

9 – Human Resources

9 - 1 Employment

All employees are hired for an indefinite and unspecified duration. Accordingly, employment is by mutual consent of the employee and the Palatine Public Library District (hereafter referred to as the Library) and can be terminated at will by the employee or the Library with or without notice, with or without cause.

This policy is not a contract and should not be construed as a contract. Nothing in this policy is intended to be an offer of employment or continued employment. Any of the policies and procedures contained herein can be changed by the library at any time, with or without prior notice. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 2 Equal Employment Opportunity

The Library provides equal employment opportunities without regard to sex, race, color, ancestry, national origin, citizenship status, religion, age, disability, marital status, sexual orientation, gender identity, pregnancy, military or veteran status, genetic information, order of protection status, or any other characteristic that is protected under applicable law. This policy applies to every aspect of employment including, but not limited to: recruitment, employment, promotion, transfer, training, compensation, benefits, reduction in force, and termination. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 3 Non-Exempt Employees

Non-exempt employees include all hourly employees who are classified by the Library as covered by the overtime provisions of the federal Fair Labor Standards Act and any applicable state laws. Employees in this category are entitled to overtime pay for work in excess of 40 hours in a work week. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 4 Exempt Employees

This category includes all salaried employees who are classified by the Library as exempt from the overtime provisions, including overtime pay, of the federal Fair Labor Standards Act and any applicable state laws. Such employees generally include those classified as management, or professional employees. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 5 Full-Time Employees

Employees regularly scheduled to work 37.5 hours or more per week will be considered full-time employees and be entitled to holiday, sick leave, vacation, and insurance benefits. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 - 6 Part-Time Benefited Employees

Employees regularly scheduled to work at least 20 hours but less than 37.5 hours per week will be entitled to holiday, sick leave, and vacation benefits on a pro-rated basis. Part-time employees scheduled to work at least 30 hours per week are entitled to insurance benefits. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 7 Part-Time Non-Benefited Employees

Employees regularly scheduled to work less than 20 hours per week will not receive holiday, sick leave, or vacation benefits. (Adopted 11-13-96; Reapproved 2-10-16)

9 – 8 Working Hours

The Library work week begins at 12:00 midnight on Sunday and runs through 11:59 p.m. on the following Saturday.

The standard work week for full-time employees is 37.5 hours excluding meal breaks for all employees. The work schedule for both full-time and part-time personnel may include weekend and evening hours as the Library requires.

An employee scheduled to work at least 7½ continuous hours must take a minimum thirty (30) minute unpaid meal break. This meal break must be taken no later than five (5) hours after beginning work (820 ILCS 140/3). The meal break is not optional and must be taken except in case of an emergency. If an employee is unable to take a meal break, the employee will be compensated for that time. Managers may grant employees working less than 7½ hours permission to take a thirty (30) minute unpaid meal break. All employees are permitted one 15 minute rest break which cannot be combined with a meal break and cannot be taken at the end of the work shift. Meal and rest breaks may not be taken in the final hour of an employee's shift. The time allotted for meal and rest breaks includes the time to leave and return to one's work station.

All employees, except those exempt by the Fair Labor Standards Act, will be paid time and a half for work over 40 hours per week. All paid overtime (over

40 hours per work week) must be approved in advance by the employee's Manager unless it is an emergency situation and authorized by the Person In Charge (PIC).

Telecommuting (working from home using computer and telecommunication technology) may be part of an exempt employee's regularly scheduled working hours only if the exempt employee is on approved leave of absence. Prior approval from the Executive Director is required. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 9 Attendance

Attendance and punctuality are important to the efficient operation of the Library. Regular and predictable attendance is an essential function of every position at the Library. Absenteeism and tardiness are disruptive and make it difficult for the Library to function properly.

Each employee is responsible for being present at the correct time each day. On occasion, employees may have reason to be absent from work. On these occasions, they are required to directly notify their Supervisor prior to the start of their scheduled shift. The voice mail system is in operation 24 hours per day. Employees should know their Supervisor's extension and leave a message if they are unable to speak with a Supervisor. Employees are to follow additional departmental procedures as established. Human Resources may request a medical doctor's statement certifying that an illness or injury is the reason for the absence or to authorize a return to work.

An employee who is absent for two (2) consecutive scheduled work days without prior or concurrent notice; contact; or approval from his or her Supervisor, Manager, or Human Resources will be considered to have voluntarily terminated employment based on job abandonment. (Adopted 11-13-96; Last Revised 2-10-16, Effective 3-1-16)

9 – 10 Emergency Closings

On occasion the Library may close due to inclement weather conditions or other conditions such as loss of power, flooding, etc. Employees who are scheduled to work when the Library is closed for an emergency will be paid for the hours they were scheduled. If an employee has already requested paid time off (personal, vacation, or sick) or unpaid time off for any part of the closed period, that paid or unpaid time will be used. Employees who are not scheduled to work during the closed period will not receive additional pay. In the event an employee is required to work to respond to emergencies when the library is closed, the employee will be paid for a minimum of one hour at one-and-a-half times their normal hourly rate.

In the event the Library is open and an employee cannot get to work due to weather, the employee may choose to take a personal or vacation day, make up the time, or take a day of unpaid leave. Any time to be made up must be approved in advance by the employee's Manager, must be completed in the same pay period of the occurrence, and may not qualify for overtime pay. (Adopted March 14, 2018, Effective April 1, 2018)

9 – 11 Recruitment and Hiring

The Executive Director is responsible for the final selection, appointment, supervision, and dismissal of all library staff. The selection of staff members is based on their meeting the qualifications of the job as outlined in the job descriptions, including but not limited to education, experience, and technical qualifications. There will be no discrimination on the basis of sex, race, color, ancestry, national origin, citizenship status, religion, age, disability, marital status, sexual orientation, gender identity, pregnancy, military or veteran status, genetic information, order of protection, or any other characteristic that is protected under applicable law.

An ongoing recruitment program will provide for the highest quality personnel in accordance with the needs of the Library. Current employees are encouraged to apply for open positions for which they are qualified. Open positions are posted.

