuing Education .....	16
<b>Section 12. Safety</b> .....	16
12.1. General Safety.....	17
12.2. Employee Accidents and Medical Emergencies.....	17
12.3. Substance Abuse .....	17
<b>Section 13. Grievance Procedure</b> .....	18
<b>Section 14. Library Closings</b> .....	19
<b>Appendix 1.</b> .....	21
ILLEGAL DISCRIMINATION AND HARASSMENT IN THE WORKPLACE..	21
<b>Appendix 2.</b> .....	25
FAMILY AND MEDICAL LEAVE POLICY.....	25
REQUEST FOR FAMILY/MEDICAL LEAVE .....	29
PHYSICIAN OR PRACTITIONER CERTIFICATION OF .....	30
SERIOUS HEALTH CONDITION.....	30
<b>Appendix 4.</b> .....	32
LEAVE-REQUEST FORM.....	32

## **Personnel Rules and Regulations**

These regulations are set forth as the Library's official declaration of personnel policies, adopted by the Library Board of Trustees (hereinafter referred to as "the Board of Trustees") as a resource for carrying out these responsibilities and directing all departments and personnel.

### **Introduction**

The Weeks Public Library is committed to creating and supporting a staff devoted to providing the best services available with the best interests of the Town's residents as the priority.

The personnel policy is intended to be responsive to both the Library and the employees' needs. As changes take place, new or revised policies will be issued to meet the changing needs. All such changes will be promulgated by the Board of Trustees. The rules and regulations described herein are subject to change by the Board of Trustees at a public meeting.

This personnel policy manual has been prepared to provide guidance and information concerning the Weeks Public Library's policies for all employees and shall not apply in those areas that are found to conflict with individual employee contracts, State and/or Federal statutes. The contents of this policy are not to be construed as part of any employment agreement.

The personnel policy covers the following positions:

1. Exempt: Exempt employees are paid on a salary basis. They are not paid on an hourly basis and do not receive overtime. Exempt employees may be required to work through their breaks or beyond their normally scheduled hours.
2. Non-Exempt: Non-exempt employees are paid on an hourly or salaried basis. Non-exempt employees are paid for all time worked including time and a half for overtime, when applicable. Overtime may only be worked if pre-approved by the Director.
3. Independent Contractors: Janitorial, maintenance, landscaping and computer-support work shall be done by independent contractors, i.e. persons who set their own working hours, provide their own equipment, pay their own social security and unemployment taxes and workmen's compensation, and offer substantially the same service to other customers.

## **Section 1. Purpose and Policy**

### **1.1 Board of Trustees**

- a. It shall be the duty of the Board of Trustees, or their designee(s) to see that the Rules and Regulations set forth herein are carried out and updated as

necessary or desirable. The Board of Trustees shall recommend personnel policy and procedure changes and shall act in an advisory and consensual capacity to the staff in the recruitment, selection, probation, promotion, and termination of staff. The Board of Trustees may waive any regulation or rule for a particular case for the good of the Library; such waiver shall be in writing and shall not be considered to set a precedent.

### **1.2 Director**

- a. The Director is expected to supervise the employees and maintain proper working conditions and relations. Library rules and regulations shall be consistent with this policy and will become effective only upon approval by the Board of Trustees. It is the responsibility of the Director to advise the Board of Trustees of any changes in the duties or responsibilities of the employees and annually to submit recommendations for salary adjustments to the Board of Trustees.

The Director is expected to promulgate Library Rules and Regulations which shall include, but not be limited to standard operating procedures, detailed job descriptions, seniority lists and the responsibilities of each employee, including standard pay scale and each employee's standing. Copies of all such Rules and Regulations, including updates and revisions, must be filed promptly with the Board of Trustees.

The Director or their designee shall be responsible for the day-to-day administration of the Personnel Policies.

## **Section 2. Employment Practices**

The Weeks Public Library is established and operated in compliance with New Hampshire RSA's and with other Federal and State laws that affect library employment procedure. Removal of employees shall follow State law as found in the New Hampshire Statutes: RSA 202-A:17 and its revisions.

### **2.1. Equal Opportunity**

- a. The Weeks Public Library is an equal-opportunity employer. The Library desires to hire and retain qualified individuals for each employment opportunity. In compliance with State and Federal laws, it will endeavor to insure that all personnel actions, including promotion, transfer, termination, layoff, training, compensation, benefits and any Library activities are administered fairly and objectively without regard to age, sex, race, creed, color, marital status, physical or mental disability, sexual orientation or national origin. It is the policy of the Weeks Public Library to comply with the letter and spirit of applicable local, State, and Federal statutes concerning equal employment opportunity.

## **2.2. Illegal Discrimination and Harassment**

- a. It is the policy of the Weeks Public Library to treat all employees with dignity and respect. Illegal discrimination or harassment of employees on account of age, sex, race, creed, color, marital status, physical or mental disability, sexual orientation or national origin will not be tolerated. All employees have the right to be free from racial or ethnic slurs, unwelcome sexual advances, or any other verbal or physical conduct that constitutes harassment. All members of management and supervisory personnel have the explicit responsibility and duty to take immediate corrective action to prevent such harassment of employees. Any complaints or instances of such harassment must be reported immediately to the Director or Board of Trustees. The complete policy in this regard, along with complaint procedures, is contained in Appendix 1 of this policy.

## **2.3. Americans with Disability Act (ADA) Policy**

- a. The Weeks Public Library will offer equal employment opportunities for qualified individuals who may have a physical or mental disability but can still perform the essential functions of the job with or without reasonable accommodation. The Weeks Public Library will provide reasonable accommodations to those employees protected by the ADA who can perform the essential functions of the job if the accommodation does not provide an “undue hardship” on the Weeks Public Library.

## **Section 3. Administrative Procedures**

### **3.1 Expense Reimbursement**

- a. All employees or elected officials traveling on Weeks Public Library business or using personal funds for library purchases shall be entitled to reimbursement of their expenses according to the following guidelines:
  1. Travel: Travel by car will be reimbursed at the current U.S. Internal Revenue Service rate per mile, round trip, by the most direct route, portal to portal. Travel by air will be authorized when appropriate. Payment will be made directly to the agency handling the travel or to the employee as a reimbursement. Travel will be by the most efficient method of travel unless otherwise authorized by the Board of Trustees.
  2. Lodging: Receipts must be presented to verify rates, duration of stay and other charges. Double occupancy accommodation must be used when available and appropriate. It is the expectation that all library employees will exercise prudent judgment in choosing economical lodging and room rates.
  3. Meals: Reimbursement for meals away from town, when on over-night town business, or if previously approved, will be reimbursed upon submittal of itemized receipts, not to exceed the per diem allowance of \$60.00. Alcoholic beverages, tips in excess of 20%, and unrelated charges are not reimbursable. Exceptions to the per diem allowance may be authorized by the Board of Trustees.
- b. Training: Authorized expenses in addition to the cost of the training course may include but are not limited to travel, mileage, lodging and food. Requests for reimbursement require approval of the Director prior to incurring the expense. Reimbursable expenses are not to include social activities that are not an integral aspect of the training curricula or events that are paid for separately and as an adjunct to training or work-related programs.
- c. Memberships: Memberships in appropriate, library-related organizations is encouraged and supported. Membership fees for the New Hampshire Library Association, New England Library Association, and Public Library Association will be reimbursed for all staff. Membership in New Hampshire Library Trustees Association will be supported for all Trustees and the Library Director. All other prospective memberships should be submitted to the Library Director for approval.
- d. Library Purchases: Authorized expenses may include supplies for programs, materials for the collection, and building repair and equipment maintenance supplies. Requests for reimbursement require approval of the Director prior to incurring the expense.

A reimbursement request must be submitted to the Library Director, along with supporting documentation/receipts for any expenses incurred.

### **3.2. Hiring**

- a. **Appointments:** The Board of Trustees shall appoint a Director, who shall not be a trustee, and, in consultation with the Director, shall also appoint all other employees of the library and determine their compensation and other terms of employment. No appointments shall be effective until approved by the Board of Trustees or their designee(s).
- b. **Recruitment:** It is the policy of the Weeks Public Library to meet its workforce needs through systematic recruitment, selection and career-support programs that identify, attract and select from the most qualified applicants for Library employment. The employment of individuals for Library positions shall be carried out with forethought for the balance of skills needed to sustain growth and assure future leadership.

When a position is to be filled, a search for the best-qualified candidate shall be conducted. The character of the search will vary from position to position, but may include direct recruitment, advertising, open competitive examination, contact with the State and other employment offices, and contact with special sources of information. In each case it shall be the responsibility of the Director to recruit and select the most desirable employee for the Library. The Director, or the Board of Trustees when hiring a Director, shall review all the applications of prospective employees; and collect all references and other necessary material. All staff employment and selection shall be done solely on the basis of merit. Employment shall be offered based upon the job-related qualifications of applicants for employment using fair and valid selection criteria and not upon political affiliation or political influence. All hiring decisions must be ratified by the Board of Trustees at their next meeting.

Finalists for positions shall be subject to an intensive background investigation, including criminal background checks.

A candidate who is interviewed but not selected for a position will be notified in writing of that decision. A candidate who is interviewed and selected for a position will be notified in writing of the offer of employment, listing any particular conditions of employment, the job title, the salary and the benefits.

### **3.3. Vacancy Announcements**

When a vacancy occurs in a classified position, the Director shall notify the Board of Trustees, providing them with the date of the vacancy, position, title and other pertinent facts.

- a. **Advertising:** The Director may advertise vacancies in the appropriate media as authorized by the Board of Trustees. Applications for advertised positions shall be received for at least one (1) week after the date of any advertisement.



- b. **Career Advancement:** All employees shall be eligible to apply for promotion. Employees wishing to be considered should apply for the position as required in the posting. Filling of positions will be by selection from among the qualified candidates on the basis of capacity for the position, experience, ability to perform job tasks, and other criteria appropriate for the position to be filled.

The Director shall review all the applications of prospective employees.

### **3.4. Layoffs**

When it is necessary to reduce the number of employees because of lack of work or funds, layoffs will be made within the Library on the basis of seniority. Employees laid off through no fault of their own will be first to be considered for re-employment on the basis of seniority within each job classification.

### **3.5. Employment of Relatives**

The Weeks Public Library establishes the following employment clauses regarding the employment of immediate family in order to assure reliability, accountability, and fairness in fact and appearance; and to avoid conflicts of interest.

Parents, children, step-children, spouses, brothers and sisters, grandparents, grandchildren, uncles, aunts, nephews and nieces, fathers/mothers-in-law, brothers/sisters-in-law, step-fathers/-mothers, step-brothers/-sisters or partners sharing living quarters of current full-time or part-time Library employees are not eligible to be hired for full-time Library employment. A waiver of this section may be granted only by the Board of Trustees.

Employees who marry, become related or begin sharing living quarters as partners with one another subsequent to employment, will be permitted to continue working for the Library provided they are not in situations where the possibilities of favoritism or conflicts of interest might arise. If the Board of Trustees determines that the employees are in positions where the possibility of favoritism or conflicts of interest might arise, the decision as to which relative will remain with the Library must be made by the two employees within thirty (30) calendar days of the date they marry, become related, or begin sharing living quarters as partners with each other. If no decision has been made by them during this time, the Board of Trustees reserves the right to terminate either employee.

## **Section 4. Conditions of Employment**

### **4.1. Probation**

Probationary periods are established by the Library to assess the employee's ability to perform in a given position after initial appointment. All appointments duly

authorized are made for a probationary period of three months. The Board of Trustees may extend the period of probation for an additional period of not longer than six (6) months in total if in the judgment of the Director further evaluation is needed. During the probationary period, the employee's performance will be subject to close review and evaluation to determine their competence to perform the assignments of the position. Regular status will be given to an employee who satisfactorily completes the probationary period.

#### **4.2. Performance Evaluations**

The performance of each new staff member will be reviewed immediately after the initial three-month probation period and then annually by the Director. The Director will receive an annual performance appraisal by the Board of Trustees. Written reports of these reviews will be kept in the personnel files. Any staff member is subject to review at any time by the Director and the Board of Trustees when circumstances so dictate.

#### **4.3. Work Hours**

- a. The minimum workweek for all full-time employees shall vary according to the department in which they are employed but shall be no less than thirty-five (35) hours.
- b. Part-time employees shall have a work week of no more than thirty-four and three-quarter (34.75) hours per week.
- c. All work schedules shall meet the approval of the Board of Trustees, with the intent to provide the services necessary to meet the interests of the residents of Greenland. The Director or their designee is responsible for scheduling work hours that will provide the maximum coverage of the library during the workday. At the same time, the needs of the employees should be given consideration. At no time shall an employee be allowed to work more than sixteen (16) hours in a twenty-four (24) hour period.
- d. Employees may receive disciplinary action for abuse of the work schedule.
- e. Employees are expected to show up for a work shift on time and ready to commence work at the start of their scheduled shift.
- f. Employees working 5 or more hours in a shift are entitled to a paid meal break period in their workday per RSA 275:30-a. Meal breaks are normally thirty (30) minutes.
- g. Bereavement leave, Paid Time Off leave and absence due to Workers' Compensation incidents shall be considered time worked for purposes of this section.
- h. Time spent off-premise on personal errands must be deducted from an employee's shift on their timesheet.
- i. Overtime work may be assigned by the Director to meet operational requirements. Such overtime work shall be reported on payroll records and justified by the Director if required by the Board of Trustees.