An employee who resigns from the Library within the prior 12 months and is rehired by the Library retains credit for all years of consecutive service at the Library for purposes of vacation accrual. An employee who changes benefited status during a 12-month period retains all years of consecutive service at the Library for purposes of vacation accrual. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 12 Immigration Compliance

The Library seeks to comply with the requirements of federal immigration law. The Library retains a properly completed Form I-9 for all employees. (Adopted 12-14-05; Last Revised 3-14-18, Effective 4-1-18)

9 – 13 Criminal Background Investigation

All new hires, 18 years of age or older, must sign a release for a criminal background investigation to be completed by the Illinois State Police.

The Library maintains all releases on file for at least two (2) years. Whenever a request for information is made to the Illinois Department of State Police, the Library provides the individual named with a copy of the response furnished by the Department. The individual will then have seven (7) days to notify the Library if any information contained in the response is inaccurate or

incomplete. Based on the response from the State Police, further investigation may take place to determine continued employment. Any information obtained from such investigation is maintained on a confidential basis. (Adopted 4-9-97; Last Revised 3-14-18, Effective 4-1-18)

9 – 14 Employment of Family Members

Family members of employees are eligible for employment provided they are qualified for the job. However, family members of an employee are not eligible for employment in the same department. Family members will not report to the same Manager. An employee may not report to or be supervised by a relative or member of the same household.

Family members for this policy includes employee's parent, spouse, child, brother, sister, grandparent, grandchild, mother-father in-law, daughter-son in-law, domestic partner, or member of the household for whose care the employee is financially responsible.

Family Members of current Board Trustees and of the Management Team are not eligible to be hired. Management Team includes the Executive Director, Assistant Directors, Managers, and Assistant Managers. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 15 Personnel Records

A personnel file is maintained for each employee. Among other items, this file includes information regarding pay, performance, disciplinary action, and commendations. It is considered an official record.

Employees have a right to review their own files in the presence of the Executive Director or an Assistant Director. Such requests for review must be made in writing. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 16 Resources Provided For Staff Use

To maintain a productive and comfortable work environment, the Library provides resources including but not limited to: desks, work stations, file drawers, computers, software, phones, and lockers for many employees. Although these resources are provided for staff use they are the sole property of the Library. Such resources are available for staff to use ONLY during scheduled work hours. Staff is not required to access Library resources on unpaid time. The Library has no expectation that non-exempt staff must use their personal electronic devices for Library business.

Accordingly, the Library reserves the right to inspect all Library-provided resources listed in the preceding paragraph and the contents thereof. Such

inspections may occur before, during, and after the close of the day and without prior notice to the employee.

Employees are encouraged not to leave any valuable items in the workplace. The Library cannot assume any liability for loss, theft, or damage to any item left in a desk, locker, at a work station, or in any other area of the library.

Library walkie-talkies, phones, and computers are provided primarily for Library purposes. All personal telecommunication should be held to a minimum and should not be made at public desks. In the event it is necessary to make a business-related or personal emergency phone call outside the Chicago metro area, a phone call form should be submitted to the Business Office as soon as possible following the call. (Adopted 11-13-96; Last Revised 2-10-16, Effective 3-1-16)

9 -17 Dress Standards

Employees are to adhere to the Dress Code guidelines posted on the Intranet under Human Resources. (Adopted 11-13-96; Last Revised 2-10-16, Effective 3-1-16)

9 – 18 Staff Lounge

The Library maintains a staff lounge for the comfort and convenience of its employees during breaks and meal periods. Persons not employed by the Library are permitted to use the lounge only if accompanied by a staff member. (Adopted 11-13-96; Reapproved 2-10-16)

9 – 19 Standards of Conduct

Whenever people are required to work together for any purpose, certain guidelines are necessary to govern personal conduct. The Library believes that a safe environment is necessary for employees to be successful and productive. Conduct that disrupts both an employee's ability to positively contribute to the organization on a day-to-day basis and the organization's ability to efficiently run its operations will not be tolerated. These guidelines are a necessary part of operating the Library and ensure that employees can work safely, effectively, and professionally in their jobs.

All employees are expected to conduct themselves appropriately at all times. A Manager or Person In Charge has the authority to send an employee home with or without pay for violation of a policy or guideline. The following is a list of conduct which is specifically prohibited and may lead to disciplinary action up to and including termination. This list is intended to provide examples only, and is not intended to be all-inclusive. The Library reserves the right to

discipline or discharge employees for acts or omissions not appearing on the list.

1. Harassing, intimidating, abusing, coercing, or threatening any other employee or patron.
2. Unreasonable behavior or communication that demeans, insults, or humiliates people either as individuals or as a group.
3. Frequent or excessive tardiness or absence from work, or failure to report absences.
4. Insubordination, including improper conduct toward a person of authority, or failure or refusal to perform tasks as assigned in the appropriate manner.
5. Non-compliance with or disregard of Library safety and security procedures.
6. Unsatisfactory performance.
7. Conduct that substantially interferes with work and/or prevents work from being accomplished.
8. Falsifying, omitting, or withholding necessary information, including information on an employment application.
9. Improper behavior and/or unethical conduct.
10. Altering or falsifying time-keeping records.
11. Tampering with, theft of, or unauthorized removal of property from the Library, fellow employees, or anyone on Library property.
12. Bringing dangerous or unauthorized items such as firearms, explosives, weapons, or other similar items on Library property.
13. Intentionally intruding on a person's privacy by spying or stalking.
14. Release of confidential information about the Library, its patrons, or another employee.
15. Damage to Library property or disruption of Library services.
16. Failure to comply with or enforce library policy.

(Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 20 Progressive Discipline

It is important that all employees perform to the best of their abilities at all times. There will be occasions, however, when employees perform at an unsatisfactory level, violate a policy, or behave in a manner that is inappropriate. As previously noted, employment may be terminated at will by the employee or the employer at any time with or without cause and without following any system of discipline or warning. Nevertheless, the Library may choose to exercise its discretion to utilize forms of discipline that are less severe than termination. Examples of such less severe forms of discipline include verbal warnings, written warnings, probation, and suspension.

Although one or more of these steps may be taken in connection with a particular employee, no formal order or system is necessary. The employee may, of course, resign at any time. The employer may also terminate the employment relationship without following any particular series of steps.

Terminations will be handled by the Executive Director or by the Executive Director's designee. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 21 Formal Complaint Procedure

The Library makes available a formal complaint procedure for all current Library employees. Any employee may utilize this procedure without fear of reprisal or repercussions from any Library employee or Trustee for doing so. Retaliation by any employee or Trustee will not be tolerated.

Any form of retaliation against an employee who files a formal complaint or participates in an investigation is strictly prohibited by the Illinois Human Rights Act, the Illinois State Officials and Employees Act, the Illinois Whistleblower Act, Title VII of the Civil Rights Act of 1964, and Library Policy. Any employee or Trustee who retaliates against another for exercising his or her rights under this policy shall be subject to discipline, up to and including termination or censure.

A current employee may file a formal complaint regarding his or her work situation when the employee believes an inequity must be addressed. Only a current employee can file a formal complaint and no person may file a formal complaint on anyone else's behalf.

An employee desiring to initiate the formal complaint procedure should do so within ten (10) calendar days of the precipitating event.

Step 1: The employee should discuss the formal complaint with his or her Manager. If the employee is not satisfied that the formal complaint is resolved within ten (10) calendar days of such discussion, the employee has ten (10) more calendar days to proceed to Step 2.

Step 2: The employee should discuss the formal complaint with the Assistant Director or Human Resources. If the employee is not satisfied that the formal complaint is resolved within ten (10) calendar days of such discussion, the employee has ten (10) more calendar days to proceed to Step 3.

Step 3: The employee may discuss the formal complaint with the Executive Director. The employee should notify the manager that he or she desires such a meeting. The manager may be present at this meeting. If the employee's Manager will not attend the meeting, another Manager or Assistant Director may also be present. The Executive Director will give the employee a written response to the formal complaint within ten (10) calendar days of the meeting.

Step 4: If the employee feels that the formal complaint is still not resolved after following Steps 1 through 3, the employee may make a written appeal to the Board of Library Trustees. The Board will consider the formal complaint at the next scheduled Board Meeting.

The Board will issue a written response to the employee within ten (10) calendar days of the meeting at which the formal complaint is discussed. The Board's decision will be final.

The employee's written formal complaint, along with all responses thereto, will be filed in the employee's personnel file. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 22 Policy Against Discrimination and Harassment

The Library is committed to maintaining a work environment that is free of discrimination and harassment. In keeping with this commitment, the Library will not tolerate discrimination against or harassment of or by Library employees, by or to anyone, including any supervisor, co-worker, Trustee, vendor, patron, contractor, or other regular visitor of the Library by any means, including via electronic communication. Violation of this policy shall be considered grounds for disciplinary action up to and including termination or censure.

Discrimination

Discrimination consists of employment actions taken against an individual based on a characteristic protected by law, such as sex, race, color, ancestry, national origin, citizenship status, religion, age, disability, marital status,

sexual orientation, gender identity, pregnancy, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law. In other words, discrimination occurs when an individual is treated differently or unequally because the individual is a member of a protected group.

Harassment

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status such as sex, race, color, ancestry, national origin, citizenship status, religion, age, disability, marital status, sexual orientation, gender identity, pregnancy, military or veteran status, genetic information, order of protection status, or any other category protected by applicable law. The Library will not tolerate harassing conduct that affects tangible job benefits; interferes unreasonably with an individual's work performance; or creates an intimidating, hostile, or offensive working environment.

The conduct forbidden by this policy specifically includes, but is not limited to: (a) epithets, slurs, negative stereotypes, or intimidating acts that are based on a person's protected status; and (b) written or graphic material circulated within or posted within the workplace that shows hostility toward a person because of his or her protected status.

Sexual Harassment

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when made to or by an employee where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;
2. Submission to or refusal to engage in such conduct is used as the basis for any employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment, as defined above, may include, but is not limited to:

1. Uninvited sex-oriented verbal "kidding" or demeaning sexual innuendoes, leers, gestures, teasing, sexually explicit or obscene jokes, remarks or questions of a sexual nature;

2. Graphic or suggestive comments about an individual's dress or body;
3. Displaying sexually explicit objects, photographs, writings, or drawings;
4. Unwelcome touching, such as patting, pinching or constant brushing against another's body;
5. Suggesting or demanding sexual involvement of another employee, whether or not such suggestion or demand is accompanied by implicit or explicit threats concerning one's employment status or similar personal concerns; or
6. Textual/Electronic: "sexting" (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyber stalking, and threats via all forms of electronic communication (email, text/picture/video messages, intranet/online posting, blogs, instant messages, and social network websites like Facebook and Twitter).

Even if two or more employees are engaging in consensual conduct, such conduct could constitute harassment of or discrimination against another employee who witnesses or overhears the conduct.

Investigation Procedure

All Library employees are responsible to help ensure that harassment and discrimination do not occur and are not tolerated. An employee who believes that he or she has been subjected to sexual or other types of harassment or discrimination, or who has witnessed harassment or discrimination, should immediately submit a complaint to his or her supervisor, any other manager or supervisor, or the Human Resources Department. If a manager or supervisor receives a complaint of harassment or discrimination directly from an employee, or becomes aware of such conduct, the complaint or conduct shall be immediately reported to the Human Resources Department.

The Human Resources Department shall promptly investigate all complaints and make all reasonable efforts to resolve the matter informally. These efforts may include, but are not limited to, convening conferences with the complainant and/or the accused harasser/discriminator to discuss the complaint and the results of the investigation. If the complainant or the accused is not satisfied with the disposition of the investigation, he or she may submit in writing an appeal to the Executive Director or their designee, who will review the investigation report and make a final decision. At the Executive Director's option, they or their designee may conduct further investigation, if necessary.

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with Library's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when misconduct has occurred.

A substantiated complaint against an employee or Trustee will subject the employee or Trustee to disciplinary action, up to and including termination or censure. If an investigation results in a finding that the complainant falsely accused another of harassment or discrimination knowingly or in a malicious manner, the complainant will be subject to appropriate discipline, up to and including termination or censure.

Retaliation Prohibited

Reporting harassment or discrimination or participating in an investigation will not reflect adversely upon an individual's status or affect future employment. Any form of retaliation against an employee who reports harassment or discrimination or participates in an investigation is strictly prohibited by the Illinois Human Rights Act, the Illinois State Officials and Employees Act, the Illinois Whistleblower Act, Title VII of the Civil Rights Act of 1964, and Library policy. Any employee or Trustee who retaliates against another for exercising his or her rights under this policy shall be subject to discipline, up to and including termination or censure.