#### **4.4. Resignations**

Employees resigning from a position should provide a minimum of two (2) weeks' notice of their intentions in order for the Library to make proper provisions for filling the position. The Director is requested to provide a minimum of four (4) weeks' notice of an impending resignation/retirement. Removal of employees shall follow state law as found in the New Hampshire Statutes: RSA 202-A:17 and its revisions.

### **Section 5. Discipline**

It is the policy of the Weeks Public Library to exercise fair, impartial and progressive discipline to ensure the development and/or correction of its employees. No regular employee shall be disciplined, suspended, or discharged without just cause.

The Weeks Public Library expects all employees to maintain professional standards of conduct at all times in their relations with customers, visitors, and other employees. The Library also expects all employees to perform their job functions in an efficient manner and in keeping with their job descriptions. Employees who do not maintain professional standards of conduct or do not perform their job functions in an acceptable manner may be subject to disciplinary action up to and including termination of employment. All disciplinary actions will be copied to the employee's personnel file.

#### **5.1. Types of Infractions That Represent Just Cause for Discipline: This is not meant to be an exhaustive list – Infractions including but not limited to:**

- a. Commission of a crime or misdemeanor under any statute, law, or ordinance.
- b. Violation of Town or departmental anti-harassment policy.
- c. Disregard of Library policies, Town ordinances or policies, state or federal law. Violation of Library rules or policies, including but not limited to those explained in this policy and manual.
- d. Insubordination.
- e. Failure to fulfill the duties of the job description.
- f. Evidence of possession or consumption of alcohol or illegal drugs while on duty or when reporting for duty.
- g. Conflict of interest.
- h. Abuse of the work and/or leave schedule, including failure to report for work without just cause after being scheduled.
- i. Falsification of any Town record, application for employment or report.
- j. Threats, intimidation, or interference of or with any fellow employee.
- k. Unauthorized use of public property.
- l. Disregard of safety rules and/or specific instructions.
- m. Any act or omission that jeopardizes the work of the Town.
- n. Violation of computer-usage policy.

## **5.2. Types of Discipline**

The specific types of discipline listed here are illustrative. Progressive discipline shall *not* require imposition of every type of discipline described below. The nature and sequence of the discipline may be dependent on the type and severity of the infraction.

- a. Counseling and Training: This disciplinary action is generally taken when an employee has difficulty adjusting to the work environment or job requirements. A written memo documenting the need for counseling or training and what counseling or training was given may be made and placed in an employee's personnel file.
- b. Verbal Warning: This disciplinary action is conveyed verbally to any employee by a supervisor. This action is generally taken to correct an error or the potential for error or infraction. A written notice documenting such action may be created and placed in an employee's personnel file.
- c. Written Reprimand: This is written notice of a deficiency or infraction. The notice may contain a directive to correct the deficiency and a deadline for corrective action, if appropriate. A written notice documenting such action may be created and placed in an employee's personnel file.
- d. Suspension: This may be invoked without pay for any of the infractions set forth in this personnel policy. Suspension action shall be documented by a detailed report, and a due-process hearing will be granted if requested by the employee. Such due-process hearing shall be conducted by the Board of Trustees.

## **5.3 Authority to Relieve from Duty**

The Director or their designee may relieve from duty an employee for the balance of the workday, when in their judgment, there is sufficient cause to do so. Such relief is for an act or omission that jeopardizes the work or is a gross violation of the rules and procedures of library personnel or special and general orders. Such relief shall be of temporary nature, pending the report of the incident to the Board of Trustees.

Whenever such authority is exercised, notification of such relief shall be made to the Director as soon as practicable. In the absence of the Director the report shall be forwarded immediately to the Board of Trustees. The Director may then determine whether or not further action is necessary.

## **5.4. Authority to Suspend, Dismiss, and Demote**

- a. The Director may relieve from duty and/or suspend an employee for a period of not more than seven (7) workdays for any violation of Library rules, regulations, procedures or ordinances.
- b. The Board of Trustees may suspend an employee with or without pay for a period not to exceed thirty (30) calendar days in any twelve (12) month period for any violation of any law, rule or regulation, including but not limited to Federal, State or Local laws or rules and the provisions of this policy.

- c. Notification of such suspension shall be in writing and a copy may be placed in the employee's personnel file. The employee's personal copy shall be sent certified mail to the last known address of the employee, if it is not hand delivered. The Board of Trustees shall be informed of any suspensions within two (2) working days of the action taken by the Director.
- d. The Board of Trustees may dismiss an employee for just cause. Such action shall be preceded by notice and an opportunity to be heard.
- e. The Director shall send to the Board of Trustees in writing, with a copy to the employee, their recommendation for demotion, suspension in excess of seven (7) days, or dismissal and the reasons therefore.

**Section 6. Compensation, Retirement, Holidays, Paid Time Off**

**6.1. Pay Period**

The Library's pay period is a bi-weekly pay period that runs fourteen (14) days from Sunday through Saturday for each pay period. An accurate time sheet showing specific hours worked, signed by the employee and the Director must be submitted to the bookkeeper by the following Monday. Pay checks are available for employees bi-weekly on Thursdays. Weeks Public Library encourages the use of Direct Deposit for employees whenever practicable.

**6.2. Retirement Benefits**

Full-time regular employees shall be enrolled in the New Hampshire Retirement System. The employee's portion is paid through payroll deduction after taxes.

**6.3 Holidays**

The library shall be closed on the following holidays:

- |                                     |                  |
|-------------------------------------|------------------|
| New Year's Day                      | Independence Day |
| Columbus Day/Indigenous Persons Day | Labor Day        |
| Presidents' Day                     | Veterans Day     |
| Martin Luther King Day              | Thanksgiving     |
| Memorial Day                        | Christmas        |

Full-time employees of regular or probationary standing shall receive their regular compensation for all ten (10) of these days. Part-time employees of regular or probationary standing, who work more than 20 hours per week on average, shall receive their regular compensation for any of the ten (10) holidays that fall on their regularly scheduled shift.

The library will also close at 2 p.m. on Thanksgiving Eve, Christmas Eve and New Year's Eve if those days fall during regularly scheduled Library hours. Employees

regularly scheduled for afternoon/evening hours on the days the library closes early for a holiday will receive holiday pay for those regularly scheduled hours.

Regular or probationary, non-exempt employees who receive prior authorization and actually work on a holiday will receive pay at time and one half for hours worked over forty (40) hours in the pay period or shall receive one and one half compensating hours off for all hours worked in excess of forty (40) hours worked in the pay period. Compensatory time must be used within two (2) weeks and does not accumulate. To be eligible for holiday pay the employee must work on the scheduled workday before and after a holiday, unless on an approved leave.

New employees will be eligible for holiday pay after the first day worked. Salaried employees may reschedule a holiday period so as not to conflict with the scheduled requirements of their positions.

**6.4. Paid Time Off (PTO)**

Weeks Public Library uses a single category of leave called Paid Time Off (PTO). Employees may use this time in any manner they choose within certain guidelines. It is a single pool of time allocated to each employee. The amount of time allocated to an employee is dependent on their employment status and schedule.

Full-Time Employees – Will receive a sum total of 200 hours of PTO annually. All leave (PTO) must be exhausted before an employee is eligible to apply for or request unpaid leave. PTO will be front-loaded, meaning the total hours will be available to each employee as of January 1 of each year, subject to leave request guidelines.

Part-Time Employees – will earn PTO in accordance with the schedule below:

0-4 years	1.7 hours PTO/per regular schedule
5-9 years	3.1 hours PTO/per regular schedule
10+ years	4.5 hours PTO/per regular schedule

Note: A week is determined by the regular weekly scheduled hours of each employee.

For instance: An employee who has worked a regular schedule of 20 hours/week for 2 years would earn  $20 \times 1.7 = 34$  hours PTO/year.

PTO in excess of two days in a row must be requested at least 2 weeks in advance using the form in Appendix 4.

Alternatively, a physician’s note may be provided to support unanticipated leave requests of longer than 2 days.

Please see section 8.3 below for guidance on access to and use of Leave without Pay.

### **6.5. Paid Time Off (PTO) – Carry Over**

Part Time Employees (PTE) may not carry over any unused PTO balances at the end of the year.

Full Time Employees (FTE) may carry over their PTO balance as of 12/31/2023, up to a maximum of 80 hours. Full Time Employees may not accumulate more than 280 hours in any one year.

### **6.6. Paid Time Off (PTO) – Sell-back**

**Important:** Employees who call out or apply for Paid Time Off *must* use any available PTO available to them. Sick calls may not be taken as unpaid time off if there is any PTO available to the employee.

In recognition of the inherent value of time-off, rest, and relaxation to all employees, the Library encourages all of its employees to use their PTO as available.

Full Time Employees (FTEs) may sell back to the Library unused PTO in accordance with the following guidelines:

- a. FTE's must maintain a balance of at least 40 hours when considering a sell back.
- b. PTO is sold back at half the face value, i.e. 40 hours of PTO has a cash value of 20 hours.
- c. PTO sold back will process through the next payroll period.
- d. PTO may only be sold back in the last week of November.
- e. FTEs wishing to participate in a sell back must notify the director in writing by the last week of November in the year of the sell back.

Part time employees are ineligible and may not sell back unused PTO.

### **6.7. Paid Time Off (PTO) – Termination event**

In the event an employee is terminated, the following will apply to their PTO balance:

- a. Employees terminated for cause will receive no compensation for their PTO balance.
- b. Employees terminating not for cause and with proper notice will receive a pay-out of the pro-rata earned share of their PTO, i.e., an employee terminating at the end of June would receive 6/12 of the remaining PTO balance paid out at full value.

## **Section 7. Workers' Compensation Benefits**

Employees with an injury arising out of and in the scope of their employment with the Weeks Public Library are eligible for Workers' Compensation benefits. Employees shall use their Paid Time Off balance while the Worker's Compensation claim is processed.

A Workers' Compensation claim that results in lost time must be supported by a doctor's statement outlining the nature of the disability, prognosis for recovery and probable length of disability. Prior to returning to work, the employee shall provide a doctor's statement clearing the employee to return to their regular duties.

Employees who are out of work due to a work-related injury, which is compensable as set forth above, may not engage in any outside work without reporting it to the Director and the insurance carrier.

## **Section 8. Leaves of Absence**

### **8.1. Bereavement Leave**

Special leave of a total of three (3) consecutive working days with pay preceding, during or right after the funeral, shall be granted an employee in the event of the death of their:

Spouse	Sister	Brother
Father/Step Father	Mother/Step Mother	Child/Step Child
Grandchild	Relative domiciled in the employee's household.	

Special leave of one (1) working day with pay, for the purpose of attending the funeral, shall be granted an employee in the event of the death of their:

Mother-in-Law	Father-in-Law	Brother-in-Law
Sister-in-Law	Grandmother	Grandfather
Aunt	Uncle	Niece/Nephew

Should additional time be needed and approval is granted by the supervisor, the employee may utilize PTO.

### **8.2. Military Leave**

Any employee who is a member of a reserve force of the United States, or the State of New Hampshire and who is ordered by the appropriate authorities to attend a training program or perform other duties under the supervision of the United States or the State of New Hampshire shall be granted a leave of absence during the period of such activity.

- a. For up to one (1) year during such absence, the employee shall receive as pay the difference between their normal pay, if greater, and any pay received as a member of the reserve force.
- b. Such leave shall not reduce the employee's seniority status, leave accruals, or other benefits.



- c. For active military duty that exceeds thirty (30) days, leave accruals will be frozen at the amount existing on the date of activation and there will be no leave accrual during the military leave period.

### **8.3. Authorized Leave**

Leave Without Pay: Library employees may, with the approval of the Director, be granted a leave of absence without compensation for a valid reason and for a period not to exceed six (6) months. All of an employee's PTO leave must be exhausted before leave without pay is considered.