Resolution Outside the Library

The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an employee has the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days.

Contact Information:

Illinois Department of Human Rights (IDHR)
Chicago: 312-814-6200 or 800-662-3942; TTY: 866-740-3953
Springfield: 217-785-5100; TTY: 866-740-3953
Marion: 618-993-7463; TTY: 866-740-3953

Illinois Human Rights Commission (IHRC)
Chicago: 312-814-6269; TTY: 312-814-4760
Springfield: 217-785-4350; TTY: 217-557-1500

United States Equal Employment Opportunity Commission (EEOC)
Chicago: 800-669-4000; TTY: 800-869-8001

(Adopted 11-13-96; Last Revised 3-14-18; Effective 4-1-18)

9 – 23 Substance Abuse Policy

The Library, adopts the following Policy:

1. The unlawful manufacture, distribution, dispensing, possession, or use of alcohol, illicit drugs, or controlled substances by any employee is prohibited on the premises and in the mobile units of the Library. Reporting to work under the influence of any of the above substances, including without limitation medical marijuana, to the extent that the employee's ability to perform job duties safely and satisfactorily is adversely affected, is likewise prohibited.
2. Any violation of the above prohibition will result in disciplinary action against the employee up to and including termination and possible referral for prosecution consistent with applicable federal, state, and local law.
3. The Illinois Drug Free Work Place Act requires that as a condition of employment with the Library all employees will abide by the terms of the Policy and notify the Executive Director of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such a conviction.
4. The Library may require an employee who violates these provisions to participate satisfactorily in a drug abuse assistance or rehabilitation program. Information on such programs will be provided by Library Administration. A request to participate in such a program does not excuse the employee from possible further disciplinary action.
5. The Library will make available to employees, as appropriate, educational material and programs on the dangers of substance abuse in the workplace. In addition, the Library will provide training to assist in identifying and addressing substance abuse by employees.
6. The Library will take adequate measures to inform employees of this Policy, including a statement that employee compliance with this Policy is mandatory. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 24 Job Descriptions

Job descriptions for all staff positions are developed and maintained by the Library. Copies of all job descriptions are posted on the Intranet under Human Resources. Job descriptions are updated periodically as needed and may change with or without advance notice. (Adopted 11-13-96; Last Revised 2-10-16, Effective 3-1-16)

9 – 25 Performance Evaluations

Performance evaluations are an important communication tool between employees and their supervisors. Employees including the Executive Director will receive formal performance assessment (such as a performance evaluation or performance plan) no less than annually. The supervisor will review the written evaluation with each employee. Employees are encouraged to openly discuss any questions or comments they may have regarding the evaluation. The employee will be asked to sign the performance evaluation and will be given a copy. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 26 Salary Reviews

The Executive Director establishes all staff salaries within the framework of the salary schedule established annually by the Board. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 27 Payroll Procedures

Paychecks are issued semi-monthly on the 15th and the last day of each month. If payday falls on a weekend or holiday, employees will be paid on the last week day before the weekend or holiday. (Adopted 11-13-96; Reapproved 2-10-16)

9 – 28 Time and Attendance

The Library uses computer software to automatically process and manage time and attendance records. Every employee is issued a swipe card with a personalized badge number. Employees are responsible for swiping in and swiping out for their scheduled shifts. Employees must not swipe in or swipe out for another employee. Any employee who violates this policy shall be subject to discipline, up to and including termination.

At the end of every pay period Managers review, make corrections, and approve the time and attendance records for each of their employees. Payroll is processed based on the records collected from an automated system. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 29 Illinois Municipal Retirement Fund

The Library and eligible Library employees participate in the Illinois Municipal Retirement Fund (IMRF) pursuant to State laws. Both the Library and the participating employees contribute to IMRF. IMRF provides disability and retirement benefits to eligible employees. All aspects of participation in and benefits provided by IMRF are determined by IMRF and not by the Library. Employees with questions are directed to the IMRF website, www.imrf.org. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 30 Payroll Deductions

The Library is required by law to comply with all statutory rules and regulations with respect to payroll deductions. Generally, payroll deductions consist of Federal and State Income Taxes, Social Security Tax (Federal Insurance Contribution Act Tax or FICA) and other applicable deductions required by the state and/or municipality. In these cases, the Library is merely acting as a tax collector for the federal, state, and municipal governments, as all of the deductions indicated above are sent to the various governmental agencies.

Some employee benefits also result in payroll deductions. See the Human Resources for information concerning individual payroll deductions. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 31 Health Insurance

Health insurance benefits are available for employees regularly scheduled to work a minimum of 30 hours per week. This policy is subject to the provisions of the Affordable Care Act. The Library currently pays 85% of individual coverage for health insurance for employees eligible under the terms of the Affordable Care Act. The employee is responsible for the balance of the premium. If an employee elects to have dependent coverage, he or she is responsible for 100% of the premium for the dependent coverage. Domestic partners, as defined by the insurance carrier policy, are eligible to apply for coverage as a dependent. The Library reserves the right to select the insurance plan and benefits provided, to change them at any time, and to change any required premium contribution. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 32 Dental Insurance

Employees eligible to enroll in the Library's health insurance must enroll in the Library's dental insurance program if they elect health insurance coverage. Employees pay 100% of the premium. If an employee elects to have

dependent coverage, he or she is responsible for 100% of the premium for the dependent coverage. (Adopted 11-13-96; Last Revised 2-10-16, Effective 3-1-16)

9 – 33 Vision Insurance

Employees eligible to enroll in the Library's health insurance may enroll in the Library's vision insurance program if they elect health insurance coverage. Employees pay 100% of the premium. If an employee elects to have dependent coverage, he or she is responsible for 100% of the premium for the dependent coverage. (Adopted 2-10-16, Effective 3-1-16)

9 – 34 Life Insurance

Employees eligible to enroll in the Library's health insurance, if approved by the carrier, must enroll in the Library's life insurance program if they elect health insurance coverage. The Library currently pays 85% of individual coverage for life insurance for eligible employees. (Adopted 3-11-09, Last Revised 3-14-18, Effective 4-1-18)

9 – 35 Additional Life Insurance

IMRF-enrolled employees may obtain additional life insurance through a voluntary life insurance plan. Employees are responsible for 100% of the premium through payroll deductions. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 36 Employee Assistance Program

The Library offers an employee assistance program to all employees and their families. All contact is confidential. For further information contact Human Resources or call the Employee Assistance Program directly using the number provided to all employees. (Adopted 1-12-00; Last Revised 2-10-16, Effective 3-1-16)

9 – 37 Safety

Establishment and maintenance of a safe work environment are shared responsibilities of the Library and its employees. The Library will do everything within its control to assure a safe environment and compliance with federal, state, and local safety regulations. Employees are expected to obey safety rules and to exercise caution in all their work activities.

Employees have an absolute obligation to report or correct unsafe conditions as promptly as possible. The Library will not take reprisals against an

employee who comes forth with a safety recommendation or refuses to operate any equipment in an area s/he reasonably feels is unsafe.

All accidents, especially those that result in injury, must be reported immediately to the nearest available supervisor, regardless of how insignificant they may appear. Such reports are necessary to comply with federal and state laws and to initiate insurance and worker's compensation procedures. Failure to immediately report an accident may result in discipline, up to and including termination.

All employees are covered by worker's compensation insurance for injuries sustained in the performance of their duties. Employees are required to maintain regular communication with Human Resources regarding their return to work date and potential work limitations or restrictions. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 38 Holidays and Other Scheduled Closings

The following days are designated as official holidays when the Library will be closed:

New Year's Day
Memorial Day
July 4th
Labor Day
Thanksgiving Day
Christmas Eve
Christmas Day
New Year's Eve (half day)

The Library will be closed on Easter Sunday, on the Sunday before Memorial Day, and on the Sunday before Labor Day. Those employees with benefits regularly scheduled to work every Sunday will receive a paid holiday for these days.

Should a holiday fall on a benefited employee's day off, the employee may request an alternate day with pay within 30 days of the holiday or at the discretion of the employee's immediate supervisor. The employee will be paid his or her pro-rated time for the holiday. (Adopted 11-13-96; Reapproved 2-10-16)

9 – 39 Personal Days

All full-time employees are entitled to a paid day off for their birthday. Part-time non-benefited employees are entitled to 4 hours off for their birthday. Part-time-benefited employees will receive their pro-rated holiday pay. The

birthday holiday selected must be approved by the employee's immediate supervisor. One birthday holiday may be taken per calendar year. Employees are eligible for the birthday holiday after completing 3 months of employment.

Employees with benefits will be granted up to 2 personal days with pay per calendar year. Following one calendar year of employment, employees are eligible to take both days starting January 1st of each year. During their first calendar year of employment Staff members hired from January 1st to March 31st earn 2 days; Staff members hired from April 1st to September 30th earn 1 day; and Staff members hired from October 1st to December 31st earn no days. Employees changing from a non-benefited position to a benefited position will follow the same guidelines starting on their effective date during their first calendar year of benefited employment.

Employees can take their personal days as soon as they are earned. Personal days do not accumulate from calendar year to year and are not converted into pay at termination of employment. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 40 Sick Leave

Sick leave with full pay will be granted to employees who are designated benefited employees. Sick leave is granted at the rate of one day per month of full-time service up to a maximum of 240 days. It is pro-rated for part-time benefited employees. Unused sick leave is not converted into pay at termination of employment. Upon retirement, accumulated sick leave may qualify for additional IMRF pension credit.

Employees are eligible for sick leave after completing 30 days of employment. Sick leave is earned during this 30 day period.

Sick leave may be taken in no less than 1 hour increments and ½ hour increments thereafter, for medical reasons including the care of the ill. Human Resources may request a medical doctor's statement certifying that an illness or injury is the reason for the absence or to authorize a return to work.

No sick leave is earned by an employee for any calendar month in which an employee is on an unpaid leave of absence. Benefited employees will not be granted time off without pay unless under an approved medical leave (see 9-50.4 and 9-50.5). (Adopted 11-13-96; Last Revised 2-10-16, Effective 3-1-16)

9 – 41 Vacation

Full-Time Employees

Full-time Librarians, Managers, Assistant Directors, and the Executive Director receive four weeks annual paid vacation.

All other full-time staff receive two weeks annual paid vacation. After five years of benefited employment these staff members receive 3 weeks and after ten years of benefited employment they receive 4 weeks. Vacation benefits are accrued monthly.

Part-Time Benefited Employees

These employees earn vacation benefits pro-rated according to the number of hours scheduled to work each week. They receive the pro-rated equivalent of two weeks annual paid vacation. After five years of benefited employment they receive the pro-rated equivalent of 3 weeks and after ten years of benefited employment they receive the pro-rated equivalent of 4 weeks. Vacation benefits are accrued monthly.

Employees can never carry more vacation time than they are entitled to accrue in one year. Employees carrying the maximum vacation time will not accrue additional vacation time.

New staff hired with benefits must work three months before being eligible for pro-rated vacation time. After the completion of three months, vacation accrual is retroactive to hire date or benefit date. For employees changing status from a non-benefited position to a benefited position, the three month waiting period does not apply if they have been an employee of the Library for more than three months.

Conditions for taking vacations:

1. Vacation time may be taken in no less than 1 hour increments and ½ hour increments thereafter.
2. Vacation may be taken any time, subject to the Supervisor's pre-approval.
3. No vacation accrual is earned by an employee when on an unpaid leave of absence.
4. Unused vacation is paid out at the time of termination.

Any exceptions to this policy must be requested in writing in advance and be approved by the Executive Director. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 42 Tuition Reimbursement

The Library offers a tuition reimbursement program to assist current employees in obtaining education or training to increase their competence in present jobs and to prepare for the possibility of advancement within the Library.

Employees may be eligible to participate in the program after completing one year of employment. Applications for tuition reimbursement must be endorsed by the employee's Manager. An employee is expected to pay for the initial course or class taken in any degree or certification program. Employees must complete an application form, participate in an interview, provide verification of successful completion of the first course or class (grade B or above), and have the Executive Director's approval for tuition reimbursement before enrolling in the remaining classes for which they intend to request tuition reimbursement. This application process may take place during enrollment in the beginning course or after its completion. Approval is not finalized until after verification of successful completion of the initial course.