- a. Personal leaves are to be restricted to hardship situations. The employee must exhaust all available PTO and FMLA leave before taking an unpaid personal leave. Such leave can be given only if it does not adversely affect the operation of the library. If personal leave is granted, the employee may continue their group insurance by paying the full group premium. In lieu of the payroll withdrawal, the premium shall be paid monthly in advance to the library.
- b. Administrative Leave: The Board of Trustees may place an employee on administrative suspension for an extended period of time, with pay, when determined to be in the best interest of the Library. Such an example might be when an employee has been charged with, but not yet convicted of, a felony, misdemeanor, or violation, or in civil or criminal cases has been charged with actions that would cause a serious strain on the effective performance of Library functions.
- c. Professional Leave: Library employees may, with the approval of the Director, be granted a leave of absence with pay for attendance at conferences, seminars, schools, training courses, or other reasons deemed to be in the best interest of the Library within budgetary restraints. Such leave shall not adversely affect the employee's continuous service. Employees desiring to attend training or conferences that involve staying overnight must submit a travel/training request form for approval by the Board of Trustees prior to making any attendance commitments.
- d. Jury Duty: Library employees summoned for jury duty shall be paid for the hours they would normally have worked provided that they turn over to the library jury pay received, excluding mileage reimbursement. Leave time shall not be charged for such service.
- e. Family Medical Leave: In accordance with the Family Medical Leave Act of 1993, as amended, the Weeks Public Library grants job-protected unpaid family and medical leave to all eligible employees. FMLA provides for up to twelve (12) weeks of leave in a twelve (12) month period with the guarantee of the same or an equivalent job upon return to work. Family or medical leave may be taken to care for a newborn or newly adopted child, for the employee's own personal illness, or to care for an immediate family member who is seriously ill. To be eligible, the employee must be employed for twelve (12) months and have provided 1,250 hours of service during the twelve (12) months prior to the leave requested. A Family Medical Leave Request Form must be completed and approved in advance. The Library will pay its portion of the employee's medical benefits while on an

approved FMLA leave and the employee is responsible for providing their percentage in lieu of the payroll withdrawal prior to the due dates of the premium. All unused PTO shall be used as part of the twelve (12) weeks of leave.

See Weeks Public Library FMLA Policy and related forms that are attached hereto as Appendix 2 and are incorporated herein as part of this plan.

## **Section 9. Health Insurance**

Full-time, regular employees shall be provided access to a major medical, health and hospitalization insurance plan or themselves and their dependents. Employees may select a single-person, two-person or family plan per the insurer's eligibility requirements. The library shall pay Ninety percent (90%) of the individual employee's premium. The employee shall be entirely responsible for the Ten percent (10%) remaining of the premium via payroll deduction. The employee shall be responsible for the full amount of any additional family member premiums. **(The 90/10 cost share is effective the first full payroll after 04/01/2025)**

Upon employment the employee shall make an election regarding the health-insurance plan in which he/she wishes to participate. Changes to that election may be made annually during the month of December and must involve the Director or their designee. The employee has the responsibility to inform the Library via an enrollment-change form of a "life event": divorce, legal separation, death of a spouse or dependent, or loss of a child's dependent status under the Library's insurance plan within thirty (30) days of such an event or the date on which coverage would end under the Plan.

If the event causing the loss of coverage is a termination of employment or a reduction in work hours, each qualified beneficiary will have the opportunity under COBRA to continue coverage for eighteen (18) months from the date of the qualifying event. The taking of leave under FMLA does not constitute a qualifying event under COBRA.

## **Section 10. Other Insurance**

### **10.1 Dental Insurance**

Full-time, regular employees may subscribe to dental insurance for a single-person, two-person or family plan and are responsible for the entire premium of the plan of their choice.

### **10.2 Life Insurance and Accidental Death and Dismemberment (ADD) Insurance**

The Weeks Public Library shall provide Life Insurance and ADD insurance equal to an employee's annual base salary, as allowed by the insurer, for all employees scheduled for twenty (20) or more hours per week.

### **10.3 Short-Term Disability (STD) Insurance**

The Weeks Public Library shall provide short-term disability insurance to all full-time employees and part-time employees scheduled on average 20 or more hours per week. Employees must obtain a medical release from their physicians and file a disability claims in order to receive STD benefits, which shall be paid per the provisions of the policy in effect at the time of the disability.

### **10.4 Long-Term Disability (LTD) Insurance**

The Weeks Public Library shall provide long-term disability insurance to all Full-Time employees. LTD provides income protection for injuries or illnesses that extend beyond the twenty-six (26) week short-term disability period. Employees receiving LTD benefits will be moved to an “inactive” employment status.

Life, medical and dental insurance coverage may be continued by paying the employee portion of the premiums to the Library in advance of the due dates. The Library will generally hold open the position of an employee on LTD for a period of three (3) months from the first day of LTD leave, except if the disability is work related, in which case the right of reinstatement may be extended. Based on business conditions the Library may fill or eliminate the position of an employee who has been on LTD for three (3) months. Benefits shall be paid per the provisions of the policy in effect at the time of the disability.

Once able to return to work, the employee will be considered for any open positions at the time of their medical release to work so long as he/she can perform the essential functions of the job with or without reasonable accommodations in accordance with the Americans with Disabilities Act.

## **Section 11. Continuing Education and Tuition Reimbursement**

### **11.1 Continuing Education**

The Library Director shall complete ten (10) contact hours of continuing education every three (3) years. Every employee who works at least six (6) hours per week shall complete five (5) hours of continuing education every three (3) years. The library will pay transportation fees and tuition for staff continuing education classes with approval of the Trustees or the Director as appropriate. The Library will also pay membership dues in NHLA for the Director and any full-time employee, and in the NHLTA for all trustees.

## **Section 12. Safety**

### **12.1. General Safety**

Employee safety is a concern of the Weeks Public Library and every reasonable effort is made to provide a safe place in which to work. The Library participates in the Town of Greenland's Joint Loss Management Committee, which is committed to the employee safety of all the town's employees. If an accident occurs on the job, the Director must be notified immediately and must file a First Report of Injury form within forty-eight (48) hours. Unsafe conditions or employee conduct that jeopardizes safety must be reported immediately to the Director. Such reports will be investigated, and appropriate action will be taken, including disciplinary action, where appropriate. All employees shall abide by all safety procedures as set forth in the Library's safety policy.

- a. A minimum of two (2) employees must be present in the Library during all hours of operation.
- b. No employee may be in the Library before or after regular Library hours without specific permission of the Director.
- c. Employees should store purses and other valuables in a secure location.
  - a. The Library assumes no responsibility for any personal possessions of employees.
- d. Employees leaving after dark are encouraged to leave together and make certain that all employees' vehicles start before departing.
- e. The Weeks Public Library requires the use of seatbelts in all Library or Town vehicles and in personal vehicles when being used for Library business.

### **12.2. Employee Accidents and Medical Emergencies**

Any employee involved in an accident or medical emergency during working hours at the Weeks Public Library or in any other location where he/she is considered to be on work time should seek appropriate medical attention as soon as possible. The Director has the right to direct that an employee involved in an accident or medical emergency seek medical help to insure that he/she is in good health and receives the necessary medical attention.

### **12.3. Substance Abuse**

The Weeks Public Library is a Drug Free Workplace. The Library prohibits the use, consumption, sale, purchase, transfer, or possession of alcohol or any illegal drug or controlled substance by an employee during working hours, while he/she is engaged in Library business, or while he/she is on the Library premises.

- a. Employees with prescription medications that must be taken during working hours must ensure that those medications are in a secure location during their work shift.