Master's Degree in Library Science (MLS) – Associates (grades 5 and up) are eligible to apply for tuition reimbursement for this graduate degree. After successful completion of the initial course or class in the program, the Library will provide 50% tuition reimbursement for approved employees completing subsequent course work with a grade of "B" or higher toward a Master's Degree in Library Science from an approved program. Employees are eligible for tuition reimbursement for no more than two graduate level classes per fiscal year. Reimbursement will be calculated on an amount no higher than the prevailing course rate at Dominican University, River Forest, IL.

Library Technical Assistant (LTA) – Any employee is eligible to apply for tuition reimbursement for this certificate. After successful completion of the initial course or class in the program, the Library will provide 100% tuition reimbursement of subsequent course work for approved employees pursuing a Library Assistant Certificate from an approved college or university with a grade of "B" or higher in the course work. Employees are eligible for tuition reimbursement for no more than four classes per fiscal year. Reimbursement will be calculated on an amount no higher than the prevailing course rate at the College of DuPage, Glen Ellyn, IL.

The Library may provide tuition reimbursement for other course work or certification programs which are directly related to an employee's job. The reimbursement allowed for other course work or certification classes will not exceed the total amount of reimbursement for the MLS as noted in this policy.

The amount of tuition reimbursement an employee may receive for any fiscal year may be limited by budgetary constraints. An employee will be reimbursed for no more than two courses or classes taken during any one fiscal year whether reimbursement is provided in the same or following fiscal year.

Upon completion of courses or a certification program, there is no implied promise or guarantee of position reclassification or adjustment to the employee's salary.

No employees will be eligible to receive tuition reimbursement if they are not on the Library's payroll on the date on which the check for reimbursement is to be approved by the Board of Library Trustees.

The Library may request that an employee enroll in a class or course for purposes of training or continuing education. When the Library assigns an employee to a workshop, class, or course, the provisions of the Tuition Reimbursement Policy do not apply. The Library will pay fees for the class or course. (Adopted 4-28-93; Last Revised 3-14-18, Effective 4-1-18)

9 – 43 Fines

Current employees may have overdue fines waived. (Adopted 11-13-96; Reapproved 2-10-16)

9 – 44 Acceptance of Gifts

On occasion patrons or vendors may wish to express appreciation for exceptional library service, recognition of a holiday, or an employee's retirement. Employees may accept gifts such as food or flowers from patrons or vendors. These gifts must be received only in compliance with the State's Gift Ban Act (5 ILCS 430/10-15 through 10-40). Employees may not accept any gift in the form of a service, loan, tangible item (other than food or flowers), or tip from any library patron or vendor. (Approved 1-8-14, Effective 1-8-14; Reapproved 2-10-16)

9 – 45 Training

The Library will provide appropriate training for all employees. All employee travel and training must be preapproved according to the guidelines set by the Executive Director or designee. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 46 Use of Vehicles for Library Business

9 – 46.1 Use of Library District Vehicles for Library Business

All drivers of library vehicles must have and show proof of a valid, current, and class appropriate driver's license. Drivers and passengers using library vehicles must be on library business. The driver and passengers must observe all applicable motor vehicle laws and regulations. The driver and passengers must wear seat belts and use appropriate restraints. Using a phone while driving a library vehicle is prohibited. Failure to comply with these requirements may result in disciplinary action up to and including dismissal. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 46.2 Use of Private Vehicles for Library Business

When private vehicles are used for Library Business, drivers must have and show proof of a valid, current, and class-appropriate driver's license and adequate insurance. Approval to attend meetings and/or conferences outside the Library includes approval of use of a private vehicle for Library Business. The Library will reimburse the operator of the vehicle at the prevailing rate per mile set by the Internal Revenue Service. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 47 Expense Reimbursement

The Library will reimburse reasonable, documented travel expenses incurred by staff members who are preapproved by the Executive Director or designee to attend meetings, workshops, and/or conventions. The Library will reimburse reasonable, documented travel expenses incurred by Trustees and the Executive Director while on Library business. Reimbursement of travel expenses for employees and officials of this Library shall be in compliance with the Illinois Public Act 99-0604, Local Government Travel Expense Control Act, and pursuant to the requirements set forth herein.

The Library will pay its pro rata share for staff/trustees attending meetings in conjunction with staff/trustees of other Libraries. Whenever possible, the Library will pay the registration fees and major transportation expenses in advance. Air transportation will be by coach; a traveler may upgrade at his or her own expense or with air miles. Air miles earned on flights belong to the traveler.

A report of any meeting attended will be submitted to the supervisor and the Board if requested.

Travel Expenses

“Travel expenses” are those expenses “directly incident” to official travel by employees or officials which involve reimbursement or direct payment to private companies providing “transportation or related expenses.” These expenses include ordinary and reasonable travel, meal, and lodging costs incurred for the authorized and legitimate purposes of the Library.

Entertainment Expenses

No employee or official may receive payment for any entertainment expense, unless such expense is directly related to the purpose of the program or event. Entertainment expenses include, but are not limited to, shows, amusements, theaters, circuses, sporting events, or any other activity of public or private entertainment or amusement.

Expense Authorization

The Library Travel Reimbursement Request form provided by the Library must be completed and authorization for travel expenses obtained prior to the activity or travel, unless preapproval is not reasonably possible. The information is to include the employee or official’s name, title/office, travel dates, cost estimates for transportation, lodging, meal, and other necessary costs or receipts for the cost of the travel, meals, or lodging if the expenses have already been incurred. The employee or official should indicate whether per diem or actual reimbursement allowances will be requested. For conference/meeting, travel and/or lodging approved or recommended by the sponsoring organization of the conference/meeting should be used whenever possible. For other travel, the lowest reasonable cost option(s) should be chosen whenever possible. The expenses allowable under this Policy must be approved by the Executive Director and can be exceeded only due to an emergency or other extraordinary circumstance, as determined by the Board of Library Trustees by roll call vote at an open meeting of the Board. In addition, Board approval by a roll call vote at an open meeting of the Board is required for expenses incurred by a member of the Board.