- i. The Library assumes no responsibility or liability for legally prescribed employee medications and their use during working hours.
- b. Persons who are suspected of being under the influence, in possession of, or otherwise involved with alcohol or any other restricted substance will be subject to the Library's disciplinary policy, which may include immediate suspension pending investigation of any charges. The investigation may include drug testing to the extent allowed by law.
- c. The Weeks Public Library does not allow smoking or any other tobacco use in any public building or vehicle owned by the Town.

### **Section 13. Grievance Procedure**

Any employee with a grievance due to conditions of their employment or disciplinary actions (except for dismissal of probationary or temporary/seasonal employees) shall have the right to appeal through the appropriate steps of this procedure.

- a. Any employee with a grievance shall promptly discuss the matter with their immediate supervisor. If the matter cannot be resolved, the employee shall place the matter before the Director in writing within seven (7) calendar days of the event giving rise to the grievance.
- b. The Director shall hold a meeting as soon as practicable, but in any event no later than seven (7) calendar days after receipt of the written grievance. The Director shall decide the grievance based on the information supplied and render a written decision within five (5) workdays after the meeting.
- c. If the employee is not satisfied with the Director's decision, or no decision is received within the five (5) days period defined above, the employee may forward the grievance to the Board of Library Trustees within seven (7) calendar days of the date when the decision was due or receipt of the decision. The Board of Trustees will hold a meeting as soon as practicable, but in any event no later than seven (7) calendar days after receipt of the written grievance which will include the Board of Trustees, the Director, the grievant and any other person involved in the complaint. Within fourteen (14) calendar days after said meeting, the Director shall notify in writing all persons concerned with the Board of Trustees' disposition of the grievance.
- d. Any time limits herein may be extended by mutual consent.
- e. The Board of Trustees shall serve as the review authority in all disciplinary matters that progress to the final stage of the grievance process, except issues involving the Director. In their case, the Board of Trustees exercises primary disciplinary authority and may utilize the provisions of the above disciplinary process.

## **Section 14. Library Closings**

In the event of inclement weather, the library will close at the discretion of the Director, or their designee in their absence, based on road conditions, general weather conditions, or forecasted weather events. The Library may also close at other times at the discretion of the Director and the Board of Trustees due to emergencies and power outages. Part-time staff scheduled to work on those days will be paid their regular hours as if they had worked.

Employees who elect to stay home due to the weather when the Library has remained open must either use Paid Time Off or forego pay.

Receipt and Acknowledgement of Weeks Public Library Personnel Policies and Procedures Manual

This Personnel Policies and Procedures Manual is an important document intended to help employees become acquainted with the Weeks Public Library. This Manual will serve as a guide: it is not the final word in all cases. Individual circumstances may call for individual attention.

Please read the following statements and sign below to indicate your receipt and acknowledgment of the manual.

.....

I have received a copy of the Weeks Public Library Personnel Policies and Procedures Manual and understand it is my obligation to read the Manual. I understand that the policies described in the Manual are subject to change at the discretion of the Weeks Public Library’s Board of Trustees at any time. I understand that this Manual supersedes and replaces any/all other previous manuals and personnel policies for the Weeks Public Library.

I acknowledge I have the right to terminate my employment with the Weeks Public Library at any time without notice. In turn, I acknowledge that the Weeks Pu8blic Library has the right to terminate my employment at its sole discretion, subject to any statutory or federal or state constitutional requirements.

I am aware that the descriptions of benefits in this manual are not contractual in nature and do not guarantee any continuance of said benefits. I am aware that during the course of my employment, confidential information may be made available to me, I understand that this confidential information must not be given out or used outside of Weeks Public Library premises or with non-Weeks Public Library employees, except as required by law.

I understand that my signature below indicates that I have read and understand the above statements and have received a copy (in print or digital) of the Personnel Policies and Procedures Manual.

---

Employee Signature

Date

## **Appendix 1.**

### **ILLEGAL DISCRIMINATION AND HARASSMENT IN THE WORKPLACE**

#### **1. Introduction**

The Weeks Public Library is committed to assuring that each individual employed by the Library has the right to be free of illegal discrimination or harassment because of race, color, religion, sex, national origin, age, pregnancy, disability, veteran status, marital status or sexual orientation. All employees of the Library should be able to work in an environment free from all forms of discrimination, intimidation and harassment. All employees must treat each other with courtesy, consideration and professionalism.

To achieve the Library's goal of providing a workplace free from illegal discrimination or harassment, the conduct that is described in this policy shall not be tolerated and the Library has provided a procedure by which inappropriate conduct will be dealt with. Where inappropriate conduct is found, the Library will act promptly to eliminate the conduct and impose such corrective actions as are necessary, including disciplinary action or termination where appropriate.

Please note that while this policy sets forth the Library's goals of promoting a workplace that is free of illegal harassment, or other forms of illegal discrimination, the policy is not designed or intended to limit the Library's authority to discipline or take remedial action for workplace conduct that the Library deems unacceptable, regardless of whether that conduct falls outside of the definition of illegal or sexual harassment or discrimination.

#### **2. Definition of Illegal Discrimination and Harassment**

Illegal Discrimination may include, but is not limited to, jokes, offensive behavior, inequitable treatment, retaliation, or unfair employment practices (e.g. hiring, advancement, discipline, or firing) on the basis of the employee's or applicant's age, gender, race, national origin, color, religion, disability, marital status or sexual orientation).

Harassment refers to unreasonable conduct or behavior that is personally offensive or threatening, impairs morale or interferes with the work effectiveness of employees. Examples of harassment include conduct or comments that threaten physical violence; offensive, unsolicited remarks; unwelcome gestures or physical contact; display or circulation of written materials, items or pictures degrading to any gender, racial, ethnic, religious, age, handicapped or other group listed above; and verbal abuse or insults about or directed at any employees because of their relationship in any of the groups listed above.

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:



- a. submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or
- b. such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether or not it is intended, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating or humiliating to male or female workers may also constitute sexual harassment. While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

Verbal: sexual innuendoes, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds;

Visual/Non-verbal: derogatory posters, cartoons or drawings; suggestive objects or pictures; graphic commentaries; leering or obscene gestures;

Physical: unwanted physical contact including touching, interference with an individual's normal work movement, or assault; and

Retaliatory: making or threatening reprisals as a result of a negative response to harassment.

Each employee must exercise their good judgment to avoid engaging in conduct that may be perceived by others as harassment.

Harassment can come from supervisors, fellow employees, clients, visitors or vendors. Men as well as women can be victims of sexual or other harassment. **It cannot be stressed enough that the Library will not tolerate any form of illegal discrimination or harassment. Violations of this policy, whether intended or not, will not be permitted.**

All employees should take special note that retaliation against an individual who has complained about sexual or other harassment, and retaliation against individuals for cooperating with an investigation of a sexual or other harassment complaint, or any other discrimination complaint grounded in fact, is unlawful and will not be tolerated by the Library.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature such as but not limited to: a friendly smile; complimenting a person's work; making social invitations; asking for a date or other behavior not inherently offensive or sexist; so long as it is not repeated after a person has made clear that it is unwelcome.

The making of a deliberate, untruthful accusation of harassment is very damaging and is likewise considered a serious offense. Any person who files a false accusation of harassment will be subject to serious disciplinary action up to and/or including termination.

### **3. Harassment Complaint Procedure**

If an employee feels he/she is being harassed, observes harassment, or has been the victim of or observed other forms of illegal discrimination, the following guidelines should be followed to help remedy the problem:

- Harassment and/or discrimination by other employees or by residents, visitors or vendors should immediately be brought to the attention of the Director, unless the Director is the source of the problem, in which case the Board of Trustees should be notified using the previously outlined grievance procedure (Section 13). Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the problem. No employee of the Library is exempt from this policy.
- If, at any point in the process, a complaining employee is dissatisfied with the investigation being conducted, the employee should bring it to the attention of the Director or the Board of Trustees.

Notwithstanding the above, if an employee is eligible to avail himself or herself of an alternative Library procedure or remedy for alleged harassment or discrimination (e.g. the Grievance Procedures under the Library's Personnel Plan), the employee may do so. An employee may only invoke and use one of the available procedures.

### **4. Harassment Investigation**

When a complaint of harassment or discrimination is received, an investigation will promptly begin. Complaints will be kept confidential to the extent consistent with the Library's obligation to look into and remedy any harassment or discrimination. For most matters, the investigation will include an interview with the person filing the complaint, an interview with the person alleged to have committed the harassment or other alleged inappropriate or illegal conduct, and to the extent necessary, interviews with co-employees or other witnesses. All employees are expected to be truthful, forthcoming, and cooperative in connection with a complaint investigation.

Once the investigation is complete, the Library will, to the extent appropriate, inform both the person filing the complaint and the person alleged to have committed the conduct of the results of the investigation. If it is determined that inappropriate conduct occurred, the Library will act promptly to eliminate the offensive conduct and, where it is appropriate, the Library will impose disciplinary action.

There may be instances when, depending upon the nature of the allegations of harassment or discrimination, the alleged harasser, or discriminator will be placed on administrative leave pending investigation. Administrative leave pending investigation should not be considered as a conclusion of wrongdoing.

### **5. Disciplinary Action**

The Weeks Public Library will not condone, permit or tolerate harassment of employees or illegal employment discrimination in any manner whatsoever. Any employee who is found to have engaged in harassment or discrimination will be subject to disciplinary action, up to and including suspension or termination, depending, among other things, on the nature of the conduct.

### **6. Retaliation**

The Weeks Public Library also prohibits any form of retaliation against any employee either for filing a good-faith complaint under this policy or for assisting in a complaint investigation. Anyone found to have engaged in such retaliation will be subject to disciplinary action up to and including suspension or termination. Any employee who believes he or she is being retaliated against should bring such conduct to the attention of the Director, unless the Director is the source of the problem, in which case he or she should go directly to the Board of Trustees so appropriate action may be taken.

### **7. Public Notice**

The Weeks Public Library Personnel Policy will be posted on the Website and available in the library. All employees of the Library should be able to work in an environment free from all forms of discrimination, intimidation and harassment. All employees are expected to treat each other with courtesy, consideration and professionalism. The Weeks Public Library expects all vendors, patrons, residents and others who have dealing with our employees to abide by this anti-harassment policy. Failure by such persons to honor this policy will not be tolerated. The Board of Trustees will take appropriate action against any such conduct to ensure its prompt termination and to obtain other appropriate sanctions and/or penalties.

## **Appendix 2.**

### **FAMILY AND MEDICAL LEAVE POLICY**

#### **1. Statement of Policy**

In accordance with the Family Leave Act of 1993, the Weeks Public Library will grant job-protected unpaid family and medical leave to eligible male or female employees for up to twelve (12) weeks per twelve (12) month period for any one or more of the following reasons:

- A. The birth, adoption, or assumption of foster care for a child, and the need to care for such child (leave for this reason must be taken within the 12-month period following the child's birth or placement with the employee); or
- B. The need to care for an immediate family member (spouse, child or parent) of the employee if such immediate family member has a serious health condition; or
- C. The employee's own serious health condition that makes the employee unable to perform the functions of their position.

#### **2. Definitions**

- A. "12-Month Period" means a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken.
- B. "Spouse" does not include unmarried domestic partners. If both spouses work for the Library, their total leave in any 12-month period may be limited to an aggregate of twelve (12) weeks if the leave is taken for the birth, placement for adoption or foster care of a child or to care for a sick parent.
- C. "Child" means a child either under eighteen (18) years of age or incapable of self-care because of a mental or physical disability. An employee's "child" is one for whom the employee has actual day-to-day responsibility for such care and includes a biological, adopted, foster or step child.
- D. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either:
  - 1. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or
  - 2. Continuing treatment by a health care provider, which includes:

- a. A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes:
  - b. treatment two (2) or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within seven (7) days and both within thirty (30) days of the first day of incapacity); or
  - c. one (1) treatment by a health care provider (i.e., an in-person visit within seven (7) days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy);or
3. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
- a. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or
  - b. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
  - c. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

### **3. Intermittent or Reduced Leave**

- A. When medically necessary, an employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule to care for an immediate family member with a serious health condition or because of a serious health condition of their own.
- 1. “Medically necessary” means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule.
  - 2. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave when the leave is planned based on scheduled medical treatment.
- B. An employee may take leave intermittently or on a reduced leave schedule for birth or placement for adoption or foster care of a child only with the department’s consent.
- C. For a part-time employee or one who works variable hours, the family and medical leave entitlement is calculated on a prorated basis. A weekly average of the hours worked over the twelve (12) weeks prior to the beginning of the leave should be used for calculating the employee’s normal workweek.

#### **4. Substitution of Paid Annual Time**

- A. An employee shall be required to substitute unused Paid Time Off leave for any part of a family/medical leave taken for any reason.
- B. When an employee has used up all remaining Paid Time Off leave for a portion of family/medical leave, the employee may request an additional period of unpaid leave so that the total of paid and unpaid leave provided equals twelve (12) weeks.