Reimbursement

Payment or reimbursement for an authorized employee’s or official’s travel expenses shall be as follows:

1. For those activities which involve training or study as recommended or directed by law or by an applicable agency or entity with oversight or regulatory authority over the Library, or for activities which further the knowledge or expertise of the employee or official, or involve the

sharing of such knowledge or expertise, or which involve professional collaboration with others in the employee's or official's professional field.

2. The maximum allowable reimbursement for travel expenses shall be the per diem expense or the actual, ordinary and reasonable expenses incurred.
 - a. Per diem expenses are based on the U.S. General Services Administration (GSA) per diem rates. Refer to the GSA website: www.gsa.gov/perdiem for per diem rates according to the geographic areas involved in travel. Because rates for specific localities may change as often as every two months, please be careful to ensure that the applied rate is appropriate to the actual dates of travel.
 - b. For actual expenses, the original receipts or proofs of payment are required.

This Policy shall be in addition to any current regulations, requirements, or guidelines on expense reimbursement for employees or officials of the Library. In the event of any inconsistency or conflict, the provisions of this Policy shall control. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 48 Studies and Projects

The Executive Director has the discretion to approve or disapprove all proposals for studies, projects or internships involving the Library, its material, personnel, and patrons. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 49 Requests for Services of Library Staff

All requests for services of staff members outside the building during the normal working day must have the prior approval of the Executive Director. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 50 Leaves of Absence

9 – 50.1 Jury Duty

Employees will be excused from work for the purpose of fulfilling jury duty. All employees will be compensated for the time they are normally scheduled to work. Employees will not be required to work an evening shift on a day of serving jury duty. (Adopted 11-13-96; Last Revised 2-10-16, Effective 3-1-16)

9 – 50.2 Military Leave

Military leave will be provided in accordance with applicable law.
(Adopted 11-13-96; Reapproved 2-10-16)

9 – 50.3 Bereavement

Employees may take up to three paid days per death in their immediate family. This time is prorated for part-time employees. Immediate family for this policy includes employee's parents, spouse, child, brother, sister, grandparent, grandchild, mother-father in-law, daughter-son in-law, brother-sister in-law, grandparent-in-law, domestic partner or member of the household for whose care the employee is financially responsible. Furthermore, an employee who has been employed by the Library for at least 12 months, and worked at least 1,250 hours in the last 12 months may take up to two weeks of unpaid time off for the death of the employee's child. Additional approved time may be taken from accrued sick leave and vacation.
(Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 50.4 Family and Medical Leave

This policy is subject to the provisions of the Family and Medical Leave Act (FMLA). Eligible employees may take up to a total of 12 work weeks of leave during the designated 12-month period for any one or more of the following reasons:

1. The birth of the employee's son or daughter, and to care for the newborn child;
2. the placement with the employee of a son or daughter for adoption or foster care, and to care for the newly placed child;
3. to care for the employee's spouse, son, daughter, or parent with a serious health condition; and
4. because of a serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job.
5. because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee 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 operation.

An eligible employee is any employee who has been employed by the Library for at least 12 months (need not be consecutive) and for at least 1250 hours

of actual service during the 12-month period immediately preceding the commencement of the leave.

The 12-month period in which the 12 work week leave entitlement occurs will be a rolling 12 month period measured backward from the date an employee uses any FMLA leave. Thus, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 work weeks which has not been used during the immediately preceding 12-months.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member will be entitled to a total of 26 work weeks of leave during a single 12-month period to care for the service member, provided such leave will only be available during a single 12-month period, during which the eligible employee will only be entitled to a combined total of 26 work weeks of leave, inclusive of any other entitled leave.

For the purpose of this policy, a “serious health condition” entitling an employee to FMLA leave means an illness, injury, impairment, or physical or mental condition that involves:

1. Inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity, or any subsequent treatment in connection with such inpatient care; or
2. A serious health condition involving continuing treatment by a health care provider.

The determination as to whether or not a condition is a “serious health condition” as that term is defined in the Family and Medical Leave Act and the federal regulations promulgated thereunder will be made by the Library on a case-by-case basis.

Family or medical leave may be taken intermittently or on a reduced-leave schedule when necessary. Employees needing intermittent leave or leave on a reduced schedule should attempt to schedule the leave so as not to disrupt the operations of the Library. Certification of the medical necessity of intermittent leave or leave on a reduced-leave schedule may be required.

In any instance where the necessity for leave arises from any qualifying exigency due to a spouse, son, daughter, or parent of the employee being on active duty in the Armed Forces is foreseeable, whether because the spouse, son, daughter, or parent is on active duty, or because of notification of an impending call or order to active duty in support of a contingency operation, the employee will provide such notice to Library as is reasonable and practicable.

Insurance coverage will be maintained for the duration of the 12 work weeks of leave for those employees with current coverage under Library's plan. The terms and conditions of insurance coverage, including any applicable premium contributions by the employee, will remain the same during the family or medical leave. Employees on leave must make timely payment of any employee portion of the insurance premiums. If an employee's premium payment is more than 30 days late, coverage may be dropped 15 days after written notice to the employee.

Employees must provide sufficient notice of the need for FMLA leave and must explain the reasons for the needed leave. A request for family or medical leave should be made 30 days in advance, when the need for the leave is foreseeable. Such requests should be made to Human Resources. When unforeseeable events occur that require family or medical leave, employees must give notice to Human Resources as soon as practical, but not later than 3 days after the employee learns of the need for leave.

Requests for family or medical leave or for extensions of such leave must be substantiated by medical certification. A form will be provided to the employee.

Employees are required to maintain regular communication with Human Resources regarding their return to work date and potential work limitations or restrictions.

When medical leave is granted due to an employee's own serious health condition, the employee must obtain and present, at the employee's expense, certification from the employee's health care provider that the employee is able to resume work at the time the employee seeks reinstatement. Second and third opinions with respect to any medical certification may be sought by the Library at its expense. The health care provider for any such second or third opinions will be designated by the Library.

Eligible employees who have any accrued paid time off benefits must substitute all such available paid leave as part of the 12 work weeks for FMLA leave. Upon exhaustion of all accrued paid time off benefits that is substituted for FMLA leave, any remaining portion of FMLA leave will be unpaid.