#### **5. Notice Requirement**

- A. An employee is required to give thirty (30) days' notice in the event of a foreseeable leave. A "Request for Family/Medical Leave" form (see attached) should be completed by the employee and returned to the Director for approval. In unexpected or unforeseeable situations, an employee should provide as much notice as is practicable, usually verbal notice within one (1) or two (2) business days of when the need for leave becomes known, followed by a completed "Request for Family/Medical Leave" form.
- B. If an employee fails to give thirty (30) days' notice for a foreseeable leave with no reasonable excuse for the delay, the leave will be denied until thirty (30) days after the employee provides notice.

#### **6. Medical Certification**

- A. For leaves taken because of the employee's or a covered family member's serious health condition, the employee must submit a completed "Physician or Practitioner Certification" form (see attached) and return the certification to the Director. Medical certification must be provided by the employee within fifteen (15) days after the leave request or as soon as is reasonably possible. When seeking leave for a family member's serious health condition, family medical history is required, at least to the extent necessary to make the medical certification complete and sufficient under the FMLA.
- B. The Library requires periodic reports on the employee's status and their intent to return to work, as well as a fitness-for-duty report upon return to work. The Library may require a second or third medical opinion at Library expense.
- C. All documentation related to the employee's or family member's medical condition will be held in strict confidence and maintained in the employee's separate medical records file.

## **7. Effect on Benefits**

- A. An employee granted a leave under this policy shall continue to be covered under the Library's benefit package applicable to the position in question under the same conditions as coverage would have been provided if he/she had been continuously employed during the leave period.
- B. Required employee contributions to such programs shall continue and must be made either through automatic payroll deductions or to the Library directly. Employee contribution amounts are subject to any changes in rates that may occur while the employee is on leave.
- C. If an employee's contribution is more than thirty (30) days late, the Library may terminate the employee's relevant benefit(s).
- D. An employee is not entitled to seniority accrual or any other benefit accrual during periods of unpaid leave but will not lose anything accrued prior to the leave.

## **8. Job Protection**

- A. If the employee returns to work within twelve (12) weeks following a family/medical leave, he/she will be reinstated to their former position or a position with equivalent pay, benefits, status and authority.
- B. The employee's restoration rights are the same as they would have been had the employee not been on leave. Thus, if the employee's position would have been eliminated or the employee would have been terminated but for leave, the employee would not have the right to be reinstated upon return from leave.
- C. If the employee fails to return within twelve (12) weeks following family/medical leave, the employee will be reinstated to their same or similar position, only if available, in accordance with applicable laws. If the employee's same or similar position is not available, the employee may be terminated.

## **9. Family/Medical Leave Request Forms to be Submitted by the Employee**

1. Request for Family/Medical Leave
2. Physician or Practitioner Certification of Serious Health Condition

**WEEKS PUBLIC LIBRARY**  
**REQUEST FOR FAMILY/MEDICAL LEAVE**

Employee Name: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Department: \_\_\_\_\_ Position Title: \_\_\_\_\_

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

**I hereby request a Family/Medical Leave for the following reason** (check one):

- A. In order to care for a child born, adopted, or placed in foster care \_\_\_\_\_
- B. In order to care for an immediate family member if such family member has a serious health condition. Circle one: CHILD / PARENT / SPOUSE (Must submit "Physician or Practitioner Certification within fifteen (15) days.) \_\_\_\_\_
- C. Employee's own serious health condition that makes the employee unable to perform the functions of their position. (Must submit "Physician or Practitioner Certification within fifteen (15) days.) \_\_\_\_\_

**I hereby request the following Method of Leave** (check one):

- A. Consecutive Leave \_\_\_\_\_
- B. Intermittent or Reduced Leave Schedule. (Specify anticipated schedule below.) \_\_\_\_\_

Date Leave is to Begin: \_\_\_\_\_ Expected Duration of Leave: \_\_\_\_\_

If the duration of my family/medical leave (total of paid and unpaid time) does not exceed twelve (12) weeks, I will be returned to my same or equivalent position. I understand that if my family/medical leave should exceed twelve (12) weeks I will be returned to my same or similar position only if available, in accordance with applicable laws. If my same or similar position is not available, I understand that I may be terminated.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date



**WEEKS PUBLIC LIBRARY**  
**PHYSICIAN OR PRACTITIONER CERTIFICATION OF**  
**SERIOUS HEALTH CONDITION**

1. Employee's Name: \_\_\_\_\_
2. Diagnosis: \_\_\_\_\_
3. Date Condition Commenced: \_\_\_\_\_
4. Probable Duration of Condition: \_\_\_\_\_
5. Regimen of Treatment to be Prescribed: (Indicate number of visits, general nature and duration of treatment. Include both any referrals to other providers of health services and a schedule of visits or treatment if it is medically necessary for the employee to be off work on an intermittent basis or to work less than the employee's normal schedule of hours per day or days per week.)

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information" as defined by GINA includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

A. By Physician or Practitioner:

---

---

---

---

B. By Other Provider of Health Services, if Referred by Physician or Practitioner:

---

---

---

---

Check Yes or No in the space below, as appropriate.

6. Yes \_\_\_ No \_\_\_ Is inpatient hospitalization of the employee required?

7. Yes\_\_ No \_\_\_ Is the employee able to perform work of any kind?  
(If “No”, skip to Item 9.)
8. Yes \_\_ No\_\_\_ Is the employee able to perform the functions of the employee’s position? (Answer only after reviewing the employee’s job description, if available, or after discussion with the employee.)
9. Signature of Physician or Practitioner: \_\_\_\_\_
10. Date: \_\_\_\_\_
11. Type of Practice (field of specialization, if any): \_\_\_\_\_

**Appendix 4.**

**WEEKS PUBLIC LIBRARY**  
**LEAVE-REQUEST FORM**

Check the Time-Off calendar before submitting your request.  
Leave requests will be considered at the convenience of Library operations and on a first come, first serve basis.

Submit this form at the earliest possible date, but no more than 3 months in advance of your requested time off.

Employee Name: \_\_\_\_\_

Type of absence requested:

- PTO                       Time Off Without Pay                       Bereavement  
 Jury Duty                       Military                       Other

Reason for absence, if other: \_\_\_\_\_

\_\_\_\_\_

Date of absence: From: \_\_\_\_\_ To: \_\_\_\_\_

Or individual dates: \_\_\_\_\_

\_\_\_\_\_

You must submit requests for absences, other than bereavement, at least two (2) days prior to the first day you will be absent.

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Director Approval**

- Approved                       Rejected

Total hours/days used with this request: \_\_\_\_\_

Comments:

Director signature: \_\_\_\_\_ Date: \_\_\_\_\_