Employees will not accrue sick leave or vacation during the unpaid period of the leave. Employees will begin accruing sick leave and vacation benefits when they return from leave. Should a paid holiday fall during the paid period of the leave, the employee will receive holiday pay. No holiday pay will be given if on unpaid leave.

Employees taking family or medical leave will be restored to their previous position or to an equivalent position in accordance with the Family and

Medical Leave Act, provided the employee would otherwise be employed at the conclusion of the leave if the employee had not taken the leave.

Acceptance of employment elsewhere during the term of the leave will result in termination. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 50.5 Medical Leave for Non-Eligible FMLA Employees

The Library may grant employees not eligible for FMLA an unpaid medical leave of absence when an employee is unable to perform the functions of his or her position because of the employee's health condition. The maximum amount of time the Library may allow is typically 6 weeks in a rolling 12-month period. An extension may be granted at the discretion of the Executive Director. To be eligible for such a leave, an employee must have been employed by the Library for at least 6 months. Eligibility is determined as of the date the leave commences, not when the leave is requested.

The Library will require medical certification to support a claim for leave for an employee's health condition within 7 days of a request for a leave. The certification must include a statement that the employee is unable to perform the functions of his or her position, the date on which the health care condition began and the probable duration of the absence. If the need for the leave is foreseeable, such as a planned medical treatment, at least 30 days prior written notice must be given by the employee. If the need is unexpected, employees are required to provide as much notice as possible.

This medical leave is generally unpaid leave. However, employees with benefits must use any available sick, personal time, and vacation during this period. During the paid portion of the leave, the employee with benefits will continue to accrue benefits.

Upon the employee's return to work following a leave, an employee must provide a written statement from his or her physician certifying that the employee is capable of performing his or her duties. (Adopted 3-11-09; Last Revised 3-14-18, Effective 4-1-18)

9 – 50.6 Victims' Economic Security and Safety Leave

An employee who is a victim of domestic or sexual violence may take unpaid leave from work for up to 12 work weeks per 12-month period according to the provisions set forth in the Victims' Economic Security and Safety Act (VESSA). (Adopted 3-11-09; Reapproved 2-10-16)

9 – 51 Resignation

A resigning employee is requested to give advance notice in writing to his or her Manager. Resignations should state the reason and the effective date. The effective date should be the last day the employee is scheduled to work. Managers and exempt employees are asked to give a four-week notice of intent to resign. Non-exempt employees are asked to give a two-week notice. Employees are required to be physically present on their last scheduled day of employment. (Adopted 11-13-96; Reapproved 2-10-16)

9 – 52 Exit Interview

A resigning employee will have the opportunity to have an exit interview with his or her Supervisor, Manager, Human Resources, or the Executive Director. (Adopted 11-13-96; Last Revised 3-14-18, Effective 4-1-18)

9 – 53 HIPAA Anti-Retaliation Policy

Title II of the Federal Health Insurance Portability and Accountability Act (42 USC §§ 1320d to 1329d-8, and Section 264 of Public Law 104191) (“HIPAA”), and its accompanying Privacy Regulations, 45 CFR Parts 160 and 164, require that “covered entities,” as defined by the HIPAA Privacy Regulations, refrain from any retaliatory acts targeted toward those who file complaints or otherwise report HIPAA violations or infractions. The purpose of this policy is to clearly state the position of the Library on intimidation and retaliation. This policy applies to all workforce, volunteers, management, and officials of the Library.

Under no circumstances will the Library intimidate, threaten, coerce, discriminate against, or take other retaliatory action against any individual for:

1. The exercise of rights guaranteed under HIPAA, including the filing of a HIPAA complaint against the Library;
2. The filing of a HIPAA complaint with the Secretary of HHS;
3. Testifying, assisting, or participating in a HIPAA investigation, compliance review, proceeding, or hearing; or
4. Opposing any act or practice that is counter to the HIPAA regulations, provided the individual has a good-faith belief that the practice opposed is unlawful, and the manner of the opposition is reasonable and does not involve a disclosure of protected health information in violation of HIPAA.

No retaliatory action against an individual or group involved in filing HIPAA complaints or otherwise reporting infractions will be tolerated.

Under no circumstances will the Library require any member(s) of its workforce, volunteers, management, or officials to waive their rights under HIPAA.

All allegations of HIPAA retaliation against individuals will be reviewed and investigated by the Library in a timely manner. The Human Resources Department shall promptly investigate all complaints and make all reasonable efforts to resolve the matter informally. These efforts may include, but are not limited to, convening conferences with the complainant and/or the accused to discuss the complaint and the results of the investigation. If the complainant or the accused is not satisfied with the disposition of the investigation, he or she may submit in writing an appeal to the Executive Director or their designee, who will review the investigation report and make a final decision. At the Executive Director's option, they or their designee may conduct further investigation, if necessary. (Adopted 9-10-03; Last Revised 3-14-18, Effective 4-1-18)

9 – 54 Employee Enforcement of Privacy Policy

The Board of Library Trustees places the highest priority on the effective implementation of the Privacy Policy by the Library staff. All employees are expected to have a working understanding of the privacy policy in effect and must adhere to the provisions of the Library's Privacy Policy and procedures.

To assist in policy implementation, a designated Person In Charge will be on duty at the Main Library during all hours that Library facilities are open to the public.

An employee may not disclose the personally identifiable information of a user contained in library circulation or registration records except in accordance with Privacy Policy and procedures.

The Person In Charge may, however, disclose private information to proper authorities contrary to the privacy policy only if the employee reasonably believes that an individual faces a real and imminent threat of bodily harm that could be averted by the prompt disclosure of such information in accordance with Policy 11-9. If an employee releases the information, he or she must report the matter to the Executive Director or designee as soon as possible.

Employees who violate the Library's Privacy Policy will be subject to disciplinary action up to and including dismissal.

The employee's obligation to protect the privacy of library users under federal and state laws is perpetual and thus extends beyond the term of employment. (Adopted 9-8-04; Last Revised 3-14-18, Effective 4-1-18)

Policy 9 Comprehensive Review: Adopted 11-13-96; Last Revised March 14, 2018, Effective April 1, 2018.